

CALENDAR FOR THE BOARD OF SUPERVISORS
CONTRA COSTA COUNTY
AND FOR SPECIAL DISTRICTS, AGENCIES, AND AUTHORITIES GOVERNED BY THE BOARD
BOARD CHAMBERS ROOM 107, ADMINISTRATION BUILDING, 651 PINE STREET
MARTINEZ, CALIFORNIA 94553-1229

GAYLE B. UILKEMA, CHAIR, 2nd DISTRICT
JOHN GIOIA, 1st DISTRICT
MARY N. PIEPHO, 3rd DISTRICT
KAREN MITCHOFF, 4th DISTRICT
FEDERAL D. GLOVER, 5th DISTRICT

DAVID J. TWA, CLERK OF THE BOARD AND COUNTY ADMINISTRATOR, (925) 335-1900

The Board of Supervisors respects your time, and every attempt is made to accurately estimate when an item may be heard by the Board. All times specified for items on the Board of Supervisors agenda are approximate. Items may be heard later than indicated depending on the business of the day. Your patience is appreciated.

AGENDA
November 15, 2011

9:00 A.M. Convene and adjourn to Closed Session in Room 101.

Present: District I Supervisor John Gioia; District II Supervisor Gayle B. Uilkema; District IV Supervisor Karen Mitchoff; District V Supervisor Federal D. Glover

Absent: District III Supervisor Mary N. Piepho

Attendees: David J. Twa

David J. Twa

Closed Session Agenda:

A. CONFERENCE WITH LABOR NEGOTIATORS

1. Agency Negotiators: David Twa and Ted Cwiek.

Employee Organizations: Contra Costa County Employees' Assn., Local No. 1; Am. Fed., State, County, & Mun. Empl., Locals 512 and 2700; Calif. Nurses Assn.; Service Empl. Int'l Union, Local1021; District Attorney's Investigators Assn.; Deputy Sheriffs Assn.; United Prof. Firefighters, Local 1230; Physicians' & Dentists' Org. of Contra Costa; Western Council of Engineers; United Chief Officers Assn.; Service Empl. Int'l Union United Health Care Workers West; East County Firefighters' Assn.; Contra Costa County Defenders Assn.; Probation Peace Officers Assn. of Contra Costa County; Contra Costa County Deputy District Attorneys' Assn.; and Prof. & Tech. Engineers, Local 21, AFL-CIO.

2. Agency Negotiators: David Twa and Ted Cwiek.

Unrepresented Employees: All unrepresented employees.

B. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov. Code, § 54956.9(b): Two potential cases.

There were no items reported from Closed Session today.

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

Inspirational Thought - *"Our greatest glory is not in never failing, but in rising up every time we fail."* ~ Ralph Waldo Emerson

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.62 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 this section will be considered with the Short Discussion Items.

There were no items reported.

PRESENTATIONS

PR.1 Presentation to honor Marvin Terrell for the 2011 California Planning Commissioner of the Year Award. (Catherine Kutsuris, DCD Director)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

SHORT DISCUSSION ITEMS

SD. 1 PUBLIC COMMENT (3 Minutes/Speaker)

There were no requests to speak at public comment.

SD. 2 CONSIDER Consent Items previously removed.

Consent item C.61 was removed for explanation and clarification of the negotiated mitigations, including a number of local job opportunities. The action was subsequently adopted with certain language modifications and request for more information, by unanimous vote of all Supervisors present.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

SD.3 CONSIDER approving an update of the Countywide Emergency Operations Plan (EOP) and request that the Sheriff-Coroner implement the updated plan, as recommended by the Internal Operations Committee. (Rick Kovar, Office of the Sheriff-Coroner)

ACCEPTED report regarding update to the Countywide Emergency Operations Plan by the Office of the Sheriff; APPROVED the revised Countywide Emergency Operations Plan and requested the Office of the Sheriff implement the plan as presented; DIRECTED staff to expeditiously provide the Annex portions after they receive State approval.

DELIBERATION ITEMS

11:00 A.M.

D.1 HEARING on an appeal filed by Save Mount Diablo on a County Planning Commission decision to approve a 7 lot subdivision with a remainder and HEARING on the recommendation of the County Planning Commission to rezone the property from A-2 General Agricultural District to R-40, Single Family Residential for Nelda Champion (Applicant and Owner). The subject site is located at 1125 North Gate Road in the Walnut Creek area. (County File # SD07-9167 & RZ07-3195) (APN 138-180-002)

Speakers: Jodi Bailey and Seth Adams, Save Mount Diablo (Appellant); Vince D'Alo of Aliqout Associates (on behalf of Applicant); Allan Moore, resident of Danville; Kish Rajan, resident of Walnut Creek.

CLOSED the public hearing;

DENIED the appeal filed by Save Mount Diablo and UPHELD the County Planning Commission 9/13/2011 decision to approve a Subdivision, County File #SD079167, as amended to include two additional Conditions of Approval:

1. The buffer shall be planted with a scattering of native oak tree; planting shall not be so dense as to change the overall grassland character of the existing open space, but shall be sufficient to break up the visual appearance of the new homes.

2. The setback for proposed lot in the northwest corner of the property along the creek shall be increased to the 250' counter line.

ACCEPTED the County Planning Commission recommendation to Rezone the property from A-2 to R-40 County File , RZ07-3195;

FOUND the Mitigated Negative Declaration prepared for this project to be adequate for the purpose of compliance with the California Environmental Quality Act (CEQA), and ADOPTED the Mitigated Negative Declaration and the Mitigation Monitoring Program;

ADOPTED the Rezoning (County File No. RZ07-3195) of the subject site from A-2, General Agricultural District to R-40, Single Family Residential as recommended in County Planning Commission Resolution No. 20-2011;

ADOPTED Ordinance No. 2011-18 giving effect to the aforementioned rezoning;

ADOPTED the findings contained in County Planning Commission Resolution No. 20-2011 as the basis for the Board approval; and

DIRECTED the Community Development Division to post the Notice of Determination with the County Clerk.

A YE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover
Other: District III Supervisor Mary N. Piepho
(ABSENT)

D. 2 CONSIDER reports of Board members.

No items reported today.

Closed Session

1:00 P.M.

ADJOURN to the Contra Costa County Housing Authority Meeting at 1:00 P.M.

CONSENT ITEMS

Engineering Services

C.1 ADOPT Resolution No. 2011/463 approving the annual county miles in the Total Maintained Mileage for County Roads Report. (No Fiscal Impact)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.2 ADOPT Resolution No. 2011/464 ratifying the prior decision of the Public Works Director, or designee, to fully close a portion of Pomona Street between Alexander Street and Rolph Avenue, and all of Rolph Avenue, on November 11, 2011 from 9:00 A.M. through 11:00 A.M., for the purpose of the John Swett High School Marching Band parade, Crockett area. (No Fiscal Impact)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

Special Districts & County Airports

C.3 APPROVE and AUTHORIZE the Public Works Director, or designee, to issue a payment for \$1,500 from County Services Area (R-7A), made payable to the Alamo Chamber of Commerce for the maintenance of holiday lights at Andrew H. Young Park, Alamo Area. (100% County Service Area R-7A Funds)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.4 APPROVE and AUTHORIZE the Fire Chief, or designee, of the Contra Costa County Fire Protection District to apply for and accept the 2011 U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) Technical Assistance Grant in an amount not to exceed \$28,025 for the purchase of portable multi-gas detectors and related equipment. (100% Federal; No District match)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.5 APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute all grant documents necessary to secure grant funding with the California Department of Water Resources, in an amount not to exceed \$5,000,000, from State matching funds for Fiscal Year 2011/2012, for the remediation and repair of Wildcat and San Pablo Creek Levees, North Richmond Area. (90% California Department of Water Resources Local Levee Critical Repair Program Grant and 10% County Match - Flood Control Zone 7 funding)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.6 APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute all grant documents necessary to secure grant funding with the California Department of Water Resources, from state matching funds for Fiscal Year 2011/2012, to reimburse approximately \$250,000 of the nonfederal funds expended by Flood Control District Zone 3B for the geotechnical evaluation of Lower Walnut Creek Levees, Martinez and Concord Areas. (100% California Department of Water Resources Local Levee Evaluation Program Grant Funds)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

Claims, Collections & Litigation

C.7 RECEIVE report concerning the final settlement of Thomas Gill vs. Contra Costa County; and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$58,500. (100% Workers' Compensation Internal Service Fund)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.8 DENY claims by Rosanna Bell, Joseph Bianchi, Geico Ins. for Judy Leach, Manuel Chavez, Janet Dauth, Jamie Finegold, Patrick Gordis, Michael Grant, Mario White, Blackhawk Homeowners Assoc., Byron Shields and DENY application to file late claim by Nathan Hill.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

Honors & Proclamations

C.9 ADOPT Resolution No. 2011/466 recognizing and honoring the 2011 Contra Costa Philanthropy Award Recipients, as recommended by Supervisor Uilkema.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

Appointments & Resignations

C.10 APPOINT Abiud A. Amaro Diaz to the Private/Non-Profit Seat No. 4 on the Economic Opportunity Council, for a term ending June 30, 2013, as recommended by the Employment and Human Services Director.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.11 APPOINT Clearnise P. Bullard to the Private/Non-Profit Seat No. 3 on the Economic Opportunity Council, for a term ending June 30, 2013, as recommended by the Employment and Human Services Director.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.12 APPOINT Noel Luiz to Seat C7 - Public Provider Field Paramedic, on the Emergency Medical Care Committee as recommended by the Health Services Director.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.13 REAPPOINT Darwin Marable to the District II Seat of the Arts & Culture Commission of Contra Costa County for a four-year term with an expiration date of June 30, 2015, as recommended by Supervisor Uilkema.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.14 ACCEPT resignation of Mim Carlson, DECLARE a vacancy in Member-at-Large Seat #12 on the Advisory Council on Aging, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Employment and Human Services Director.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.15 APPOINT Robin Summers Mitchell to the Member at Large Seat #14 on the Advisory Council on Aging, as recommended by the Employment and Human Services Director.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.16 APPOINT Ralph Hoffman to the Member at Large Seat #10 on the Advisory Council on Aging, as recommended by the Employment and Human Services Director.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.17 ACCEPT resignation of Terrese Robison from the Advisory Council on Aging, DECLARE a vacancy in the Local Committee, Oakley Seat, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Employment and Human Services Director.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.18 APPOINT Mary Dunne Rose to the Member at Large Seat #13 on the Advisory Council on Aging, as recommended by the Employment and Human Services Director.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.19 APPOINT Katherine Webster to the At-Large 3 seat on the Alcohol and Other Drugs Advisory Board, as recommended by the Internal Operations Committee.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.20 APPOINT Bruce Lyon to the Unspecified Geographic Area, At-Large #1 seat, Maeve Sullivan, West County, At-Large #1 seat, Jaime Rich, Central County At-Large #2 seat, David Pitman to the Consumer/Community #2 seat, Salena Killion to the East County, At-Large #2 seat; CONFIRM appointments of Clyde J. Trombetta to the Environmental Health seat, Jeffrey Ritterman, M.D. to the Private Medical Community seat, and Art Hatchett to the Volunteer Health Agencies seat; CORRECT action taken by the Board to appoint individuals to certain seats, and REVISE the names of certain seats on the Public Environmental Health Advisory Board (PEHAB), as recommended by the Internal Operations Committee.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.21 APPOINT, in lieu of election, Herbert A. Speckman and Joyce M. Speckman as Trustees to Reclamation District No. 2117, Coney Island Tract, as recommended by the District.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.22 APPOINT, in lieu of election, Robert Cecchini and John R. Jackson as Trustees to Reclamation District No. 2024, Orwood and Palm Tracts, as recommended by the District.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

Appropriation Adjustments

C.23 Treasurer-Tax Collector's Office (0015)/General Services (0063): APPROVE Appropriations Adjustment No. 5020 authorizing the transfer of appropriations in the amount of \$21,720 from the Treasurer-Tax Collector's Office to General Services - Fleet Operations (0063) to purchase a vehicle through their Internal Service Fund (ISF).

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

Personnel Actions

C.24 ADOPT Position Adjustment Resolution No. 20995, to transition one Public Health Program Specialist I-Project (represented) position and incumbent, two Health Education Specialist-Project (represented) positions and incumbents, and one Community Health Worker II-Project (represented) position and incumbent in the Health Services Department into the Merit System. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.25 ADOPT Position Adjustment Resolution No. 21014 to add one Medical Social Worker II position (represented) in the Health Services Department. (CCHP Member Premiums)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.26 ADOPT Position Adjustment Resolution No. 21015 to cancel one Substance Abuse Counselor position and add one Permanent Intermittent Substance Abuse Counselor position (represented) in the Health Services Department. (Cost neutral)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

Leases

C.27 APPROVE and AUTHORIZE the Deputy General Services Director to execute a Revenue Lease with Shelter, Inc. of Contra Costa County for the premises at 1391 Shell Avenue, Martinez for operation of an emergency shelter for homeless families, as requested by the Health Services Department; and ADOPT related California Environmental Quality Act findings. (100% Lease revenue)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

Grants & Contracts

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

C.28 APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute Agreement #11-0013 Statewide Exotic Pest Detection Trapping with the Department of Food and Agriculture in an amount not to exceed \$769,905 to reimburse the County for pest detection activities, the period of July 1, 2011 through June 30, 2012, as recommended by the Agricultural Commissioner. (No County Match)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.29 APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute Agreement #10-0325 Amendment 1 with the California Department of Food and Agriculture (CDFA) in an amount not to exceed \$553,860, to reimburse all costs associated with the Glassy-Winged Sharpshooter (GWSS) detection survey and control program for the period of July 1, 2010 through June 30, 2012, as recommended by the Agricultural Commissioner. (No County Match)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.30 APPROVE and AUTHORIZE the Librarian, or designee, to apply for and accept a California Reads grant from the California Council for the Humanities in the amount of \$1,500 for materials and programming at the Martinez Library for the period January 1, 2012 through November 30, 2012. (No Library fund match)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.31 APPROVE and AUTHORIZE the Librarian, or designee, to apply for and accept a California Reads grant from the California Council for the Humanities in the amount of \$15,000 for materials and programming in West County Libraries for the period January 1, 2012 through November 30, 2012. (No Library fund match)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.32 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept Community Development Block Grant funds from the Contra Costa Department of Conservation and Development in an amount not to exceed \$200,000 for micro-enterprise business start-up training and counseling for small business for the term July 1, 2012 through June 30, 2014. (No County match)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.33 APPROVE and AUTHORIZE the Health Services Director, or designee, to submit a grant application to the California Department of Resources Recycling and Recovery, to pay the County in an amount not to exceed \$450,000 for the Environmental Health Waste Tire Enforcement Program, for the period from July 1, 2012 to June 30, 2013. (No County match required)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.34 APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept National Council on Aging grant funding in an amount not to exceed \$80,800 for Volunteer Care Coordination and Outreach Integration Program(s) for the period February 1, 2012 through January 31, 2013. (No County match)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.35 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, a contract with the California Department of Public Health, to pay the County an amount not to exceed \$1,470,461 for prevention and emergency preparedness programs, for the period from July 1, 2011 through August 9, 2012. (100% State)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.36 APPROVE and AUTHORIZE the Health Services Director, or designee, to accept a Grant Award from the California Department of Public Health, to pay County an amount not to exceed \$2,594,280, for the Family Maternal and Child Health, Nurse-Family Partnership Project through the California Home Visiting Program, for the period January 1, 2012 through June 30, 2014. (No County match required)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

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 Child Support Services Director, or designee, to execute a contract amendment with Superior Court of California, to increase the payment limit by \$3,230 to a new payment limit not to exceed \$66,492, including modified indemnification language, to provide on-site family law facilitator services, and to extend the term from June 30, 2011 to October 31, 2011. (66% Federal, 34% State)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.38 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with CJS Solutions Group, LLC, effective October 7, 2011, to increase the payment limit by \$250,000, to a new payment limit of \$750,000 to reflect the original intent of both parties to provide reimbursement for travel and project expenses, with no change in the original term of July 1, 2011 through June 30, 2012. (100% Federal ARRA Funds)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.39 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Tango2, Inc., effective June 1, 2011, to increase the payment limit by \$400,000 to a new payment limit of \$1,140,000 to reflect the original intent of both parties to provide reimbursement for travel and project expenses, with no change in the original term of June 1, 2011 through May 31, 2013 for the provision of consultation and technical assistance with regard to healthcare information technology systems. (100% Enterprise Fund I)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.40 CORRECT the Board Order approved by the Board of Supervisors on May 24, 2011 (C.58) with Apheresis Care Group, Inc., to reflect the intent of the parties, to include mutual indemnification and modifications to County's standard General Conditions language, with no change in the payment limit of \$600,000 and no change in the term of April 1, 2011 through March 31, 2014, for the provision of therapeutic apheresis services to patients at Contra Costa Regional Medical Center. (100% Enterprise I)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.41 APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department, to execute: 1) a change order to Purchase Order with Covidien, Inc. to increase the payment limit by \$143,000 for a new total of \$993,000, for the two year period ending January 31, 2012; and 2) a new purchase order with Covidien, Inc., in the amount of \$1,500,000, for the period from February 1, 2012 through January 31, 2014, for medical supplies at Contra Costa Regional Medical and Health Centers. (100% Enterprise Fund I)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.42 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with United Family Care, LLC (dba Family Courtyard) in an amount not to exceed \$178,560, to provide augmented board and care services, for the period December 1, 2011 through November 30, 2012. (100% Mental Health Realignment funds)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.43 AUTHORIZE the Purchasing Agent to purchase, on behalf of the Health Services Department, gift cards in the amount of \$8,500 from Safeway, Target, and Walmart, to use as incentives for participation in the Safe Routes to School Project, for the Fiscal Years 2011 through 2014. (100% State Department of Transportation)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.44 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Sarcom, Inc. (dba The Abreon Group), effective November 1, 2011, to increase the payment limit by \$140,000, to a new payment limit of \$194,100 for additional consultation and technical assistance to the Department with regard to development of a strategic communications plan for the Epic Electronic Health Record System, with no change in the original term of August 15, 2011 through August 15, 2012. (100% Federal ARRA Funds)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.45 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a cancellation agreement with Dino Elyassnia, M.D., a Professional Corporation for his existing contract, effective at close of business on October 31, 2011; and to execute a new contract with Dino Elyassina, M.D., A Professional Corporation, in an amount not to exceed \$240,000, to provide plastic surgery services for patients at Contra Costa Regional Medical and Health Centers, for the period from November 1, 2011 through October 31, 2012. (100% Enterprise I)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.46 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 \$500,000, to provide Multidimensional Treatment Foster Care services to Seriously Emotionally Disturbed youth and their families, for the period from July 1, 2011 through June 30, 2012, with a six-month automatic extension through December 31, 2012, in an amount not to exceed \$250,000. (50% Federal FFP Medi-Cal, and 50% State Early and Periodic Screening, Diagnosis, and Treatment)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.47 APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a novation contract with Milhous Children's Services, Inc., in an amount not to exceed \$256,752, to provide therapeutic behavioral services for the period July 1, 2011 through June 30, 2012, with a six-month automatic extension through December 31, 2012 in an amount not to exceed \$128,376. (50% Medi-Cal and 50% State EPSDT)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.48 APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department to execute, a purchase order with Search America, Inc., in the amount not to exceed \$150,000, to purchase an address validation system for Contra Costa Regional Medical Center patients and Contra Costa Health Plan members. (100% Federal Funds)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.49 APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department to execute a Purchase Order with Capsule Technologie, Inc., in an amount not to exceed \$300,000, for the purchase of a medical device connectivity system for Contra Costa Regional Medical Center and Health Centers. (100% Federal Funds)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.50 APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department to execute a Purchase Order with Clinical Computer Systems, Inc., in the amount not to exceed \$425,000, for purchase of an OBIX fetal monitoring system for the Labor and Delivery Department at Contra Costa Regional Medical and Health Centers. (100% Federal Funds)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.51 APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Department to execute, a purchase order with Nexus IS, Inc., in the amount of \$859,000, for the purchase of Citrix servers and technology required for the Epic Electronic Health Record implementation. (100% Federal Funds)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.52 APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Conservation and Development Director, to execute multiple purchase change orders with McHale's Insulation, Home Depot, Ambient Air Heating & Air Conditioning Systems, and Entech Supply for an aggregate increase of \$320,000 and extend the term of each purchase order to December 31, 2012. (100% Weatherization Grants)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

Other Actions

C.53 APPROVE and AUTHORIZE the Director of Conservation and Development to permit Rong Shen, the owner of a townhouse that is subject to the requirements of the Camino Tassajara Affordable Housing Program and located in the Willow at Alamo Creek Development in Danville, to temporarily rent out her townhouse, under the terms of the deed restrictions applicable to her property, for a term not to exceed two years.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.54 ACCEPT corrective action plan for 2011/12 program year annual Head Start self-assessment as submitted by Employment & Human Services Director.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.55 APPROVE the list of providers recommended by the Contra Costa Health Plan's Peer Review and Credentialing Committee at their October 11, 2011 meeting, and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.56 ACCEPT report from Public Works Director on the status of the Main Street Power solar panel project at the West County Justice Center. (No Fiscal Impact)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.57 APPROVE and AUTHORIZE the allocation of \$244,325 from the Crockett Co-Generation Property Tax Allocation for four projects as recommended by the Crockett Community Foundation. (100% General Fund)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.58 APPROVE and AUTHORIZE the Director of Conservation and Development to permit Ming Chen and Eric Tam, the owners of a townhouse that is subject to the requirements of the Camino Tassajara Affordable Housing Program and located in the Willow at Alamo Creek Development in unincorporated Danville, to temporarily rent out their townhouse, under the terms of the deed restrictions applicable to their property, for a term not to exceed two years.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.59 CONTINUE the emergency action originally taken by the Board of Supervisors on November 16, 1999 regarding the issue of homelessness in Contra Costa County, as recommended by the Health Services Director.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.60 ACCEPT report on Crockett Co-Generation Plant Property Tax 'Return to Source' Funds, as recommended by the Finance Committee. (Supervisor Gioia and Supervisor Glover)

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.61 APPROVE and AUTHORIZE a Community Benefits Agreement entered into by and between Contra Costa County and Genon Marsh Landing, LLC, where Genon Marsh Landing, LLC provides accrued benefits up to \$6,500,000 to community based organizations over a ten-year period as specified in said agreement, as recommended by Supervisor Federal D. Glover.

APPROVED and AUTHORIZED a Community Benefits Agreement entered into by and between Contra Costa County and Genon Marsh Landing, LLC, as amended today to replace the word "mitigation" with "offset"; and Supervisor Glover will bring to the full Board further information on the process by which beneficiaries are selected.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

C.62 APPOINT Jeff Altman to the Contra Costa County seat on the Contra Costa County Transportation Authority Citizens Advisory Committee, as recommended by the Internal Operations Committee.

AYE: District I Supervisor John Gioia, District II
Supervisor Gayle B. Uilkema, District IV
Supervisor Karen Mitchoff, District V
Supervisor Federal D. Glover

Other: District III Supervisor Mary N. Piepho
(ABSENT)

GENERAL INFORMATION

The Board meets in all its capacities pursuant to Ordinance Code Section 24-2.402, including as the Housing Authority and 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 72 hours prior to that meeting are available for public inspection at 651 Pine Street, First Floor, Room 106, Martinez, CA 94553, during normal business hours.

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

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

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

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

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

Applications for personal subscriptions to the weekly Board Agenda may be obtained by calling the Office of the Clerk of the Board, (925) 335-1900. The weekly agenda may also be viewed on the County's Internet Web Page:

www.co.contra-costa.ca.us

STANDING COMMITTEES

The **Airport Committee** (Supervisors Karen Mitchoff and Mary N. Piepho) meets on the fourth Thursday of the month at 10:00 a.m. at Director of Airports Office, 550 Sally Ride Drive, Concord.

The **Family and Human Services Committee** (Supervisors Gayle B. Uilkema and Federal D. Glover) meets on the second Monday of the month at 11:00 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Finance Committee** (Supervisors John Gioia and Federal D. Glover) meets on the first Monday of the month at 1:30 p.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Internal Operations Committee** (Supervisors Mary N. Piepho and John Gioia) meets on the third Monday of the month at 9:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Legislation Committee** (Supervisors Karen Mitchoff and John Gioia) meets on the third Monday of the month at 11:00 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Public Protection Committee** (Supervisors Federal D. Glover and Gayle B. Uilkema) meets on the first Monday

of the month at 11:00 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Transportation, Water & Infrastructure Committee** (Supervisors Mary N. Piepho and Karen Mitchoff) meets on the second Wednesday of the month at 9:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

Airports Committee	Dec. 12, 2011	11:30 A.M.	See above
Family & Human Services Committee	Dec. 12, 2011	11:00 A.M.	See above
Finance Committee	Dec. 05, 2011	1:30 P.M.	See above
Internal Operations Committee	Nov. 21, 2011	9:00 A.M.	See above
Legislation Committee	Nov. 21, 2011	11:00 A.M.	See above
Public Protection Committee	Dec. 05, 2011	11:00 A.M.	See above
Transportation, Water & Infrastructure Committee	Dec. 14, 2011	9:30 A.M.	See above

PERSONS WHO WISH TO ADDRESS THE BOARD MAY BE LIMITED TO THREE (3) MINUTES

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 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
- CCCPCFD (ConFire)** Contra Costa County Fire Protection District
- CCHP** Contra Costa Health Plan

CCTA Contra Costa Transportation Authority
CCRMC Contra Costa Regional Medical Center
CCWD Contra Costa Water District
CDBG Community Development Block Grant
CFDA Catalog of Federal Domestic Assistance
CEQA California Environmental Quality Act
CIO Chief Information Officer
COLA Cost of living adjustment
ConFire (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
EBMUD East Bay Municipal Utility District
ECCFPD East Contra Costa Fire Protection District
EIR Environmental Impact Report
EIS Environmental Impact Statement
EMCC Emergency Medical Care Committee
EMS Emergency Medical Services
EPSDT Early State Periodic Screening, Diagnosis and Treatment Program (Mental Health)
et al. et alii (and others)
FAA Federal Aviation Administration
FEMA Federal Emergency Management Agency
F&HS Family and Human Services Committee
First 5 First Five Children and Families Commission (Proposition 10)
FTE Full Time Equivalent
FY Fiscal Year
GHAD Geologic Hazard Abatement District
GIS Geographic Information System
HCD (State Dept of) Housing & Community Development
HHS (State Dept of) Health and Human Services
HIPAA Health Insurance Portability and Accountability Act
HIV Human Immunodeficiency Syndrome
HOV High Occupancy Vehicle
HR Human Resources
HUD United States Department of Housing and Urban Development
IHSS In-Home Supportive Services
Inc. Incorporated
IOC Internal Operations Committee
ISO Industrial Safety Ordinance
JPA Joint (exercise of) Powers Authority or Agreement
Lamorinda Lafayette-Moraga-Orinda Area
LAFCo Local Agency Formation Commission
LLC Limited Liability Company
LLP Limited Liability Partnership
Local 1 Public Employees Union Local 1
LVN Licensed Vocational Nurse
MAC Municipal Advisory Council
MBE Minority Business Enterprise
M.D. Medical Doctor
M.F.T. Marriage and Family Therapist
MIS Management Information System
MOE Maintenance of Effort

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



Contra
Costa
County

To: Board of Supervisors
From: Catherine Kutsuris, Conservation & Development Director
Date: November 15, 2011

Subject: Presentation Honoring Marvin Terrell for the 2011 California Planning Commissioner of the Year Award

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: KATHERINE SINCLAIR, Deputy

Contact: Aruna Bhat
925-335-1219

cc:

ATTACHMENTS

Resolution No.

2011/468

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

In the matter of:

Resolution No. 2011/468

IN THE MATTER OF HONORING Marvin Terrell for receiving the 2011 Planning Commissioner of the Year Award by the California County Planning Commissioners Association.

WHEREAS Marvin Terrell has served on the Contra Costa County Planning Commission for over 22 years, during which he was instrumental in modifying several ordinances and worked on general plan amendments, subdivisions, and major land use permit applications. This includes the Industrial Safety Ordinance, establishment and adjustments to the Urban Limit Line, the Dougherty Valley, Wendt Ranch and Alamo Creek projects, ConocoPhillips Clean Fuels Expansion Project, and the Keller Canyon Landfill, just to name a few; and

WHEREAS Marvin Terrell was instrumental in approving several redevelopment area projects including the award winning Contra Costa Centre; and

WHEREAS Marvin Terrell exemplifies admirable leadership qualities, leading by example, using his practical experience in the trades and extensive historical knowledge of Contra Costa County, asking questions and listening to all the information before voting on any issue, setting high standards for himself and others; and

WHEREAS Marvin Terrell continually exhibits a positive attitude, a strong sense of fairness and compassion, earning the respect of his fellow colleagues, the planning staff, and of the public; and

WHEREAS Marvin Terrell has been named 2011 Planning Commissioner of the Year by the California County Planning Commissioners Association.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors congratulates Marvin Terrell for this distinguished award, and recognizes his tireless efforts in service to the County.

GAYLE B. UILKEMA

Chair,
District II Supervisor

JOHN GIOIA
District I Supervisor

MARY N. PIEPHO
District III Supervisor

KAREN MITCHOFF
District IV Supervisor

FEDERAL D. GLOVER
District V Supervisor

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

ATTESTED: November 15, 2011

David J. Twa,

By: _____, Deputy

The Board of Supervisors of Contra Costa County, California

In the matter of honoring Marvin Terrell for receiving the 2011 Planning Commissioner of the Year Award by the California County Planning Commissioners Association

RESOLUTION NO. 2011/468

WHEREAS, Marvin Terrell has served on the Contra Costa County Planning Commission for over 22 years, during which he was instrumental in modifying several ordinances and worked on general plan amendments, subdivisions, and major land use permit applications. This includes the Industrial Safety Ordinance, establishment and adjustments to the Urban Limit Line, the Dougherty Valley, Wendt Ranch and Alamo Creek projects, ConocoPhillips Clean Fuels Expansion Project, and the Keller Canyon Landfill, just to name a few; and

WHEREAS, Marvin Terrell was instrumental in approving several redevelopment area projects including the award winning Contra Costa Centre; and

WHEREAS, Marvin Terrell exemplifies admirable leadership qualities, leading by example, using his practical experience in the trades and extensive historical knowledge of Contra Costa County, asking questions and listening to all the information before voting on any issue, setting high standards for himself and others; and

WHEREAS, Marvin Terrell continually exhibits a positive attitude, a strong sense of fairness and compassion, earning the respect of his fellow colleagues, the planning staff, and of the public; and

WHEREAS, Marvin Terrell has been named 2011 Planning Commissioner of the Year by the California County Planning Commissioners Association.

NOW, THEREFORE, BE IT RESOLVED the Contra Costa County Board of Supervisors congratulates Marvin Terrell for this distinguished award, and recognizes his tireless efforts in service to the County.

PASSED by a unanimous vote of the Board of Supervisors members present this 15th day of November, 2011.


GAYLE B. MILKEMA
Chair
District II Supervisor


JOHN GIOIA
District I Supervisor

ABSENT

MARY N. PIEPHO
District III Supervisor


KAREN MITCHOFF
District IV Supervisor

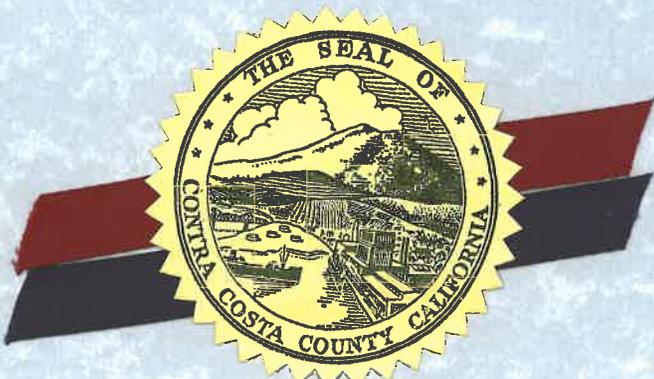

FEDERAL D. GLOVER
District V Supervisor

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

ATTESTED: November 15, 2011

DAVID TWA, Clerk of the Board of Supervisors and
County Administrator

By  Deputy





**Contra
Costa
County**

To: Board of Supervisors
From: INTERNAL OPERATIONS COMMITTEE
Date: November 15, 2011

Subject: APPROVE UPDATE TO THE COUNTYWIDE EMERGENCY OPERATIONS PLAN (EOP)

RECOMMENDATION(S):

1. CONSIDER accepting report regarding update to the Countywide Emergency Operations Plan by the Office of the Sheriff; and,
2. APPROVE the revised Countywide Emergency Operations Plan and request that the Office of the Sheriff implement the plan as presented.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

On February 24, 2009, the Board of Supervisors referred to the Internal Operations Committee the review and update of the County's Emergency Operations Plan (EOP). The EOP was last updated by the Emergency Services Policy Board (ESPB) in January 2006. The Office of the Sheriff reported to the IOC in July 2009 and the Committee recommended that emergency operations staff review the EOP quarterly and provide the Board of Supervisors members more frequent updates. In addition, the Committee noted that the EOP should be updated at least annually and the Office of

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** 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: November 15, 2011

Contact: Rick Kovar,
925-646-4461

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

By: , Deputy

cc:

BACKGROUND: (CONT'D)

the Sheriff should make the documents accessible by the public. The Plan update was scheduled to be considered by the ESPB in December 2009, after which time the IOC requested a follow up report. In January 2011, the ESPB approved the draft update of the EOP for review by the IOC and final approval by the Board of Supervisors. On June 20, 2011, the IOC received a presentation from the Office of the Sheriff on the updated EOP and directed county staff to schedule the proposed update on the Board of Supervisors' agenda as a short discussion item.

This action would accept the updates to the Emergency Operations Plan as recommended by the Emergency Services Policy Board and reviewed by the Internal Operations Committee.

CONSEQUENCE OF NEGATIVE ACTION:

The Countywide Emergency Operations Plan update will not be formally adopted and will cannot be implemented.

CLERK'S ADDENDUM

ACCEPTED report regarding update to the Countywide Emergency Operations Plan by the Office of the Sheriff; APPROVED the revised Countywide Emergency Operations Plan and requested the Office of the Sheriff implement the plan as presented; DIRECTED staff to expeditiously provide the Annex portions after they receive State approval.

ATTACHMENTS

Draft Revised Countywide Emergency Operations Plan (EOP)

Contra Costa County Office of Emergency Services



CONTRA COSTA OPERATIONAL AREA EMERGENCY OPERATIONS PLAN



May 2011

Prepared by:

Contra Costa County
Office of Emergency Services
50 Glacier Drive
Martinez, CA 94553

925-646-4461



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

PUBLISHING CHRONOLOGY & MODIFICATION REGISTER

DATE	RESPONSIBLE	ACTION
September 15, 2009	Chris Boyer	Draft outline
October 1, 2009	Chris Boyer, Marcelle Indelicato, Susan Roseberry	Local Hazard Mitigation Plan scenarios integrated
May 2010	Chris Boyer	1 st Draft to Office of Sheriff for edits
June 2010	Chris Boyer	OES staff edits
July 2010	Captain Parker	Final Draft to Office of the Sheriff for approval
January 2011	Captain Parker	Final Draft to Emergency Services Policy Board for edits / approval
May 2011	Captain Parker	Final Draft to BOS Internal Operations Committee for approval
November 2011	Captain Parker	Final Draft to Board of Supervisors for approval
January 2013		Next operational update scheduled

LETTER OF PROMULGATION

Approval Date: XXXXXX

To: Officials, Employees, and Residents of Contra Costa County

The preservation of life, property and the environment is an inherent responsibility of local, state, and federal government. Contra Costa County, in cooperation with the cities and special districts in the county, has prepared this emergency operations plan to ensure the most effective and economical allocation of resources for protection of people and property in time of an emergency.

While no plan can completely prevent death and destruction, good plans carried out by knowledgeable and well-trained personnel can and will minimize losses. This plan establishes the emergency organization, assigns tasks, specifies policies and general procedures, and provides for the coordination of planning efforts of the various emergency staff and service elements utilizing the California Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS).

The objective of this plan is to incorporate and coordinate all the facilities and personnel of the County and Operational Area member jurisdictions into an efficient organization capable of responding effectively to any emergency.

This emergency operations plan is an extension of the *State of California State Emergency Plan* and the *National Response Framework (NRF)*. The plan will be reviewed annually, exercised periodically, and revised as necessary to meet changing conditions.

The Contra Costa County Board of Supervisors gives its full support to this plan and urges all officials, employees and the residents, individually and collectively, to do their share in the total emergency effort of Contra Costa County.

This Board of Supervisors order will promulgate the *Contra Costa Operational Area Emergency Operations Plan*, which constitutes the adoption of the Contra Costa Operational Area Emergency Operations Plan, and the adoption of the California Standardized Emergency Management System and the National Incident Management System by Contra Costa County. The emergency operations plan becomes effective on acceptance by the Contra Costa County Board of Supervisors.

Gayle Uilkema
Chairman
Contra Costa County Board of Supervisors

TABLE OF CONTENTS

PART ONE – GENERAL INFORMATION

The Plan	1
Purpose, Objectives, Goals, Assumptions	4
Concept Of Operations	6
Emergency Management Organization.....	9
SEMS and NIMS	11
Mutual Aid.....	16
Volunteer Resources	22
Contra Costa Operational Area Emergency Operations Center (EOC).....	25
Emergency Operations Center Position Descriptions and Responsibilities	31
Emergency Proclamations	38
Continuity Of Government	40

PART TWO – THREAT SUMMARY AND SCENARIOS

General.....	43
Threat Scenario 1: Earthquake.....	47
Threat Scenario 2: Flood.....	52
Threat Scenario 3: Wildland Fire.....	53
Threat Scenario 4: Severe Weather.....	54
Threat Scenario 5: Tsunami	55
Threat Scenario 6: Slope Failure (landslide)	56
Threat Scenario 7: Drought.....	57
Threat Scenario 8: Medical Health Crisis.....	58
Threat Scenario 9: Hazardous Materials Incident.....	59
Threat Scenario 10: Transportation Accidents	60
Threat Scenario 11: Dam Failure.....	62
Threat Scenario 12: Energy Disruption	63
Threat Scenario 13: Radiological Incident	64



Threat Scenario 14: Terrorism65

Threat Scenario 15: Civil Disturbance.....68

Threat Scenario 16: National Security Emergency.....69

Threat Scenario 17: Agricultural and Natural Resources69

PART THREE – APPENDICES

Appendix A - EOP Annexes70

Appendix B - Authorities and References71

Appendix C - Acronyms74

Appendix D - Glossary of Common Terms76

Appendix E - General Staff Position Activation Checklists86

Appendix F - Plan Distribution.....97

PART ONE: GENERAL INFORMATION

THE PLAN

The Contra Costa Operational Area (OA) Emergency Operations Plan (EOP) addresses the response to emergency incidents associated with emergencies affecting Contra Costa County. The Contra Costa Operational Area consists of the cities/towns, special districts, reclamation districts, municipal improvement districts and the unincorporated areas within the county. The plan also addresses integration and coordination with other governmental, non-government, faith based organizations, community based organizations, and the private sector when required. This plan is not intended to address the normal day-to-day emergency procedures.

This plan accomplishes the following:

- Establishes the emergency management organization required to mitigate any significant emergency or disaster affecting the Contra Costa Operational Area
- Establishes the overall operational concepts associated with Contra Costa County's Emergency Operations Center (EOC) activities and the response process

This plan is based on the functions and principles of the California Standardized Emergency Management System (SEMS), the National Incident Management System (NIMS), and the Incident Command System (ICS). It identifies how the Contra Costa County emergency operational system fits into the overall California and National risk-based, all-hazard emergency response and recovery operations plans.

This document serves as a planning reference and as a basis for effective response to hazards that threaten Contra Costa County. Departments within the county and other agencies that have roles and responsibilities identified by this plan are encouraged to develop Emergency Operations Plans, detailed Standard Operating Procedures, and emergency response checklists based on the provisions of this plan.

This document serves as the legal and conceptual framework for emergency management in the Contra Costa Operational Area and is divided into the following parts:

- **Part 1 – General Information**

The “basic plan” which describes the emergency management organization, its roles, responsibilities, and operational concepts

- **Part 2 – Threat Scenarios and Assessments**

A general description of the Contra Costa Operational Area and a brief analysis of how hazards might affect the county

- **Part 3 – References**

Emergency Operations Plan Annexes, Authorities and References, Acronyms, Distribution

EMERGENCY OPERATIONS PLAN REQUIREMENTS

The Contra Costa Emergency Operations Plan requires approval by the Emergency Services Policy Board and the Board of Supervisors. The Contra Costa Sheriff's Office of Emergency Services (OES) is responsible for periodic review, updates, re-publishing and re-distribution of the plan. Records of revision to this plan will be maintained by the Office of Emergency Services. The plan may be modified as a result of post-incident analyses and/or post-exercise critiques including corrective action plans. It may be modified if responsibilities, procedures, laws, rules, legislation, or regulations pertaining to emergency management and operations change. Those agencies having assigned responsibilities under this plan are obligated to inform the Office of Emergency Services when changes need to be made.

Operational Area agencies and organizations separately publish documents that support this Emergency Operations Plan. These supporting references further describe the operation or functional response to specific threats, specific emergency response disciplines, or emergency support functions. Additionally, they contain checklists and other resource material designed to provide users with the basic considerations and probable actions necessary for effective emergency response for the specific disaster. The Office of Emergency Services is responsible for managing plans and documents that support and carry out the concepts and policies outlined in the Emergency Operations Plan. This ensures compatibility with the Emergency Operations Plan and supports enhanced coordination among the jurisdictions. These documents fall into three categories:

- **Operational Area Emergency Operations Plan Annexes**

Functional annexes to the Emergency Operations Plan which provide detailed guidance on managing response and recovery operations in relation to disaster activities, such as Care and Shelter, Post-Disaster Housing, Spontaneous Volunteers, Bioterrorism, Access and Functional Needs Populations and Medical Health.

- **Supporting Plans**

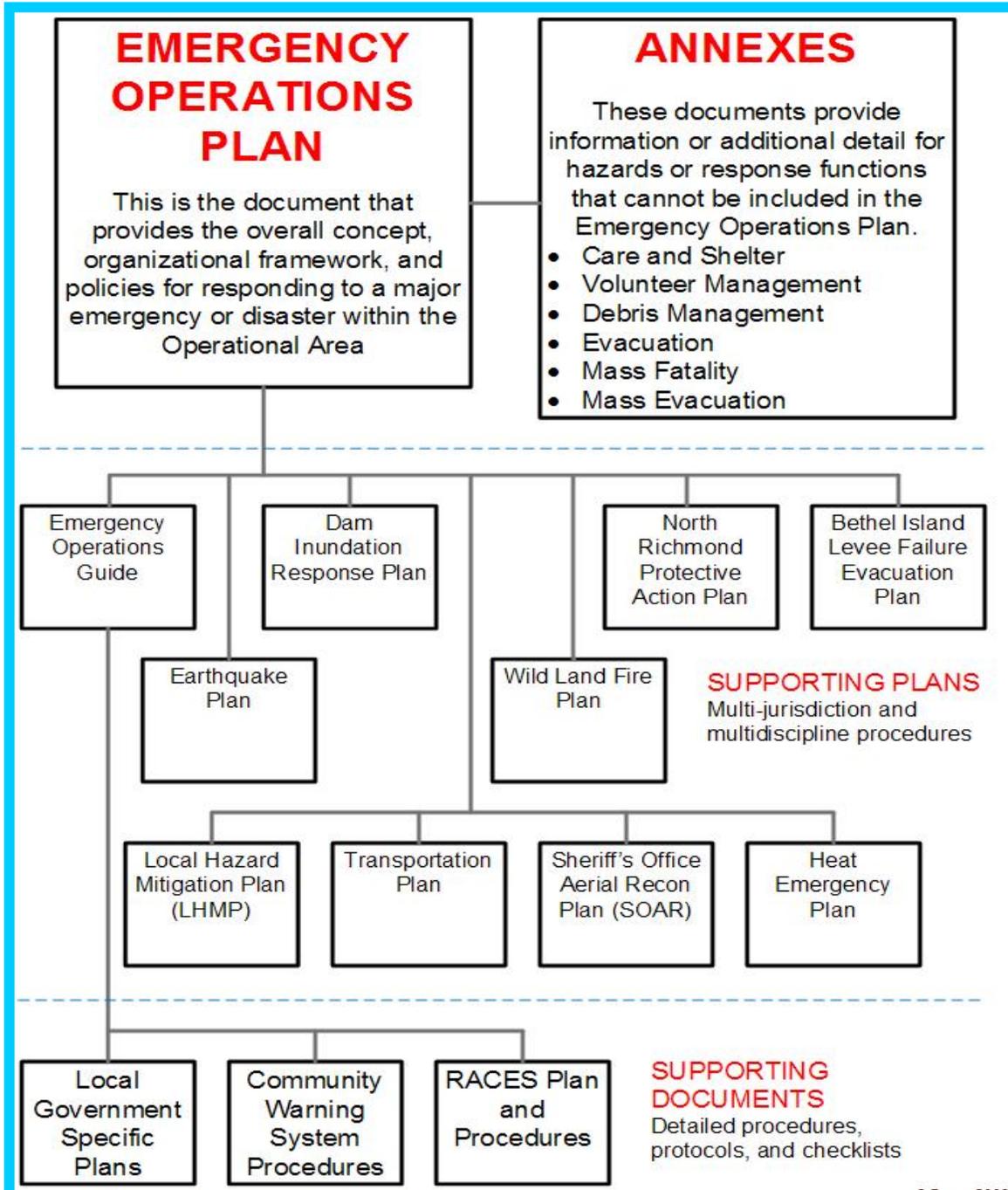
Other supporting plans address response procedures that span more than one jurisdiction or discipline, such as the Regional Emergency Coordination Plan, and the Contra Costa Operational Area Earthquake Plan.

- **Supporting Documents**

Additional documents that outline specific procedures or that serve as resources to individual agencies or organizations.

EMERGENCY OPERATIONS PLANS AND DOCUMENTS

Documents used to guide the response to major disasters are categorized by audience and scope. The following diagram illustrates how many such documents may be organized. This is not an all-inclusive list, since there are many plans at the departmental level within the County.



PURPOSE, OBJECTIVES, GOALS, ASSUMPTIONS

PURPOSE

This Emergency Operations Plan establishes policies and procedures and assigns responsibilities to provide for the effective management of emergency operations within the Contra Costa Operational Area. The plan provides information regarding the county emergency management structure and how and when the Emergency Operations Center Emergency Management Team is activated.

OBJECTIVES

The overall objective of emergency management is to provide effective management of response forces and resources in preparing for and responding to situations associated with natural disasters, technological incidents, intentional acts, and national security emergencies. To carry out its responsibilities, the emergency management organization will accomplish the following objectives during a disaster/emergency:

- Maintain overall coordination of emergency response and recovery operations, including on-scene incident management as required
- Coordinate and liaise with appropriate federal, state and other local government agencies, as well as applicable segments of private sector entities, volunteer agencies and faith based organizations
- Establish priorities and resolve conflicting demands for support
- Prepare and disseminate emergency public information to alert, warn, and inform the public
- Disseminate damage information and other essential data

GOALS

- Provide effective life safety measures and reduce property loss and damage to the environment
- Provide for the rapid resumption of impacted businesses and community services
- Provide accurate documentation and records required for cost recovery efforts

ASSUMPTIONS

- Municipalities and special districts will participate in the Contra Costa Operational Area
- The Contra Costa Operational Area is primarily responsible for emergency response and will commit all available resources to save lives, minimize injury to persons, and minimize damage to property and the environment
- The Contra Costa Operational Area will utilize the Standardized Emergency Management System and National Incident Management System in emergency response and management operations
- The Director of Emergency Services will coordinate the County's disaster response in conformance with its emergency organization and functions, the Standardized Emergency Management System, and the National Incident Management System



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

- The resources of the Contra Costa Operational Area will be made available to local agencies and residents to cope with disasters affecting this area to the broadest extent possible
- The Contra Costa Operational Area will commit its resources to a reasonable degree before requesting mutual aid assistance from the California Emergency Management Agency
- Mutual aid assistance may be requested when disaster relief requirements exceed the Contra Costa Operational Area's ability to meet them

DRAFT

CONCEPT OF OPERATIONS

The emergency management organization in Contra Costa County will identify potential threats to life, property and the environment, and develop plans and procedures to protect those assets. These plans and procedures will direct emergency response and recovery activities and will be validated by the conduct of actual response or exercising. The goal is to maintain a robust emergency management organization with strong collaborative ties among local government, community-based organizations and volunteers, public service agencies, and the private sector under SEMS/NIMS.

Actions are often categorized by four emergency management phases indicated below. However, not every disaster necessarily includes all indicated phases.

1. PREPAREDNESS PHASE

The preparedness phase involves activities taken in advance of an emergency. These activities develop operational capabilities and effective responses to a disaster. Preventative actions might include mitigation activities, emergency/disaster planning, training, exercises and public education. Members of the emergency management organization should prepare Standard Operating Procedures (SOPs), Emergency Operating Plans (EOPs), and checklists detailing personnel assignments, policies, notification rosters, and resource lists. Personnel should be acquainted with these SOPs, EOPs and checklists through periodic training in the activation and execution procedures.

Training and Exercising

The Contra Costa County Sheriff's Office of Emergency Services will inform county departments, cities/towns, special districts, faith based organizations, community based organizations, non-government organizations, and private sector partners regarding training opportunities associated with emergency management, disaster preparedness, and National Incident Management System compliance. Those with responsibilities under this plan must provide that their personnel are properly trained to carry out these responsibilities.

The best method of training emergency responders is through exercises. Exercises allow emergency responders to become familiar with the procedures, facilities and systems that they will actually use in emergency situations.

Exercises will be conducted on a regular basis to maintain readiness. Exercises should include as many Operational Area member jurisdictions as possible. The Office of Emergency Services will document Operational Area exercises by conducting a critique, and using the information obtained from the critique to complete an After Action Report (AAR) and to develop a Corrective Action Plan (CAP) plan, revising standard operating procedures and policies as necessary.

2. RESPONSE PHASE

Pre-Emergency

When a disaster is imminent, actions are precautionary and emphasize protection of life. Typical responses might be:

- Alerting necessary agencies, placing critical resources and personnel on stand-by
- Evacuation of threatened populations to safe areas, and protection of their safety
- Advising threatened populations of the emergency and apprising them of safety measures they should take to protect themselves
- Activating appropriate Emergency Operations Centers and staff
- Identifying the need for mutual aid
- Proclamation of a Local Emergency by local authorities

Emergency Response

During this phase, emphasis is placed on saving lives and property, isolation and control of the situation, and minimizing effects of the disaster. Immediate response is accomplished within the affected area by local government agencies and segments of the private sector.

Response Priorities Are:

- Save Lives
- Diminish Suffering
- Protect Property
- Protect the Environment
- Restore Basic Services

Sustained Emergency

In addition to continuing life and property protection operations, mass care, relocation, public information, situation analysis, status and damage assessment operations will be initiated.

3. RECOVERY PHASE

At the onset of an emergency, actions are taken to enhance the effectiveness of recovery operations. Recovery consists of both short-term activities intended to return vital life-support systems to operation, and long-term activities designed to return infrastructure systems to pre-disaster conditions. Recovery also includes cost recovery activities.

The recovery period has major objectives which may overlap, including:

- Reinstatement of family and individuals autonomy
- Provision of essential public services
- Permanent restoration of private and public property
- Identification of residual hazards
- Plans to mitigate future hazards
- Recovery of costs associated with response and recovery efforts
- Coordination of state and federal, private and public assistance



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

As the immediate threat to life, property and the environment subsides, the rebuilding of affected areas of Contra Costa County will begin through various recovery activities. Recovery activities involve the restoration of services to the public and rebuilding the affected area(s). Examples of recovery activities include:

- Restoring all utilities, life support systems, and critical infrastructure
- Establishing and staffing Local Assistance Centers and Disaster Assistance Centers
- Applying for state and federal assistance programs
- Conducting hazard mitigation analysis
- Identifying residual hazards
- Determining recovery costs associated with response and recovery

4. PREVENTION / MITIGATION PHASE

Preventing damage and losses from disasters includes those efforts known as mitigation activities. Mitigation efforts occur both before and following disaster incidents. Post-disaster mitigation is part of the recovery process. Preventing, eliminating or reducing the impact of hazards that exist within the Operational Area and are a threat to life and property are part of the mitigation efforts. Mitigation tools include:

- Local ordinances and statutes (zoning ordinance, building codes and enforcement, etc.)
- Structural measures
- Tax levee or abatements
- Public outreach and community relations
- Land use planning

The Operational Area has a Local Hazard Mitigation Plan that provides guidance for mitigation efforts.

EMERGENCY MANAGEMENT ORGANIZATION

ADMINISTRATOR OF EMERGENCY SERVICES

The Administrator of Emergency Services is the County Administrator. The County Administrator as Administrator of Emergency Services is legislated by County Ordinance Code 82-55 § 5 and 72-83 as defined in County Ordinance Code 42-2.602. The Administrator of Emergency Services assumes the ultimate responsibility and authority for directing the Contra Costa Operational Area's emergency management organization (including emergency response and recovery). The Administrator of Emergency Services is responsible for implementing the Contra Costa Operational Area Emergency Operations Plan. The Administrator of Emergency Services is also the Emergency Operations Center Director.

The Administrator of Emergency Services is supported by the Contra Costa County Sheriff's Office of Emergency Services and has overall responsibility for the following:

- Developing response and recovery plans for the Operational Area and the unincorporated areas of the County
- Organizing, staffing and operating the Emergency Operations Center (as the EOC Director)
- Operating communications and warning systems
- Providing information and guidance to the public and elected officials
- Maintaining information on the status of resources, services, and operations
- Directing overall operations
- Obtaining support for the Contra Costa Operational Area and providing support to other jurisdictions as needed
- Identifying and analyzing potential hazards and recommending appropriate counter-measures
- Collecting, evaluating and disseminating damage assessment and other essential information

EMERGENCY SERVICES POLICY BOARD

The Contra Costa Emergency Services Policy Board functions as the Contra Costa County Disaster Council (Article 42-2.4 of the Contra Costa County Ordinance Code). The Board is an advisory body providing assistance and advice to the County Administrator, and as appropriate to the director of emergency services on emergency preparedness planning efforts and the coordination of such planning efforts throughout the county. The Board's duties are outlined as follows:

- The Board shall review and make recommendations on emergency and mutual aid plans and agreements and such ordinances, resolutions and regulations as necessary to implement such plans and agreements.
- The Board shall meet at least quarterly, at a date and time determined by the County Administrator, chair, or in his absence from the county or inability to act the vice-chair.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Emergency services policy board establishment--Membership.

The Contra Costa County emergency services policy board is created and its membership consists of the following occupants of county or other public positions and offices:

- (a) County administrator (chair);
- (b) Sheriff (vice chair);
- (c) Emergency services director (secretary);
- (d) County counsel;
- (e) Assistant county administrator;
- (f) Director, public works;
- (g) Director, health services;
- (h) Fire chief, Contra Costa fire protection district;
- (i) Risk manager;
- (j) Director, community development;
- (k) Director, employment and human services;
- (l) Director, general services;
- (m) Commander or designee, California Highway Patrol, Contra Costa area;
- (n) County superintendent of schools or designee;
- (o) Director, information technology;
- (p) Representative from public managers association. (Ords. 2000-25, 97-41 § 2, 82-55, 72-83).

OPERATIONAL AREA COUNCIL

The Operational Area Council was created by County ordinance as an advisory council to the Emergency Services Policy Board. The Operational Area Council consists of emergency managers from incorporated cities, special districts, key utilities and businesses and staff of the Office of Emergency Services. The Operational Area Council discusses and considers countywide emergency management areas and issues and makes recommendations thereon to the Emergency Services Policy Board through the Office of Emergency Services (County Ordinance Code §42-2.406). The Council meets quarterly when a date and time are fixed by the emergency services director or otherwise as requested by any of the member agencies.

EMERGENCY MANAGEMENT

When a disaster occurs and two or more of the county's local jurisdictions' Emergency Operations Centers (or at the request of one local jurisdiction) within the Contra Costa County Operational Area are activated, the Operational Area serves as the focal point for information transfer and supports requests by County departments, cities / towns, and special districts. Under these circumstances the Contra Costa County Operational Area Emergency Operations Center may be activated. The Operational Area Emergency Operations Center administers mutual aid requests for all fire, law, public works, emergency managers or other mutual aid through the California Emergency Management Agency (CALEMA) Mutual Aid Region II, and the California Emergency Management Agency Warning Center.

MUTUAL AID REGION EMERGENCY MANAGEMENT

The Contra Costa Operational Area is part of the California Emergency Management Agency Mutual Aid Region II and the California Emergency Management Agency Coastal Administrative Region. The primary mission of Coastal Region's emergency management organization is to support Operational Area response and recovery operations and to coordinate non-law and non-fire Mutual Aid Regional response and recovery operations through the Regional Emergency Operations Center (REOC).

STATE EMERGENCY MANAGEMENT

The Governor, through the California Emergency Management Agency and its Mutual Aid Regions, will coordinate statewide operations to include the provision of mutual aid and other support to local jurisdictions and the redirection of essential supplies and other resources as required. The Secretary of the California Emergency Management Agency, assisted by State agency directors, their staff and volunteer agency staff, will constitute the State emergency management staff.

CITY/TOWN EMERGENCY MANAGERS

Emergency managers from each of the cities/towns within the Contra Costa Operational Area meet several times each year with California Emergency Management Agency liaison staff to ensure that the scope of emergency management functions that are coordinated and provided by the county meet the expectations of cities/towns.

SEMS AND NIMS

STANDARDIZED EMERGENCY MANAGEMENT SYSTEM (SEMS)

After the 1991 Oakland East Bay Hills Fire, the California State Senate authorized Bill 1841 (SB1841) introducing the Standardized Emergency Management System (SEMS). Since 1994 the Standardized Emergency Management System has been required by Government Code Section 8607(a) for managing response to multi-agency and multi-jurisdiction emergencies in California. The Standardized Emergency Management System consists of five organizational levels that are activated as necessary: Field response, local government, operational area, regional and state.

SEMS has been used throughout the State of California to manage and coordinate any emergency response involving more than one agency or jurisdiction. Local governments must use SEMS to be eligible for reimbursement of their response and recovery related costs under state disaster assistance programs.

A local government under SEMS is a county, city/town, or special district. Special districts under SEMS are units of local government with authority or responsibility to own, operate or maintain a project (as defined in California Code of Regulations 2900(s) of the Disaster Assistance Act for purposes of natural disaster assistance). This may include joint powers authority established under Section 6500 et seq. of the Government Code.

Cities/towns are responsible for emergency response within their boundaries, although some cities contract for some municipal services from other agencies.

Special districts are primarily responsible during emergencies for restoration of services that they normally provide. They may also be responsible for safety of people at their facilities or on their property and for warning of hazards from their facilities or operations.

All local governments are responsible for coordinating with other local governments, the field response level and the operational area. Local governments are also responsible for providing mutual aid within their capabilities.

NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

In response to the September 11th, 2001 attacks on the World Trade Center in New York City, the Pentagon and Flight 93, President Bush issued Homeland Security Presidential Directive-5 (HSPD-5). Released on February 28, 2003, HSPD-5 directed the Secretary of Homeland Security (OHS) to develop and administer a National Incident Management System (NIMS). NIMS includes the following components:

- Command and Management, including the Incident Command System (ICS)
- Communications and Information Management
- Preparedness
- Resource Management



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

- Supporting Technologies
- Joint Information System (JIS)
- NIMS Management and Maintenance

RELATIONSHIP TO SEMS AND NIMS:

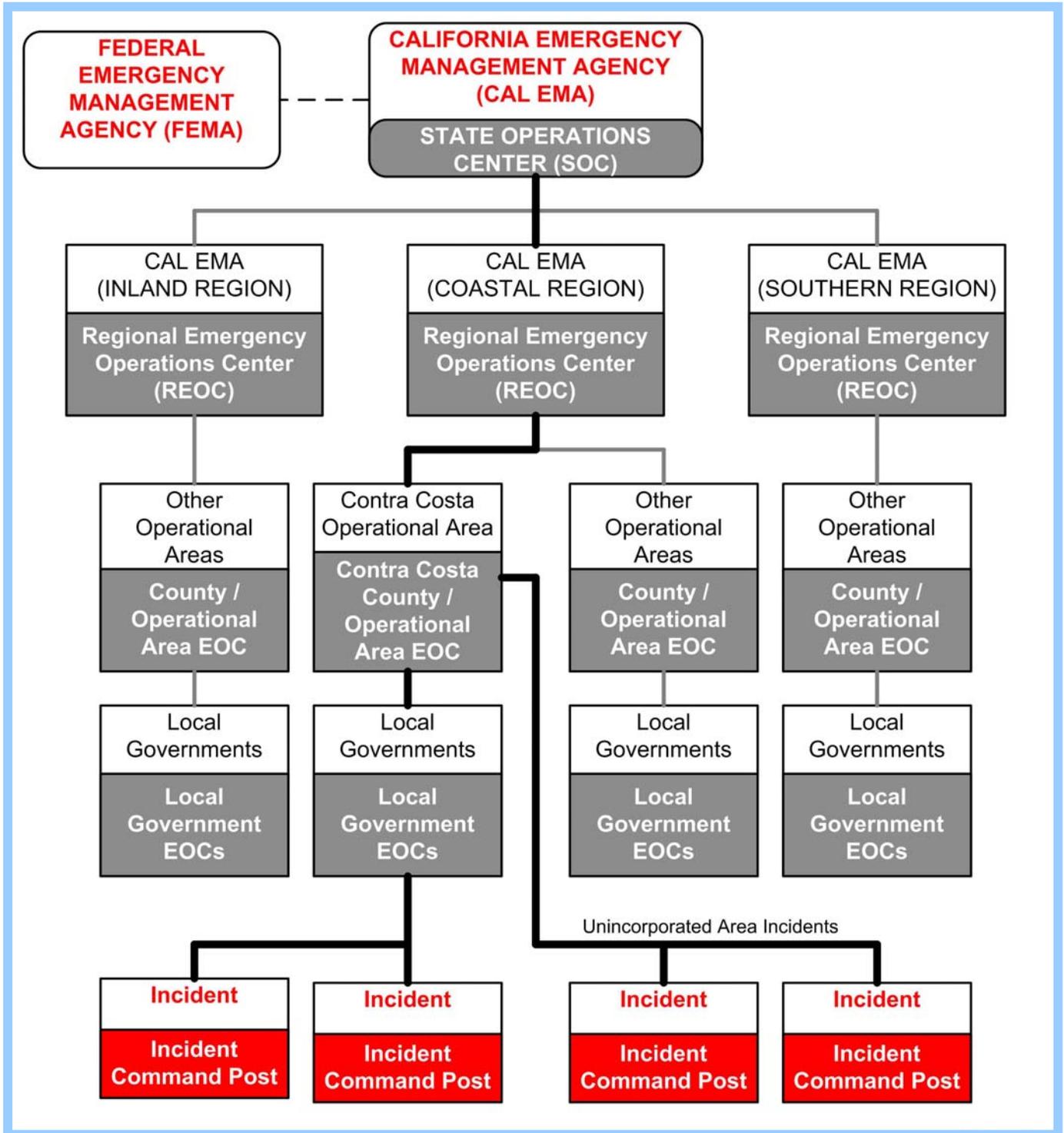
The Contra Costa Operational Area is responsible for emergency response within its geographical boundaries. The California Emergency Services Act requires Operational Areas to manage and coordinate emergency operations within its jurisdiction. During disasters, the Contra Costa Operational Area is required to coordinate emergency operations with the California Emergency Management Agency Coastal Region and, in some instances, other Operational Area local governments.

Under SEMS and NIMS, the county has responsibilities at two levels: The Field Response and the Local Government levels.

At the field response level, all agencies will use the ICS to standardize the emergency response.

At the Contra Costa County level, the designated Emergency Operations Center is used as the central location for gathering and disseminating information, coordination and support of all jurisdictional emergency operations, coordinating with the Coastal Region of the CALEMA, and the Federal Government, including the Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA).

CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN



ORGANIZATION FLEXIBILITY – MODULAR ORGANIZATION

The five essential ICS functions in SEMS and NIMS are identified as “sections” in the Emergency Operations Center. All other functions are organized as branches, groups, divisions or units within these sections. Only functional elements that are required to meet current objectives will be activated.

MANAGEMENT OF PERSONNEL - HIERARCHY OF COMMAND AND SPAN-OF-CONTROL

Management of personnel within the Emergency Operations Center will be accomplished through the assignment of Section Chiefs for Operations, Planning/Intelligence, Logistics, and Finance/Administration functions. Section Chiefs will report to the Emergency Operations Center Director.

MULTI-AGENCY OR INTER-AGENCY COORDINATION

Multi-agency or inter-agency coordination is important for establishing priorities for response and allocating critical resources. Strategies for handling multi-agency response problems need to be developed while jurisdictional and agencies’ objectives are not compromised. County departments, agencies including special districts, volunteer agencies and private organizations coordinate emergency response at the Emergency Operations Center. The Contra Costa Operational Area Emergency Operations Center functions as the Multi-Agency Coordination Center (MACC) for most disaster incidents and will facilitate liaisons from local, state, and federal agencies as needed. Coordination with agencies not represented in the Emergency Operations Center may be accomplished via various communications systems such as telephone, fax, radio, software systems, and computer networks.

EMERGENCY OPERATIONS CENTER INCIDENT ACTION PLANS

At local, operational area, regional and state levels, the use of Emergency Operations Center incident action plans provide designated personnel with knowledge of the objectives to be attained and the steps required for achievement. Incident action plans give direction and provide a basis for measuring achievement of objectives and overall system performance.

SPECIAL DISTRICT INVOLVEMENT

Special districts are defined as local governments in SEMS/NIMS. The emergency response role of special districts is generally focused on the return to normal services. During disasters, some types of special districts will be more extensively involved in the emergency response by assisting other local governments.

Coordination and communications should be established among special districts that are involved in emergency response, other local governments and the operational area. This may be accomplished in various ways depending on the local situation. Relationships among special districts, cities/towns, county government and the Operational Area are complicated by overlapping boundaries and by the multiplicity of special districts. Special districts need to work with the local governments in their service areas to determine how best to establish coordination and communication in emergencies.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

When a special district is wholly contained within the city/town, the special district should have a liaison at the city/town Emergency Operations Center to provide direct support. An exception may occur when there are many special districts within the city/town.

When there are many special districts within a city/town, it may not be feasible for their Emergency Operations Center to accommodate representatives from all special districts during area-wide disasters. In such cases, the city/town should work with the special districts to develop alternate ways of establishing coordination and communication.

Typically, special district boundaries cross municipal boundary lines. A special district may serve several cities/towns and county unincorporated areas. Some special districts serve more than one county. In such a situation, the special district may wish to provide a liaison representative to the Operational Area Emergency Operations Center to facilitate coordination and communication with the various entities it serves.

DRAFT

MUTUAL AID

INTRODUCTION

The foundation of California's emergency planning and response is a statewide mutual aid system which is designed to provide adequate resources, facilities and other support is provided to jurisdictions whenever their own resources prove to be inadequate to cope with a given situation(s). The basis for the system is the California Disaster and Civil Defense Master Mutual Aid Agreement, as provided in the *California Emergency Services Act* Government Code §8550. This Agreement was developed in 1950 and has been adopted by the state, all 58 counties and most incorporated cities in the State of California. The Master Mutual Aid Agreement creates a formal structure wherein each jurisdiction retains control of its own facilities, personnel and resources, but may also receive or render assistance to other jurisdictions within the state. State government is obligated to provide available resources to assist local jurisdictions in emergencies. It is the responsibility of the local jurisdiction to negotiate, coordinate and prepare mutual aid agreements.

Mutual aid agreements exist in:

- Law Enforcement
- Fire Services
- Medical / Health
- Emergency Management
- Public Works
- Search and Rescue
- Coroner / Medical Examiner

MUTUAL AID SYSTEM

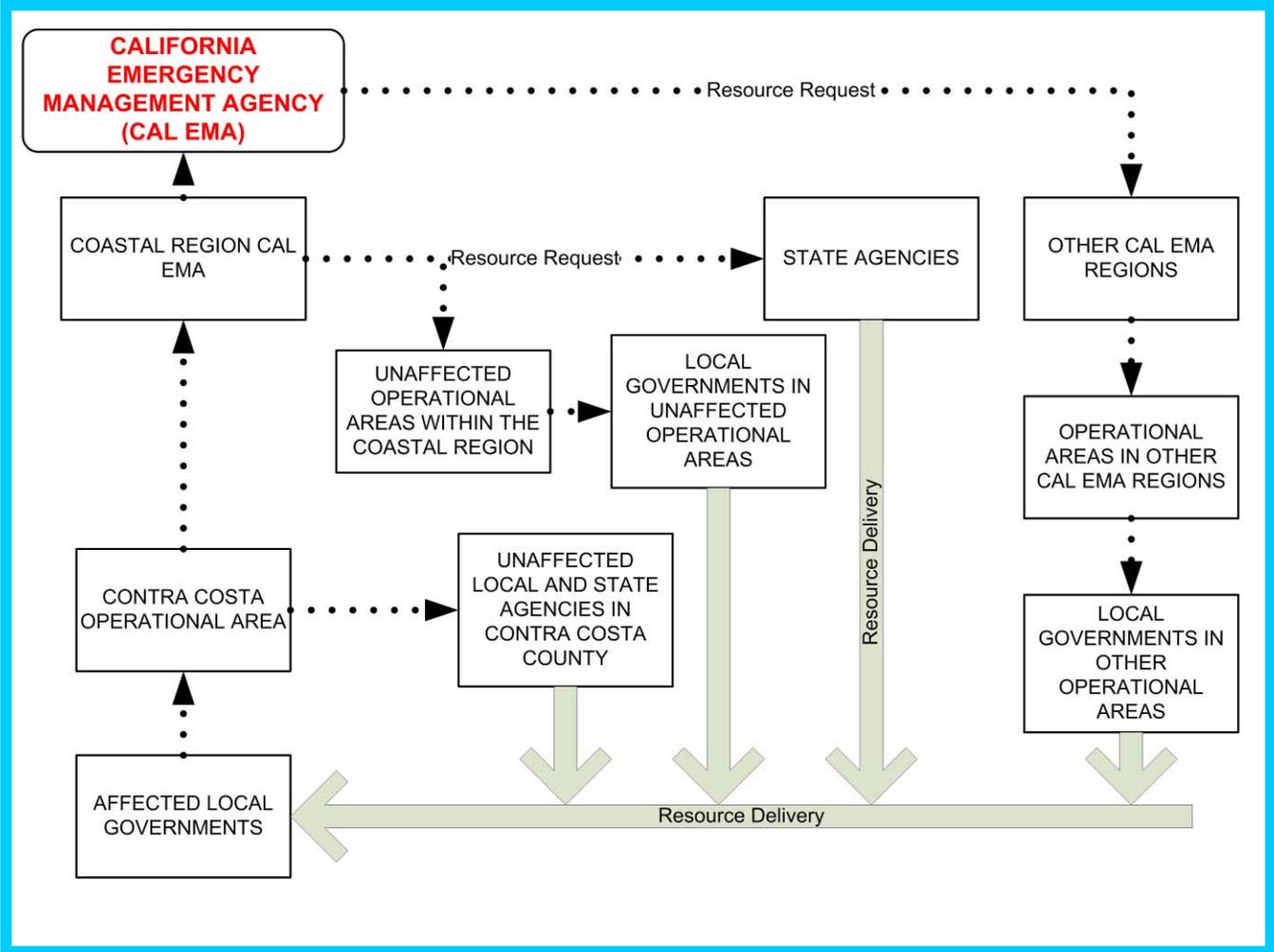
A statewide mutual aid system, operating within the framework of the Master Mutual Aid Agreement, allows for the progressive mobilization of resources to and from emergency response agencies, local governments, operational areas, regions and state with the intent to provide requesting agencies with adequate resources.

The statewide mutual aid system includes several discipline-specific mutual aid systems, such as fire and rescue, law, medical and public works. The adoption of SEMS does not alter existing mutual aid systems. These systems work through local government, operational area, regional and state levels consistent with SEMS/NIMS and ICS. Mutual aid may also be obtained from other states. Interstate mutual aid may be obtained through direct state-to-state contacts, pursuant to interstate agreements and compacts, or may be coordinated through federal agencies.

MUTUAL AID REGIONS

Mutual aid regions are established under the Emergency Services Act. Six mutual aid regions numbered I-VI have been established within California. The Contra Costa Operational Area is within Region II. Each mutual aid region consists of designated counties. Region II is in the CALEMA Coastal Administrative Region.

CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN



MUTUAL AID COORDINATORS

To facilitate mutual aid, discipline-specific mutual aid systems work through designated mutual aid coordinators at the operational area, regional and state levels. The basic role of a mutual aid coordinator is to receive mutual aid requests, coordinate the provision of resources from within the coordinator's geographic area of responsibility and pass on unfilled requests to the next level.

Mutual aid requests that do not fall into one of the discipline-specific mutual aid systems are handled through the emergency services mutual aid system by emergency management staff at the local government, operational area, regional and state levels.

Mutual aid coordinators may function from an Emergency Operations Center, their normal departmental location or other locations depending on the circumstances. Some incidents require mutual aid but do not necessitate activation of the affected local government or operational area Emergency Operations Centers because of the incident's limited impacts. In such cases, mutual aid coordinators typically handle requests from their normal work location. When Emergency Operations Centers are activated, all activated discipline-specific mutual aid systems should establish coordination and communications with the Emergency Operations Centers as follows:

- When an Operational Area Emergency Operations Center is activated, Operational Area mutual aid system representatives should be at the Operational Area Emergency Operations Center to facilitate coordination and information flow.
- When the CALEMA Coastal Region Emergency Operations Center (REOC) is activated, regional mutual aid coordinators should have representatives in the Regional Emergency Operations Center unless it is mutually agreed that effective coordination can be accomplished through telecommunications. State agencies may be requested to send representatives to the Regional Emergency Operations Center to assist California Emergency Management Agency regional staff in handling mutual aid requests for disciplines or functions that do not have designated mutual aid coordinators.
- When the State Operations Center (SOC) is activated, state agencies with mutual aid coordination responsibilities will be requested to send representatives to the State Operations Center.
- Mutual aid system representatives at an Emergency Operations Center may be located in various functional elements (sections, branches, groups, divisions or units) or serve as an agency representative, depending on how the Emergency Operations Center is organized and the extent to which it is activated.

VOLUNTARY, NON-GOVERNMENTAL, AND PRIVATE SECTOR ENTITIES IN MUTUAL AID

Volunteer agencies, non-government agencies, and private organizations may participate in the mutual aid system along with governmental agencies. For example, the disaster medical mutual aid system relies heavily on private sector involvement for medical/health resources. Some volunteer agencies such as the American Red Cross, Salvation Army and others are essential elements of the statewide emergency response to meet the needs of disaster victims. Volunteer agencies mobilize volunteers and other resources



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

through their own systems. They also may identify resource needs that are not met within their own systems that would be requested through the mutual aid system. Volunteer agencies with extensive involvement in the emergency response should be represented in Emergency Operations Centers.

Some private organizations have established mutual aid arrangements to assist other private organizations within their functional area. For example, electric and gas utilities have mutual aid agreements within their industry and established procedures for coordinating with governmental Emergency Operations Centers. In some functional areas, services are provided by a mix of special district, municipal and private agencies. Mutual aid arrangements may include both governmental, non-governmental, and private organizations.

A liaison should be established between activated Emergency Operations Centers and private agencies involved in a response. Where there is a need for extensive coordination and information exchange, private agencies should be represented in activated Emergency Operations Centers at the appropriate Standardized Emergency Management System level.

EMERGENCY FACILITIES USED FOR MUTUAL AID

Incoming mutual aid resources may be received and processed at several types of facilities including marshaling areas, mobilization centers and incident facilities. Each type of facility is described briefly below.

Marshaling Area - Defined in the National Response Framework as an area used for the complete assemblage of personnel and other resources prior to their being sent directly to the disaster affected area. Marshaling areas may be established in other states for a catastrophic California earthquake.

Mobilization Center - Off-incident location at which emergency service personnel and equipment are temporarily located pending assignment, release or reassignment. For major area-wide disasters, mobilization centers may be located in or on the periphery of the disaster area.

Incident Facilities/Staging Areas - Incoming resources may be sent to staging areas, other incident facilities or directly to an incident, depending on the circumstances. Staging areas are temporary locations at an incident where personnel and equipment are kept while awaiting tactical assignments.

POLICIES AND PROCEDURES

Mutual aid resources will be provided and utilized in accordance with the California Master Mutual Aid Agreement. During a proclaimed emergency, inter-jurisdictional mutual aid will be coordinated at the county, operational area or mutual aid regional level.

Cities/towns and special districts will make mutual aid requests through the Contra Costa County Operational Area Emergency Operations Center. Requests should specify, at a minimum:

- Number and type of personnel needed
- Type and amount of equipment needed
- Reporting time and location
- Authority to whom forces should report
- Access routes
- Estimated duration of operations



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

- Risks and hazards

Following a major disaster, the Contra Costa County Sheriff's Office of Emergency Services can assist local governments with reimbursement procedures for response-related costs.

MUTUAL AID AUTHORITIES AND REFERENCES

Mutual aid assistance may be provided under one or more of the following authorities:

- California Disaster and Civil Defense Master Mutual Aid Agreement, 1950
- California Fire Service and Rescue Emergency Mutual Aid Plan, 2002
- California Law Enforcement Mutual Aid Plan (Bluebook), December 2006 (includes search and rescue annex)
- California Coroner's Mutual Aid Plan (Greybook), March 2006
- California Coroners Mass Fatality Plan, September 2007
- Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended) provides federal support to state and local disaster activities

CONTRA COSTA OPERATIONAL AREA MUTUAL AID AGREEMENTS

Contra Costa County maintains mutual aid agreements with several different agencies. They include:

WITH	FOR
State of California	Master Mutual Aid Agreement
American Red Cross	Care and Shelter Mutual Aid

AGENCY AFFILIATED VOLUNTEER RESOURCES

In response to disaster, management of resources requires integration of material, as well as personnel, into the existing Emergency Management System of the County. Operational Area volunteer groups trained in emergency response can greatly enhance and supplement emergency response personnel. Personnel assigned to emergency response must be trained, equipped, and aligned with a qualified organization or affiliated with a government agency.

Both affiliated volunteers and spontaneous volunteers shall be background checked and sworn in as State Disaster Service Workers (DSW's), and shall perform only tasks and job functions in the job categories covered by the State Disaster Service Worker Program. All affiliated and spontaneous volunteers shall be managed within the guidelines of the State Disaster Service Worker Program, local ordinance, County policy and the typing of the various mutual aid systems that use the Disaster Service Worker program. By adhering to the requirements of the State Disaster Service Worker Program the workers comp liability for volunteer medical and disability claims is assumed by the state through the state DSW program.

Examples of existing, trained volunteers in Contra Costa include the following affiliated volunteer organizations:

RADIO AMATEUR CIVIL EMERGENCY SERVICE (RACES)

RACES is sponsored by the Federal Emergency Management Agency (FEMA), operates according to Federal Communications Commission (FCC) rules (Part 97 Amateur Radio Service), and is a volunteer organization of licensed amateur radio operators who donate time, energy, skills, and use of personal equipment for public service. In Contra Costa County, RACES is part of the Contra Costa County Sheriff's Office of Emergency Services which is responsible for public safety as defined by the California Emergency Services Act. All RACES members must pass the standard Sheriff's Office background check, and are sworn Disaster Service Workers (DSW). RACES members may provide communications support using amateur radio, cellular, and regular phones, computers, e-mail, facsimile, Internet, microwave, public service radio, satellite, television and video-conferencing systems, as well as field and in-office support of personnel. RACES communications serves the Operational Areas as a back up communications service in time of disaster.

RACES primary responsibility in the Emergency Operations Center is staffing and maintaining the Communications Systems located in the Message Center/Radio Shack (Room 5). During a disaster where primary phone and wireless cell phone communications are unavailable, RACES provides radio communications and satellite phone communications with other agencies according to the RACES Communications Plan, an annex to the Emergency Operations Plan. RACES is activated by the Emergency Services Manager via the RACES leadership phone tree. During a catastrophic disaster when members cannot contact the Emergency Operations Center via phone, they are authorized to self-activate and report to the Emergency Operations Center and their assigned duty stations as soon as their families are safe and secure, and they can safely travel.

RACES may also be assigned to support cities and special districts by agreement with the Sheriff's Office. Members that are assigned to duty stations with cities and special districts must comply with the local



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

agency's policies and procedures while supporting their needs. These local agencies will coordinate activation of RACES members with the Sheriff's Office of Emergency Services.

RACES may also be requested as a part of the mutual aid system during a disaster if a local agencies resources are overwhelmed or they have lost primary communications capabilities. Mutual aid requests will be forwarded to the Operational Area Logistics Section by the local agency.

CONTRA COSTA MEDICAL RESERVE CORPS (CCMRC)

Contra Costa County's Emergency Medical Services Division has created the Contra Costa Medical Reserve Corps which enlists volunteers to assist in the establishment of an organized pool of resources capable of being deployed to support Emergency Management Systems already in place in the event of a major disaster. The Contra Costa Medical Reserve Corps has developed a partnership within the Contra Costa County medical profession (active and retired) that aid in the education, training and deployment of citizen volunteers and resources in the event of a large scale, local emergency. The Contra Costa Medical Reserve Corps will serve as a support role in providing volunteer medical professionals and resources to augment those services in the community that are engaged in the health and welfare of the residents.

During a disaster, the Contra Costa Medical Reserve Corps is activated through the Medical Health Mutual Operational Area Coordinator in the Operational Area Emergency Operations Center.

COMMUNITY EMERGENCY RESPONSE TEAM (CERT)

CERT training educates people on how to assist others in their neighborhood or workplace following a disaster when professional responders are not immediately available to help. CERT training provides the student with practical skills to be better prepared in time of disaster.

Since CERT is designed as a neighborhood program individual jurisdictions that sponsor CERT training are encouraged and manage their programs. Contra Costa County agencies that sponsor CERT training are encouraged to follow State disaster service worker guidelines for CERT training and adopt the nationally recognized FEMA 20 hour basic CERT training course that includes:

- Disaster preparedness
- Fire safety
- Disaster medical operations - triage, treating life threatening injuries, patient assessment, treatment and hygiene
- Light search and rescue
- Team organization
- Disaster psychology
- Terrorism
- Course review and disaster simulation

CONTRA COSTA COUNTY OFFICE OF THE SHERIFF VOLUNTEERS

Under the Office of the Sheriff, the Emergency Services Support Unit (ESSU) manages volunteer groups who contribute significantly to emergency operations through out the County. Volunteers may be called upon for their specialized training and professional skills in the following groups:

- Air Squadron
- Search and Rescue
- Chaplains
- Cadets
- SAVES
- Off-Road Enforcement
- Food Service Unit
- Dive Team
- Reserve Deputies

During disasters the activation of the Sheriff's volunteer programs is through the Law Branch Mutual Aid Coordinator in the Emergency Operations Center. During day to day business the volunteers may be accessed through the Sheriff's Emergency Services Support Unit.

CONTRA COSTA OPERATIONAL AREA EMERGENCY OPERATIONS CENTER (EOC)

INTRODUCTION

Day to day operations are conducted from departments and agencies that are widely dispersed throughout the County. An EOC is a location from which centralized emergency management can be performed during a major emergency or disaster. This facilitates a coordinated response by the Director of Emergency Services, Emergency Management Staff and representatives from organizations who are assigned emergency management responsibilities. The level of Emergency Operations Center staffing will vary with the specific emergency situation.

An Emergency Operations Center provides a central location of authority and information. It allows for face to face coordination among personnel who must make emergency decisions. The following functions are performed in the Contra Costa Operational EOC:

- Managing and coordinating emergency operations
- Receiving and disseminating warning information
- Developing emergency plans, policies, and procedures
- Collecting intelligence from, and disseminating information to, the various Emergency Operations Center representatives, and, as appropriate, to county, city/town, special district, state agencies, military, and federal agencies and political representatives
- Preparing intelligence/information summaries, situation reports, operational reports, and other reports as required
- Maintaining general and specific maps, information display boards, and other data pertaining to emergency operations
- Continuing analysis and evaluation of all data pertaining to emergency operations
- Directing, controlling and coordinating, within established policy, the operational and logistical support of Operational Area resources committed to the emergency
- Maintaining contact and coordination with support to Disaster Operations Centers, other local government EOC's, and the Coastal Region
- Providing emergency information and instructions to the public, making official releases to the news media and the scheduling of press conferences as necessary
- Manage the financial and administrative procedures and reporting

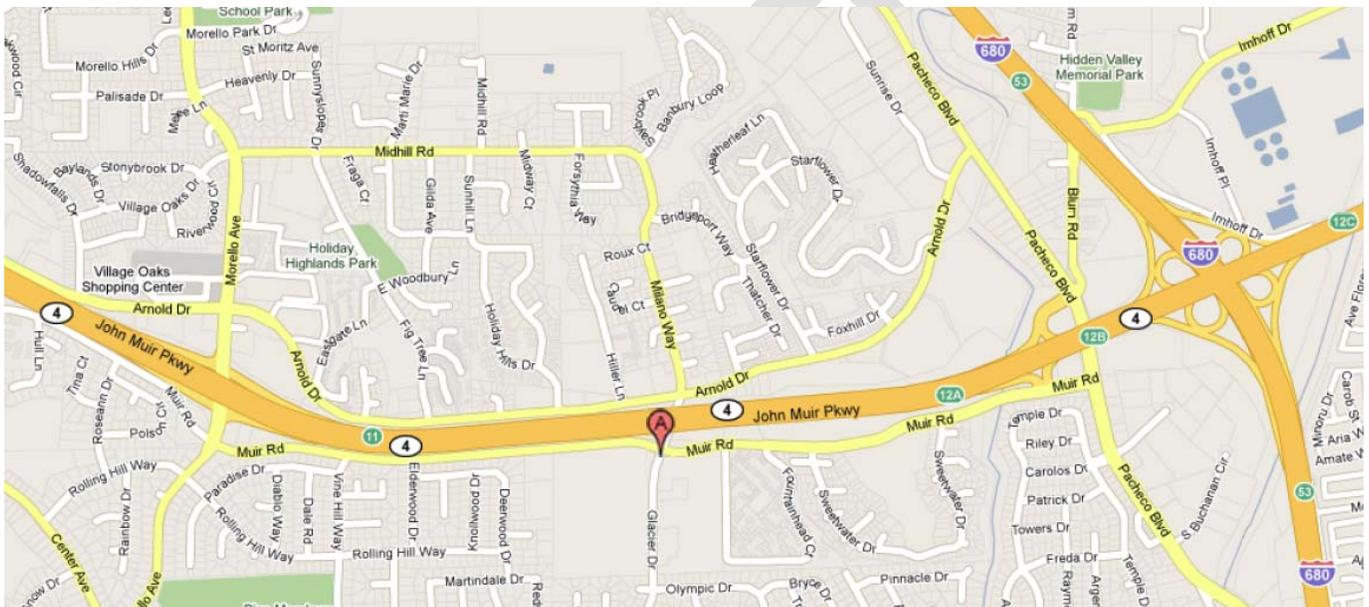
EMERGENCY OPERATIONS CENTER LOCATION AND DESCRIPTION

The Contra Costa Operational Area Emergency Operations Center is located at 50 Glacier Drive, Martinez. The space is home to the Contra Costa County Sheriff's OES, the Homeland Security Unit, the Emergency Services Support Unit, and the Community Warning System Unit. During an emergency activation the building is converted into an operating Emergency Operations Center, and the daily

CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

operations are displaced.

The Emergency Operations Center is supported by a computer network, telephones, dedicated fax lines, copy machines, televisions, and Community Warning Systems. Status boards are in place for the collection and dissemination of information. The staffing pattern is SEMS based, and operational periods are determined during the initial stages of an incident. The County Administrator serves as the Emergency Operations Center Director. Emergency Operations Center staffing is provided by County Department heads (or other designated personnel) and other supporting agencies including California Department of Forestry and Fire protection (CalFire), California Highway Patrol (CHP), California National Guard (CNG), Environmental Protection Agency (EPA), Coastal Region Cal EMA, Pacific Gas and Electric, American Red Cross (ARC), and other organizations and utilities as needed.



ALTERNATE EMERGENCY OPERATIONS CENTER LOCATION AND DESCRIPTION

Direction and control authority will be transferred from the primary Emergency Operations Center to an alternate Emergency Operations Center when deemed necessary by the Emergency Operations Center Director. The Logistics Section will arrange for relocation of Emergency Operations Center staff members to the alternate Emergency Operations Center. All Section Chiefs will advise their emergency response field forces of the transition to an alternate Emergency Operations Center site.

Several sites have been screened for viability as an alternate Emergency Operations Center. These include Diablo Valley College, The Concord Hilton, The Concord Holiday Inn, the Sheriff's Law Enforcement Training Center, and the Contra Costa Fire Protection District Fire Training Center. Depending on the disaster, each of these facilities has strengths and weaknesses that will need to be assessed to select the best facility for responding to the disaster.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

The Office of Emergency Services maintains an Emergency Operations Center Support Trailer that contains laptop computers, printers, paperwork supplies, radios and other equipment to set up a basic Emergency Operations Center under adverse conditions. This trailer is available to cities and special districts during disasters to support their emergency operations.

WHEN TO ACTIVATE THE EMERGENCY OPERATIONS CENTER:

The Standardized Emergency Management System (SEMS) requires the Operational Area Emergency Operations Center to be activated under certain circumstances. The appropriate level of activation is up to the EOC Director. Examples of mandatory SEMS activations include:

- Two or more of Contra Costa County’s local jurisdictions have activated their Emergency Operation Centers, or a local jurisdiction has requested activation of the Operational Area Emergency Operations Center
- An impending or declared “State of War Emergency” has occurred
- An emergency situation has occurred or might occur of such magnitude that it will require a large commitment of resources from two or more local jurisdictions or the County over an extended period of time. Examples include a major hazardous material incident, civil disturbance, aircraft disaster, wild land fire or severe weather conditions.

WHO CAN ACTIVATE THE EMERGENCY OPERATIONS CENTER:

The following individuals, either acting as the Emergency Operations Center Director or on behalf of the Emergency Operations Center Director, or their appointed representatives (as referenced in Continuity of Government Lines of Succession), are authorized to activate the Emergency Operations Center:

- County Administrator
- Assistant/Deputy County Administrators
- County Fire Chief or designee
- Sheriff or designee
- County Health Officer or designee
- Director of Public Works or designee

HOW TO ACTIVATE THE EMERGENCY OPERATIONS CENTER:

- Contact the Contra Costa County Sheriff’s Communication Center (925-646-2441)
- Identify yourself and provide a callback confirmation phone number
- Briefly describe the emergency/disaster situation causing this request
- Ask to have the Office of Emergency Services Manager call you

OPERATIONAL AREA EMERGENCY OPERATIONS CENTER ACTIVATION LEVEL TYPES

LEVEL 1	<p>This type of incident is the most complex, requiring national resources to safely and effectively manage and operate.</p> <ul style="list-style-type: none"> • All Command and General staff positions are activated. • Operations personnel often exceed 500 per operational period and total personnel will usually exceed 1,000. • Branches need to be established. • The agency administrator will have briefings, and ensure that the complexity analysis and delegation of authority are updated. • Use of resource advisors at the incident base is recommended. • A written Incident Action Plan is required for each operational period. • There is a high impact on the local jurisdiction, requiring additional staff for office administrative and support functions.
LEVEL 2	<p>This type of incident extends beyond the capabilities of local control and is expected to go into multiple operational periods. A Type 2 incident may require the response of resources out of area, including regional and/or national resources, to effectively manage the operations, command, and general staffing.</p> <ul style="list-style-type: none"> • Most or all the Command and General staff positions are filled. • A written Incident Action Plan is required for each operational period. • Many of the functional units are needed and staffed. • Operations personnel normally do not exceed 200 per operational period and total incident personnel do not exceed 500 (guidelines only). • The agency administrator is responsible for the incident complexity analysis, agency administrator briefings, and the written delegation of authority.
LEVEL 3	<ul style="list-style-type: none"> • When capabilities exceed initial attack, the appropriate ICS positions should be activated to match the complexity of the incident. • Some or all of the Command and General Staff positions may be activated, as well as the Division / Group Supervisor and / or Unit Leader level positions. • A Type 3 Incident Management Team (IMT) or incident command organization manages initial action incidents with a significant number of resources, and extended attack incident until containment / control is achieved, or an expanding incident until transition to a Type 1 or 2 team. • The incident may extend into multiple operational periods. • A written IAP may be required for each operational period.
LEVEL 4	<ul style="list-style-type: none"> • Command Staff and General Staff functions are activated only if needed. • Several resources are required to mitigate the incident, including a Task Force or Strike Team. • The incident is usually limited to one operational period in the control phase. • The agency administrator may have briefings, and ensure the complexity analysis and delegation of authority are updated. • No written Incident Action Plan (IAP) is required but a documented operational briefing will be completed for all incoming resources. • The role of the agency administrator includes operational plans including objectives and priorities.
LEVEL 5	<ul style="list-style-type: none"> • The incident can be handled with one or two single resources with up to six personnel. • Command and General Staff positions (other than the Incident Commander) are not activated. • No written Incident Action Plan (IAP) is required. • The incident is contained with the first operational period and often within an hour to a few hours after resources arrive on scene.

STATUS BOARDS

Because the Emergency Operation Center's major purpose is accumulating and sharing information to ensure coordinated and timely emergency response, status boards for tracking emergency activities will be made available for use in both the primary and alternate Emergency Operations Center. All Emergency Operations Center sections must maintain display devices so that other sections can quickly comprehend what actions have been taken, what resources are available, and to track damage in the Operational Area. The Planning/Intelligence Section is responsible for coordinating the display of information. All display charts, boards, and materials are stored in the Emergency Operations Center. A permanent log of all information on display boards must be kept by each section for documentation purposes and use in after action reporting.

At the onset of any disaster, a chronological log will also be compiled for the duration of the emergency situation. Key disaster related information will be recorded in the log; e.g., casualty information, health concerns, property damage, fire status, size of risk area, scope of the hazard to the public, number of evacuees, etc. The posting of the log is the responsibility of the Planning/Intelligence Section staff.

COMMUNICATIONS

Communications are provided for in the Emergency Operations Center by the Logistics Section and include:

- **RIMS** – Response Information Management System via internet connection to Cal EMA
- **Satellite Phones** - 3 portable and two building mounted satellite phones
- **Metropolitan Transportation Commission Satellite Phone** - Satellite phone providing communications between transportation providers in the bay area
- **OASIS** – Operational Area Satellite Information System (8 satellite phone lines on the state system - provide Op Area to Op Area dialing and inbound/outbound dialing).
- **EAS** – Emergency Alert System
- **EDIS** – Emergency Digital Information System
- **TENS** – County-wide computerized telephone notification system: Telephone Emergency Notification System (TENS) and the Contra Costa Emergency Automated Notification System
- **RACES** – A County-wide organization of amateur radio operators
- **County Communications** – Computer Aided Dispatch (CAD) responsible for fire, law, medical, and local government frequencies
- **CESRS** - The California Emergency Services Radio System
- **CCHS Radio** - Contra Costa Health Services 440Mhz Radio

This does not include assets that could be provided by CalFire, CalTrans, and California Highway Patrol (CHP).

EMERGENCY OPERATIONS CENTER COORDINATION WITH VOLUNTEER AND PRIVATE AGENCIES

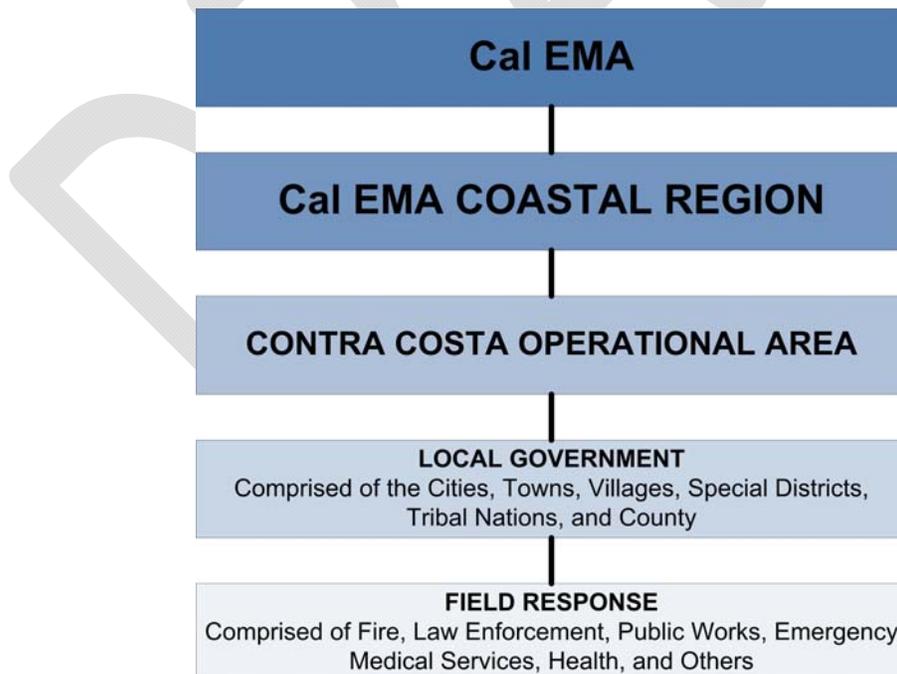
Local jurisdictions' Emergency Operations Centers will generally be a focal point for coordination of response activities with many non-governmental agencies and should establish communication with private and volunteer agencies providing services within their jurisdiction.

Agencies that play key roles in the response should have representatives in the Emergency Operations Center. If an agency supports several functions and has only one representative in the Emergency Operations Center, the agency representative should be located in the liaison area. If an agency is supporting one function only, its representative may be located with that functional element. Some agencies may have several personnel participating in functional elements in the Emergency Operations Center. For example, American Red Cross personnel may be part of the staffing for the Care and Shelter element of the Emergency Operations Center.

Agencies that have countywide response roles and cannot respond to numerous local jurisdictions' Emergency Operations Centers should be represented at the Operational Area level.

Coordination with volunteer and private agencies that do not have representatives at the Emergency Operations Center may be accomplished through telecommunications, liaison with community councils that represent several agencies or involvement of agencies in special multi-agency groups on specific issues.

CONTRA COSTA OPERATIONAL AREA COORDINATION LINKS



EMERGENCY OPERATIONS CENTER POSITION DESCRIPTIONS AND RESPONSIBILITIES

EMERGENCY OPERATIONS CENTER STRUCTURE

SEMS regulations require local governments to provide five functions: management, operations, planning/intelligence, logistics and finance/administration. These functions are the basis for structuring the Emergency Operations Center organization.

Management - Responsible for the overall emergency policy and coordination through the joint efforts of governmental agencies and private organizations.

Operations - Responsible for coordinating all jurisdictional operations in support of emergency response through implementation of the local government's Emergency Operations Center Action Plan.

Planning/Intelligence - Responsible for collecting, evaluating and disseminating information; assist in developing the County Operational Area's Emergency Operations Center Incident Action Plan, After Action Report, and Corrective Action Report, in coordination with the Emergency Operations Center Emergency Services Coordinator.

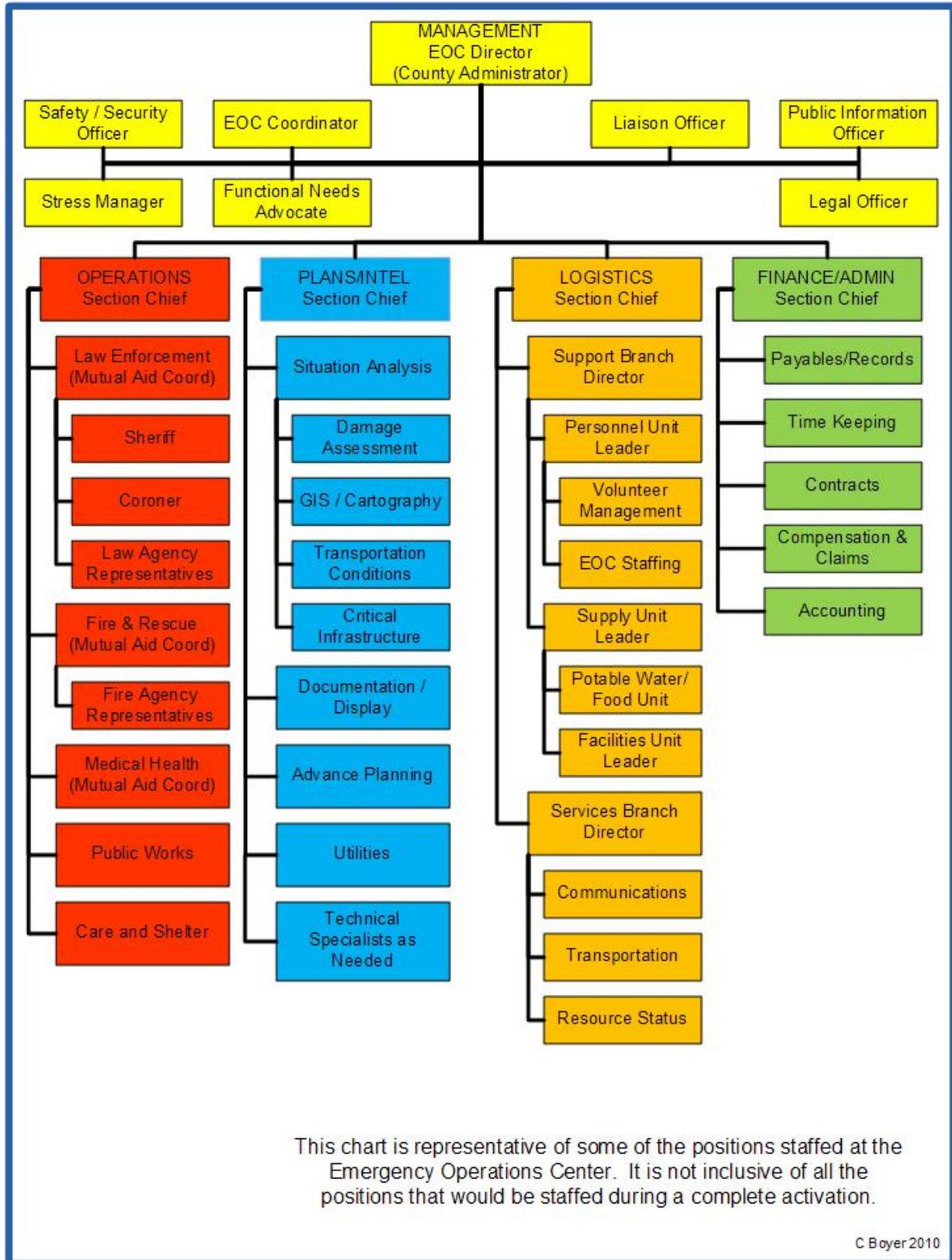
Logistics - Responsible for supporting operations, providing facilities, services, personnel, equipment and materials.

Finance/Administration - Responsible for managing administrative and financial procedures and reporting.

The Emergency Operations Center organization may include representatives from special districts, volunteer agencies, and private agencies with significant response roles.

Agency Liaison Assignments include the responsibility to communicate and coordinate between the Contra Costa Operational Area Emergency Operations Center and their respective agency/jurisdiction.

CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN



MANAGEMENT SECTION

The Management Section is responsible for overall management and administration of the incident. Management also includes certain support staff functions required to support the Emergency Operations Center Management function and the field command function.

- EOC Director
- Liaison Officer
- Stress Manager
- Public Information Officer
- EOC Coordinator
- Safety/Security Officer
- Functional Needs Advocate
- Legal Officer

Emergency Operations Center Director - The Emergency Operations Center Director is responsible for directing Contra Costa OA's response and recovery for any disaster or emergency. In Contra Costa, the County Administrator (CAO) is the primary Emergency Operations Center Director and may delegate this responsibility.

Emergency Operations Center Coordinator - The Emergency Operations Center Coordinator serves as a resource, and assists the Emergency Operations Center Director in the administration of the emergency response. In addition, the Emergency Operations Center Coordinator provides guidance to all other Emergency Operations Center staff in performing their responsibilities.

Liaison Officer - When an incident has a multi-agency or multi-jurisdictional response, the Liaison Officer provides and maintains coordination with outside agency representatives, other Operational Area jurisdictions, local businesses and employers, the Region Emergency Operations Center, California Emergency Management Agency, and other political representatives.

Safety and Security Officer - The Safety and Security Officer acts as an advisor to the Emergency Operations Center Director. They watch over all aspects of the emergency organization to ensure the safety of all personnel. The Safety Officer is responsible for correcting unsafe operations and for working with all sections to protect the safety of all emergency services workers in the Emergency Operations Center.

Functional Needs Advocate - The Functional Needs Advocate ensures that attention is given to providing response sensitivity and services to access and functional needs populations.

Public Information Officer - The Public Information Officer (PIO) acts under the direction of the Emergency Operations Center Director and coordinates city/town and county Public Information Center (PIC) activities. The PIO ensures that the media and residents are fully informed on all aspects of the emergency. During regional events, the PIO will be the point of contact for the designated regional Joint Information Center (JIC). Both the PIC and JIC are staffed by members of the Emergency Public Information Officers Team, made up of Operational Area Agency spokespersons within the County.

Legal Officer - The Legal Officer is the Contra Costa County Counsel or their designee. The Legal Officer provides advice to the Emergency Operations Center Director in all legal matters relating to the emergency. The Legal Officer assists the Emergency Operations Center Director in declaring a local emergency and implementation of emergency powers.

OPERATIONS SECTION

The Operations Section is under the supervision of the Operations Section Chief who is in charge of all functions within the Operations Section. The Operations Section directs the Contra Costa County operational resources and coordinates mutual aid resources. In addition, the Operations Section is responsible for coordinating with the local agency field incident commanders. The following branches are in the Operations Section, additional Branches/Groups can be added as needed:

- Law Enforcement Branch
- Fire and Rescue Branch
- Medical Health Branch
- Public Works Branch
- Care and Shelter

Operations Section Chief - The Operations Section Chief is in charge of all branches/groups in the Operations Section and reports directly to the Emergency Operations Center Director. The Operations Section Chief assists in the development and execution of the Action Plan. The Operations Section Chief shall be advised of all requests for Mutual Aid and other resources.

Law Enforcement Branch - The Law Enforcement Branch directs the response activities of Sheriff's Office units, reserves, and volunteers. It also coordinates Coroner activities and all law mutual aid, including resources such as California Highway Patrol and the California National Guard. This position is staffed by the Operational Area Law Enforcement Mutual Aid Coordinator.

Fire and Rescue Branch - The Fire and Rescue Branch directs the response activities of county, volunteer, and mutual aid fire. This Branch coordinates rescue operations with the Public Works Branch and other outside agencies as required for heavy rescue. This position is staffed by the Operational Area Fire Mutual Aid Coordinator.

Medical Health Branch - The Medical Health Branch is staffed by Contra Costa Health Services and functions as liaison with medical resources throughout the County. This Branch manages all medical mutual aid within the Operational Area and from outside the Operational Area. This position is staffed by the County Health Officer.

Public Works Branch - The Public Works Branch directs and coordinates response to public works problems, maintains surviving utilities and services, and coordinates public works mutual aid. This Branch also assists in evaluating the safety of structures (e.g., buildings and bridges) and roads. Public Works may also assist other units with traffic control, search and rescue, debris management, and transportation as needed.

Care and Shelter Branch - The Care and Shelter Branch directs and coordinates response activities in cooperation with the American Red Cross, the Salvation Army, Animal Services, and other organizations active in disaster and local government jurisdictions to aid in providing care and shelter services to all those impacted by an emergency or disaster, including their pets.

PLANNING/INTELLIGENCE SECTION

The Planning/Intelligence Section is under the supervision of the Planning Section Chief. The duties and responsibilities of the Planning Section are to gather and analyze all data regarding the incident and track the resources assigned during the disaster. The Planning Section maintains an incident log, Emergency Operations Center display maps, and charts. The Planning Section is also responsible for preparing situation reports, assessing damage, conducting planning meetings, documenting all Emergency Operations Center activities, and assisting in the preparation of the Incident Action Plan. The following branches will be established as necessary in the Planning Section:

- Situation Analysis Branch
- Documentation/Display Branch
- Advanced Planning
- Utilities
- Technical Specialist

Planning Section Chief - The Planning/Intelligence Section Chief manages the Planning Section. The Planning Section Chief is responsible for the collection, evaluation, and dissemination of incident information.

Situation Analysis Branch - The Situation Analysis Branch's primary role is to collect, collate and process all information and intelligence including Transportation Conditions and Damage Assessment. Situation Analysis is also responsible for maintaining the Master Incident Log and map displays.

Documentation/Display Branch - The Documentation/Display Branch maintains and files all Emergency Operations Center messages, maintains official history of the emergency to insure complete documentation for the purpose of recovery of funds and advance planning.

Advance Planning Branch - The Advance Planning Branch begins developing long term plans for response and eventually for recovery operations.

Utilities Branch - The Utilities Branch provides coordinated information regarding basic services and utility damage and restoration.

Technical Specialist - Technical Specialists provide expert information in the development of an Incident Action Plan. Some areas of expertise might be: river levels, weather forecasting, geographic information systems/maps, hazardous materials or radiological materials.

LOGISTICS SECTION

The Logistics Section is under the supervision of the Logistics Section Chief and provides all emergency support needs. The Logistics Section orders all resources, manages volunteer personnel, and provides communications, facilities, transportation, supplies, equipment, fuel, food, and shelter. The Logistics Section is made up of the following branches:

- Personnel Branch



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

- Supply Branch
- Communications Branch
- Transportation Branch
- Resource Status
- Utilities

Logistics Section Chief - The Logistics Section Chief ensures the logistics function is carried out in support of the Contra Costa Operational Area Emergency Operations Center and is in charge of all functions within the Logistics Section.

Personnel Branch - The Personnel Branch provides personnel resources in support of the Emergency Operations Center and Field Operations and supports and coordinates volunteer services for local jurisdictions and the Contra Costa Operational Area.

Supply Branch – The Supply Branch oversees the procurement and allocation of supplies and material not normally provided through mutual aid channels. It coordinates delivery of supplies, manages donated good programs, establishes and maintains staging areas and coordinates procurement actions with the Finance/Administration Section.

Communications Branch – The Communications Branch coordinates Information Technology Support, the Radio Amateur Civil Emergency Services (RACES), and the Emergency Operations Center Message Center. The primary communications tracking form is the Incident Command System form 213.

Transportation Branch - The Transportation Branch coordinates transportation resources including, vehicles, aircraft, rail, and ship. The Transportation Branch will coordinate multi-jurisdiction resources through the Regional Emergency Operations Center and the Metropolitan Transportation Commission Emergency Operations Center.

Resource Status Branch - The Resource Status Branch's primary role is to collect, collate and process all information and intelligence regarding resource status.

Utilities Branch - The Utilities Branch oversees the coordinated procurement and allocation of utility resources.

FINANCE/ADMINISTRATION SECTION

The Finance/Administration Section provides for the tracking of the time worked by all emergency personnel involved in the incident, provides cost analysis and projections, and records any and all injury claims for compensation. The Finance Section is managed by the Finance Section Chief (County Auditor-Controller). The Finance Section is made up of the following branches:

- Payables/Records
- Time Keeping

Finance Section Chief - The Finance Section Chief provides supervision to members of the Finance



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Section and manages all financial aspects of the emergency. In addition, they manage the receipt of claims for compensation against the county.

Payables/Records Branch – The Payables/Records Branch provides the projected cost of supplies and materials to support the emergency. In addition, it collects all cost data and records, performs cost effectiveness analysis and provides cost estimates and cost savings recommendations. This branch also manages claims for worker’s compensation.

Time Keeping Branch - The Time Keeping Branch maintains records of all personnel and volunteer time worked during the incident response and recovery.

DRAFT

EMERGENCY PROCLAMATIONS

LOCAL EMERGENCY

At the Contra Costa County Operational Area a Local Emergency may be proclaimed by the Administrator of Emergency Services (the County Administrator) or designee in accordance with the ordinance adopted by the Contra Costa County Board of Supervisors (BOS). The Board of Supervisors must ratify a Local Emergency proclaimed by the County Administrator within seven (7) days. The governing body must review the need to continue the proclamation at least every thirty (30) days until the Local Emergency is terminated. The Local Emergency must be terminated by resolution as soon as conditions warrant. Proclamations are normally made when there is an actual incident or threat of disaster or extreme peril to the safety of persons and property within Contra Costa County, caused by natural or human-made situations.

Incorporated cities/towns within the Operational Area may declare a local emergency as provided under their municipal code. The city/town shall advise the Contra Costa Sheriff's Office of Emergency Services of the declaration. The proclamation of a Local Emergency provides the governing body with the legal authority to:

- Request that the Governor proclaim a State of Emergency, if necessary
- Promulgate or suspend orders and regulations necessary to provide for the protection of life and property, including issuing orders or regulations imposing a curfew within designated boundaries
- Exercise full power to provide mutual aid to any affected area in accordance with local ordinances, resolutions, emergency plans, or agreements
- Request state agencies and other jurisdictions to provide mutual aid
- Require the emergency services of any local official or employee
- Requisition necessary personnel and materials from any local department or agency
- Obtain vital supplies and equipment and, if required, immediately commandeer the same for public use
- Impose penalties for violation of lawful orders
- Conduct emergency operations without incurring legal liability for performance, or failure of performance *Note: Article 17 of the Emergency Services Act provides for certain privileges and immunities*

LOCAL HEALTH EMERGENCY

In situations involving hazardous and or medical waste release that is an immediate threat to the public health, or whenever there is an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent, Health Officers may declare a "local health emergency." The Health Officer cannot declare a local emergency under the Emergency Services Act unless expressly granted that authority by the local governing body. Few California counties have granted such short term authority to its Health Officer. Any formal declaration of local health emergency issued by a Health Officer must be ratified by

the local governing body within a very limited number of days to remain active.

The declaration of a local health emergency authorizes other political subdivisions and state agencies to provide mutual aid. It also provide immunity to physicians, hospitals, nurses, and other specified persons providing medical care at the express or implied request of the Health Officer.

STATE OF EMERGENCY

The Governor may proclaim a State of Emergency when:

- Conditions of disaster or extreme peril exist which threaten the safety of persons and property within the state caused by natural or human-made incidents
- The Governor is requested to do so by local authorities
- The Governor finds that local authority is inadequate to cope with the emergency

Whenever the Governor proclaims a State of Emergency:

- Mutual aid shall be rendered in accordance with approved emergency plans when the need arises in any county, city and county, or city for outside assistance
- The Governor shall, to the extent he deems necessary, have the right to exercise all police power vested in the State by the Constitution and the laws of the State of California within the designated area
- Jurisdictions may command the aid of residents as deemed necessary to cope with an emergency
- The Governor may suspend the provisions of orders, rules or regulations of any state agency; and any regulatory statute or statute prescribing the procedure for conducting state business
- The Governor may commandeer or make use of any private property or personnel (other than the media) in carrying out the responsibilities of his office
- The Governor may promulgate, issue and enforce orders and regulations deemed necessary
- The Governor can request additional assistance by asking for a Presidential declaration

STATE OF WAR EMERGENCY

Whenever the Governor proclaims a State of War Emergency, or if a State of War Emergency exists, all provisions associated with a State of Emergency apply. In addition, all state agencies and political subdivisions are required to comply with the lawful orders and regulations of the Governor which are made or given within the limits of his authority as provided in the Emergency Services Act.

CONTINUITY OF GOVERNMENT

PURPOSE

A major disaster or an act of war could result in great loss of life and property, including the death or injury of key government officials. At the same time, there could be partial or complete destruction of established seats of government, and the destruction of public and private records essential to continued operations of government and industry.

In the aftermath of a major disaster, law and order must be preserved and essential government services must be maintained. Civil government accomplishes this best. To this end, it is particularly essential that local units of government continue to function.

Applicable portions of the California Government Code and the State Constitution (cited in the next paragraphs) provide authority for the continuity and preservation of state and local government.

RESPONSIBILITIES

Government at all levels is responsible for providing continuous, effective leadership and authority under all aspects of emergency services operations (preparedness, response, recovery, and mitigation). Under California's concept of mutual aid, local officials remain in control of their jurisdiction's emergency operations while others may provide additional resources upon request. A key aspect of this control is the ability to communicate official requests, situation reports, and emergency information throughout any disaster.

PRESERVATION OF LOCAL GOVERNMENT

Article 15 of the California Emergency Services Act (Chapter 7 of Division 1 of Title 2 of the Government Code) provides the authority, as well as the procedures to be employed, to ensure continued functioning of political subdivisions within the State of California. Article 15 provides for the succession of officers who head departments responsible for maintaining law and order, or in furnishing public services relating to health and safety.

Article 15 also outlines procedures to ensure continued functioning of political subdivisions in the event the governing body, including standby officers, is unavailable to serve.

LINES OF SUCCESSION FOR OFFICIALS CHARGED WITH DISCHARGING EMERGENCY RESPONSIBILITIES

The first step in assuring continuity of government is to have personnel who are authorized and prepared to carry out emergency actions for government in the event of a natural, technological, or national security disaster.

Government Code Section 8638 of the Emergency Services Act authorizes governing bodies to designate and appoint three standby officers for each member of the governing body. To maintain timely lines of succession County Ordinance Section 42-4.010 requires the Board of Supervisors review the status of all

CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

standby officers during the second regular meeting in March (but is typically done early in January during the annual Board reorganization). Vacancies are to be filled according to County Ordinance Section 42-4.006. Notification of any successor changes shall be made through the established chain of command.

Article 15, Section 8637 of the Emergency Services Act authorizes political subdivisions to provide for the succession of officers (department heads) having duties related to law and order and/or health and safety. (See Lines of Succession list for County departments at the end of this section.)

Article 15, Section 8643 Emergency Services Act describes the duties of a governing body during emergencies as follows:

- Ascertain the damage to the jurisdiction and its personnel and property
- Reconstitute itself and any subdivisions
- Perform functions in preserving law and order and furnishing local service

Below is the line of succession for several county services and departments:

SERVICE / DEPARTMENT	TITLE / POSITION
County Administrator	<ol style="list-style-type: none"> 1. Chief Assistant County Administrator 2. Assistant County Administrator 3. Senior Deputy County Administrator
County Sheriff / Coroner	<ol style="list-style-type: none"> 1. Undersheriff 2. Field Operations Commander 3. Support Services Commander
County Fire Protection District	<ol style="list-style-type: none"> 1. Deputy Fire Chief 2. Assistant Fire Chief 3. Senior On Duty Battalion Chief
County Counsel	<ol style="list-style-type: none"> 1. Assistant County Counsel 2. Assistant County Counsel 3. Deputy County Counsel - Supervising
Board of Education Superintendent	<ol style="list-style-type: none"> 1. Assistant Superintendent 2. Administration Director 3. Special Education Director
Public Works	<ol style="list-style-type: none"> 1. Deputy Public Works Director 2. Deputy Public Works Director 3. Deputy Public Works Director
District Attorney	<ol style="list-style-type: none"> 1. Assistant District Attorney 2. Chief Deputy District Attorney 3. Deputy District Attorney II

CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

County Recorder	<ol style="list-style-type: none"> 1. Assistant County Recorder 2. Administrative Assistant Senior 3. Administrative Assistant II
County Health Officer	<ol style="list-style-type: none"> 1. Public Health Director 2. Emergency Medical Services Director 3. Senior Medical Director
Director of Employment and Human Services	<ol style="list-style-type: none"> 1. Director of Administrative Services 2. Director of Child and Family Services 3. Director of Aging and Adult Services
Chief Probation Officer	<ol style="list-style-type: none"> 1. Chief Deputy Probation Officer 2. Chief Deputy Probation Officer 3. Chief Deputy Probation Officer

PRESERVATION OF VITAL RECORDS AND STATISTICS

In Contra Costa County the County Recorder is responsible for the preservation of vital statistics.

Vital statistics are defined as those records that are essential to:

- Protect and preserve the rights and interests of individuals, governments, corporations and other entities. Examples include vital statistics, land and tax records, license registers, and articles of incorporation
- Conduct emergency response and recovery operations. Records of this type include utility system maps, locations of emergency supplies and equipment, emergency operations plans and procedures, personnel rosters, etc.
- Re-establish normal governmental functions and protect the rights and interests of government: constitutions and charters, statutes and ordinances, court records, official proceedings and financial records

Contra Costa County's vital records are routinely stored in the County Recorder's Office, located at 555 Escobar, Martinez. Electronic and computerized data is backed up nightly to an off-site vendor that specializes in data protection and recovery. Microfilmed records and other backup data are stored in a off-site vault with a vendor that specializes in information protection and recovery.

Contra Costa's birth and death records are managed and maintained by the Vital Registration Department in Public Health. This information is coordinated with the Coroner's Office.

Each department within the county will identify, maintain and protect its own vital records. Protection includes but is not limited to archival preservation, offsite storage, and maintaining redundant backup copies.

PART TWO: THREAT SUMMARY AND ASSESSMENTS

GENERAL

Although the Contra Costa County Operational Area Emergency Operations Plan is an all-hazards plan, this section consists of a series of threat summaries based on the results of the Contra Costa County Operational Area's hazard analysis and Local Hazard Mitigation Plan. The County of Contra Costa has the potential for experiencing a variety of natural and human caused disasters. This section provides a brief description of these most probable threats, but does not contain all the technical data.

It is important to note that a disaster could include more than one incident. For instance, a major earthquake could cause major structure loss, inundation by a sympathetic dam collapse, flooding from a tidal surge, extensive hazardous material releases from refineries and ruptured underground pipelines. In general, those agencies assigned roles under this plan should be prepared for the worst and expect minimal help from outside the Operational Area.

Also threatening are human caused disasters such as acts of terrorism. Many of the hazards could be a deliberate act which would increase the danger due to the targeted nature of the incident. For example, a hazardous materials release would be much more dangerous if it were timed to coincide with commuter periods or were located in an especially sensitive area.

LOCATION, MAJOR JURISDICTIONS, AND POPULATION

The Contra Costa Operational Area is dominated by the Diablo mountain range and the Delta which create a rugged landscape with 740 square miles of land and 82 square miles of water. The West, Central, and East sections of the county each provide uniquely different challenges based on the variety of topography, transportation infrastructure, industry, and population density. The Contra Costa Operational Area is located in the California Emergency Management Agency Coastal Administrative Region, and the California Emergency Management Agency Mutual Aid Region 2.

Contra Costa County has a population of approximately 1,100,000 in nineteen incorporated cities and towns and the county's unincorporated area. Most of the population is located in the urban corridors located along Highways 80, 4, 680, and 24.

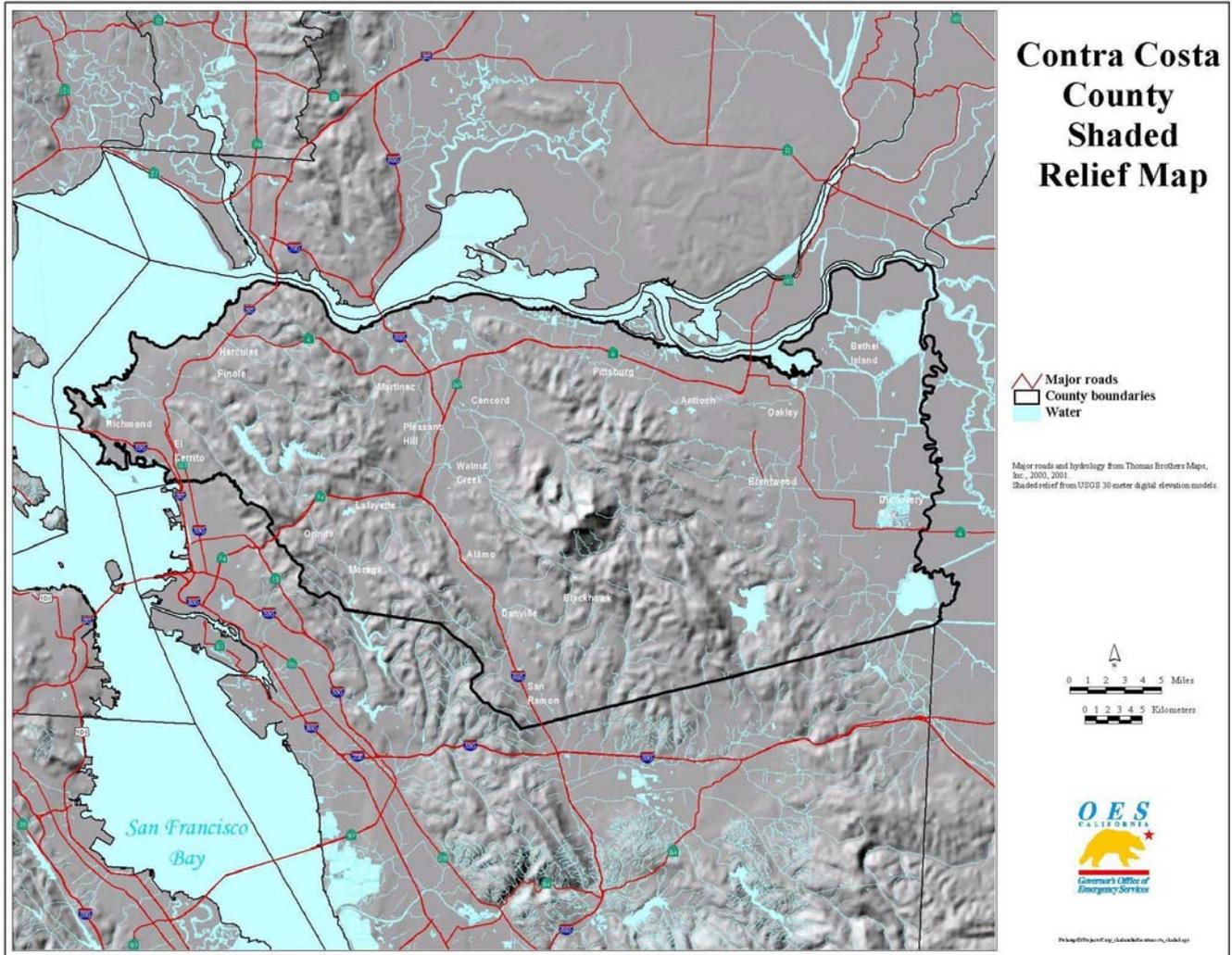
Contra Costa County is surrounded by water on three sides, the San Francisco Bay to the west, the Sacramento River to the north and the San Joaquin River to the east. It is adjacent to Alameda County on the south.

Contra Costa County is connected to its surrounding neighbors mostly by bridges. The Richmond/San Rafael Bridge is to the west; the Carquinez (Zappa) Bridge to the north, the Benicia/Martinez Bridge to the north; the Antioch (Senator John A. Nejedly) Bridge to the north; and the Middle River Bridge to the east.

One of the major challenges the county faces during any emergency is the possibility of being isolated from the surrounding communities. This isolation affects critical employees that live out of the county

CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

and the ability for the delivery of critical resources or help.



TRANSPORTATION AND INFRASTRUCTURE

Transportation - The primary travel corridor is U.S. Highway 680 (running north and south) along which 50 percent of the population lives. This is the main economic and transportation corridor for the County and the East Bay, as well as a primary route through Northern California. The main east/west travel route is Highway 4 serving the central and eastern bedroom communities of the County. Highway 80 along the west coast of the County provides commute and truck access from the Bay Bridge to Highway 5 and the Sacramento area. Highway 24 provides access from the Bay Bridge to the Highway 680 corridor, but some trucking is restricted due to the Caldecott Tunnel. There are 112 miles of State Highway, 657 miles of county maintained road and 2,358 miles of city maintained road within the County. Other means of transportation include:

- Buchanan Field Airport located in Concord. This is a public airport owned and operated by the County and is open 24 hours a day, 7 days a week. Buchanan Field has 4 runways and services small planes, private jets, small commercial jets. The largest military transport capable of using Buchanan Field is a C-130 Hercules (under certain load restrictions).
- Byron Airfield located in Byron. This is a public airport owned and operated by the County and is open 10 hours a day, 7 days a week. Byron Airfield has 2 runways and services small planes and private jets.
- Tri-Delta Transit is a bus company serving the communities in the eastern section of the County.
- Central Contra Costa Transit Authority (CCCTA)/County Connection is a bus company serving the communities in the central section of the County.
- East Bay Para-Transit is a bus company serving persons with disabilities throughout the County.
- Alameda Contra Costa Transit (AC Transit) is a bus company serving the communities in the western section of the County.
- Western Contra Costa County Transit Authority (WestCAT) is a bus company serving the communities in the western section of the County.
- Union Pacific Railroad operates 3 rail lines out of Martinez.
- Burlington Northern and Santa Fe Railroad operates 2 rail lines out of Richmond, 1 rail line in Pittsburg, and 1 rail line Port Chicago (known as short lines).
- Amtrak maintains stations in Richmond, Martinez, and Antioch and utilizes Burlington Northern and Santa Fe tracks within the County.
- Bay Area Rapid Transit (BART) maintains stations in Concord, El Cerrito-Del Norte, El Cerrito-Plaza, Lafayette, North Concord, Orinda, Pittsburg, Pleasant Hill, Richmond and Walnut Creek.
- The Port of Richmond is located on the east shore of the San Francisco Bay, and is one of the major ports on the west coast.

POTENTIAL HAZARDS AND THREATS SUMMARY

Contra Costa County, with its variable topography and mix of urban, rural and open space is vulnerable to a wide variety of negative impacts from various hazards and threats. In recent years, it has experienced several events such as earthquakes, floods, hazardous materials spills and storms. There are 3 broad categories of threats identified in the County Local Hazard Mitigation Program (LHMP) and by the Federal Emergency Management Agency (FEMA). They include natural, technological, and human caused hazards. The most probable hazards In Contra Costa County are:

NATURAL	TECHNOLOGICAL	HUMAN CAUSED
<ul style="list-style-type: none"> ▪ Earthquake* ▪ Flood/Levee* ▪ Wildland Fire* ▪ Severe Weather* ▪ Tsunami ▪ Landslide/Mass Movements* ▪ Drought* ▪ Health Crisis 	<ul style="list-style-type: none"> ▪ Hazardous Materials Incident ▪ Transportation Accident (Train, Plane, Bus) ▪ Dam Failure* ▪ Utility Disruption ▪ Radiological Incident 	<ul style="list-style-type: none"> ▪ Terrorism ▪ Civil Disturbance ▪ National Security Emergency ▪ Food and Agricultural Incident

* These hazards are identified and addressed in the County 2010 Local Hazard Mitigation Plan (LHMP)

THREAT ASSESSMENT 1: EARTHQUAKE

GENERAL SITUATION

Varying in type and intensity, earthquakes are perhaps the least predictable of any of the potential hazards. They may cause no real damage or the area could be heavily impacted. Often, the main earthquake is followed by a series of aftershocks. Aftershocks can be larger than the original quake and pose a significant threat to those responding to the first incident.

Located within and next to Contra Costa County are several known active and potentially active earthquake faults, including the Hayward Fault.

- The Hayward Fault runs along the West end of the county impacting some of the densest and oldest residential housing in the County.
- The Rogers Creek Fault comes into the north-central area of the county and runs underneath Buchanan Airport.
- The Concord Green Valley Fault is in the east end of the county and impacts the second densest but newer residential area of the county.
- The Mt. Diablo Thrust Fault is on the south-west perimeter of Mt. Diablo.
- The Greenville Fault is on the east end of the County and runs under several levee protected islands.
- The Calaveras Fault runs through the south-central corridor of the county, which is highly populated and includes the Highway 680 corridor.

A major earthquake occurring in or near these areas could result in deaths, casualties, property and environmental damage, and disruption of normal government and community services and activities. The effects could be aggravated by collateral emergencies such as fires, flooding, hazardous material spills, utility disruptions, landslides, dam failures, and transportation emergencies. The location of the epicenter, as well as the time of day and season of the year, would significantly influence the number of casualties and the amount of damage.

Such an event would exceed the response capability of the OA's emergency management organization, requiring assistance from volunteer and private agencies, the California Emergency Management Agency and the federal government. Response efforts will be significantly hampered by the loss of communications and transportation systems.

A major effort will be needed to remove debris and clear roadways, demolish unsafe structures, assist in reestablishing public services and utilities and provide continuing care and temporary housing for affected residents.

The economic impact of a major earthquake may also be significant. Employment may decline, businesses may suffer or even fail, tourism will drop, and a corresponding reduction in tax revenues will strain the

basic financial systems in local communities. Additionally, costs for basic services and supplies can be expected to increase along with additional infrastructure maintenance, replacement, or repair expenses. Effects can last for months and years unless addressed quickly and aggressively.

SPECIFIC SITUATION

Freeways and Major Highways

Freeways and critical highways pass through key parts of the OA - for some, there are no alternate routes. Should overpasses or bridges collapse or become unsafe, or roads close due to landslides, communities could be isolated for days. The opening of crossings and traffic control will be a major factor for emergency services personnel.

Railroads

Many railroad bridges are susceptible to seismic damage because of age, design and construction. Large lengths of line are vulnerable to landslide.

Dam, Flood Control Channels, and Levees

Based upon current design, construction practices and ongoing programs of review and modification, catastrophic dam failure is considered unlikely, but still possible. Strong shaking could cause some dams to overflow and cause localized flooding. Agricultural dams are at risk for failure due to liquefaction - especially after large rainfall. Many flood control channels are expected to suffer minor damage. Levees are at risk for failure due to liquefaction and extensive subsidence.

Hazardous Sites

Underground fuel pipelines, chemical storage tanks, and manufacturing locations may be damaged or destroyed and the resulting leaks may constitute a considerable threat to individual areas. Additionally, the area is crossed with many high voltage lines which supply power to the majority of the area. Should they fall, roadways will be blocked and the potential for fire and shock hazards will be significant until Pacific Gas and Electric can shut them off.

Restricted Access

In addition to caring for their own residents, the county and cities/towns may also have to support seasonal visitors in the area at the time of the event or evacuees from other Bay Area jurisdictions. Local agencies may have to restrict access and dedicate large numbers of resources to traffic management and transportation. Such populations may place excessive demands upon any established mass care facilities or shelters.

DAMAGE TO VITAL PUBLIC SERVICES, SYSTEMS AND FACILITIES

Medical Health

Approximately half of the beds in the county's medical facilities could be lost during a major earthquake due to the age and type of construction of some of the hospitals and rehabilitation centers in Contra Costa.

These hospitals will have services limited by damages, staff shortages, and lack of supplies. Local clinics, surgical facilities, and field treatment sites may be needed to handle the initial demand. Contra Costa County's Mass Casualty Incident (MCI) plan will be implemented but may be overwhelmed by the number of victims.

The most common small injuries will be glass cuts on hands and feet. The most common serious injuries will be crush trauma and burns. It may be necessary to transport many injured to out-of-county facilities.

Fire Operations

Although total collapse of fire stations is not expected, possible disruption of utilities, damaged doors and loss of power can create major problems. Numerous fires due to disruption of power and natural gas networks can be expected. Many connections to major water sources may be damaged and storage facilities would have to be relied upon. Water supplies could be inadequate or non-existent. Rescuers should expect loss of power and water, jammed doors, restricted mobility due to debris, possible loss of communications capability and delays in reaching maximum effectiveness due to personnel shortages.

Communications

The use of telephones will be limited. Traditional and cellular systems will be affected by infrastructure failure, overloads, and loss of electrical power. Immediately following an incident, numerous failures will occur, compounded by system use overloads. 80% of the telephone system is likely to be disabled for the first 24 hours.

Radio systems are expected to operate at 40% effectiveness the first 12 hours following an earthquake, increase to 50% for the second 12 hours, then decline to approximately 40% within 36 hours. A major issue will be batteries for portable radios.

Equipment reliant on microwave will experience loss of power. Damage to antennas and loss of alignment will reduce the equipment effectiveness to 30% or less.

Electrical Power

Extra-high-voltage transmission equipment is generally the most susceptible component of the electrical system. Transmission lines are especially vulnerable in Contra Costa County due to the rugged and remote terrain. Generating plants usually fare better but could also fail. Up to 60% of the system load may be interrupted immediately.

Repairs may require physically clearing roadways, bringing in special equipment, and safeguarding against aftershocks and other hazards. Close coordination is required with regional and local utility representatives. Power restoration may take days or even weeks.

Natural Gas

Damage to natural gas facilities serving Contra Costa County's communities will consist primarily of isolated breaks in major transmission lines. Breaks in mains and individual service connections within the

distribution system will be significant. Leaks pose a fire threat in these susceptible areas of intense ground shaking and/or poor ground near the shoreline. Breaks in the system will affect the most developed portions of the county and restoration could be significantly delayed.

Propane Gas

Many residents and businesses rely upon propane or bottled gas. Many of these tanks are not secured and will likely tip over or become disconnected. The leaking tanks will pose a fire/explosion hazard and many households will be without cooking and heating capabilities. Re-supply and repair of this service will be delayed until roads can be cleared and outside assistance is brought into the area by the vendors. Priority for repair and re-supply will be given to critical facilities such as medical sites, shelters, and emergency generators at remote radio repeater sites.

Water

Primary water sources may be incapacitated due to damage to the chlorine treatment stations and/or the pipelines that distribute potable water. There are a number of small water districts which may be susceptible to total destruction. In the most affected areas, sheer forces could render about one third of wells inoperable by cutting the shafts.

Priority for water distribution will go to fire suppression, life support, medical facilities, decontamination, and shelter operations. This may result in significant rationing. The use of surface-laid pipes and water tanker trucks to maintain a minimal supply to some areas will be almost certainly required.

Sanitation Systems

These systems will be generally affected in the same manner and degree as potable water. However, there is limited storage capacity in the wastewater plants. This could result in releases of minimally treated or even untreated sewage. Damaged or un-powered pumping stations and sewer line breaks may result in small spills of untreated sewage. Household sewer connections may break and plug.

THREAT ASSESSMENT 2: FLOOD

GENERAL SITUATION

Floods are generally classed as either slow-rise or flash floods. Slow-rise floods may be preceded by a warning time measured in hours or days. Evacuation and sandbagging for a slow-rise flood may lessen flood-related damage. Conversely, flash floods are the most difficult to prepare for, due to the extremely short warning time, if any is given at all. Flash flood warnings usually require immediate evacuation within minutes. Flooding can be caused by extreme rain, water channels overflowing their banks, and levee or dam failure.

The National Weather Service issues flash flood watches and warnings. A flash flood “Watch” is issued when flash flooding is possible within the designated watch area - all persons should be alert. A flash flood “Warning” is issued when a flash flood has been reported or is imminent - all persons should take necessary precautions. Local warnings may also issued by the Contra Costa County Flood Control and Water Conservation District, levee reclamation district, or a dam operation agency.

No area is immune to flash floods. In small streams, especially near the headwaters of river basins, water levels may rise quickly in heavy rainstorms, and flash floods can begin before the rain stops falling. There is little time between the detection of flood conditions and the arrival of the flood crest. Swift action is essential to protect life and property.

All low lying areas, both coastal and inland, are subject to flood conditions. Urban development in flood plain areas are often subject to seasonal inundation. The flood plain is a natural extension of any waterway, although infrequently used. Storm water runoff, when exceeding the capabilities of the physical channel characteristics of a stream, results in the natural flooding of a localized area, inundating vehicles and causing considerable damage to residential and industrial properties located near stream and drainage channels.

Once flooding begins, personnel will be needed to assist in rescuing persons trapped by flood water, securing utilities, evacuating residents, moving equipment, cordoning off flooded areas and controlling traffic. These actions may overtax local agencies, and additional personnel and resources may be required.

THREAT ASSESSMENT 3: WILDLAND FIRE

GENERAL SITUATION

Wildland fire hazards exist in varying degrees over approximately 85% of Contra Costa County. The fire season generally lasts from five to six months. The wildland fire hazard is caused by a combination of factors including rugged terrain, highly flammable vegetation and forest, long summers, and human activity.

There are several areas in the county which contain heavy fuel loads. Many homes have been built on steep slopes with vegetation in close proximity. These slopes are often steep, located in rugged terrain and have very few access routes. The onset of Sudden Oak Death has significantly increased the number of dead or weakened trees in most areas.

In several areas, an “Urban Interface” fire hazard is created as older neighborhoods directly border wild lands, parks, or forests. These areas often have mature vegetation and large tree canopies which could cause the fire to spread quickly. Some of these areas have limited access via road and this can cause difficulty in performing timely evacuations while trying to get emergency responders on scene.

THREAT ASSESSMENT 4: SEVERE WEATHER

GENERAL SITUATION

Severe weather usually occurs with short notice and broad estimates of impact and areas affected. Severe weather can include situations such as extreme heat or cold, extreme rainfall or wind events, as well as specific incidents like tornadoes, lightening strikes, and hail or snow.

DRAFT

THREAT ASSESSMENT 5: TSUNAMI

GENERAL SITUATION

A tsunami is a sea wave created by a submarine earthquake or landslide. As the tsunami enters the shallow water of coastlines in its path, the velocity of its wave diminishes and wave height dramatically increases. It is in these shallow waters that tsunamis become a threat to life and property. Tsunami waves may crush buildings, move boats and vehicles, uproot trees, and disrupt vital services and infrastructure.

Evacuation

It is essential to evacuate persons in low-lying coastal areas and around the rims of bays and harbors, for these areas consistently sustain the greatest damage by tsunamis. For the County, the impact to populated areas is minimal even for the largest probable event.

Tsunami Warning System

The National Oceanic and Atmospheric Administration (NOAA) maintains the international Tsunami Warning System. The occurrence of a major earthquake anywhere in the Pacific Ocean area brings an immediate response from the system.

THREAT ASSESSMENT 6: SLOPE FAILURE (LANDSLIDE)

GENERAL SITUATION

Slope failures include all movements of soil, rock or debris as a result of falling, sliding or flowing. Slope failures are categorized according to the types of motion and material involved. They can be directly caused by earthquakes or be completely independent of them.

Falls describe the sudden movement of material from vertical or near-vertical slopes, and are generally labeled by the type or material displaced (e.g., soil fall, rock fall).

Slides refer to movements in which the material moves more or less as a unit along recognizable shear surfaces. If the shear surface is concave, the slide movement will be rotational, and is denoted by the term “slump”. If the shear surface is flat, the term “slide” is used alone.

Flows describe the movement of material in which small-scale movements, rather than massive sliding, is the dominant mechanism of transport. Flows are described by the type of material involved and the rate at which it moves (e.g., debris flow, mudflow).

Slope failures can occur due to both natural and human factors. Natural factors include the cohesive strength and characteristics of the affected minerals, the orientation of joints and planes of weakness between slide material and bedrock, the steepness of slopes, seismic activity, the degree of saturation of ground materials (highly affected by rainfall), and the density of vegetation. Human factors include the creation of excessively steep and overloaded slopes, the removal of natural vegetation, and the addition of water to the soil by watering lawns and septic system drain fields, and onsite creations of ponds for storm runoff.

Slope failures will usually be associated with earthquakes or heavy rainfall. There are many identified sites within the county. Many threaten key highways. Some jurisdictions may be directly affected or simply isolated. Landslides will normally be associated with some other incident such as winter storm or earthquake.

Slope failures and debris flowing can damage or destroy buildings, block roads, sever utilities, disrupt water supplies, and injure or kill people. Damage control and emergency response operations may be seriously hampered by road closures and loss of communications. Evacuation of dangerous areas may become necessary. Extensive efforts may be needed to rescue trapped people, recover bodies, remove debris, and restore utilities and services.

THREAT ASSESSMENT 7: DROUGHT

GENERAL SITUATION

Drought is an extended period of time, measured in years, when a region notes a deficiency in its water supply or consistently receives below average precipitation. There are five categories of drought - abnormally dry, moderate, severe, extreme, and exceptional. California has experienced severe droughts eight times since 1912.

The drought of 1976-1977 was the worst in the state's recent history due to the driest (1977) and fourth driest (1976) years on record. Statewide, California's average rainfall is 200,000,000 acre feet. In 1977, precipitation totaled only 90,000,000 acre feet, or 45% of average. This drought left California with dangerously low reservoir and ground water levels. 47 of the state's 58 counties declared emergencies and economic losses totaled \$2.4 billion.

Drought produces a variety of impacts that span many sectors of the economy and reach well beyond the area experiencing physical drought. Impacts are commonly referred to as direct or indirect. Reduced crop, rangeland, and forest productivity; increased fire hazard; reduced water levels; increased livestock and wildlife mortality; and rationing are a few examples of direct impacts. These problems can, in turn, produce others. For example, a reduction in crop, rangeland, and forest productivity may result in reduced income for farmers and agribusiness, increased prices for food and lumber, unemployment, reduced tax revenues, increased crime, foreclosures on bank loans to farmers and businesses, and migration.

THREAT ASSESSMENT 8: MEDICAL HEALTH CRISIS

GENERAL SITUATION

The medical health system in Contra Costa County is comprised of public health, environmental health, mental health, emergency medical services, hazardous materials programs, and all hospitals and health centers. There are several primary threats to the medical health system. These include a serious communicable disease outbreak, a human caused bioterrorism event, and health consequences resulting from a catastrophic incident such as an earthquake or industrial accident.

A serious communicable disease outbreak caused by naturally occurring biological agents could pose a major threat to Contra Costa County residents and visitors. Bacteria and viruses continue to evolve and new disease causing organisms may emerge from which there may be little or no immunity and protection.

A human caused bio-terrorism event would significantly threaten the health and well being of county residents and apply stress to the county health service delivery systems.

The health consequences of a catastrophic incident would likely overwhelm the health service delivery systems due to infrastructure damage, personnel shortages, and the number of injured seeking care.

THREAT ASSESSMENT 9: HAZARDOUS MATERIALS INCIDENT

GENERAL SITUATION

A hazardous material is any material that, because of its quantity, concentration, or physical or chemical characteristics poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or environment. "Hazardous Materials" include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or environment.

Accidental releases of hazardous materials from facilities, vehicles, or pipelines pose a significant threat to the community when they occur in highly populated areas or along transportation routes (highways and railways). Fixed facilities such as manufacturing and light industrial facilities may have accidental releases of hazardous materials; however, regulatory oversight such as the California Accidental Release Prevention Program can help to limit the occurrence.

Hazardous material releases may require residents to shelter-in-place or evacuate. Notification of a hazmat incident requiring residents to protect themselves is typically accomplished through the Community Warning System (CWS). The CWS has the ability to activate sirens, call residents, place notifications on radio and television media, activate weather radio and marine radio alerts, and notify cell phones (if voluntarily subscribed). If residents were exposed to a hazardous material during a hazardous material incident, the County may initiate the county's Mass Casualty Incident (MCI) plan.

THREAT ASSESSMENT 10: TRANSPORTATION ACCIDENTS

A major incident involving an airplane, truck, or train could result in numerous casualties and could significantly impact Contra Costa County's transportation systems. The ability of emergency response teams to respond and transport victims to hospitals will be affected by the time of day and traffic congestion.

A major incident on any of the primary routes will produce road closures of at least four or more hours. Extensive search and rescue operations may be required to assist trapped and injured persons. Emergency medical care and temporary shelter would be required for injured or displaced persons. Identification, movement and temporary storage of any significant number of dead will be difficult. Families may be separated, particularly if the incident should occur during working hours. In some instances, the loss of communications and disruption of other essential services may hamper emergency operations.

Under certain circumstances, government effort will be required to remove debris and clear roadways, demolish unsafe structures, and assist in re-establishing public services. It may be necessary to provide continuing care and welfare for the affected population.

Each of these hazards could produce several secondary threats, such as a hazardous materials incident, fire, severe damage to nearby buildings or vehicles, loss of life in either adjacent buildings or vehicles and pedestrians.

Major accidents could involve an airplane crash, trucking incident or a train crash. The following assessments provide additional details unique to each type of incident:

AIRPLANE CRASH

General Situation

Often the impact of a disabled aircraft as it strikes the ground creates the potential for multiple explosions, resulting in an intense fire. Wherever the crash occurs, the resulting explosion and fires have the potential to cause injuries, fatalities and the destruction of property. The time of day when the crash occurs may have a profound effect on the number of dead and injured. As well, an airplane crash produces profound mental health issues for survivors, surrounding residents, and emergency responders.

Specific Situation

Contra Costa County has no commercial service airports with regularly scheduled air carrier passenger service. The Contra Costa County Airport at Buchanan Field is a Regional General Aviation airport which is home to several charter companies. The Byron Airport is located in the agricultural area of the County and is smaller than Buchanan. The county lies along the West Coast air corridor and traffic patterns for Bay Area and Sacramento airports traverse the area. Many smaller private aircraft often fly in and out of Contra Costa County.

The crash of a small (light) aircraft would result in obvious issues if the incident took place near heavily-populated areas. In remote areas, the rugged terrain could make access and communications difficult.

A far more significant event would be the crash of an airliner. A large area could be affected with falling parts, burning fuel and destroyed buildings. Many state and federal agencies would respond to the scene in a very short period and media attention would be intense.

TRUCKING INCIDENT

General Situation

A major truck incident that occurs in a heavily-populated industrial area or residential area can result in considerable loss of life and property. Potential hazards could be overturned tank trailers, direct impact either into a residence or industrial building, or cutting into the normal flow of traffic.

Specific Situation

The main transportation arteries through Contra Costa County are Interstate 680, State Route 24, and State Route 4. These routes are heavily used most hours of the day and the control of vehicular traffic in and around the affected area of a multi-casualty or hazardous materials incident will be the primary problem at any time.

In many areas there are few, if any, good alternate routes. During commute hours, the problem will be severely compounded. It will be essential to expedite the flow of essential emergency response vehicles through the area and divert nonessential traffic. In a major accident, it is not uncommon for these roads to close for most of a day to support rescue, recovery and accident investigation activities.

In a major disaster, increased reliance on goods and equipment being trucked into the county combined with restricted or damaged roads could result in a greater chance for a major accident.

TRAIN CRASH

General Situation

A major train derailment that occurs in a heavily populated industrial area can result in considerable loss of life and property. As a train leaves its track, there is no longer any control as to the direction it will travel. Potential hazards could include overturned rail cars, hazardous materials incidents, and impact to commercial or industrial buildings or by entering into normal street traffic.

Train accidents could be caused by derailment as well as an accident with a vehicle at a crossing, an accident with a pedestrian at a crossing, a collision with another train, or an explosion or fire in or near the train. Any hazardous materials carried as freight or in another impacted vehicle could substantially complicate response actions and require that the situation be monitored until all debris is removed.

There would be a great number of agencies responding to the scene. Traffic control and resource management will be difficult but essential to maintain. Schools near the site may be isolated or called upon to evacuate immediately. Media attention can be expected to be significant.

THREAT ASSESSMENT 11: DAM FAILURE

General Situation

Dam failure is the collapse or failure of an impoundment that causes significant downstream flooding. The most common cause of dam failure is overtopping where the water behind the dam flows over the face of the dam and erodes the structure. This is most common during heavy rainstorms.

The collapse and structural failure of a dam may be caused by a severe storm, earthquakes, internal erosion of piping and foundation leakage. Seismic activity may also cause inundation by the action of a seismically-induced wave that overtops the dam without causing failure of the dam, but still floods downstream. Landslides flowing into a lake may also cause a dam to fail or overflow.

The principle consequences of dam failure are injury, loss of life, and significant downstream property damage.

Dams in Contra Costa County include:

Antioch Dam
Argyle #2 Reservoir
Briones Dam
Lake Anza Dam
Clifton Court Forebay
Danville Reservoir
Deer Creek Dam
Lafayette Dam
Lake Orinda Dam
Leland Reservoir
Los Vaqueros Reservoir
Maloney Reservoir
Marsh Creek Dam
Moraga Reservoir
North Reservoir
Pine Creek Dam
San Pablo Dam
San Pablo Clearwell
Schapiro Reservoir
Contra Loma Dam
Martinez Dam
Summit Reservoir
Fay Hill Reservoir
Bethany Dams
Port Costa Reservoir

THREAT ASSESSMENT 12: ENERGY DISRUPTION

General Situation

Modern society has increasingly grown dependent on technologies which use various sources of energy. Events in the last 30 years have underscored the major impacts that a disruption in the energy supply can have:

- The major Arab Oil Embargo in 1973 led to significant economic and political changes including increased domestic oil production, additional investment in alternative energy sources, inflation, and a marked reduction in the Gross National Product.
- The California electrical shortages of 2001 resulted in the use of rotating electrical outages, also known as rolling blackouts. This crisis created a great deal of confusion, loss of power, increased utility rates, and negatively impacted the state budget.

Fossil Fuels

This includes natural gas, oil, and gasoline. Disruptions in the supply of these resources would immediately cause serious problems in transportation, electrical generation, business, communications, and would cause prices for most goods and services to rise dramatically.

Electrical Power

A power failure is any interruption or loss of electrical service due to disruption of power generation or transmission caused by an accident, sabotage, natural hazard, equipment failure, or fuel shortage. These interruptions can last anywhere from a few seconds to several days. Power failures are considered significant problems only if the local emergency management organization is required to coordinate the provision of food, water, heating, etc. as a result. Power failures are common when severe weather and winter storm activity occur. Critical systems including telecommunications will fail unless provided with alternate or redundant power sources.

THREAT ASSESSMENT 13: RADIOLOGICAL INCIDENT

General Situation

Depending upon the type, location, and quantity released, nuclear (radiological) materials can damage human health, the environment, and property. Such an accidental release is extremely rare. Commercial nuclear plants began generating power in 1957. The United States has had only one major incident that occurred at the Three Mile Island facility near Harrisburg, Pennsylvania in 1979. Other minor incidents have occurred, but these have been infrequent and have caused few off-site consequences.

Common sources of radiological materials include those used in medical procedures, research, industrial production, and construction.

It is important to note that a radiological incident differs from a regular Hazardous Materials spill in that the affected area could be large; radioactivity is difficult to detect; specialized equipment is required to pinpoint sources; and clean up may require tremendous resources. Long-term effects may be difficult to determine. Public perception will play a critical role in the incident. Media coverage of such an incident will be massive. Federal agencies will play a key role in managing response and recovery efforts.

Generally, shielding, limited exposure time, and increased distance from the source are the keys to effective mitigation and response.

THREAT ASSESSMENT 14: TERRORISM

General Situation

The Federal Bureau of Investigation (FBI) defines terrorism as “the unlawful use of force against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in the furtherance of political or social objectives.”

Since the events of September 11, 2001, a significant increase in the assessment and preparation for terrorism has been a national priority.

Terrorism can be state-sponsored or the outgrowth of a frustrated, extremist fringe of polarized and/or minority groups of people and or individuals

Events could typically be expected in urban areas near public gatherings, government facilities, or highly visible areas, but no one area is less likely to be a target than any other. Communities are vulnerable to terrorist incidents and most have high visibility and vulnerable targets. These facilities, sites, systems, and special events in the community are usually located near routes with high transportation access. Examples include:

- Government office buildings, courthouses, schools, hospitals, and shopping centers
- Dams, water supplies, power distribution systems
- Military installations
- Railheads, interstate highways, tunnels, airports, ferries, bridges, seaports, pipelines
- Recreational facilities such as stadiums, theaters, parks, casinos, concert halls
- Financial institutions and banks
- Sites of historical and symbolic significance
- Scientific research facilities, academic institutions, museums
- Telecommunications, newspapers, radio and television stations
- Chemical, industrial, and petroleum plants, business offices, and convention centers
- Law, fire, emergency medical services facilities, and operations centers
- Special events, parades, religious services, festivals, celebrations
- Family planning facilities

Weapons of Mass Destruction

Experts generally agree that there are five categories of Weapons of Mass Destruction (WMD) which terrorists could use: Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE). It is important to note that developing and properly employing such weapons is very difficult - but not impossible. Each category of weapon is discussed below:

- Chemical agents are compounds with unique chemical properties that can produce lethal or damaging effects in humans, animals, and plants. Chemical agents can exist as solids, liquids, or gases depending on temperature and pressure. Most chemical agents are liquid and can be introduced into the unprotected population relatively easily using aerosol generators, explosive devices, breaking containers, or other forms of covert dissemination. Dispersed as an aerosol, chemical agents have their greatest potential for inflicting mass casualties.
- Biological agents pose a serious threat because of their accessible nature and the rapid manner in which they spread. These agents are disseminated by the use of aerosols, contaminated food or water supplies, direct skin contact, or injection. Several biological agents that could be adapted for use by terrorists include anthrax, tularemia (rabbit fever), cholera, the plague, botulism, and pandemic flu. A biological incident will most likely be first recognized in the hospital emergency room, medical examiner's office, or within the public health community long after the terrorist attack. The consequences of such an attack will present communities with an unprecedented requirement to provide mass protective treatment to exposed populations, mass patient care, mass fatality management, and environmental health clean-up procedures and plans.
- A radiological weapon involves the detonation of a large conventional explosive that incorporates nuclear material or detonation of an explosive in close proximity to nuclear materials in use, storage, or transit.
- A nuclear threat is the use or threatened detonation of a nuclear bomb or device. At present, there is no known instance in which any non-governmental entity has been able to obtain or produce a nuclear weapon.
- Explosive incidents account for 70 percent of all terrorist attacks worldwide. Bombs are the terrorist's weapon of choice. The Internet and local libraries provide ample information on the design and construction of explosive devices. The FBI reported that 3,163 bombing incidents occurred in the United States in 1994, 77 percent were due to explosives. The remaining 23 percent were due to incendiary devices. Residential properties are the bombers' most common targets.

Cyber terrorism

In addition to WMD attacks, cyber terrorism is a relatively new phenomenon used to potentially disrupt our society and exploit our increasing reliance on computers and telecommunication networks. Cyber terrorism threatens the electronic infrastructure supporting the social, health, and economic well being of our communities. Interlinked computer networks regulate the flow of power, water, financial services, medical care, telecommunication networks, and transportation systems.

THREAT ASSESSMENT 15: CIVIL DISTURBANCE

Civil disturbance are incidents that disrupt a community to the degree that law enforcement intervention is required to maintain public safety. Civil disturbance incidents are generally associated with political and social activism, and surround issues that are controversial including political, judicial, economic, environmental, and regulatory topics. The effects from civil disturbance could include denial of public services, disruption of traffic right of ways, illegal assemblies, damage to public and private infrastructure, and denial of public rights.

DRAFT

THREAT ASSESSMENT 16: NATIONAL SECURITY EMERGENCY

A national security emergency is the threat to maintain the survival of the nation-state through the use of economic, military and political power and the exercise of diplomacy. The concept of national security became an official guiding principal of foreign policy in the US when the National Security Act of 1947 was signed. Tension exists between the preservation of the state (by maintaining self-determination and sovereignty) and the rights and freedoms of individuals. Although national security measures are imposed to protect society as a whole, many such measures will restrict the rights and freedoms of all the individuals in society. Because of the highly competitive nature of nation states, national security for countries with significant resources and value is based largely on technical measures and operational processes. This ranges from information protection related to state secrets to weaponry for militaries to negotiation strategies with other nation states.

Potential impacts of a national security emergency include:

MILITARY CALL-UP AND ACTIVITY

A major national defense emergency would require the activation of the Military Reserve Forces and the National Guard. Members of those organizations would be called to duty. Their service in the federal government takes precedence over local authority. There would be no trained replacement personnel immediately available. National Guard call-up members come from local businesses and public safety resources which would deplete local personnel and impact the ability to provide goods and services in Contra Costa County.

CIVILIAN DISOBEDIENCE

Civilian disobedience is the active refusal to obey certain laws, demands and commands of a government, or of an occupying international power which places the public and employee safety at risk.

WAR OR ATTACK

War is a behavior pattern exhibited by humans with a certain state of organized conflict that is engaged between two or more separate social entities. In the event of a war, resources could be rapidly exhausted and the government would lose the capability to assist with normal living standards and basic services (e.g. roads, utilities, public safety response).

THREAT ASSESSMENT 17: AGRICULTURE AND NATURAL RESOURCES

Prior to, during, or after an incident of local significance the department of Agricultural and Natural Resources will conduct food and nutrition service; control and eradication of an outbreak of a highly contagious or an economically devastating animal/zoonotic disease, highly exotic plant disease, or economically devastating plant pest infestation; assurance of food safety and food security and protection of natural, cultural and historic property resources.

The U.S. Department of Agriculture food and nutrition service includes determining nutrition assistance needs, obtaining appropriate food supplies, arranging for delivery the supplies, and authorizing disaster food stamps. Animal and plant disease and pest response includes implementing an integrated Federal, State, local and tribal response to an outbreak. In addition they ensure coordination with Medical/Health services that animal/veterinary/wildlife disaster issues are supported. Assurance of the safety and security of the commercial food supply includes the inspection and verification of food safety aspects of slaughter and processing plants, products in distribution of retail sites, and import facilities at ports of entry; laboratory analysis of food samples, control of products suspected to be adulterated; plant closures; foodborne disease surveillance and field investigations. Protection of national, cultural and historic resources includes, appropriate response actions to conserve, rehabilitate, recover, and restore national, cultural, and historic resources.

During a disaster Agricultural and Natural resources organizes and coordinates the capabilities and resources of the Federal Government to facilitate the delivery of services, technical assistance, expertise, and other support of the incidents of local significance.

PART THREE: APPENDICES

APPENDIX A: EOP ANNEXES

The Contra Costa Operational Area Emergency Operations Plan (EOP) is enhanced with numerous threat specific and functional annexes. These documents provide information or additional detail for hazards or response functions that cannot be included in the EOP. Additional annexes are in the process of development. Annexes are not distributed with the Emergency Operations Plan due to their length, but are available through the Office of Emergency Services. Current plan annexes include:

- Contra Costa Operational Area Earthquake Concept of Operations Plan
- Contra Costa Operational Area Mass Fatality Plan
- Contra Costa Operational Area Mass Care and Shelter Plan
- Contra Costa Operational Area Debris Management Plan
- Contra Costa Operational Area Mass Evacuation and Transportation Plan
- Contra Costa Multi-Jurisdiction Multi-Hazard Local Hazard Mitigation Plan
- Contra Costa Operational Area Volunteer Management Plan
- Wild Land Fire Plan
- Excessive Heat Emergency Plan
- Bethel Island Evacuation Plan
- North Richmond Protective Action Plan (Draft)
- Oil Spill Annex (Area Contingency Plan)
- Transportation Emergency Service Function - (ESF #1 Draft)
- Animal Services Pet Emergency Preparedness Plan
- San Francisco Bay Area Regional Emergency Coordination Plan (RECP)
- Pandemic Flu Plan
- Pandemic Flu Alternative Care Site Plan
- Hospital Surge Plan

APPENDIX B: AUTHORITIES AND REFERENCES

The California Emergency Services Act (Chapter 7 of Division 1 of Title 2 of the Government Code), hereafter referred to as, “The Act”, provides the basic authorities for conducting emergency operations following a proclamation of Local Emergency, State of Emergency or State of War Emergency by the Governor and/or appropriate local authorities, consistent with the provisions of the Act.

The Standardized Emergency Management System (SEMS) Regulations (Chapter 1, Division 2 of Title 19 of the California Code of Regulations), establishes SEMS to provide an effective response to multi-agency and multi-jurisdiction emergencies in California.

Homeland Security Presidential Directive (HSPD-5) gives the Secretary of Homeland Security the responsibility of developing and administering the National Incident Management System (NIMS).

The State of California Emergency Plan, which is promulgated by the Governor, is published in accordance with the Act and provides overall statewide authorities and responsibilities, and describes the functions and operations of government at all levels during extraordinary emergencies, including wartime. Section 8568 of the Act states, in part, that “the State Emergency Plan shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof”. Local emergency plans are, therefore, considered to be extensions of the California Emergency Plan.

The National Response Framework (NRF) establishes a single, comprehensive approach to domestic incident management to prevent, prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies. The NRF is an all-hazards plan built on the template of the National Incident Management System (NIMS). The NRF can be partially or fully implemented in the context of a threat, anticipation of a significant event, or in response to an incident requiring a coordinated Federal response. The NRF applies to all incidents requiring a coordinated Federal response as part of an appropriate combination of Federal, State, local, tribal, private-sector, and nongovernmental entities. The NRF is always in effect; however, the implementation of NRF coordination mechanisms is flexible and scalable.

The California Civil and Government Codes contain several references to liability release (Good Samaritan Act) for those providing emergency services.

FEDERAL

Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (Public Law 93 288, as amended)

Federal Civil Defense Act of 1950 (Public Law 920), as amended

National Response Framework (U.S. Department of Homeland Security)

Federal Departments and agencies HSPD-5 requirements for adoption of NIMS by State and local organizations



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

NRT-1, Hazardous Materials Emergency Planning Guide and NRT-1A Plan Review Guide
(Environmental Protection Agency's National Response Team)

Army Corps of Engineers Flood Fighting (Public Law 84-99)

Homeland Security Presidential Directives 1 through 23

Disaster Mitigation Act of 2000

Section 4202 of the Oil Pollution Act of 1990 (OPA 90) amended subsection (j) of section 311 of the
Federal Water Pollution Control Act (FWPCA) (33 U.S.C. 1321 (j))

STATE

Standardized Emergency Management System (SEMS) Regulations (Chapter 1 of Division 2 of Title 19
of the California Code of Regulations) and Government Code Section 8607(a).

California Emergency Services Act (Chapter 7 of Division 1 of Title 2 of the Government Code).

'Good Samaritan' Liability

State of California Emergency Plan

California Natural Disaster Assistance Act (Chapter 7.5 of Division 1 of Title 2 of the Government Code)

Preservation of Local Government, Article 15 of the California Emergency Services Act (Chapter 7 of
Division 1 of Title 2 of the Government Code)

Temporary County Seats, Section 23600, Article 1 of Chapter 4 of Division 1 of Title 3 of the
Government Code

California Hazardous Materials Incident Contingency Plan

California Health and Safety Code, Division 20, Chapter 6.5, Sections 25115 and 25117, Chapter 6.95,
Sections 2550 et seq., Chapter 7, Sections 25600 through 25610, dealing with hazardous materials

Orders and Regulations which may be Selectively Promulgated by the Governor during a State of
Emergency

Orders and Regulations Promulgated by the Governor to Take Effect upon the Existence of a State of War
Emergency

California Disaster and Civil Defense Master Mutual Aid Agreement

California Law Enforcement Mutual Aid Plan (and SAR Annex)

California Coroner's Mutual Aid Plan



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

California Fire and Rescue Service Emergency Mutual Aid Plan

Judicial System, Article VI, Section 1, 4, 5, and 10, of the Constitution of California

Local Government, Article XI, of the Constitution of California

Lempert-Keane-Seastrand Oil Spill Prevention and Response Act of 1990 (SB 2040)

AMERICANS WITH DISABILITIES ACT

All operations and facilities involved in the disaster response activities shall take special note of the Americans with Disabilities Act (ADA). Appropriate efforts shall be made to insure that necessary considerations are given to accommodate victims with disabilities. Public warning, emergency communications, transportation, and sheltering are some of the areas that require additional attention to ensure they adequately service residents with access and functional needs.

LOCAL

Local County ordinances include:

- Article 42-2.2 General

- Article 42-2.4 Policy Board/Operational Area Council

- Article 42-2.6 County Administrator, Director and Staff

- Article 42-2.8 County Administrator's Powers and Duties

- Article 42-2.10 Emergency Organization and Plan

- Article 42-2.12 Enforcement

- Chapter 42-4 Official Successors

Local guidance also exists in the County General Plan, Section 10 Safety Element.

APPENDIX C: ACRONYMS

AAR	After Action Report
ACS	Auxiliary Communications Service
ADA	Americans with Disabilities Act
ARC	American Red Cross
BOS	Board of Supervisors
CAD	Computer Aided Dispatch
CalEMA	California Emergency Management Agency
CAL Fire	California Department of Forestry and Fire Protection (old CDF)
CalTrans	California Department of Transportation
CAO	Chief Administrative Officer
CAP	Corrective Action Plan
CBRNE	Chemical, Biological, Radiological, Nuclear and Explosive
CERT	Community Emergency Response Team
CHP	California Highway Patrol
CVNL	Center for Volunteer and Nonprofit Leadership
DPW	Department of Public Works
EAS	Emergency Alert System
EDIS	Emergency Digital Information System
EMS	Emergency Medical Services
EOC	Emergency Operations Center
EOP	Emergency Operations Plan/Emergency Operating Procedures
EPA	Environmental Protection Agency
FBI	Federal Bureau of Investigation
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
HSPD-5	Homeland Security Presidential Directive -5
ICS	Incident Command System
JIC	Joint Information Center
MACC	Multi-Agency Coordination Center
MCI	Mass Casualty Incident
MHOAC	Medical Health Operational Area Coordinator
NIMS	National Incident Management System
NOAA	National Oceanic and Atmospheric Administration
NRF	National Response Framework
OA	Operational Area
OASIS	Operational Area Satellite Information System
PHO	Public Health Officer
PIO	Public Information Officer
RACES	Radio Amateur Civil Emergency Services
REOC	Regional Emergency Operations Center
RIMS	Response Information Management System



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

SEMS	Standardized Emergency Management System
SOC	State Operations Center
SOP	Standard Operating Procedures
TENS	Telephone Emergency Notification System
WMD	Weapons of Mass Destruction

APPENDIX D: GLOSSARY OF COMMON TERMS

Many terms used during emergencies are specific to emergency and disaster operations.

Activation: Initial activation of an EOC may be accomplished by a designated official of the emergency response agency that implements SEMS as appropriate to accomplish the agency's role in response to the emergency.

After-Action Report (AAR): A report that examines response actions, application of SEMS, modifications to plans and procedures, training needs and recovery activities. After action reports are required under SEMS after any emergency that requires a declaration of an emergency. Reports must be submitted within 90 days to Cal EMA.

Agency: A division of government with a specific function offering a particular kind of assistance. In the Incident Command system (ICS), agencies are defined either as jurisdictional (having statutory responsibility for incident management) or as assisting or cooperating (providing resources or other assistance). Governmental organizations are most often in charge of an incident, though in certain circumstances private sector organizations may be included. Additionally, Non-Governmental Organizations (NGOs) may be included to provide support.

All-Hazards: Any incident, natural or manmade, that warrants action to protect life, property, environment, public health or safety and minimize disruptions of government, social, or economic activities.

California Disaster and Civil Defense Master Mutual Aid Agreement (MMAA): An agreement entered into by and between the State of California, its various departments and agencies and various political subdivisions, municipal corporations and public agencies of the State of California to assist each other by providing resources during an emergency. Mutual Aid occurs when two or more parties agree to furnish resources and facilities and to render services to each other in response to any type of disaster or emergency.

California Emergency Services Act (ESA): An Act within the California Government Code to insure that preparations within the state will be adequate to deal with natural, manmade, or war-caused emergencies which result in conditions of disaster or in extreme peril to life, property and the natural resources of the state and generally to protect the health and safety and preserve the lives and property of the people of the state.

Catastrophe: Any natural or manmade incident, including terrorism that results in extraordinary levels of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale, and/or government functions.

Command: The act of directing, ordering, or controlling by virtue of explicit statutory, regulatory, or delegated authority.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Command/Management: Command is responsible for the directing, ordering, and/or controlling of resources at the field response level. Management is responsible for overall emergency policy and coordination at the SEMS EOC levels.

Command Staff: The Command Staff at the SEMS Field Level consists of the Information Officer, Safety Officer and Liaison Officer. They report directly to the Incident Commander. They may have an assistant or assistants, as needed. These officer are also found at the EOC levels in SEMS and they report directly to the EOC director and comprise the Management Staff. They may have an assistant or assistants, as needed.

Common Terminology: Normally used words and phrases which avoids the use of different words/phrases for same concepts, consistency, to allow diverse incident management and support organizations to work together across a wide variety of incident management functions and hazard scenarios.

Communications: Process of transmission of information through verbal, written, or symbolic means.

Continuity of Government (COG): Activities that address the continuance of constitutional governance. COG planning aims to preserve and/or reconstitute the institution of government and ensure that a department or agency's constitutional, legislative, and/or administrative responsibilities are maintained. This is accomplished through succession of leadership, the pre-delegation of emergency authority and active command and control during a response and recovery operations.

Continuity of Operations (COOP): Planning should be instituted (including all levels of government) across the private sector and non-governmental organizations as appropriate, to ensure the continued performance of core capabilities and/or critical government operations during any potential incident.

Coordination: The process of systematically analyzing a situation, developing relevant information and informing appropriate command authority of viable alternatives for selection of the most effective combination of available resources to meet specific objectives. The coordination process (which can be either intra- or inter-agency) does not involve dispatch actions. However, personnel responsible for coordination may perform command or dispatch functions within the limits established by specific agency delegations, procedures, legal functions , etc. Multiagency or Interagency coordination is found at all SEMS levels.

Corrective Actions: Implementing procedures that are based on lessons learned from actual incidents or from training and exercises.

Cost Unit: Functional unit within the Finance/Administration Section responsible for tracking costs, analyzing cost data, making cost estimates and recommending cost-saving measures.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Critical Infrastructure: Systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

Cyber Threat: An act or threat that poses potentially devastating disruptions to critical infrastructure, including essential communications such as voice, email and Internet connectivity.

Demobilization: The orderly, safe and efficient return of an incident resource to its original location and status.

Department Operations Center (DOC): An Emergency Operations Center (EOC), specific to a single department or agency. Their focus is on internal agency incident management and response. They are often linked to and, in most cases, are physically represented in a combined agency EOC by authorized agent(s) for the department or agency.

Disaster: A sudden calamitous emergency event bringing great damage or destruction.

Division: The partition of an incident into geographical area of operation. Divisions are established when the number of resources exceeds the manageable span of control of the Operations Section Chief. A Division is located within the ICS organization between the Branch and resources on the Operations Section.

Documentation Unit: Functional unit within the Planning/Intelligence Section responsible for collecting, distributing, recording and safeguarding all documents relevant to and incident or within an EOC.

Emergency: Any incident(s), whether natural or manmade, that requires responsive action to protect life or property. Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, an emergency means any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement state and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of catastrophe in any part of the United States.

Emergency Management Assistance Compact (EMAC): A congressionally ratified organization that provides form and structure to interstate mutual aid. Through EMAC, a disaster-affected state can request and receive assistance from other member states quickly and efficiently, resolving two key issues upfront: liability and reimbursement.

Emergency Operations Center (EOC): The physical location at which the coordination of information and resources to support incident management (on-scene operations) activities normally takes place. An EOC may be a temporary facility or may be located in a more central or permanently established facility, perhaps at a higher level of organization within a jurisdiction. An EOC may be organized by major functional disciplines (e.g. law enforcement, fire, and medical services), by jurisdiction (e.g. federal state, regional, tribal, city, county), or some combination thereof.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Emergency Operations Plan: The ongoing plan maintained by various jurisdictional levels for responding to a wide variety of potential hazards.

Evacuation: Organized, phased and supervised withdrawal, dispersal, or removal of civilians from dangerous or potentially dangerous areas and their reception and care in safe areas.

Finance/Administration Section: The section responsible for all administrative and financial considerations surrounding an incident or EOC activation.

Function: Function refers to the five major activities in ICS: Command, Operations, Planning, Logistics, and Finance/Administration. The same five functions are also found at all SEMS EOC Levels. At the EOC, the term Management replaces command. The term function is also used when describing the activity involved (e.g. the planning function). A sixth function Intelligence/Investigations, may be established, if required, to meet emergency management needs.

Group: Established to divide the incident management structure into functional areas of operation. Groups are composed of resources assembled to perform a special function not necessarily within a single geographic division. Groups, when activated, are located between branches and resources in the Operations Section.

Hazard: Something that is potentially dangerous or harmful, often the root cause of an unwanted outcome.

Incident: An occurrence or event, natural or man made, that requires a response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, civil unrest, wild-land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, tsunamis, war-related disasters, public health and medical emergencies and other occurrences requiring an emergency response.

Incident Action Plan (IAP): An oral or written plan containing general objectives reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods. At the SEMS EOC level it is called the EOC Action Plan.

Incident Base: The location at which primary Logistics functions for an incident are coordinated and administered. There is only one base per incident. The Incident Command Post may be co-located with the Incident Base.

Incident Command: Responsible for overall management of the incident and consists of the Incident Commander, either single or unified command and any assigned supporting staff.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Incident Commander (IC): The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the release of resources. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site.

Incident Command Post (ICP): The field location where the primary functions are performed. The ICP may be co-located with the incident base or other incident facilities.

Incident Command system (ICS): A standardized on-scene emergency management construct specifically designed to provide for the adoption of an integrated organization structure that reflects the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures and communications operating within a common organizational structure, designed to aid in the management of resources during incidents. It is used for all kinds of emergencies and is applicable to small as well as large and complex incidents. ICS is used by various jurisdictions and functional agencies, both public and private, to organize field-level incident management operations.

Information: Pieces of raw, unanalyzed data that identifies persons, evidence, events; or illustrates processes that specify the occurrences of an event. May be objective or subjective and is intended for both internal analysis and external (news media) application. Information is the “currency” that produces intelligence.

Intelligence: Product of an analytical process that evaluates information collected from diverse sources, integrates the relevant information into a cohesive package and produces a conclusion or estimate. Information must be real, accurate and verified before it becomes intelligence for planning purposes. Intelligence relates to the specific details involving the activities of an incident or EOC and current and expected conditions and how they affect the actions taken to achieve operational period objectives. Intelligence is an aspect of information. Intelligence is primarily intended for internal use and not for public dissemination.

Intelligence/Investigations: Intelligence gathered within the Intelligence/Investigations function is information that either leads to the detection, prevention, apprehension and prosecution of criminal activities (or the individual(s) involved) including terrorist incidents or information that leads to determination of the cause of a given incident (regardless of the source) such as public health events or fires with unknown origins. This is different from the normal operation and situational intelligence gathered and reported by the Planning Section.

Interoperability: Allows emergency management/response personnel and their affiliated organizations to communicate within and across agencies and jurisdictions via voice, data, or video-on-demand, in real-time, when needed and when authorized.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Joint Information Center (JIC): A facility established to coordinate all incident-related public information activities. It is the central point of contact for all news media. Public information officials from all participating agencies should co-locate at the JIC.

Jurisdiction: A range or sphere of authority. Public agencies have jurisdiction at an incident related to their legal responsibilities and authority. Jurisdictional authority at an incident can be political or geographical (e.g. federal, state, tribal and local boundary lines) or functional (e.g., law enforcement, public health).

Liaison: A form of communication for establishing and maintaining mutual understanding and cooperation.

Liaison Officer: A member of the Command Staff (Management Staff at the SEMS EOC Levels) responsible for coordinating with representatives from cooperating and assisting agencies or organizations. At SEMS EOC Levels, reports directly to the EOC Director and coordinates the initial entry of Agency Representatives into the Operations Center and also provides guidance and support for them as required.

Local Government: According to the federal code, a county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under state law), regional or interstate government entity, or agency or instrumentality of a local government; an Indian tribe or authorized tribal entity, rural community, unincorporated town or village, or other public entity.

Logistics: Providing resources and other services to support incident management.

Logistics Section: The section responsible for providing facilities, services, and material support for an Incident or EOC activation.

Mitigation: Provides a critical foundation in the effort to reduce the loss of life and property from natural and/or man made disasters by avoiding or lessening the impact of a disaster and providing value to the public by creating safer communities. Mitigation seeks to fix the cycle of disaster damage, reconstruction and repeated damage. These activities or actions, in most cases, will have a long-term sustained effort.

Mobilization: The process and procedures used by all organizations – federal, state, tribal and local for activating, assembling and transporting all resources that have been requested to respond to or support an incident.

Multiagency or Inter-Agency Coordination: The participation of agencies and disciplines involved at any level of the SEMS organization working together in a coordinated effort to facilitate decisions for overall emergency response activities, including sharing of critical resources and the prioritization of incidents.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Multiagency Coordination Group (MAC Group): Typically, administrators/executives, or their appointed representatives, who are authorized to commit agency resources and funds, are brought together and form MAC Groups. MAC Groups may also be known as multiagency committees, emergency management committees, or as otherwise defined by the response system. It can provide coordinated decision making and resource allocation among cooperating agencies and may establish the priorities among incidents, harmonize agency policies and provide strategic guidance and direction to support incident management activities.

Multiagency Coordination System(s) (MACS): Multiagency coordination systems provide the architecture to support coordination for incident prioritization, critical resource allocation, communications systems integration and information coordination. The elements of multiagency coordination systems include facilities, equipment, personnel, procedures and communications. Two of the most commonly used elements are EOC and MAC Groups. These systems assist agencies and organizations responding to an incident.

Mutual Aid Agreements and/or Assistance Agreements: Written or oral agreements between and among agencies/organizations and/or jurisdictions that provide a mechanism to quickly obtain emergency assistance in the form of personnel, equipment, materials and other associated services. The primary objective is to facilitate rapid, short-term deployment of emergency support prior to, during, and/or after an incident.

Mutual Aid Coordinator: An individual at local government, Operational Area, Region or State Level that is responsible to coordinate the process of requesting, obtaining, processing and using mutual aid resources. Mutual Aid Coordinator duties will vary depending upon the mutual aid system.

Mutual Aid Region: A mutual aid region is a subdivision of CalEMA established to assist in the coordination of mutual aid and other emergency operations within a geographical area of the state, consisting of two or more Operational Areas.

National Incident Management System (NIMS): Provides a systematic, proactive approach guiding government agencies at all levels, the private sector and non-governmental organizations to work seamlessly to prevent, protect against, respond to, recover from and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life and property and harm to the environment.

National Response Framework (NRF): A guide to how the nation conducts all-hazards incident management.

Non-Governmental Organization (NGO): An entity with an association that is based on the interests of its members, individuals, or institutions. It is not created by a government, but it may work cooperatively with the government. Such organizations serve a public purpose, not a private benefit. Examples of NGO include faith-based charity organizations and the American Red Cross.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Operational Area (OA): An intermediate level of the state emergency organization, consisting of a county and all other political subdivisions within the geographical boundaries of the county.

Operational Period: The time scheduled for executing a given set of operation actions, as specified in the Incident Action Plan. Operational periods can be of various lengths, although usually they last 12-24 hours.

Operations Section: The section responsible for all tactical incident operations and implementation of the Incident Action Plan. In ICS, it normally includes subordinate branches, divisions, and/or groups. At the SEMS EOC levels the section is responsible for the coordination of operational activities. The Operations Section at an EOC contains branches, groups or units necessary to maintain appropriate span of control.

Planning Section: The section responsible for the collection, evaluation and dissemination of operational information related to the incident or EOC activities and for the preparation and documentation of the IAP or EOC action plan respectively. This section also maintains information on the current and forecasted situation and on the status of resources assigned to the incident or EOC activation.

Political Subdivisions: Includes any city, city and county, county, tax or assessment district, or other legally authorized local government entity with jurisdictional boundaries.

Public Information: Processes, procedures and systems for communicating timely, accurate and accessible information on the incident's cause, size, and current situation; resources committed; protective actions to take; and other matters of general interest to the public, responders and additional stakeholders (both directly and indirectly affected).

Public Information Officer (PIO): A member of the Command Staff (Management Staff at the SEMS EOC Levels) responsible for interfacing with the public and the media and/or with other agencies with incident-related information requirements.

Recovery: The development, coordination and execution of service and site restoration plans; the reconstitution of government operations and services; individual, private sector, non-governmental and public assistance programs to provide housing and to promote restoration; long-term care and treatment of affected persons; additional measures for social, political, environmental and economic restoration; evaluation of the incident to identify lessons learned; post incident reporting; and development of initiatives to mitigate the effects of future incidents.

Region Emergency Operations Center (REOC): Facilities found at CalEMA Administrative Regions. REOC provide centralized coordination of resources among Operational Areas within their respective regions and between the Operational Areas and the State Level.

Reimbursement: Provides a mechanism to recoup funds expended for incident-specific activities.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Resource Management: Efficient emergency management and incident response requires a system for identifying available resources at all jurisdictional levels to enable timely and unimpeded access to resources needed to prepare for, respond to, or recover from an incident. Resource management under NIMS includes mutual aid agreements and assistance agreements; the use of special federal, state, tribal and local teams; and resource mobilization protocols.

Resources: Personnel and major items of equipment, supplies and facilities available or potentially available for assignment to incident operations and for which status is maintained. Resources are described by kind and type and may be used in operational support or supervisory capacities at an incident or at an EOC.

Response: Activities that address the short-term, direct efforts of an incident. Response includes immediate actions to save lives, protect property and meet basic human needs. Response also includes the execution of EOP and of mitigation activities designed to limit the loss of life, personal injury, property damage and other unfavorable outcomes. As indicated by the situation, response activities include applying intelligence and other information to lessen the effects or consequences of an incident; increased security operations; continuing investigations into nature and source of the threat ongoing public health and agricultural surveillance and testing processes; immunizations, isolation, or quarantine; and specific law enforcement operations aimed at preempting, interdicting, or disrupting illegal activity and apprehending actual perpetrators and bringing them to justice.

Safety Officer: A member of the Command Staff (Management Staff at the SEMS EOC Levels) responsible for monitoring incident operations and advising the IC on all matters relating to operational safety, including the health and safety of emergency responder personnel. The Safety Officer may have assistants.

Section: The organizational level having responsibility for a major functional area of incident or EOC Management (e.g. Operations, Planning, Logistics, Finance/Administration) and Intelligence/Investigation (if established). The section is organizationally situated between the branch and Incident Command.

Situation Report (SITREP): Often contain confirmed or verified information regarding the specific details relating to the incident.

Span of Control: The number of resources for which a supervisor is responsible, usually expressed as the ratio of supervisors to individuals. (Under NIMS, an appropriate span of control is between 1:3 and 1:7, with optimal being 1:5.)

Special District: A unit of local government (other than a city, county, city and county) with authority or responsibility to own, operate and maintain systems, programs, services, or projects (as defined in California Code of Regulations section 2900(s)) for purposes of natural disaster assistance. This may include a joint powers authority established under Section 6500 et. Seq. of the Code.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

Stafford Act: The Robert T. Stafford Disaster Relief and Emergency Assistance Act establishes the programs and processes for the federal government to provide disaster and emergency assistance to states, local governments, tribal nations, individuals and qualified non-profit organizations. The provision of the Stafford Act cover all-hazards including natural disasters and terrorist events. Relevant provisions of the Stafford Act include a process for Governors to request federal disaster and emergency assistance from the President. The President may declare a major disaster or emergency.

Staging Area: Established at an incident for the temporary location of available resources. A Staging Area can be any location at an incident in which personnel, supplies and equipment can be temporarily housed or parked while awaiting operational assignment.

Standardized Emergency Management System (SEMS): A system required by California Government Code and established by regulations for managing response to multiagency and multijurisdictional emergencies in California. SEMS consists of five organizational levels, which are activated as necessary: Field response, Local Government, Operational Area, Region and State.

State Operations Center (SOC): The SOC is operated by the California Emergency Management Agency at the State Level in SEMS. It is responsible for centralized coordination of state resources in support of the three CalEMA Administrative Regional Emergency Operations Centers (REOCs). It is also responsible for providing updated situation reports to the Governor and legislature.

Type: An ICS resource classification that refers to capability. Type 1 is generally considered to be more capable than Type 2, 3, or 4, respectively, because of size, power, capacity, or experience and qualifications.

Unified Command (UC): An ICS application used when more than one agency has incident jurisdiction or when incidents cross political jurisdictions. Agencies work together through the designated members of the UC, often the senior person from agencies and/or disciplines participating in the UC, to establish a common set of objectives and strategies and a single IAP.

APPENDIX E: GENERAL STAFF POSITION ACTIVATION CHECKLISTS

GENERIC CHECKLIST FOR ALL POSITIONS

The first checklist is a generic checklist for all personnel to follow upon arriving at the Emergency Operations Center when activated:

- Park your vehicle on the street along 50 Glacier, or in one of the open parking lots along Glacier Drive.
- Enter the EOC compound through the pedestrian gate at the south end of the facility next to the rear driveway entrance. Have your county ID ready for the deputy to inspect to gain access.
- Check in to the EOC at the rear entrance, here you will need to show your ID again and you will be told who your supervisor will be. You may also be given an ICS vest, and other equipment at this time.
- Report to your supervisor, and receive your job and situation briefing.
- Set up your workstation and review your position responsibilities.
- Establish and maintain a position log that chronologically describes your actions taken during your shift (include important briefings, decisions, and actions) utilizing ICS Form 214.
- Determine your resource needs, such as a computer, phone, plan, copies, and other reference documents.
- Find your assigned position checklist (if appropriate) and begin prioritizing your tasks
- Utilize the General Message Form ICS 213 to document all written communications and to memorialize all important verbal communications

EOC DIRECTOR

The EOC Director has overall responsibility and authority for the operation of the EOC. They will assure that the EOC is staffed and operated at a level commensurate with the emergency. The EOC Director reports to the Board of Supervisors.

Responsibilities:

1. Establish the appropriate staffing level for the Operational Area EOC and continuously monitor organizational effectiveness ensuring the appropriate modifications occur as required.
2. In conjunction with the General Staff, set jurisdictional priorities for response efforts. Ensure that all department and agency actions are accomplished within the priorities established at the EOC.
3. Exercise overall management responsibility for the coordination between emergency response agencies within the Operational Area. In conjunction with the General Staff, set priorities for response efforts in contract and incorporated areas of the county. Ensure that all county agency actions are accomplished within the priorities established.
4. Ensure inter-agency coordination is accomplished effectively within the Operational Area EOC.

Activation Phase:

- Follow the generic activation checklist
- Determine the appropriate level of activation based on situation as known.
- Coordinate with other Operational Area EOCs and agency EOCs within the Operational Area to ensure appropriate levels of activation are in place.
- Mobilize appropriate personnel for the initial activation of the EOC.
- Respond immediately to the EOC site and determine operational status.
- Obtain briefing from whatever resources are available.
- Ensure the EOC is properly set up and ready for operations.
- Ensure that an EOC check-in procedure is established immediately.
- Ensure that an EOC organization and staffing chart is posted and completed.
- Determine which sections are needed, assign Section Chiefs as appropriate and ensure they are staffing their sections as require:
 - Operations Section Chief
 - Logistics Section Chief
 - Planning/Intelligence Section Chief
 - Finance/Administration Section Chief
- Determine which Management Staff positions are required and ensure they are filled as soon as possible:
 - Liaison Officer
 - Public Information Officer



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

- Security Officer
 - EOC Coordinator
 - Safety Officer
 - Stress Manager
 - Functional Needs Advocate
 - Legal Officer
- Ensure that telephone and/or radio communications with other EOC's are established and functioning.
 - Schedule the Initial Action Planning meeting.
 - Confer with the General Staff to determine what representation is needed at the EOC from other emergency response agencies, local governments, agencies, and organizations.
 - Assign a Liaison Officer to coordinate outside agency response to the EOC, and to assist as necessary in establishing an Inter-agency Coordination Group.
 - Adopt a proactive attitude, thinking ahead and anticipating situations and problems before they occur (act now, be planning at least 24 hours ahead in your mind - remember this is a marathon not a sprint).

FINANCE AND ADMINISTRATION SECTION CHIEF

The Finance/Administration function in the EOC manages all financial, administrative and cost analysis aspects of the emergency. Initially, this work may be done in the EOC, but in later stages of the emergency this function may be accomplished at other locations.

Responsibilities:

1. Ensure that all financial records are maintained throughout the emergency.
2. Ensure that all on-duty time is recorded for all emergency response personnel.
3. Ensure that all on-duty timesheets are collected from EOC assigned personnel and that departments are collecting this information from Field Level Supervisors or Incident Commanders and their staffs.
4. Ensure there is a continuum of the payroll process for all employees responding to the emergency.
5. Determine purchase order limits for the procurement function in the Logistics Section.
6. Ensure that workers' compensation claims, resulting from the response are processed within a reasonable time, given the nature of the situation.
7. Ensure that all travel and expense claims are processed within a reasonable time, given the nature of the situation.
8. Provide administrative support to all EOC sections as required, in coordination with the Personnel Unit.
9. Activate units within the Finance/Administration Section as required; monitor section activities continuously and modify the organization as needed.
10. Ensure that all recovery documentation is accurately maintained during the response and submitted on the appropriate forms to FEMA and/or CalEMA.
11. Supervise the Finance/Administration Section.

Activation Phase:

- Follow the generic activation checklist
- Ensure that the Finance/Administration Section is set up properly and that appropriate personnel, equipment, and supplies are in place.
- Based on the situation, activate units within the section as needed and designate Unit Coordinators for each element:
 - Time Keeping Unit
 - Cost Accounting Unit
 - Purchasing Unit
 - Compensation and Claims Unit
 - Recovery Unit
- Ensure that sufficient staffing is available for a 24-hour schedule, or as required.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

- Meet with the Logistics Section Chief and review financial and administrative support requirements and procedures; determine the level of purchasing authority to be delegated to Logistics Section.
- Meet with all Unit Leaders and ensure responsibilities are clearly understood.
- In conjunction with Unit Leaders, determine the initial Action Planning objectives for the first operational period.
- Notify the EOC Director when the Finance/Administration Section is operational.
- Adopt a proactive attitude, thinking ahead and anticipating situations and problems before they occur (act now, be planning at least 24 hours ahead in your mind - remember this is a marathon not a sprint).

LOGISTICS SECTION CHIEF

The Logistics Section provides facilities, services, resources and other support services both to county agencies responding to the emergency to local government in response to requests for resources, and to meet internal EOC operating requirements. Incident, DOC or Agency, and local government requests for support directed to the EOC will be channeled through the EOC Operations Section. The Logistics Section Chief reports to the EOC Director.

Responsibilities:

1. Ensure the Logistics function is carried out in support of the EOC. This function includes providing communications services, resource tracking; acquiring equipment, supplies, personnel, facilities, and transportation services; as well as arranging for food, lodging, and other support services as required.
2. Establish the appropriate level of branch and/or unit staffing with the Logistics Section, to support county and local government responsibilities, continuously monitoring the effectiveness of the organization and modifying as required.
3. Ensure section objectives as stated in the EOC Action Plan are accomplished with the operational period or within the estimated time frame.
4. Coordinate closely with the Operations Section Chief to establish priorities for resource allocation to meet both county and local government requests.
5. Keep the EOC Director informed of all significant issues relating to the Logistics Section.
6. Supervise the Logistics Section.

Activation Phase:

- Follow the generic activation checklist
- Ensure that the Logistics Section is set up properly and that appropriate personnel, equipment, and supplies are in place.
- Based on the situation, activate units within the section as needed and designate Unit Coordinators for each element:
 - Communications Branch
 - Transportation Unit
 - Personnel Unit
 - Facilities Unit
 - Supply/Procurement unit
 - Resource Tracking Unit
- Ensure that sufficient staffing is available for a 24-hour schedule, or as required.
- Advise Branches and Units within the section to coordinate with appropriate branches in the Operations Section to prioritize and validate resource requests from DOC's or Incident Command



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

posts in the field.

- Meet with the EOC Director and General Staff and identify immediate resource needs.
- Meet with the Finance/Administration Section Chief and determine level of purchasing authority for the Logistics Section.
- Assist Branch and Unit Leaders in developing objectives for the section as well as plans to accomplish their objectives within the first operational period, or in accordance with the Action Plan.
- Provide periodic Section Status Reports to the EOC Director.
- Adopt a proactive attitude, thinking ahead and anticipating situations and problems before they occur (act now, be planning at least 24 hours ahead in your mind - remember this is a marathon not a sprint).

OPERATIONS SECTION CHIEF

The Operations Section Chief, a member of the General Staff, is responsible for the management and coordination of all EOC related operational functions. The Operations Section Chief will ensure, based on the emergency, that all necessary operational functions have been activated and are appropriately staffed.

Responsibilities:

1. Ensure that the Operations function is carried out including coordination of activities for all operational functions assigned to the EOC.
2. Ensure that operational objectives and assignments identified in the EOC Action Plan are carried out effectively.
3. Establish the appropriate level of branch and unit organizations within the Operations Section, to effectively coordinate both county and Operational Area responsibilities.
4. Continuously monitor the organizational effectiveness and modify if necessary.
5. Exercise overall responsibility for the coordination of Branch and Unit activities within the Operations Section.
6. Ensure that the Planning/Intelligence Section is provided with Status Reports and Major Incident Reports.
7. Conduct periodic Operations briefings for the EOC Director as required or requested.
8. Supervise the Operations Section.

Activation Phase:

- Follow the generic activation checklist
- Ensure that the Operations Section is set up properly and that appropriate personnel, equipment, and supplies are in place.
- Meet with the Planning/Intelligence Section Chief; obtain a preliminary situation briefing.
- Based on the situation, activate appropriate branches within the section. Designate Branch Coordinators as necessary.
 - Fire & Rescue
 - Medical & Health
 - Care & Shelter
 - Law Enforcement
 - Public Works
- Ensure that sufficient staffing is in place to provide for coordinating services to meet county government and Operational Area responsibilities.
- Determine if there are mutual aid requests for these functional areas. Initiate coordination with appropriate mutual aid systems as required.
- Request additional personnel for the section as necessary for 24-hour operations.



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

- Obtain a current communications status briefing from the Communications Branch Coordinator in Logistics. Ensure that there is adequate equipment and radio frequencies available as necessary for the section.
- Determine estimated times of arrival of section staff from the Personnel Branch in Logistics.
- Confer with the EOC Director to ensure that the Planning/Intelligence and Logistics Sections are staffed at levels necessary to provide adequate information and support for operations.
- Coordinate with the Liaison Officer regarding the need for Agency Representatives in the Operations Section.
- Coordinate with the Planning/Intelligence Section Chief to determine the need for any Technical Specialists.
- Establish radio or phone communications with County Department Operations Centers (DOCs), local government in the Operational Area, and/or with Incident Commander(s) as directed, and coordinate accordingly.
- Determine activation status of other EOCs In the Operational Area or adjacent areas and establish communications links with their Operations Section if necessary.
- Based on the situation known or forecasted, determine likely future needs of the Operations Section.
- Identify key Issues currently affecting the Operations Section; meet with section personnel and determine appropriate section objectives for the first operational period.
- Review responsibilities of branches in section; develop an Operations Plan detailing strategies for carrying out Operations objectives.
- Adopt a proactive attitude, thinking ahead and anticipating situations and problems before they occur (act now, be planning at least 24 hours ahead in your mind - remember this is a marathon not a sprint).

PLANNING/INTELLIGENCE SECTION CHIEF

The Planning/Intelligence Section is a primary function for any Operational Area EOC. The section will gather information from a variety of sources, including all activated local government EOCs, analyze and verify information, and prepare and update internal EOC information and map displays. The Situation Analysis function will be activated under any EOC activation. The Section has an important function in overseeing the Planning Meetings and in preparing the EOC Action Plan. The Section will collect and process internal EOC documentation, and prepare advance planning information as necessary. Technical Specialists assigned to the EOC will initially be part of the Planning/Intelligence Section. The Section Chief reports directly to the EOC Director.

Responsibilities:

1. Ensure that the following responsibilities of the Planning/Intelligence Section are addressed as required:
 - a. Collecting, analyzing, and displaying situation information
 - b. Preparing periodic situation reports
 - c. Preparing and distributing the EOC Action Plan and facilitating the Action Planning meeting
 - d. Conducting Advance Planning activities and reports
 - e. Providing technical support services to the various EOC sections and branches, and documenting and maintaining files on all EOC activities
2. Establish the appropriate level of organization for the Planning/Intelligence Section.
3. Exercise overall responsibility for the coordination of unit activities within the section.
4. Keep the EOC Director informed of significant issues affecting the Planning/Intelligence Section.
5. In coordination with the other Section Chiefs, ensure that Status Reports are completed and utilized as a basis for Situation Analysis Reports, and the EOC Action Plan.
6. Supervise the Planning/Intelligence Section.

Activation Phase:

- Follow the generic activation checklist
- Ensure that the Planning/Intelligence Section is set up properly and that appropriate personnel, equipment, and supplies are in place including maps and status boards.
- Based on the situation, activate units within the section as needed and designate Branch Directors for each element:
 - Situation Analysis Branch
 - Documentation Branch
 - Advance Planning Branch
 - Utilities Branch



CONTRA COSTA OPERATIONAL AREA - EMERGENCY OPERATIONS PLAN

- Demobilization Branch

- Ensure that sufficient staffing is available for a 24-hour schedule, or as required.
- Establish contact with the State Regional EOC (REOC) when activated, and coordinate Situation Analysis Reports with their Planning/Intelligence Section.
- Meet with the Operations Section Chief; obtain and review any major Incident reports.
- Review responsibilities of units in the Section; develop plans for carrying out all responsibilities.
- Make a list of key issues to be addressed by Planning/Intelligence; in consultation with section staff, identify objectives to be accomplished during the initial Operation Period.
- Keep the EOC Director informed of significant events.
- Adopt a proactive attitude, thinking ahead and anticipating situations and problems before they occur (act now, be planning at least 24 hours ahead in your mind - remember this is a marathon not a sprint).



Contra
Costa
County

To: Board of Supervisors
From:
Date: November 15, 2011

Subject: Hearing on an Appeal of a County Planning Commission decision to approve a subdivision :County Files RZ073195,SD079167

RECOMMENDATION(S):

A. OPEN the public hearing and take testimony on the project.

B. CLOSE the public hearing.

C. DENY the appeal filed by Save Mount Diablo (Attachment 2) and UPHOLD the County Planning Commission's 9/13/2011 decision to approve a Subdivision, County File #SD079167

D. ACCEPT the County Planning Commission's recommendation to Rezone the property from A-2 to R-40 County File , RZ07-3195.

E. FIND the Mitigated Negative Declaration prepared for this project to be adequate for the purposes of compliance with the California Environmental Quality Act (CEQA), and ADOPT the Mitigated Negative Declaration and the Mitigation Monitoring Program.

F. ADOPT the Rezoning (County File No. RZ07-3195) of the subject site from A-2, General Agricultural District to R-40, Single Family Residential as recommended in County Planning Commission Resolution No. 20-2011 (Attachment 1).

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes: See Addendum

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
Supervisor

By: June McHuen, Deputy

Contact: John Osborne 335-1207

cc:

RECOMMENDATION(S): (CONTD)

G. ADOPT Ordinance No. 2011-18 giving effect to the aforementioned rezoning (Figure 1).

H. ADOPT the findings contained in County Planning Commission Resolution No. 20-2011 as the basis for the Board's approval.

H. DIRECT the Community Development Division to post the Notice of Determination with the County Clerk.

FISCAL IMPACT:

None. The applicant is responsible for 100% of the application fees.

BACKGROUND:

I. Executive Summary

The applicant is pursuing a residential subdivision on 10 acres in the unincorporated North Gate area of Walnut Creek near the entrance to Mount Diablo (Figure 2 - Vicinity Map). To accomplish this, the approvals necessary for the project are a subdivision and a rezoning. After two public hearings, the Planning Commission approved the subdivision, as submitted by the applicant, and recommended to the Board of Supervisors approval of the rezoning. The proposed rezoning, from A-2 to R-40 would be consistent with the existing development pattern and zoning to the north and south of the project site (Figure 3- Rezoning Map). On September 22, 2011 the County received an appeal from Save Mount Diablo on the Planning Commission's decision to approve the subdivision.

II. Planning Commission Hearing August 9, 2011

On August 9, 2011 this item was heard by the County Planning Commission. Before them was a proposed subdivision of 7 lots and a Remainder (Figure 4- Applicant's Proposed Subdivision). On the Remainder lot is the applicant's home with a smaller secondary home. The proposed subdivision includes a 60 foot landscape buffer along the western and southern borders to screen it from the open space area , as well as a creek buffer on the north end of the site.

At the hearing were two speakers who expressed concerns about the proposed development. The first speaker was an adjacent neighbor, located to the east, who spoke about his view to the open space area and how it would be impacted by the development. The second speaker was a representative from Save Mount Diablo (SMD) who spoke about their concern of the project's impacts to the surrounding area.

Save Mount Diablo's concerns were primarily the potential visual impacts to the surrounding open space and impacts to the creek. According to SMD, most of the concerns could be addressed by realigning the access road, creating a larger buffer between the proposed homes and the open space land with trails. They would like to see a greater creek buffer as well.

At the end of the hearing the Planning Commission continued the item until September 13, 2011 since they wanted the applicant to provide them with an alternative design of the project that may include realignment of the access road.

III. Meetings with Save Mount Diablo

On August 25, 2011 the applicant's engineer met with representatives of Save Mount Diablo and County staff to discuss Save Mount Diablo's concerns, which included the realignment of the access road.

At a follow-up meeting, on September 1, 2011 that same group met at the project site to walk the area and discuss the issues in more detail. The applicant's engineer designed an Alternative Design (Figure 5- Alternative Subdivision Design), which he brought to the site visit, which showed the realignment of the access road. By realigning the access road the project would lose one lot.

After seeing the Alternative Design SMD still had concerns that there was not enough visual separation between the proposed homes and the adjoining open space. They had concerns that the access road should be immediately outside the buffer not inside the buffer , so there would be a greater distance between the homes and open space. They also wanted a greater creek buffer to protect that resource.

IV. Planning Commission Hearing September 13, 2011

The Planning Commission held a continued public hearing on September 13, 2011. At the hearing the applicant's engineer presented the Alternative Design (Figure 5) that shows the realignment of the access road and one less lot.

The applicant Nelda Champion stated the project, as she has proposed, would create more of a traditional neighborhood in which most of the homes faced each other allowing neighbors to interact more freely rather than the Alternative Design in which neighbors on many of the lots would not be facing each other and perhaps less apt to interact.

Seth Adams from SMD spoke about how the project needs to be more sensitive of its setting in the North Gate area visual corridor and its proximity to the entrance to Mount Diablo. He also expressed concern that the project should create a feeling of openness in the area through both larger lot sizes and dedication of land. Realigning the road outside the buffer in the Alternative Design would give the project a "feel" of bigger buffer. He also expressed concerns about how the project would impact the creek at the north end of the project site, which may contain federally listed endangered species and other wildlife.

The applicant's engineer spoke and compared the two designs. He stated that the project as proposed by the applicant was preferable to the Alternative Design because the Alternative Design did not lay the lots out in a pattern that created a harmonious neighborhood. He stated the deficiencies in the Alternative Design include; the realigned road would create visual and noise impacts both to the neighbor's house to the south and the open space area to the west, since it would be closer to both. The Alternative Design would also split some of the lots, he said, with the road separating them and it would also create more impervious surface which is inconsistent with the Clean Water Act.

Before the end of the hearing the Planning Commission added two conditions of approval having to do with repainting the existing structures (which are white) to a less reflective color to reduce the visual impact and all new structures would be required to be painted in a less reflective color as well, and requiring a Home Owner's Association (HOA) be created for this project and their responsibility would include maintenance of the landscaped buffer (without fee title ownership) in case the land owner, upon

which the buffer landscaping was located, failed to do so.

At the end of the hearing the Planning Commission voted 5 to 1 to approve the project as originally proposed by the applicant (Figure 4) and recommended that the Board of Supervisors approve the proposed rezoning that rezones the property from General Agricultural to Single Family Residential, R-40 (40,000 square foot minimum lot size)

V. Save Mount Diablo Appeal Letter, dated September 22, 2011

On September 22, 2011 Save Mount Diablo filed an appeal of the Planning Commission's September 13, 2011 decision (Attachment 2- Appeal from Save Mount Diablo).

Below are the appeal points followed by staff response:

Summary of appeal point #1: The visual impacts are not mitigated. The project site is located in an important view corridor and will significantly affect views from Mt. Diablo, from Central County and from neighboring open space. The project will intensify development impacts on aesthetics by development on a visible slope rather than screen the impacts by sensitive design.

Staff Response to appeal point #1: Staff acknowledges the location of the project site in relation to Mt. Diablo and the neighboring open space. The proposed development may be seen by users of various trails within Mt. Diablo State Park and Shell Ridge when viewing in a northwesterly/southeasterly direction. The views from these trails would not be impeded by the proposed development, nor would views of Mt. Diablo and foothills be blocked. Given the distance of the development from the trails, and the duration of time that the project site would be visible to trail users, this is considered a less-than-significant impact. Staff acknowledges that the near views from the existing trail and proposed trail along the west and southern edge of the property may be somewhat impacted, however the project will have a landscape screen that will visually screen the new residences for the users of the existing and proposed trails.

Summary of appeal point #2: The project fails to adequately buffer wildlife habitat and neighboring public open space. The creek (located at the north end of the site) does not have an adequate buffer.

Staff Response to appeal point #2: The project complies with all North Gate Specific Plan (NGSP) setback/ buffer requirements as they apply to creeks and open space; the project provides for both a 50 ft creek setback and Creek Preservation Plan as required by the NGSP. To protect adjacent open space lands to the west and south the project has a 60 foot buffer that is required by the NGSP. This buffer will be landscaped with native trees. The development rights on both the landscape buffer and creek buffer will be dedicated to the county to restrict development.

Summary of appeal point #3: The project fails to meet the goals of the North Gate Specific Plan, which calls for increasingly larger lots as a transition from suburban residential development to agricultural and open space lands and the dedication of land.

Staff response to appeal point #3: The project meets the goals of the NGSP that call for increasingly larger lots as a transition from suburban residential , that is located to the west, to open space land, that is located to the east. As shown Figure 4 the proposed lots are increasingly larger than the existing residential lots that are located to the northwest, along Pine Creek Road where the more suburban residential is located. , and they match the existing development pattern and land use designation of R-40, Single Family Residential (40,000 square foot minimum lot size) of the immediate surrounding

residential development. In terms of compliance with open space lands and dedication of lands please refer to Staff response to appeal point #2.

Summary of appeal point #4: The project will impact adjacent public trail corridor designated in the North Gate Specific Plan.

Staff response to appeal point #4: Please see staff response to appeal point #1.

Summary of appeal point #5: The Mitigated Negative Declaration is inadequate and fails to reduce impacts to less than significant.

Staff response to appeal point #5: The Mitigated Negative Declaration (MND) identified potential impacts including to aesthetic and biological resources. The MND mitigated the impacts to aesthetics by creating a 60 foot landscape buffer along the western and southern boundaries of the site where it abuts open space land. There will be native trees planted in the buffer area to screen the development from nearby users of open space and trails.

As far as biological impacts are concerned, the project applicant prepared several biological assessments, by qualified biologists to ensure that the project site and surrounding area was fully studied. As a result of those studies the MND identified mitigation measures that serve to protect the wildlife on the project site. Such mitigations as preconstruction surveys for the California red-legged frog and other species that may occur on the site, construction workers shall be trained by a qualified biologist regarding Californai red-legged frog, exclusionary fencing and an on site qualified biologist or an on site monitor (such as construction manager trained by the qualified biologist) shall check the site in the morning and in the evening of construction activities for the presence of California red-legged frog. In conclusion, on September 13, 2011 after fully considering all of the evidence and comments received the Planning Commission found that the Mitigated Negative Declaration was adequate for the project .

Summary of appeal point #6: The Planning Commission failed to include conditions of approval agreed upon such as scattered native valley oaks along the buffer which would have broken up the visual massing of the development. The proposed landscaping is not a buffer and includes inappropriate species.

Staff response to appeal point #6: Condition of approval #7 requires that the applicant submit a landscape plan for the buffer area that consists of native evergreen species (e.g. coast live oak,etc) subject to the review and approval of the Zoning Administrator. Since the landscape plan is subject to the review and approval of the Zoning Administrator the type of the oak tree will be determined based on pertinent input from the appropriate parties, including Save Mount Diablo.

Summary of appeal point #7: The Planning Commission failed to include conditions of approval that were agreed upon regarding repainting of the larger white existing house.

Staff response to appeal point #7: At the September 13, 2011 Planning Commission hearing the Commission added condition of approval # 10A that states that no later than 120 days after the issuance of building permits of the first building the existing structures on the property that are to be retained shall be repainted with a paint that reduces the visual impact of the structures. The paint color is subject to the review and approval of the Zoning Administrator. This applies to proposed structures as well. The purpose of the condition is to lessen the visual impact of the structures on the surrounding area.

Summary of appeal point #8: The Planning Commission failed to include a condition of approval that was agreed upon for a larger setback from Walker Creek at the north end of the property.

Staff response to appeal point #8: The agreement referred to by the appellant was between the appellant and the applicant. This was not a condition placed by the County Planning Commission since they did not feel that it was necessary to require greater setback than what is required by the North Gate Specific Plan. Staff is not recommending any larger setback than what was approved by the Planning Commission.

VI. Conclusion

Staff recommends that the Board 1) Deny the appeal filed by Save Mount Diablo and Uphold the 9/13/2011 Planning Commission's decision to approve the subdivision 2) Find the Mitigated Declaration for the project is adequate and adopt the Mitigation Measures with the Mitigation Monitoring Program 3) Adopt the rezoning of the subject site from A-2 to R-40 and Adopt Ordinance No. 2011-18 giving effect to the aforementioned rezoning and 4) Adopt the findings contained in County Planning Commission Resolution No. 20-2011 as the basis for the Board's approval.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not deny the appeal by Save Mount Diablo and approve the rezoning of this property from A-2, General Agricultural to R-40, Single Family Residential the applicant cannot subdivide the property into 7 lots and a designated Remainder as they propose.

CLERK'S ADDENDUM

Speakers: Jodi Bailey and Seth Adams, Save Mount Diablo (Appellant); Vince D'Alo of Aliquot Associates (on behalf of Applicant); Allan Moore, resident of Danville; Kish Rajan, resident of Walnut Creek.

CLOSED the public hearing; DENIED the appeal filed by Save Mount Diablo and UPHELD the County Planning Commission 9/13/2011 decision to approve a Subdivision, County File #SD079167, as amended to include two additional Conditions of Approval:

- 1. The buffer shall be planted with a scattering of native oak tree; planting shall not be so dense as to change the overall grassland character of the existing open space, but shall be sufficient to break up the visual appearance of the new homes.*
- 2. The setback for proposed lot in the northwest corner of the property along the creek shall be increased to the 250' counter line.*

ACCEPTED the County Planning Commission recommendation to Rezone the property from A-2 to R-40 County File , RZ07-3195; FOUND the Mitigated Negative Declaration prepared for this project to be adequate for the purpose of compliance with the California Environmental Quality Act (CEQA), and ADOPTED the Mitigated Negative Declaration and the Mitigation Monitoring Program; ADOPTED the Rezoning (County File No. RZ07-3195) of the subject site from A-2, General Agricultural District to R-40, Single Family Residential as recommended in County Planning Commission Resolution No. 20-2011; ADOPTED Ordinance No. 2011-18 giving effect to the aforementioned rezoning; ADOPTED the findings contained in County Planning Commission Resolution No. 20-2011 as the basis for the Board approval; and DIRECTED the Community Development Division to post the Notice of Determination with the County Clerk.

AGENDA ATTACHMENTS

Planning Commission Resolution 20-2011

Appeal from Save Mount Diablo

Conditions of Approval SD07-9167

CPC Staff Reports - 8-9-11 & 9-13-11

Pertinent Correspondence

CEQA Determination/MND

Vesting Tentative Map SD07-9167

Notification List

Figure 1- Findings-Ordinance Map 2011-18

Figure 2- Vicinity Map

Figure 3- Rezoning Map

Figure 4- Applicant's Proposed Subdivision Design

Figure 5- Alternative Subdivision Design

MINUTES ATTACHMENTS

Signed Ordinance 2011-18

Correspondence Received 1

Correspondence Received 2

Resolution No. 20-2011

RESOLUTION OF THE COUNTY PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, INCORPORATING FINDINGS AND RECOMMENDATIONS FOR THE REQUESTED REZONING AND VESTING TENTATIVE MAP FOR THE "CHAMPION" PROJECT IN THE UNINCORPORATED NORTH GATE / WALNUT CREEK AREA OF SAID COUNTY. (COUNTY FILE #'S RZ07-3195 & SD07-9167)

WHEREAS, NELDA CHAMPION (Applicant & Owner) proposed development of a 7 lot subdivision with a designated Remainder and proposed rezoning on Assessor's Parcel Number 138-180-002 comprising approximately 10 acres in the unincorporated North Gate / Walnut Creek area of Contra Costa County, for which an application was received by the Community Development Department on August 22, 2007; and

WHEREAS, for purposes of compliance with the provisions of the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, a report dated January 28, 2011 titled " Initial Study / Mitigated Negative Declaration Champion Property – Subdivision 9167" (the "Initial Study") was prepared to determine whether an environmental impact report should be prepared for the Project; and

WHEREAS, the Initial Study identified potentially significant impacts related to aesthetics, air quality, biological resources, cultural resources, geology/soils and the Initial Study recommended mitigation measures which would reduce each identified impact to a less than significant level; and

WHEREAS, on April 6, 2011 the County published a Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration, which Notice recited the foregoing facts, indicated that the Applicant had agreed to accept each mitigation measure recommended by the Initial Study and started a 30 day period for public comments from April 6, 2011 up until May 6, 2011.

WHEREAS, after notice having been lawfully given, a public hearing was scheduled before the County Planning Commission on Tuesday, August 9, 2011, during which the Commission fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter and they continued the hearing until September 13, 2011 so that the applicant's engineer could provide them an alternative plan that realigned the access road along the project's western boundary;

WHEREAS, a public hearing was held before the County Planning Commission on September 13, 2011, during which the Commission fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter and they requested the addition of certain conditions of approval having to do with 1. maintenance of the buffer area by the Home Owners Association that will be formed and 2. paint reflectivity on the existing and proposed homes. The applicant is in agreement with the conditions and they are included in the Conditions of Approval as 10A and 10B.

NOW, THEREFORE, BE IT RESOLVED that the County Planning Commission (“this Commission”) takes the following actions:

- A. That on the basis of the whole record before it, including the Initial Study/Mitigated Negative Declaration and the comments received, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect on the environment and that the mitigated negative declaration reflects the County’s independent judgment and analysis.
- B. Find the Mitigated Negative Declaration is adequate for the project and adopt the Mitigation Monitoring Program.
- C. Adopt the Mitigated Negative Declaration for the project for the purposes of compliance with the California Environmental Quality Act and adopt the Mitigation Monitoring Program.
- D. Recommend that the Board of Supervisors adopt the proposed findings and approve the Rezoning from General Agriculture, A-2 Zoning District to Single Family Residential, R-40 Zoning District.
- E. Adopt the findings and approve the proposed Vesting Tentative Map and requested tree removal, with the attached conditions.

BE IT FURTHER RESOLVED that the reasons for these recommendations are as follows:

FINDINGS

A. Growth Management Performance Standards

- 1. Traffic: The project will generate an estimated 7 additional AM and PM peak hour trips. Because the project would not generate more than 100 peak period trips, the applicant was not required to prepare a traffic report pursuant to the 1988 Measure C requirements.
- 2. Drainage and Flood Control: The applicant is required to collect and convey all storm waters entering or originating within the project to an adequate natural or manmade water course. The Final Map may not be filed until the collect and convey requirements and improvements have been met.
- 3. Water and Waste Disposal: The project site is within the Contra Costa Water District and Central Sanitary District service areas. The districts have indicated that the properties are within the district’s boundary. Both districts have indicated that capacity exists to support the development. The applicant is required to comply with Water District and Sanitary District standards. Including the standards contained in the August 24, 2011 letter from the Contra Costa Water District.
- 4. Fire Protection: Prior to the filing of the Final Map, the applicant is required to demonstrate that all of the proposed development is located within one and one-half miles of a fire station, or that development within the project that is more than one and one-half miles from a fire station shall be required to provide automatic fire sprinkler systems. The nearest station is Station 7 located at 1050 Walnut Avenue, Walnut Creek.

5. Public Protection: The Growth Management Element Standard is 155 square feet of Sheriff facility station per 1,000 population. The population increase associated with this project is below the standard and considered not significant. Prior to approval of the Final Map, the applicant is required to establish a police services tax district to mitigate the impacts of the development on police services.

6. Parks & Recreation: The proposed project will not have a cumulative effect on demand for park and recreation facilities, and is subject to payment of park dedication fees in the amount of \$7,238.00 for each new parcel to mitigate impacts.

B. Rezone Findings

Section 26-2.1806 of the County Ordinance Code requires specific findings to be made by the planning agency when a request for change in land use district is made; they are as follows:

1. The change proposed will substantially comply with the general plan.

The rezoning of the subject properties from A-2 (General Agriculture) to R-40 (Single Family Residential) will maintain consistency with the General Plan Designation of Single Family Residential – Very Low (SFR-SV).

2. The use authorized or proposed in this land use district is compatible within the district and to uses authorized in adjacent districts.

The zoning districts within the immediate adjacent properties consists of R-40 and A-2. The zoning districts beyond the immediate adjacent properties consist of R-40, A-2 and P-1.

3. Community need has been demonstrated for the use proposed, but this does not require demonstration of future financial success.

A number of parcels in the immediate area have R-40 and P-1 zoning, so a community need has been demonstrated for the use proposed.

C. Approval of Tentative Map

1. Required Finding: The County Planning Agency shall not approve a tentative map unless it shall find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general and specific plans required by law.

Project Finding: The project is consistent with the General Plan Single Family Residential – Very Low Designation and the County Single Family Residential zoning district.

2. Required Finding: The County Planning Agency shall not approve a tentative map unless it shall find that the proposed subdivision fulfills construction requirements.

Project Finding: Public Works requires that the project comply with collect and convey regulations and design standards for construction of private roads.

NOW BE IT RESOLVED that the secretary of this Commission will sign and attest the certified copy of this resolution and deliver the same to the Board of Supervisors, all in accordance with

the Government Code of the State of California.

This Resolution was approved upon motion of the County Planning Commission on Tuesday, September 13, 2011 by the following vote:

AYES: Commissioners: Clark, Sloan, Peterson, Terrell and Snyder

NOES: Gaddis

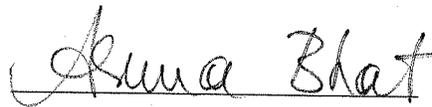
ABSENT: Steele

ABSTENTIONS: None

Don Snyder
Chair of the County Planning Commission
County of Contra Costa, State of California

Within the 10 day appeal period allowed by law the Department of Conservation & Development received an appeal from Save Mount Diablo.

ATTEST:



Aruna Bhat, Secretary
County Planning Commission
County of Contra Costa
State of California



Save Mount Diablo September 22, 2011

1901 Olympic Blvd., # 320
Walnut Creek, CA 94596
Tel: (925) 947-3535
Fax: (925) 947-0642
www.SaveMountDiablo.org

Board of Supervisors
Contra Costa County
651 Pine Street
Martinez, CA 94553

CONTRA COSTA
2011 SEP 22 PM 4:51
APPLICATION & PERMIT CENTER

Board of Directors

Malcolm Sproul
President
Amara Morrison
Secretary
Burt Bassler
Treasurer
Arthur Bonwell
Emeritus

Heath Bartosh
Charla Gabert
John Gallagher
Claudia Hein
Scott Hein
David Husted
Doug Knauer
Brian Kruse
David Sargent
David Trotter
Directors

Staff Directors

Ronald Brown
Executive Director
Seth Adams
Land Programs Director
Julie Seelen
Advancement Director
Monica E. Oei
Finance Director

Founders

Arthur Bonwell
Mary L. Bowerman

Proud member of

Land Trust Alliance
California Council of Land Trusts
Bay Area Open Space Council

**RE: Appeal of Planning Commission Approvals and Recommendations
Champion Project, 1125 North Gate Road
County Files #RZ0731395 and #SD079167, Initial Study/Mitigated Negative
Declaration, Mitigation Monitoring Program, Recommendation of Rezoning,
Approval of Tentative Map and findings**

Dear Supervisors,

Save Mount Diablo appeals the decision of the Contra Costa Planning Commission on September 13, 2011 to approve the proposed Champion subdivision, related approvals, and recommendation that the Board of Supervisors approve the rezoning of the property.

In addition to our concerns about the Project as proposed, in its action at the September 13 hearing, the Planning Commission not only rejected an alternative design for subdivision which could have decreased impacts on neighboring public open space, they failed even to adopt conditions of approval agreed upon by both the applicant and Save Mount Diablo which would have better mitigated for some impacts.

In attempts at collaboration Save Mount Diablo sought to make this project more sensitive rather than simply oppose it. We believed that a project could be approved which would preserve the number of requested lots yet also buffer the public's—and the county's—investment of millions of dollars in neighboring open space.

We proposed a fenced buffer along the boundary of open space with scattered valley oaks, which could be appropriately managed in a unified fashion by the Homeowner Association, rather than broken up among various lot owners, adjacent to a single loaded street and front yards which would result in a greater visual buffer from the edge of open space and the designated trail corridor. The applicant proposed no public open space at all, and nothing more than a structural setback from open space.

Given the Planning Commission's actions, Save Mount Diablo now opposes this project as currently proposed. We request that the Board of Supervisors either:

- **Uphold our appeal and reject the application without prejudice.**
- **Eliminate lots adjacent to public lands and shrink the size of the development.**
- **Or direct the applicant to come up with a plan which better buffers public lands and a public trail called for in the Northgate Specific Plan**

Grounds for Appeal

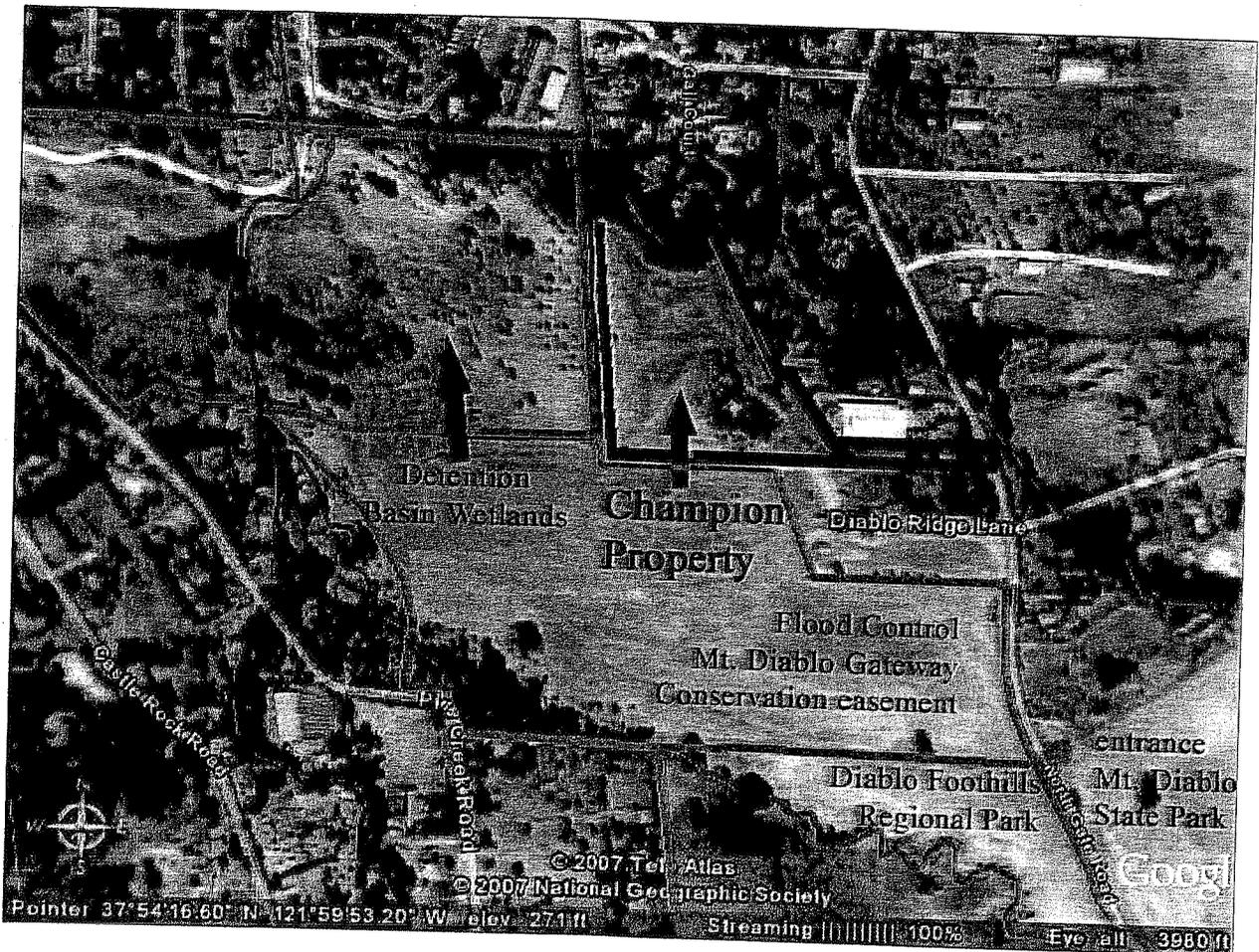
- The subdivision has aesthetic/visual impacts which are not mitigated. It will significantly affect views—from Mt. Diablo, from Central County, and from neighboring open space both adjacent and in nearly every direction—by development of a property adjacent to the Mt. Diablo Gateway Property/Flood Control conservation easement, which was protected by SMD, more than 1000 donors, and half a dozen agencies including the County, almost entirely because of its location in an important view corridor. The project will intensify development impacts on aesthetics by development on a visible slope rather than transition and screen impacts by sensitive design.
- The project fails to adequately buffer wildlife habitat and neighboring public open space. It has potential impacts on sensitive species and habitats. Walker Creek, which begins in Mt. Diablo State Park and joins Pine Creek in neighboring open space, will be impacted.
 - In particular the creek and boundary setbacks are both inadequate and are simply structural setbacks which will serve as part of backyards for lots, resulting in a loss of creek and upland habitat to the very edge of protected open space.
- The project fails to meet the goals of the North Gate Specific Plan, which calls for increasingly larger lots as a transition from suburban residential development to agricultural and open space lands, and/or dedication of public or private open space through the planned development process. By contrast the project would gain value by its location adjacent to protected open space, which it will impact, without any corresponding public benefit.
- The project will impact an adjacent public trail corridor designated in the Northgate Specific Plan.
- The Mitigated Negative Declaration is inadequate and fails to reduce impacts to less than significant.
- The Planning Commission failed to include in conditions of approval agreed upon specifications as to use of scattered native valley oaks along the inadequate buffer, which would have broken up the visual massing of the development. The proposed landscaping is not a buffer and includes inappropriate species.
- The Planning Commission failed to include in conditions of approval agreed upon repainting of the large white existing house (one of two large houses already existing onsite).
- The Planning Commission failed to include in conditions of approval an agreed upon larger setback from Walker Creek at the northwest corner of the property.

Save Mount Diablo has submitted detailed comments outlining our concerns at every stage in the public permitting process, including letters dated November 21, 2007; August 13, 2008; May 5, 2011; August 9, 2011; and Sept. 8, 2011, as well as public testimony at Planning Commission and Zoning Administrator.

Property Description/Location

The project site is located on an important and environmentally sensitive property bordered by Walker Creek and adjacent to the Pine Creek Detention Basin wetlands area. Subdivision and development of this

property could have significant impacts on listed endangered species and their habitats, trees, open space and nearby public lands, wetlands, creeks, hydrology, and water quality.



The parcel is also adjacent to East Bay Regional Park District (EBRPD)'s Mt. Diablo Gateway property conservation easement—for which we and public raised \$1.7 million and for which the County and the Department of Water Resources forgave over \$5 million—and in the vicinity of many public lands including Mount Diablo State Park, Shell Ridge Open Space, Lime Ridge Open Space, and Diablo Foothills Regional Park.

The density of the project would not be in harmony with the goals of the Northgate Specific Plan to ensure the area maintains its semi-rural character.

The landowner has stated that she would like lots adjacent to her own house for her children—for which we do not object—on a parcel which already includes two large and very visible houses. The proposal requests the rezoning 9.98 acres from A-2 General Agricultural district to R-40 Single Family Residential District and subdivision of the property into eight parcels. The two existing houses, and the cherry stem access from Northgate Road greatly complicate the design of a project including 8 lots and a significant creek corridor.

Champion is located in the Northgate area of Walnut Creek. It is the edge of a bowl that leads down to seasonal wetlands. Walker Creek borders the property to its north. Three other riparian corridors exist in close proximity to the property: Pine Creek, Little Pine Creek, and Arroyo Del Cerro. Most of the property is annual grassland with mature trees concentrated in the southeastern portion of the property around the existing houses, and riparian vegetation, including oaks along Walker Creek.

The property is located near the northern entrance to Mount Diablo State Park and adjacent to two protected areas, EBRPD's Mt. Diablo Gateway property conservation easement and the Pine Creek

Detention Basin wetlands area. The privately held 2100-acre Ginochio Ranch is also located in close proximity to the Champion property.

The project would have potentially significant impacts on biotic resources and wildlife habitats, nearby preserved lands, recreational opportunities, and the goals of the North Gate Specific Plan (NGSP).

1. **North Gate Specific Plan (NGSP) - Zoning and Land Use Goals -**

The Land Use Goal of the North Gate Specific Plan is to:

*Maintain and enhance the existing semi-rural character of the North Gate Specific Plan area as a **transition** {emphasis added} from the suburban residential development to the north and west, to the agricultural and open space lands to the south and east.*

The proposal requests a change in the property from agricultural uses to residential. Although the Northgate specific plan allows such change, the potentially significant impacts of this change on the area and its resources, the precedent it would set, and its impacts on agricultural viability should be evaluated. This proposal is not in compliance with the Specific Plan requirement for a gradual “*transition from the suburban residential development to agricultural and open space lands.*” Rather, it would create relatively dense development directly adjacent to protected agricultural and open space lands.

NGSP Land Use Policy 7 requires “*larger minimum lot sizes on land that directly abuts public open space or agricultural preserve areas.*” This purpose of this policy is to enforce the goal of the NGSP to transition from dense residential development to nearby open lands. The subject parcel is adjacent to EBRPD’s Mt. Diablo Gateway property conservation easement to the south and the Pine Creek Detention Basin wetlands area to the west. The project proposes to subdivide 9.98 acres into 8 residential lots. This amount of density on a parcel abutting open space fails to achieve a transition and instead creates an abrupt change from dense development to open lands.

NGSP Land Use Policy 10 seeks to “*Maintain the feeling of “openness” in the area by encouraging large lot development, or the dedication of public or private open space through the planned development process.*” As stated above, the density of the project is too high and would not maintain the “openness” encouraged by the NGSP. The proposal does not include the dedication of any open space by the applicant. By dedicating open space the applicant would create a buffer between the proposed development and adjacent open space, thus achieving the transition required by the NGSP.

2. **Parks & Protected Lands** - The Northgate area is adjacent to protected open space and in the vicinity of many public lands, parks and preserves.

Nearby Parks & Preserves

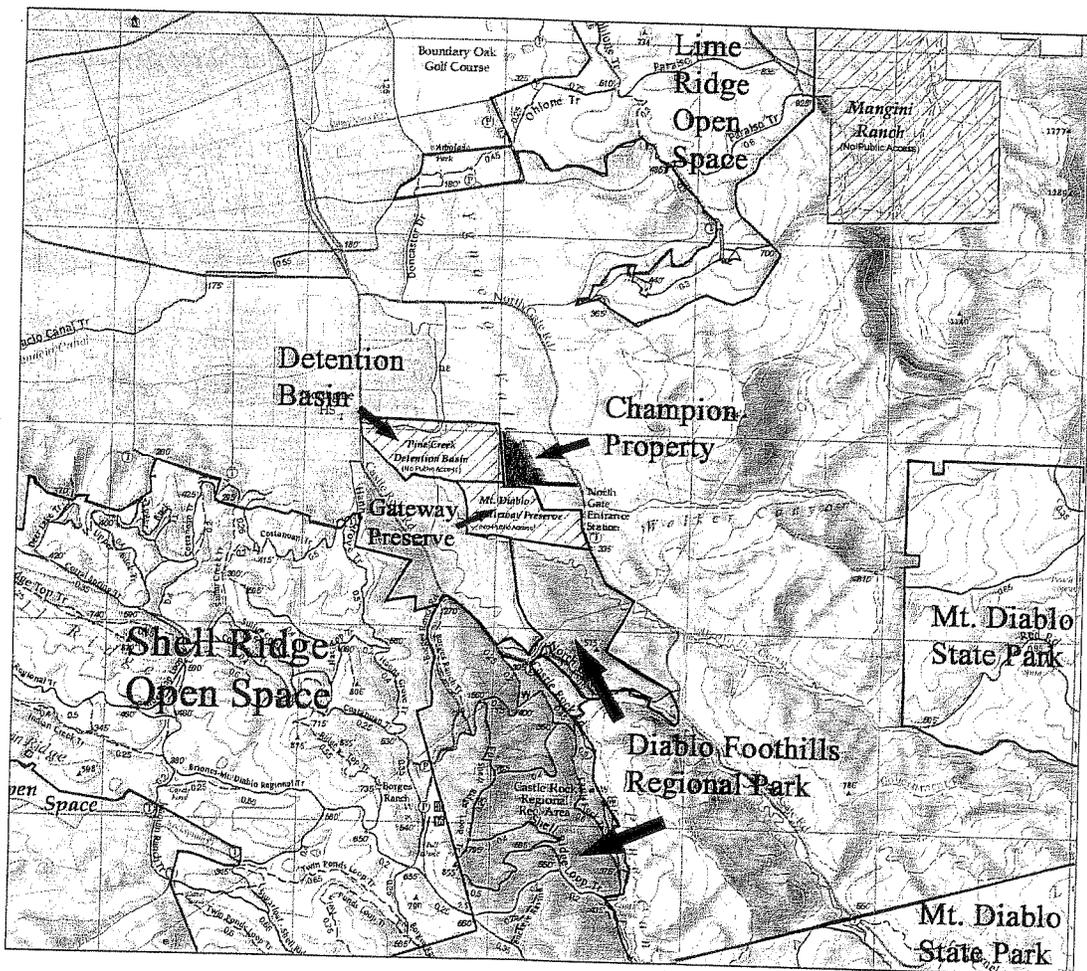
Mt. Diablo State Park – In 1931 the State of California had acquired enough land to create a small 6,788-acre park around the peak of Mount Diablo. Today Mount Diablo State Park totals 20,000 acres, includes over 100 miles of trails, and is home to many different species of plants and animals, including endemic and special-status species. MDSP is part of the California State Park System.

Shell Ridge Open Space – Shell Ridge Open Space is the largest piece of land in the City of Walnut Creek's Open Space system. The preserve includes 1400 acres of open space with 31 miles of trails for biking, hiking and riding through oak woodlands and grassland savannah. Shell Ridge abuts Diablo Foothills Regional Park on the lower flanks of Mount Diablo.

Lime Ridge Open Space – Lime Ridge is also part of the City of Walnut Creek’s Open Space system, serving as a greenbelt buffer between the cities of Concord and Walnut Creek. The preserve offers spectacular views of the surrounding areas for recreational users jogging, hiking, and mountain biking on its trails. Trails connect Lime Ridge to surrounding public open spaces including Mount Diablo State park.

Milton F. Kubicek (Pine Creek) Detention Basin & Wetlands – The Pine Creek Detention Basin is owned and operated by the Contra Costa County Flood Control and Water Conservation District (CCCFCWCD). Walker Creek, Arroyo Del Cerro Creek, and Pine Creek all join together in the detention basin creating riparian wetlands habitat for the federally listed California red-legged frog. According to the Northgate Specific Plan “the primary purpose of the detention basin is flood control. Passive recreational activities are permitted in this area, as well as the construction of a new equestrian trail.”

Mt. Diablo Gateway Property & Conservation Easement Preserve – The 37-acre Mt. Diablo Gateway Property & Conservation Easement Preserve was protected as a conservation easement in August 2006. CCCFCWCD owns the property and the conservation easement is held by East Bay Regional Parks District. The property is located at the base of Mount Diablo State Park and is traversed by Arroyo Del Cerro Creek.



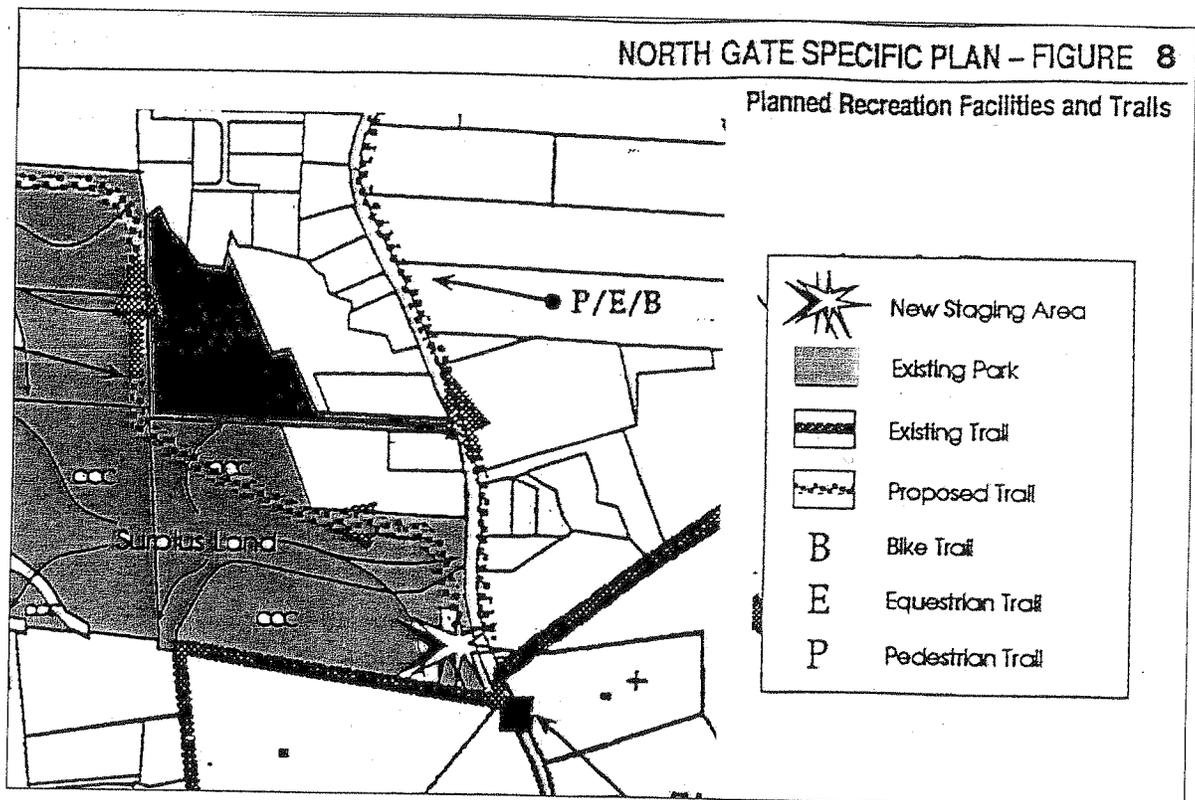
The project site is adjacent to two protected areas, EBRPD’s Mt. Diablo Gateway property conservation easement and the Pine Creek Detention Basin wetlands area. It is also located approximately 2/10s of a mile from the entrance to Mt. Diablo State Park, Diablo Foothills Regional Preserve, and Shell Ridge Open Space and is about one-half mile from Lime Ridge Open Space.

The semi-rural character of the Northgate area is defined by the proximity of these public open spaces to low density residential communities.

- 3. Recreation & Recreational Facilities** - The Recreation Goal of the North Gate Specific Plan is to "provide a range of recreational opportunities to serve area residents," with a specific emphasis on equestrian opportunities. As stated above, the property is in close proximity to a number of recreational open space areas including Mt. Diablo State Park, Shell Ridge Open Space, Lime Ridge Open Space, and Diablo Foothills Regional Park.

The North Gate area enjoys a well-developed trails system providing recreational opportunities to residents and connecting hikers, joggers, bikers, and equestrians to the many open spaces in the area. The Planned Recreation Facilities and Trails Map (Figure 8 of the NGSP) includes a number of proposed trails to enhance the trail system in the North Gate area including a trail that runs directly adjacent to the western boundary of the project site.

In addition, future plans for the adjacent Mt. Diablo Gateway Preserve property include recreational facilities such as trails, a public staging area for nearby public lands and the creation of an equestrian facility.



The proposed project could have negative impacts on recreational opportunities in the North Gate area including on the proposed trail running along the property's western boundary and planned staging area and equestrian facility on the adjacent property. These impacts should be evaluated.

The trail alignment in the NGSP should be considered at this point, in cooperation with EBRPD, the City of Walnut Creek, and the Flood Control District.

- 4. Biotic Resources and Wildlife Habitats** - The property is located in an area of sensitive natural habitats. The location of the wetland and the creeks around the property provide habitat for several species of fish, migratory birds, reptiles and amphibians. Among these species, several are of listed species of special concern, including the California Red Legged Frog (CRLF).

CRLF are confirmed in Pine Creek, Little Pine Creek and Arroyo del Cerro, and in Walker Creek.

CRLF utilizes riparian areas and wetlands during the winter as habitat and breeding grounds. The location of dryer upland habitat with small mammal populations provides the CRLF with underground burrows in which to aestivate for the dry season, after water levels have receded.

The potential construction of seven new units on the property could impact the frog through loss of habitat, pollution of the creeks, accidental fill in the waterways, reduction of upland habitat, and the addition of domestic animals that could prey on the frog. The riparian areas, creeks, and marshes are also used by several species of migratory birds. The impacts to the creeks and wetlands could reduce or eliminate these species from the area.

5. **Visual Impacts** - The Champion property is visible from throughout Central Contra Costa County and from Solano and Napa counties. It is part of a visual corridor extending to Mt. Diablo. It is adjacent to two public preserves and a trail proposed in the Northgate Specific Plan. Any development could have significant impacts on aesthetic values.

Visual simulations from Northgate Road, adjacent open space and the planned NGSP trail should be required.

6. **Agriculture** - The privately held 2100-acre Ginocchio Ranch is located approximately 2/10s of a mile from the Champion property. Ginocchio also grazes cattle on the Mt. Diablo Gateway preserve adjacent to the project site. According to County records two properties in close proximity to the project site to the south are zoned Williamson Act preserve land.

What impacts would the subdivision and development have on these properties and other agricultural resources in the area?

7. **Traffic & Congestion** – Increased traffic on Northgate Road has created conflicts between transportation and recreational uses in the area. Traffic hazards to pedestrians and equestrians have increased in the area, and the Board of Supervisors has made equestrian safety a higher priority. The project's proposed seven additional units would further increase car trips and traffic along Northgate Road. Impacts to traffic and safety should be considered for this project.
8. **Cumulative and Growth Inducing Impacts** - The project proposes the rezoning of property in the vicinity of large areas of open space, including the privately held Ginocchio Ranch and the border of the County and City urban limit lines. The higher density development and absence of buffers for public open space proposed by Champion would eliminate a buffer between the Northgate neighborhood and the agricultural and preserved land behind it. SMD has concerns that the density proposed on the parcel would impact these open space areas and their resources.
9. **Significant CEQA Issues** – According to CEQA Guidelines an EIR must be prepared where, *"after examining the entire record, there is substantial evidence to support a fair argument that a project may have a significant effect on the environment."*

As affirmed in a recent court decision Sierra Club versus California Department of Forestry and Fire Protection, *"the standard to be applied in reviewing an agency's decision to prepare a mitigated negative declaration, rather than an environmental impact report (EIR), is the 'fair argument' standard. An EIR must be prepared where, 'after examining the entire record, there is substantial evidence to support a fair argument that a project may have a significant effect on the environment.'"*¹ **Save Mount Diablo believes there is substantial evidence² to support a fair**

¹ Court affirms "Fair Argument" Standard in Review of City's CEQA Determination
http://www.publiclawnews.com/public_law_news/2007/05/court_affirms_f.html.

argument that the subdivision of this property into 8 lots may have a significant impact on the environment.

We believe the EIR for the North Gate Specific Plan is out of date, inadequate, failed to predict cumulative and growth inducing impacts that have taken place, did not address new species listings or safety issues that have developed, etc.

Subdivision and development of this property could potentially have significant impacts on listed endangered species and their habitat, open space and nearby public lands, creek and wetlands, agricultural uses, recreational opportunities, and the aesthetic value of the area. As a result, SMD early on requested that the County prepare an Environmental Impact Report. Instead it prepared a Mitigated Negative Declaration.

Save Mount Diablo (SMD) is a non-profit conservation organization founded in 1971 which acquires land for addition to parks on and around Mt. Diablo, and monitors land use planning which might affect protected lands. Our goal is to protect the mountain's natural beauty, integrity, and biological diversity; enhance our area's quality of life; and provide recreational opportunities consistent with protection of natural resources. We build trails, restore habitat, and are involved in environmental education. In 1971 there was just one park on Mt. Diablo totaling 6,788 acres; today there are more than forty parks and preserves totaling more than 102,000 acres. We include more than 8000 donors and supporters including many in the Northgate neighborhood.

We appreciate your consideration of our appeal.

Sincerely,



Seth Adams
Director of Land Programs

² CEQA Guidelines section 15384, subdivision (a), defines "substantial evidence" as "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, **even though other conclusions might also be reached.**"

Conditions of Approval for County File # SD07-9167 as approved by the County Planning Commission on September 13, 2011 with modifications supplied by staff (in bold italics and strikeout)

Administrative

1. ____ This approval is based on the following documents:
 - A. Tentative Map dated February 1, 2011, Sheets TM-1 through TM-7
 - B. Initial Study/Mitigated Negative Declaration dated January 28, 2011
 - C. Stormwater Control Plan, revised October 8
 - D. Mosaic Associates, 2007, revised 2011, Biological Resources Report,
 - E. Rana Resources, 2006, letter report to Ms Judy Bendix
 - F. Rana Resources, 2006, revised 2009
 - G. Mosaic Associates, 2008, revised January 2011, Creek Preservation and Enhancement Plan
 - H. Archeo-Tec 2006 Cultural Resources Evaluation
 - I. Jensen-Van Lienden Associates, Inc. 2006 & 2008 Geotechnical Study
 - J. Joyce Associates December 2007, Fault Hazard Investigation
 - K. Darwin Myers Associates 2007, Geologic Peer Review
 - L. Joseph McNeil , January 2008 Arborist Report, amended January 2011

2. ____ This subdivision is approved contingent upon the Board of Supervisors' approval of the Rezoning of this site, County File No. RZ07-3195.

- 2A ____ Removal of twenty two trees is approved based on the Joseph McNeil, January 2008 Arborist Report, revised January 2011.

3. ____ This application is subject to an initial application fee, which was paid with the application submittal, plus time and materials costs if the application review expenses exceed 100% of the initial fee. Any additional fee due must be paid with 60 days of the permit effective date.

Indemnification

4. ____ ~~At least 30 days prior filing the Final Map,~~ The applicant shall submit a letter stating the following: "Pursuant to Government Code Section 66474.9, the applicant (including the sub-divider or any agent thereof) shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding against the Agency (the County) or its agents, officers, or employees to attack, set aside, void, or annul, the Agency's approval concerning

this subdivision map application, which action is brought within the time period provided for in Section 66499.37. The County will promptly notify the sub-divider of any such claim, action, or proceeding and cooperate fully in the defense.”

Compliance Report

5. ___ ___ At least 45 days prior to filing the Final Map or issuance of grading permit, which ever occurs first, the applicant shall submit a report on compliance with the conditions of approval with this permit for the review and approval of the Zoning Administrator. The fee for this application is a deposit of \$1,000 that is subject to time and materials costs. Should staff costs exceed the deposit, additional fees will be required.
- A. Except for those conditions administered by the Public Works Department, the report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition. The report shall also indicate whether the applicant believes that he has done all the applicant is in a position to do to comply with the applicable condition. (A copy of the computer file containing the conditions of approval may be available; to try to obtain a copy, contact the project planner, John Osborne at 335-1207.
- B. Unless otherwise indicated, the applicant will be required to demonstrate compliance with the condition of this report prior to filing the final map.

County Zoning Administrator & City of Walnut Creek Review

6. ___ ___ At least 30 days prior to the issuance of a building permit, elevations and architectural design of the building and building roofing material shall be submitted first to the City of Walnut Creek for review and comment and then to the County for review and approval by the County Zoning Administrator. The new homes shall be earth tone colors and each new parcel shall provide for at least 6 off-street parking spaces. All plans must comply with the North Gate Specific Plan. This statement shall be recorded on each new parcel.

Aesthetics/ Landscaping

7. ___ ___ To block views of the new residences for users of the existing and proposed trails, a dense landscape screen shall be planted within the 60-foot setback along the western/southwestern property line (Lots 3-7). Planting shall be as recommended by the applicant’s arborist (McNeil, January 2011) subject to review and approval of the Zoning Administrator MM I-IA. ***This landscaping requirement shall be a deed disclosure on the affected properties and shall be subject to the review and approval of the Zoning Administrator prior to recording the map.***
8. ___ ___ Tree size shall be no smaller than 15-gallon and consist of native evergreen species; e.g., coast live oak, etc. Landscaping shall be irrigated for up to five years,

protected from deer, and maintained during this period. At least 30 days prior to the recordation of the Final Map the applicant shall submit a *Final Landscaping Plan* for review and comment by the City of Walnut Creek and review and approval by the Zoning Administrator MM I-IB. The landscape plan shall comply with the County Water Conservation Ordinance (Chapter 82-18) as amended and the plan shall be certified by a licensed professional that it complies with the Ordinance as amended.

9. ____ Prior to the issuance of construction permits the applicant shall submit for the review and approval of the Zoning Administrator a fencing plan that shall include “Open Space” or wire mesh fencing for Lots 3 through 7 MM 1-IE ***This fencing requirement shall be a deed disclosure on the effected properties and shall be subject to the review and approval of the Zoning Administrator prior to recording the map. The open wire fencing requirement shall also apply the rear yards of lots 2 and 3 that are adjacent to the creek.***

10. ____ The landscaping shall be monitored for a period of five years from the date of installation. Any trees lost during this period shall be replaced and monitored by the developer and/or property owner. Future owners of Lots 3–6 and the owner of the existing house (Lot 7) shall be responsible for the maintenance of the landscaping as well as replacing any shrubs/trees that are lost. This shall be recorded on the deed for each new parcel MM I-ID.

To assure the long term viability of the landscaping the applicant shall post a bond, for the landscaping for a period of five years from installation of landscaping. Prior to acceptance of the bond a qualified landscape architect shall assess the value of the landscape and provide a copy to the Zoning Administrator. Prior to the release of the bond a landscape architect shall submit a letter to the Zoning Administrator that the landscaping is in good health.

10 A. ____ No later than 120 days after the issuance of the first building permit the existing structures on the property that are to remain shall be repainted with a paint color that reduces the visual impact of the structures. Prior to the issuance of building permits for the new homes the applicant shall provide proof to the Zoning Administrator from a qualified professional that the proposed paint colors are 50% or less non-reflective quality standard. The approved paint colors shall be used on the new homes as well as the existing home(s). All new structures shall also be constructed with this type of paint and reduced reflectivity building materials such as window frames.

10 B ____ A Home Owners Association (HOA) shall be formed for the project site and prior to filing a final map the applicant shall submit CC & R’s to the Zoning Administrator for review and approval.

The HOA shall be responsible for the maintenance of the project road and common landscaping. The HOA shall not own the buffer area but shall have access to it so they can maintain the landscaping should the individual property owner not properly maintain the buffer landscaping that occurs on his or her property.

Air Quality

11. ____ During construction, the applicant shall take the following measures to control dust:
- Water all active construction areas at least twice daily.
 - Cover all trucks hauling soil, sand, and other loose materials, or require trucks to maintain at least two feet of freeboard.
 - Sweep off-site streets leading to the project site daily if visible soil, sand or other loose materials are deposited on these streets MM III-1

Biology

12. ____ If vegetation removal and grading commences between February 15 and August 31, a qualified wildlife biologist shall conduct a preconstruction survey for nesting birds. If nests of either migratory birds or birds of prey are detected on or adjacent to the site, a no-disturbance buffer (generally 50 feet for passerines and 300 feet for raptors) in which no new site disturbance is permitted shall be observed until August 15, or the qualified biologist determines that the young are foraging independently. The size of the no-disturbance buffer shall be determined by a qualified wildlife biologist, and shall take in to account local site features and existing sources of potential disturbance. If more than 15 days elapses between the survey and site disturbance, the survey shall be repeated MMIV-1A
13. ____ A preconstruction survey for burrowing owls shall be conducted by a qualified biologist not more than 30 days prior to the start of construction. If no owls or sign are detected during this survey, no further burrowing owl mitigation would be necessary. If burrowing owls or sign of burrowing owls is detected, mitigation consistent with the CDFG Staff Report (CDFG unpublished report: *Staff Report on Burrowing Owl Mitigation*, 1995) shall be provided MM IV-1B.
14. ____ Prior to construction and after completion of the preconstruction survey above, silt fencing or equivalent shall be installed along the top of bank to prevent the movement of western pond turtles from the riparian corridor into the construction zone. This fencing shall be in addition to any fencing installed as part of best management practices for erosion control purposes. The location of the fencing shall be determined by the qualified biologist, shall be inspected weekly by the construction foreman and maintained intact at all times during construction, and shall be removed once grading and heavy off-road equipment operation is complete MMIV-1C.

15. _____ Measures shall be taken to prevent possible inadvertent loss of California red-legged frog during construction. These shall consist of the following:

- Prior to any grading or grubbing of the site, a preconstruction survey for California red-legged frog shall be conducted by a qualified biologist not more than 48 hours prior to the commencement of construction. If California red-legged frogs are detected within the Walker Canyon Creek corridor on the site, the U.S. Fish and Wildlife Service and California Department of Fish and Game shall be notified and consulted regarding the need for any additional avoidance measures to prevent take of this federally-threatened species.
- Exclusionary fencing called for in Mitigation Measure IV-1C shall also serve to prevent California red-legged frog from entering the construction zone.
- Construction workers shall be trained by the qualified biologist regarding the remote potential for presence of California red-legged frog, that this species is to be avoided, that the foreman must be notified if they are seen, and that construction shall be halted until appropriate measures have been taken until authorization to proceed is obtained from the USFWS. Harassment of California red-legged frog is a violation of federal law.
- During the construction phase of the project, a qualified biologist or an on-site monitor (such as the construction foreman trained by the qualified biologist) shall check the site in the morning and in the evening of construction activities for the presence of California red-legged frog. This includes the Walker Creek corridor, exclusionary fencing, holes, under vehicles, and under boards and other materials left on the ground. If any California red-legged frogs are found during on-site monitoring, construction shall be halted, and the monitor shall immediately notify the qualified biologist in charge and the U.S. Fish and Wildlife Service. Construction shall not proceed until adequate measures are taken to prevent dispersal of any individuals into the construction zone, as directed by the U.S. Fish and Wildlife Service, and all subsequent recommendations and conditions shall be followed.
- No one shall handle or otherwise harass any individual California red-legged frogs, if any are encountered during construction, with the exception of a Service-approved biologist. The qualified biologist in charge shall train the on-site monitor in how to identify California red-legged frog. The qualified biologist in charge shall visit the site at least once a week during the first month of construction and confer with the trained on-site monitor MM IV-1D.

Walnut Creek Tree Preservation Ordinance

16. ____ The project shall comply with the City of Walnut Creek Tree Preservation Ordinance (Section 3.8 Preservation of Trees on Private Property), consistent with the North Gate Specific Plan. This shall include preparation of a Tree Replacement Program and Tree Preservation Guidelines as defined below:

Tree Preservation Guidelines shall be prepared and implemented during construction activities to avoid injury of trees to be preserved during construction. This shall include establishment of tree protection zones at the drip line, or as modified under the direction of a certified arborist. Excavation, grading, construction, and storage of materials shall be avoided within this zone. Exclusion fencing shall be established around the tree protection zone. Tree protection methods during construction and any modifications to tree protection zones shall be overseen by a qualified arborist.

A Tree Replacement Program shall be prepared by the applicant, and implemented as part of the mitigation program for the project. Replacement trees shall be provided at a minimum 3:1 ratio, shall be installed along the edge of the riparian corridor as part of the CPEP where feasible, and shall be maintained for a minimum of five years to ensure their successful establishment. Replacement tree plantings shall be irrigated for a minimum of two years following initial planting to ensure their survival, and shall be replaced on an annual basis to meet success criteria specified in the Tree Replacement Program MM IV-2

Cultural

17. ____ If historic or prehistoric artifacts, features, or cultural resources are encountered during construction of the proposed project, all work shall be halted in the immediate vicinity of the find for purposes of evaluation by a qualified professional archaeologist approved by the Contra Costa County Department of Conservation and Development V-1A.
18. ____ The County Coroner shall be notified if human remains are uncovered during construction. If it is determined that the remains are Native American, a representative of the NAHC shall be consulted MM V-1B.

Geology

19. ____ Construction of house foundations, streets and driveways, and other structures shall comply with the recommendations of the applicant's geotechnical engineering consultants (Jensen-Van Lienden Associates, Inc. December 29, 2006 report). These recommendations include the following:

- Houses with crawl spaces shall be supported with drilled piers and grade beams designed to resist uplift pressure.
- Houses with slabs-on-grade shall be supported on mats of non-expansive engineered fill.
- Garage floor slabs, sidewalks and outdoor slabs (e.g., patios) where some cracking can be accepted could be designed to be stronger (e.g., with more cracking is unacceptable, these slabs shall be supported on mats of non-expansive engineered fill.
- Applicant shall provide recommendations by a registered geotechnical engineering consultant for proper foundation and support of asphalt-concrete streets MM VI-1.
- At least 30 days prior to the recordation of Final Map the applicant shall submit a final geology, soil and foundation report meeting the requirements of Subdivision Ordinance Section 94-4.420 for review and approval by the Planning Geologist. Improvement, grading and building plans shall carry out the recommendations of the approved report.
- The applicant shall record a statement to run with the deeds to the property acknowledging the approved geology, soil and foundation report by title, author (firm) and date calling attention the approved recommendations.

Child Care Conditions

20. ___ ___ The applicant shall pay a fee of \$400.00 per unit toward child care facility needs in the area as established by the Board of Supervisors.

Construction Conditions

21. ___ ___ Contractor and/or developer shall comply with the following construction, noise, dust and litter control requirements.
- A. The project sponsor shall require their contractor and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors and concrete pumpers as far away from existing residences as possible.
 - B. At least one week prior to commencement of grading, the applicant shall post the site and mail to the owners of property within 300 feet of the exterior boundary of the project site notice that construction work will commence. The

notice shall include a list of contact persons with name, title, phone number and areas of responsibility. The person responsible for maintaining the list shall be included. The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of individuals responsible for noise and litter control, tree protection, construction traffic and vehicles, erosion control, and the 24-hour emergency number, shall be expressly identified in the notice. The notice shall be re-issued with each phase of major grading and construction activity.

A copy of the notice shall be concurrently transmitted to the Community Development Department. The notice shall be accompanied by a list of the names and addresses of the property owners noticed, and a map identifying the area noticed.

- C. A dust and litter control program shall be submitted for the review and approval of the Zoning Administrator. Any violation of the approved program or applicable ordinances shall require an immediate work stoppage. Construction work shall not be allowed to resume until, if necessary, an appropriate construction bond has been posted.
- D. The applicant shall make a good-faith effort to avoid interference with existing neighborhood traffic flows. Prior to issuance of building permits, the proposed roads serving this development shall be constructed to provide access to each lot. This shall include provision for an on-site area in which to park earth moving equipment.
- E. Transporting of heavy equipment and trucks shall be limited to weekdays between the hours of 9:00 A.M. and 4:00 P.M. and prohibited on Federal and State holidays.
- F. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
- H. Construction Period Development Activity Restrictions – Contractor and/or developer shall comply with the following construction noise, dust, litter, and traffic control requirements:

All construction activities shall be limited to the hours of 7:30 A.M. to 5:00 P.M., Monday through Friday, and shall be prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the state or federal government as listed below:

New Year's Day (State and Federal)
Birthday of Martin Luther King, Jr. (State and Federal)
Washington's Birthday/Presidents' Day (State and Federal)
Lincoln's Birthday (State)

Cesar Chavez Day (State)
Memorial Day (State and Federal)
Independence Day (State and Federal)
Labor Day (State and Federal)
Columbus Day (State and Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

For specific details on the actual day the state and federal holidays occur, please visit the following websites:

Federal Holidays <http://www.opm.gov/fedhol/2006.asp>

California Holidays <http://www.edd.ca.gov/eddstholiday.htm>

Police Service District

22. ____ ____ Election for Establishment of a Police Services District to Augment Police Services – The owner of the property shall participate in the provision of funding to maintain and augment police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be the per parcel annual amount (with appropriate future CPI adjustment) then established at the time of voting by the Board of Supervisors. The election to provide for the tax shall be completed prior to filing the Final Map. The property owner shall be responsible for paying the cost of holding the election, payable at the time the election is requested by the owner. Allow a minimum of ~~three to four~~ four to six months for processing.

Road Maintenance

23. ____ ____ At least 30 days prior to the filing of the Final Map, the applicant shall submit a road maintenance agreement for the review and approval of the Zoning Administrator. The agreement shall make adequate provisions for funding road maintenance and establishing cycle standards between all property owners. The approved road maintenance agreement shall be recorded with the final map.

Street Names

24. ____ ____ At least 30 days prior to filing the Final Map, proposed street names public and private shall be submitted for review by the Common Development Department, Graphics Section (Phone #335-1270). Alternate street names should be submitted. The Final Map cannot be certified by the Community Development Department without the approved street names.

Deeded Development Rights

25. ___ ___ The applicant shall deed the development rights to the County over the 60' structure setback along the western and southern boundaries of the project site subject to the review and approval of the Zoning Administrator. This shall be recorded on each new parcel.

Inclusionary Housing

26. ___ ___ The applicant shall comply with the Inclusionary Housing Ordinance, Chapter 822-4 subject to review and approval of the Zoning Administrator.

Deed Disclosure

27. ___ ___ The following deed disclosure shall be recorded on each of the deeds of the subject property: *"This document shall serve as notification that you have purchased land in an agricultural area where you may regularly find farm equipment using local roads; farm equipment causing dust; crop dusting and spraying occurring regularly; burning associated with agricultural activities; noise associated with farm equipment and aerial crop dusting and certain animals and flies may exist on surrounding properties. This statement is, again, notification that this is part of the agricultural way of life in the open space areas of Contra Costa County and you should be fully aware of this at time of purchase."*

Existing Secondary House on the proposed Remainder Parcel

28. ___ ___ At least 30 days prior to the recordation of the Final Map the applicant shall submit proof to the Zoning Administrator that the existing (smaller) house on the remainder parcel complies with the second unit ordinance. If it does not comply the applicant shall either bring the home into compliance with the second unit ordinance or remove the house.

Water

29. ___ ___ The applicant shall comply with the Contra Costa County Ordinance pertaining to water conservation. Compliance with the Water Conservation Ordinance shall be designed to encourage low-flow water devices and other interior and exterior water conservation techniques.
30. ___ ___ All open space, median strip, and private lot landscaping shall consist of non-invasive, drought-tolerant, low-water use plant species.

Construction and Demolition Debris

31. ____ At least 30 days prior to the issuance of an Occupancy Permit, the developer shall submit a completed “Debris Recovery Report” documenting actual debris recovery effects “including quantities of recovered and landfilled materials that occurred throughout the project’s duration.

**PUBLIC WORKS RECOMMENDED
CONDITIONS OF APPROVAL FOR SUBDIVISION SD 07-9167**

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the Vesting Tentative Map dated February 1, 2011.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO FILING OF THE FINAL MAP.

General Requirements:

32. ____ In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions there from must be specifically listed in this conditional approval statement. The drainage, road, and utility improvements outlined below shall require the review and approval of the Public Works Department and are based on the Vesting Tentative Map dated February 1, 2011.
33. ____ Improvement plans prepared by a registered Civil Engineer shall be submitted to the Public Works Department, Engineering Services Division, along with review and inspection fees, and security for all improvements required by the County Ordinance Code for the conditions of approval of this subdivision. The improvement plans shall include striping plans and any necessary traffic signage for review by the Transportation Engineering Division of the Public Works Department.

Frontage Improvements (North Gate Road):

34. ____ Applicant shall construct curb, 4.5 foot wide sidewalk, necessary longitudinal and transverse drainage, and pavement widening to result in a 16 foot wide half-width. The finished frontage shall consist of one 12 foot wide southbound travel lane, a four foot wide shoulder/bike trail, and a five foot wide pedestrian path along the frontage of North Gate Road, in accordance with the North Gate Specific Plan. The road widening and shoulder shall be constructed with a full structural section. A nine foot wide landscaped strip should remain between the back of the path and the right of way, where possible. Applicant shall install these frontage improvements and road widening extending along the adjacent parcel to the south (Assessor Parcel

Number 138-170-005), including the construction of a curb ramp at the northwest intersection of Diablo Ridge Lane and North Gate Road. Improvements on North Gate Road shall generally be aligned to the existing improvements previously constructed with Subdivision 7647 located to the south of the project site.

Access to Adjoining Property:

Proof of Access

35. ___ ___ Applicant shall furnish proof to Public Works of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

Encroachment Permit

36. ___ ___ Applicant shall obtain an encroachment permit from the County's Application and Permit Center, for the construction of any improvements within the right of way of North Gate Road.

Sight Distance:

37. ___ ___ Applicant shall provide sight distance at the intersections of the on-site roadway and North Gate Road for a design speed of 30 miles per hour. The applicant shall trim vegetation, as necessary, to provide sight distance at the proposed intersection. Any new landscaping, fencing, retaining walls, or other obstructions proposed at the intersections shall be setback to ensure that the sight lines are clear.

Private Road Improvements ("A" Court):

38. ___ ___ Applicant shall construct a 24 foot wide on-site roadway (designated as "A" Court on the Vesting Tentative Map) within a 34 foot wide easement, to current County private road standards. Although the on-site roadway is to remain private, the pavement structural section shall conform to County public road standards.
39. ___ ___ The on-site roadway width shall be increased to a minimum 28 feet through the horizontal curve (65 foot radius) located in the vicinity of Lots 1, 5, and 6 to improve circulation through the subdivision. No parking shall be permitted through the curve.
40. ___ ___ Applicant shall construct the intersection of the on-site private road ("A" Court) and North Gate Road with a street-type connection; including minimum 20-foot radii curb returns in lieu of a driveway depression. Curb ramps meeting the County's current standards shall be installed at each curb return. Due to the skew of the private roadway, the proposed northerly curb return may require a larger radius to facilitate safer ingress to the site. The applicant shall demonstrate to the Public

Works Department that the curb returns are designed to accommodate truck turning radii at this intersection.

41. ___ ___ Applicant shall construct a paved turnaround (bulb-type) at the terminus of "A" Court, with a minimum 45 foot radius cul-de-sac, meeting Fire District standards.

Road Dedications:

42. ___ ___ Property Owner(s) shall convey to the County, by offer of dedication, the right of way necessary to provide a minimum 30 foot half-width (for a planned ultimate 60 foot wide right of way) along the North Gate Road frontage. The current right of way width appears to be 50 feet; therefore, the property owner(s) shall dedicate at least five feet of additional right of way along the project frontage for roadway purposes.

Pedestrian Facilities:

43. ___ ___ Curb ramps and driveways shall be designed and constructed in accordance with current County standards. A detectable warning surface (e.g. truncated domes) shall be installed on all curb ramps. Adequate right of way shall be dedicated at the curb returns to accommodate the returns and curb ramps.

Parking

44. ___ ___ Parking shall be prohibited on both sides of the on-site private road where the curb-to-curb width is less than 28 feet. "No Parking" signs and pavement markings shall be installed along the on-site roadway system, subject to the review of the Public Works Department.

Annexation to Lighting District:

45. ___ ___ The subject property is not currently annexed into a lighting district. The applicant shall annex to Community Facilities District CFD 1010-1 for Countywide Street Light Financing, or equivalent lighting district approved by the Public Works Department.

Utilities/Undergrounding:

46. ___ ___ All new utility distribution services shall be installed underground.

Drainage:

Collect and Convey

47. ___ ___ Applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage system, to an

adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the storm waters to an adequate natural watercourse, in accordance with Division 914 of the Ordinance Code.

Creek Structure Setbacks:

48. ___ ___ Applicant shall relinquish "development rights" over that portion of the site that is within the structure setback area of the creek based on the criteria outlined in Chapter 914-14, "Rights of Way and Setbacks," of the Subdivision Ordinance.

Miscellaneous Drainage Requirements:

49. ___ ___ Applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Design Standards.
50. ___ ___ Applicant shall prevent storm drainage from draining across driveway(s) in a concentrated manner.
51. ___ ___ A private storm drain easement, conforming to the width specified in Section 914-14.004 of the County Ordinance Code, shall be dedicated over any surface or subsurface storm drain facility traversing the site.

Provision "C.3" of the NPDES Permit:

52. ___ ___ Improvement Plans shall be submitted to the Public Works Department to verify compliance with Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).
53. ___ ___ A final Storm Water Control Plan (SWCP) shall be submitted to and approved by the Public Works Department for consistency with Provision C.3. All time and materials costs for review and preparation of the SWCP shall be borne by the applicant.
54. ___ ___ Storm water management facilities shall be subject to inspection by Public Works Department staff; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.
55. ___ ___ A final Storm Water Control Operation and Maintenance Plan (O+M Plan) shall be submitted to and approved by the Public Works Department for consistency with Provision C.3.

56. ___ ___ The property owner(s) shall enter into a standard Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for operation and maintenance of the stormwater facilities and grant access to relevant public agencies for inspection of stormwater management facilities. Such an agreement shall be fully executed and recorded prior to filing of the Final Map.
57. ___ ___ The property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.
58. ___ ___ Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

National Pollutant Discharge Elimination System (NPDES):

59. ___ ___ The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay - Region II, or Central Valley - Region IV).

Compliance shall include developing long-term best management practices (BMPs) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long-term BMPs in accordance with the Contra Costa Clean Water Program for the site's storm water drainage:

- Offer pavers for household driveways and/or walkways as an option to buyers.
- Minimize the amount of directly connected impervious surface area.
- Label all storm drains ("No Dumping, Drains to Delta") using current storm drain markers.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Trash bins shall be sealed to prevent leakage, or shall be located within a covered enclosure.
- Shallow roadside and on-site swales.
- Prohibit or discourage direct connection of roof and area drains to storm drain systems or through-curb drains.
- Distribute public information items regarding the Clean Water Program to buyers.
- Other alternatives comparable to the above as approved by Public Works.

Advisory Notes:

- A. Applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Central County Area of Benefit, as adopted by the Board of Supervisors. This fee shall be paid prior to issuance of building permits.
- B. Although the Stormwater Control Plan has been determined to be preliminarily complete, it remains subject to future revision, as necessary, during preparation of improvement plans in order to bring it into full compliance with C.3 stormwater requirements. Failure to update the SWCP to match any revisions made in the improvement plans may result in a substantial change to the County approval, and the project may be subject to additional public hearings. Revisions to California Environmental Quality Act (CEQA) documents may also be required. This may significantly increase the time and applicant's costs associated with approval of the application.
- C. This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.
- D. This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.

C:\Documents and Settings\JOborne\Desktop\Champion Coa's.doc

COUNTY PLANNING COMMISSION
TUESDAY, AUGUST 9, 2011

I. INTRODUCTION

NELDA CHAMPION (Applicant & Owner) The applicant is requesting approval of the following two applications:

- A. County File #RZ073195: A request to rezone a 9.98 acre parcel from General Agricultural, A-2 Zoning District to Single Family Residential, R-40 Zoning District.
- B. County File #SD079167 : A request for Vesting Tentative Map approval to subdivide 9.98 acres into 7 single-family lots with a designated remainder. Lots range in size from 41,210 square feet to 62,782 square feet. The requested subdivision includes a request to remove 22 trees.

The subject site's address is 1125 North Gate Road in the Walnut Creek area. (Zoning: A-2) (General Plan: SV) (APN 138-180-002)

II. RECOMMENDATION

Adopt a motion:

- A. That on the basis of the whole record before it, including the Initial Study/Mitigated Negative Declaration and the comments received, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect on the environment and that the mitigated negative declaration reflects the County's independent judgment and analysis.
- B. Find the Mitigated Negative Declaration is adequate for the project and adopt the Mitigation Monitoring Program.
- C. Adopt the Mitigated Negative Declaration for the project for the purposes of compliance with the California Environmental Quality Act and adopt the Mitigation Monitoring Program.
- D. Recommend that the Board of Supervisors adopt the proposed findings and approve the Rezoning from General Agriculture, A-2 Zoning District to Single Family Residential, R-40 Zoning District.

- E. Adopt the findings and approve the proposed Vesting Tentative Map and requested tree removal, with the attached conditions.

III. GENERAL INFORMATION

- A. General Plan: The General Plan designation is Single Family Residential Very Low-Density. Allowed density is 0.2 to 0.9 dwelling units/net acre.
- B. Zoning: General Agriculture, A-2.
- C. CEQA Status: An Initial Study/Mitigated Negative Declaration was prepared for the project and sent to the State Clearing House (SCH #2011042019) on April 6, 2011 for a 30 day comment period that ended on May 6, 2011. During the public comment period the County received two letters that are addressed in Section VII of this report.
- D. Regulatory Programs:
 - 1. North Gate Specific Plan Area: This project is located in the North Gate Specific Plan area and is subject to those standards.
 - 2. Flood Zone: The site is located within Flood Zone X of minimal flooding.
 - 3. Active Fault Zone: The easterly portion of the site is in the Alquist –Priolo earthquake fault zone.
 - 4. 60dBA Noise Control: The subject property is not located within the 60dBA noise control zone.

IV. SITE AND AREA DESCRIPTION

The 9.98-acre project site is located within the unincorporated Walnut Creek-North Gate area near the entrance to Mount Diablo State Park (See Attachment 2, Exhibit 1, Vicinity Map).

The project site is a relatively large parcel that is gently sloping with open grass land and a wooded canopy along Walker Canyon Creek that is located along the northern edge of the site. Two homes and a landscaped yard currently occupy the site at the southern end. The elevation ranges from 311 feet above sea level along the southeastern border to 224 feet at the northern boundary, which is approximately a 7% slope.

The project site is located in a neighborhood of large-lot residential and equestrian-use properties. The adjacent property to the east and north of the subject parcel is developed with larger residential lots, while the adjacent property to the west and south is the Milton F. Kubicek Detention Basin for Pine Creek that is owned by the County Flood Control District. There is a proposed public trail that is located on the Flood Control land adjacent to the project site as well.

V. PROPOSED PROJECT

The applicant is requesting approval to rezone the project site from General Agricultural District, A-2, to Single Family Residential, R-40 and to subdivide the 9.98 acre project site into 7 single family residential lots with a designated remainder. The proposed rezoning to R-40 would match the existing zoning to the north and south of the project site (See Attachment 2, Exhibit 2,Rezoning Map).

As previously noted the project site is adjacent to land that is owned by the County Flood Control District on the west and south. On the Flood Control land is a proposed public trail that is adjacent to the project site along its western border. To physically and visually buffer the proposed homes from the Flood Control land and trail the project proposes a 60' wide buffer along western and southern boundaries that will be planted with dense landscape screen of oak and cedar trees as recommended by the project arborist. Additionally there is a 50' Creek Structure Setback to buffer the development from the creek that is on the north end of the project site. See Attachment 5, Sheets TM-1 & TM-2. Tentative Map, 60' Structure Setback along western and southern border and Creek Structure Setback along Walker Canyon Creek at the north).

As part of the subdivision approval the applicant is also requesting to remove 22 trees, mostly unhealthy walnut and almond trees.

VI. AGENCY COMMENTS

1. City of Walnut Creek: Letter, dated May 5, 2011 (Attachment 3) was received during the CEQA public comment period.

This letter is addressed in Section VII of this report

2. Save Mount Diablo: Letters dated November 21, 2007 and April 13, 2008 (Attachment 3) were initially received by the County. In addition a letter (also Attachment 3), dated May 5, 2011, was received during the CEQA public comment period. And since most of the issues are reiterated in all the letters these concerns are addressed in Section VII of this report.
3. Office of the Sheriff: Memorandum dated September 12, 2007: No comments
4. California Historical Resources Information System (CHRIS): Memorandum dated September 14, 2007.

According to memorandum a previous study (Study #31543-Pastron 2006) determined that no cultural resources occurred on the project site. And, as a condition of approval if archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist evaluated the situation.

5. Contra Costa County Fire Protection District: Memorandum dated March 4, 2008.

According to the memorandum access roadways and turnaround comply with Fire District standards. The project is required to otherwise comply with all Fire District standards.

6. State Department of Fish and Game (DFG): Memorandum dated September 20, 2007 (Attachment 3) stated that an assessment of the habitats on the project site and adjacent area be made and that a buffer be established for the creek. Also, for any activity that will divert or obstruct the natural flow of the creek the DFG may require a Streambed Alteration Agreement.

A Biological Assessment of the project site and surrounding area was conducted for this project and no adverse impacts are anticipated and a creek buffer is part of the project. Even so, the project has incorporated Mitigation Measures (Mitigation Measures IV-1A through 1D) such as preconstruction surveys, protective fencing worker training and a qualified biologist (or construction foreman trained by the biologist) to check the construction site morning and night for the presence of California red-legged frog. See the Biological Resources Section of the Mitigated Negative Declaration. (Attachment 4)) and Section VII for more information regarding potential biological impacts. In addition, the project will use an existing outfall on the neighboring property for drainage purposes to avoid any new construction impacts to the creek.

7. Public Work Department/Flood Control: Email dated October 11, 2007 and Memorandum dated May 1, 2006 (Attachment 3). The issues include that the location of the project is adjacent to the Milton F. Kubicek Detention Basin for Pine Creek, which is owned by the County Flood Control District and any work on Flood Control District right-of-way will require a Flood Control encroachment permit. In addition, the District recommends that storm water run off for lots adjacent to the its property be conveyed in a concrete ditch rather than an earthen swale so that future property owners would not re-grade their lots and allow storm water to drain on the District's property and into the Milton F. Kubicek Detention Basin.

There is no work proposed on the Flood Control District site and the applicant will be required to comply with all other Flood Control District requirements.

8. Contra Costa Water District (CCWD): Memorandum dated November 27, 2007. CCWD notes under its regulation 5.08.040 (E) that APN: 138-180-002 is subject to the North Gate Special Benefit Connection Charge. This Special Benefit Connection Charge is \$74,959.00. The charge is in addition to CCWD's standard charges for new connections.

9. Central Contra Costa Sanitary District (CCCSD): Memorandum dated October 7, 2010 indicates that the site is within CCCSD boundaries and service is currently available to the site subject to the applicable CCCSD fees and charges.
10. Contra Costa County Geologist, Darwin Myers: The North Gate Specific Plan Area, in which this project is located, contains the Concord Fault Alquist-Priolo Zone along its eastern boundary. The project site is adjacent to this Zone so the applicant submitted two geologic studies to address seismic concerns. In addition, the North Gate Specific Plan requires any proposed development in this Zone to submit a geologic report with the application, and if the report finds that there are geologic hazards on the site a seismic setback area is to be established and no habitable structures are allowed in it.

Darwin Myers, the County Geologist, reviewed two geologic reports that were submitted by the applicant (*Joyce Associates, 2007 Fault Hazard Investigation and Jensen- Van Lienden Associates, Geotechnical Study, 2006*) that addressed concerns about the proximity of the project site to the Alquist-Priolo Zone and other geologic issues. According to the reports the easternmost edge of the site is in the Alquist-Priolo Zone which encompasses recently active and potentially active traces of the Concord Fault.

The Joyce Associates (JA) report concludes that the risk of fault rupture is very low and that a building setback zone is not required. And the JA report goes on to indicate that compliance with building and grading codes is expected to keep damages from earthquake within generally acceptable limits, and the structure setback prescribed by the Ordinance Code from the flow line of the creek will provide protection from the future erosion of sloughing of the ravine banks. Darwin Myers agrees with this assessment and does not believe further evaluation of the hazard posed by the Concord fault is required.

VII. CEQA REVIEW

As previously noted, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project and it was posted for a 30 day public comment period. The IS/MND is in Attachment 4 of this report. During the public comment period the County received two letters, one from the City of Walnut Creek and the other from Save Mount Diablo.

- A. The letter from the City of Walnut Creek, dated May 5, 2001(Attachment 3) states that they support the four proposed mitigation measures that mitigate visual impacts (Attachment 4, page 3-8 of the IS/MND, mitigation measures for users of the existing and proposed trails that are located adjacent on the west and south of the project site). They recommend that an additional mitigation measure be adopted that incorporates the use of "Open Space" fencing in the rear yards for Lots 3 through 7. County staff concurs with this recommendation.

The County is adding a Mitigation Measure (Mitigation Measure I-1E, Condition of approval No. 9) that the project install "Open Space" fencing for Lots 3 through 7 prior to finalizing the building permits for these lots.

The letters from Save Mount Diablo, dated November 21, 2007, August 13, 2008 and the letter, dated May 5, 2011, received in response to the CEQA public comment period (Attachment 3) are primarily concerned with the project's location in relation to surrounding resources and effect on Aesthetic/Visual Resources, Agricultural Resources, Biological Resources and Land Use Planning. Below are a summary of their comments from the May 5, 2011 letter that was received during the CEQA public comment period followed by staff response:

B. Summary of Save Mount Diablo (SMD) Comment about Aesthetic and Visual Impacts-

Open Space Impacts

The Champion site is bordered to the south and west by public open space and is less than a quarter of a mile from the entrance to Mount Diablo State Park. In addition, the site is highly visible from the surrounding hills, including Shell Ridge Open Space and Diablo Foothills Regional Park. The addition of more homes in the area will be highly visible and distracting to users of public open space as shown in figure 2 of the letter.

Staff Response:

The IS/MND acknowledges the location of the project site in relation to the Shell Ridge Open Space, Diablo Foothills Regional Park and Mt. Diablo State Park. As stated on page 3-7 the proposed development may be seen by users of various trails within Mt. Diablo State Park and Shell Ridge when viewing in a northwesterly/southeasterly direction. The views from these trails would not be impeded by the proposed development, nor would views of Mt. Diablo and foothills be blocked. Given the distance of the development from the trails, and the duration of time that the project site would be visible to trail users, this is considered a less-than-significant impact. The near views from the existing trail and proposed trail along the west and southern edge of the property would be impacted and this was identified in the IS/MND with appropriate mitigation measures.

Opinion noted regarding the impact on a scenic vista. We disagree with the commenter that the proposed project would have an impact on a scenic vista. Mt. Diablo and its foothills rise above the proposed development as discussed on page 3-5. The mountain remains very visible and the proposed development does not impede the view of the mountain, even when viewed from Trails End Drive or the proposed trail as shown in the IS/MND.

The photo reflected in the commenter's letter is deceiving in that it does not show the adjoining development to the right of the existing Champion house. Photo 1

on page 3-4 of the IS/MND reflects the existing views from the open space along the southerly edge of the property. As noted in the document, the proposed development pattern is similar to the adjoining developments south and north of the project site.

C. Summary of SMD Comment about Agricultural Resources:

There is a family owned 2100-acre cattle ranch less than a quarter of a mile from the project site. Farming and ranching activities often appear attractive to suburban residents contemplating moving to rural areas. However the same residents often complain of nuisance smells, slow moving equipment on the road and similar issues. Development of additional homes places added pressure on land values, making on-going agricultural operations difficult to sustain. The Mitigated Negative Declaration does not address these issues in a meaningful way.

Staff Response:

Comments noted regarding the impact on agricultural resources. We concur that there is cattle ranching occurring in the area, as well as equestrian facilities. As noted in the IS/MND the proposed development does not conflict with existing agricultural activities occurring in the area. The report acknowledges that cattle do graze on the adjoining land to the south and west of the site. The project site is not located in an intensely farmed area, such as that which would be considered along the east side of Mt. Diablo. The primary agricultural use is cattle grazing and equestrian facilities. Thus, the land use conflicts are minimized. The following standard condition of approval (COA#27) will be placed on the tentative map and recorded with the deed for each lot.

"This document shall serve as notification that you have purchased land in an agricultural area where you may regularly find farm equipment using local roads; farm equipment causing dust; crop dusting and spraying occurring regularly; burning associated with agricultural activities; noise associated with farm equipment and aerial crop dusting and certain animals and flies may exist on surrounding properties. This statement is, again, notification that this is part of the agricultural way of life in the open space areas of Contra Costa County and you should be fully aware of this at time of purchase."

The sixty-foot buffer along the edge of the west and southerly boundary, coupled with the tree screen will also minimize potential conflicts that could occur with cattle grazing on adjoining lands.

D. Summary of SMD comments about Biological Resources:

California Red-legged Frog CRLF:

The MND does not adequately address the occurrence of CRLF in the area or on the project site but relies on California Natural Diversity Database records, which are

well known to be incomplete and out of date. The biotic consultant should have developed more in-depth information.

The MND goes on to suggest the CRLF could not inhabit the area because of the aquatic resources in the area dry up during the summer months. This is incorrect because the CRLF seed refuge during the dry season only to return when the wet season begins. In addition there are confirmed occurrences of CRLF uphill within the same drainage about 1.5 miles upstream on Walker Canyon Creek as well as sighting nearby. The CRLF may also use the project site as a wildlife corridor during some parts of the year.

The biotic report is flawed and incorrect in its conclusions and fails to look at surrounding areas.

Staff Response:

California Red-legged Frog

The Biological Resources section of the IS/MND provides a detailed discussion of the potential for occurrence of California red-legged frog (CRLF) on the site, based on the results of both a habitat assessment and protocol surveys for this species conducted by the applicant's consulting biologist, and confirmation field inspection by the independent IS/MND biologist. As indicated on page 3-20 of the IS/MND, the habitat assessment and protocol survey reports are available for review at the Contra Costa County Department of Conservation and Development. These reports provide additional detailed discussion on the habitat characteristics, distribution, and likelihood of occurrence of CRLF in the project vicinity, which the commenter does not appear to recognize or acknowledge.

Although the commenter reports that CRLF have been confirmed in Walker Canyon Creek within about 1.5 miles of the site, there are no records of such occurrences reported by the California Natural Diversity Data Base as indicated on page 3-22 of the IS/MND. While there are limitations with the data available from the CNDDDB inventory, it provides the most comprehensive data base available. There may be suitable breeding habitat on Walker Canyon Creek and tributary ponds further upstream of the project site, but no such habitat occurs on the site or immediate surroundings. This was confirmed through the rigorous detailed surveys for CRLF that were conducted according to current protocols defined by the USFWS. This included surveys conducted during the day on 22 March, 23 May, and 15 August, and at night on 3 March, 8 and 23 April, 30 May, and 22 August 2009 of the site, adjacent Walker Canyon Creek and the Pine Creek Detention Basin.

No adverse impacts on CRLF are anticipated, and no mitigation was considered necessary in the IS/MND. However, the exclusionary fencing required under Mitigation Measure IV-1C to prevent the possible dispersal of western pond turtle outside the riparian zone along Walker Canyon Creek would also serve to prevent dispersal of CRFL into the construction zone in the remote instance that an individual were to disperse along the creek corridor in the future and for some reason left the creek corridor. There is no protective cover in the upland areas

proposed for development, or suitable breeding habitat that would trigger this type of CRLF dispersal from the creek corridor making additional protection measures unnecessary.

There does remain a remote possibility that CRLF could disperse along the Walker Canyon Creek corridor at some point in the future, and individual dispersing frogs could be at risk for inadvertent take if adequate avoidance measures are not taken. As noted above, the exclusionary fencing called for in Mitigation Measure IV-1C would prevent dispersal of individual frogs into the construction zone. Conduct of a preconstruction survey and a worker training program by a qualified biologist before exclusionary fencing installation and the limited habitat restoration work within the Walker Canyon Creek corridor would serve to ensure that no inadvertent take of CRLF would occur, in the remote instance that individuals were to disperse along the creek corridor in advance of project implementation. In response to the comment, the IS/MND has been revised to include the following clarification under the discussion of special-status species on page 3-27, and the following new Mitigation Measure IV-1D on page 3-28.

There remains a remote possibility that western pond turtle individuals could disperse along Walker Canyon Creek. However, no in-channel activities are proposed as part of the project, with surface drainage to be accomplished by tying into an existing off-site drainage system. The BRR included two recommendations related to western pond turtle, calling for a preconstruction survey prior to installation of the previously proposed outfall and installation of silt fencing around the top of bank to prevent turtles from moving into the construction zone. Although the likelihood of turtles dispersing into the construction zone is considered remote, these measures would still be necessary to prevent inadvertent take.

Although considered highly unlikely based on the negative findings of the protocol surveys, there is a remote possibility that individual California red-legged frogs could eventually disperse along the Walker Creek corridor before construction is initiated. If present, construction activities could result in take of individual frogs if they were to then disperse into the construction zone or were inadvertently lost or injured during installation of the habitat restoration activities along the creek corridor, including limited plantings and native grassland seeding called for in the CPEP. This is would be a potentially significant impact if frogs are present and inadvertently killed or harassed, and additional measure have been recommended to ensure avoidance of inadvertent take of this species.

The following Impact discussion has been revised to reflect inadvertent take of the California red-legged frog during construction. New language has been underlined.

IMPACT IV-1: The proposed project could have an adverse effect on special-status species.

The following measures were recommended in the BRR by the applicant's consulting biologist, and would serve to mitigate potentially significant impacts on special-status bird species to a level of less-than-significant. Mitigation to prevent possible inadvertent loss of western pond turtles during construction is also recommended below based on two measures the BRR by the applicant's consulting biologist. Mitigation to prevent possible inadvertent take of California red-legged frog during construction is also recommended below, which together with other measures would mitigate potentially significant impacts to a less-than-significant level.

(The following new mitigation measure is added to page 3-28 of the IS/MND)

Mitigation Measure IV-1D. *Measures shall be taken to prevent possible inadvertent loss of California red-legged frog during construction. These shall consist of the following:*

- *Prior to any grading or grubbing of the site, a preconstruction survey for California red-legged frog shall be conducted by a qualified biologist not more than 48 hours prior to the commencement of construction. If California red-legged frogs are detected within the Walker Canyon Creek corridor on the site, the U.S. Fish and Wildlife Service and California Department of Fish and Game shall be notified and consulted regarding the need for any additional avoidance measures to prevent take of this federally-threatened species.*
- *Exclusionary fencing called for in Mitigation Measure IV-1C shall also serve to prevent California red-legged frog from entering the construction zone.*
- *Construction workers shall be trained by the qualified biologist regarding the remote potential for presence of California red-legged frog, that this species is to be avoided, that the foreman must be notified if they are seen, and that construction shall be halted until appropriate measures have been taken until authorization to proceed is obtained from the USFWS. Harassment of California red-legged frog is a violation of federal law.*
- *During the construction phase of the project, a qualified biologist or an on-site monitor (such as the construction foreman trained by the qualified biologist) shall check the site in the morning and in the evening of construction activities for the presence of California red-legged frog. This includes the Walker Creek corridor, exclusionary fencing, holes, under vehicles, and under boards and other materials left on the ground. If any California red-legged frogs are found during on-site monitoring, construction shall be halted, and the monitor shall immediately notify the qualified biologist in charge and the U.S. Fish and Wildlife Service.*

Construction shall not proceed until adequate measures are taken to prevent dispersal of any individuals into the construction zone, as directed by the U.S. Fish and Wildlife Service, and all subsequent recommendations and conditions shall be followed.

- *No one shall handle or otherwise harass any individual California red-legged frogs, if any are encountered during construction, with the exception of a Service-approved biologist. The qualified biologist in charge shall train the on-site monitor in how to identify California red-legged frog. The qualified biologist in charge shall visit the site at least once a week during the first month of construction and confer with the trained on-site monitor.*

E. Summary of SMD comment about Buffer for Walker Canyon Creek:

The project proposes only the minimum 50-foot setback for Walker Canyon Creek along Lots 2 and 3 which border the Creek on the north. Although the MND reports that a Creek Preservation and Enhancement Plan (CPEP) was prepared for the site, the MND still should have described in more detail any potential impacts to the creek and all proposed mitigation to reduce those impacts. The MND fails to provide sufficient detail to review the project's potential impacts to the creek.

Staff Response:

The Creek Preservation and Enhancement Plan (CPEP) is summarized and discussed on pages 3-28 and 3-29 of the IS/MND. As indicated on page 3-20 of the IS/MND, the CPEP is available for review at the Contra Costa County Department of Conservation and Development. Major grading and development would be restricted away from the creek corridor, with a minimum 50-foot setback restriction and over 100 feet setback from the cul-de-sac. The CPEP describes goals for the creek preservation area, planting and seeding program within the creek setback area, irrigation and maintenance requirements, monitoring and performance standards, and prohibitions and limitations. This includes a restriction within the Creek Structure Setback that prohibits the construction of any decks, pools, structures of any kind, grading or other earthwork except as required for emergency repairs associated with flood or other natural disaster.

As acknowledged on page 3-28 of the IS/MND, implementation of the CPEP would result in temporary disturbance along the southern edge of the riparian corridor during installation of plantings and seeding. However, this would be relatively minor with no heavy equipment operation anticipated, and ultimately would serve to expand and enhance the existing habitat along the Walker Canyon Creek corridor. As concluded on page 3-29 of the IS/MND, wetlands and riparian habitat along Walker Canyon Creek would not be adversely affected, and would be enhanced as part of the proposed CPEP.

Contrary to the assertion by the commenter, a detailed discussion of the potential impacts of the project on wildlife habitat is provided on page 3-29 of the IS/MND, including the riparian habitat along Walker Canyon Creek. Due to the extent of

residential development to the north of the site, proposed development would not substantially interfere with the movement of wildlife species or impede use of native wildlife nurseries. The Walker Canyon Creek corridor would be preserved and enhanced as part of the proposed CPEP and undeveloped land to the south and west would remain available for wildlife movement. Some species which utilize the non-native grasslands and ornamental landscaping on the site could be displaced or eliminated from the site. However, suitable habitat remains in the surrounding area and no significant impacts on special-status species or essential habitat for these species is anticipated. Equipment operation, construction-generated noise, and increased human activity on the site, both during construction and after, could result in disturbance to species using the adjacent undeveloped lands. Preconstruction surveys recommended in Mitigation Measure IV-1A and IV-1B of the IS/MND would serve to identify and avoid any sensitive nesting habitat in the immediate vicinity until the young have fledged. Furthermore, implementation of Mitigation Measure IV-1C would ensure no inadvertent take of western pond turtles during construction. Wildlife are used to some level of human activity in the vicinity, given the extent of existing development to the north and east, and eventually wildlife would become acclimated to the developed condition of the site as well. Potential impacts on wildlife habitat and movement opportunities were determined to be less-than-significant, and no mitigation measures were required in the IS/MND.

F. Summary of SMD comment regarding Re-Alignment of Access Road:

SMD recommends that the proposed road that is going to serve the homes be re-aligned and single loaded so that a larger buffer is established between the proposed homes and the surrounding open space to the west and south of the project site. And that the buffer be landscaped and a scenic easement dedicated to the county be established to ensure long-term protection.

Staff Response: A 60' buffer, as required by the North Gate Specific Plan on lands abutting agricultural lands and open space, is proposed along the west and south property boundaries. This 60' buffer area will be landscaped with at least 200 native trees, mostly coast live oak and deodar cedar, to protect the visual qualities of the area and the County is requiring the project deed the development rights to this buffer area (Condition of Approval No. 25) to ensure long-term protection.

G. Summary of SMD comment about Land Use and Planning:

The North Gate Specific Plan which provides the long-term vision for this entire area notes the County's intent is to maintain its semi-rural character ensuring that it provides a transition from suburban residential development to the adjacent

open space. Subdividing the Champion property to create seven additional lots fails to maintain the semi-rural character of the area.

Staff Response:

The proposed project complies with the North Gate Specific Plan as noted below in Section XIII.

XIII. STAFF ANALYSIS/DISCUSSION

PROJECT'S COMPLIANCE WITH THE NORTH GATE SPECIFIC PLAN

The project is located in the North Gate Specific Plan area and is subject to the provisions therein. This Plan provides added detail to existing General Plan policies and establishes certain development review procedures. The intent of the Specific Plan is to maintain the North Gate area as primarily semi-rural which supports lower-density residential, equestrian and recreational activities.

The Specific Plan was prepared as a joint planning effort with the City of Walnut Creek and applications are sent to the City for comment as part of the planning review process. The Vesting Tentative Map for this project was sent to the City for comment when the project was first submitted to the County and they responded in an email dated 12/07/10 that the project's setbacks and frontages are consistent with the applicable standards.

Below is a list of pertinent North Gate Specific Plan policies and regulations followed by a description of how the project is in compliance with those standards.

Goals & Policies for the North Gate Specific Plan (NGSP)

Land Use

- A. NGSP: Goal: Maintain and enhance the existing semi-rural character of the North Gate Specific Plan area as a transition from the suburban residential development to the north and west, to the agricultural and open space lands to the south and east.

Project: The proposed project, if approved, would match the existing land use designation of R-40, Single Family Residential (40,000 sq.ft. minimum lot size) to the adjacent properties at the north, east and southwest of the project site and would therefore maintain the existing development pattern in the North Gate Specific Plan area. See Attachment 2, Exhibit 2, Rezoning Map.

- B. NGSP: Policy #5: Protect environmentally sensitive areas.

Project: Located at the northern edge of the 9.98 acre project site is Walker Creek, an intermittent tributary. The creek corridor is wooded throughout with a riparian

canopy. At the southern end of the site are two homes and a landscaped area. The remainder of the site is dominated by non-native annual grassland with scattered remnant orchard trees. The Pine Creek detention basin and open space land, which is owned by the County Flood Control District, abuts the western and southern boundaries of the project site.

No work is proposed within Walker Creek and there is a 50' creek structure setback to prevent impacts to that resource. There is also a 60' structure setback within the western and southern boundaries of the project site so that the adjoining detention basin and open space lands are buffered from development.

To address the potential impacts to the biological resources on the project site and surrounding area studies were conducted (Biological Resource Report, Mosaic Associates, 2007, revised 2011, Rana Resources, Protocol 2009 California red-legged frog (CRLF).

The studies indicate that it is unlikely that the site provides habitat for special-status species and the project does not anticipate adverse biological impacts on the creek. Even so, the project proposes mitigation measures (Mitigation Measures IV-1A through IV-1D) such as preconstruction surveys, installation of exclusionary fencing and construction worker training to protect the creek area.

There was some concern that the stormwater runoff from the project site would pollute Walker Creek. To mitigate this potential impact the project proposes a series of bio-filtration systems that will filter the runoff water before it discharges into Walker Creek. The discharge into Walker Creek would be through an existing outlet on the adjacent site. In that regard, since this outfall is an existing structure, the proposed project would not result in any new disturbance within the banks of Walker Creek and a Streambed Alteration Agreement with the California Department of Fish and Game would not be required.

- C. NGSP: Policy #7: Require larger minimum lot sizes on land that directly abuts public open space or agricultural preserve areas.

Project: The applicant is requesting to rezone the property to R-40 which requires a minimum of 40,000 square foot lots. The smallest proposed lot that abuts open space is 41,210 square feet, which is larger than minimum lot size allowed in this zoning district.

- D. NGSP: Policy #8: Prohibit development within any required creek or seismic setback areas.

Project: The project has designed a creek structure setback of 50 feet in which there is no proposed development. In addition, the applicant's geologist conducted a series of geologic studies on the site and determined that a seismic setback is not

required on the project site. The County's geologist peer reviewed the report and agrees with this conclusion.

- E. NGSP: Policy #10: Maintain the feeling of "openness" in the area by encouraging large lot development, or the dedication of public or private open space through the planned development process.

Project: As previously indicated the proposed project, if approved, matches the existing land use designation of R-40 that is adjacent to the north, east and southeast. In addition the project proposes a 60-foot buffer along its western and southern boundaries in which no development (except fencing and drainage) would be allowed because the project is required to deed development rights to the County over that portion of the project site.

Open Space and Conservation

- F. NGSP: Goal: Protect natural features such as heritage quality trees, creeks, knolls, ridgelines and rock outcropping.

Project: The project site is a relatively large parcel that is gently sloping with open grass land and a wooded canopy along Walker Canyon Creek that is located along the northern edge of the site. The proposed construction does not impact heritage quality trees, creeks, ridgelines or rock outcroppings.

- G. NGSP: Policy #1: Preserve to the extent feasible, creeks and riparian vegetation in the area. Enhance creeks and riparian corridors by revegetating creeks with native riparian vegetation.

Project: As noted above the project design includes a 50' creek structure setback to help preserve the creek corridor. Also, the applicant has submitted a Creek Preservation and Enhancement Plan for the project site that complies with the NGSP.

- H. NGSP: Policy #2: Ensure that any new parcel created along a creek or a stream is large enough to accommodate an adequate buildable area on the portion of the lot remaining beyond the creek setback boundary.

Project: The two proposed lots along the creek, Lot 2 and Lot 3, are 62,782 sq.ft. and 50,214 sq.ft. respectively. They are designed this larger size so that there is adequate buildable area outside the creek structure setback area. On Lots 2 and 3 there are 30,944 sq.ft. and 34,459 sq.ft. respectively outside the creek structure setback area for a buildable area. See Attachment 5, Sheet TM3 for buildable areas.

- I. NGSP: Policy #3: Preserve healthy trees and maintain significant tree masses consistent with the requirements of the Walnut Creek Tree Preservation Ordinance.

Project: The project shall comply with the Walnut Creek Tree Preservation Ordinance, consistent with the NGSP. The applicant submitted an arborist report (Joseph McNeil, 2008, revised 1/ 2011) indicating that some of the trees on the site are dying or are structurally deficient and others are robust. In general, the project proposes to remove the unhealthy trees while preserving the healthy ones. The unhealthy trees include one coast live oak, almond, walnut stump sprouts and young redwood. The applicant is conditioned (COA#8) to submit a Landscape Plan, consistent with the NGSP, to the City of Walnut Creek for review and comment prior to recording of Final Map.

- J. NGSP: Goal: Protect public open space and agricultural preserve land from encroachment of residential uses and facilities.

Project: The proposed residential uses on the project site do not encroach on the public uses, proposed and existing trails, which are present at the adjoining property to the west.

- K. NGSP: Policy #1: Require larger residential lots and increased rear or side yard setbacks on properties that abut open space or agricultural preserve areas.

Project: As noted above the proposed lots that abut the open space area to the west and south are larger than what would be required by the R-40 zoning. They range in size from 41,210 sq.ft. (lot 4) to 62,459 sq.ft. (lot 3), which are larger than 40,000 sq.ft. which is R-40 minimum lot size. Also, there is a 60 foot setback designed into the project for lots that abut open space. The County is requiring that the project dedicate the development rights to ensure future protection.

Community Design

- L. NGSP: Policy #1: Adopt design standards to regulate new residential development to ensure compatibility with the existing homes in the area.

Project: All residential building plans in this development will be reviewed and approved by both the City of Walnut Creek and the County prior to issuance of building permits for consistency with the NGSP development standards.

- M. NGSP: Policy #6: Require buffers, such as landscaping or increased setbacks, between residential, equestrian or agricultural uses to minimize potential conflict between these uses.

Project: The existing visual character of the site would be altered for users of the existing and proposed trails that are located north and west of the project site but to screen views of the new residences for users of these trails the project is designed to provide a landscape screen planted in the 60-foot setback along the western/southwestern property line.

NGSP Land Use Regulations

- N. NGSP: Land Use: Larger lots should be created where there are streams or creeks on the property. The calculation of net lot area may include the land within the creek setback. However, the minimum area for home and accessory building areas shall be 30,000 square feet.

Project: As previously noted the two lots that are proposed along the creek, lots 2 and 3 are 50,214 sq. ft. and 62,782 sq.ft. respectively and each has an excess of 30,000 sq. ft. outside the creek structure setback to construct a home and accessory structure.

- O. NGSP: Land Use Categories, Single Family Residential, Very Low – This land use designation is assigned to those properties in the Specific Plan area under private ownership with slopes less than 15%. The minimum lot size is 40,000 sq. ft. except with a planned development in which case the minimum lot size can be reduced to 30,000 sq. ft.

Project: The project is not a planned development and the slope is less than 15%. Therefore the minimum lot size would be 40,000 sq.ft. The minimum lot size for the proposed project is 41,210 sq.ft, the maximum lot size is 62,782 sq.ft., with an average lot size of 46,450 sq.ft.

Development Regulations

- P. NGSP: Creek Setbacks: For purposes of this Specific Plan new structures shall provide at least a 50 foot minimum setback. Applications for residential development shall be required to provide a Creek Preservation and Enhancement Plan which outlines the methods of protecting and enhancing this resource.

Project: The project proposes a 50 foot creek structure setback and has submitted a Creek Preservation and Enhancement Plan.

- Q. NGSP: Tree Preservation: Any proposals for the removal of trees will be consistent with the provisions of the City of Walnut Creek's Tree Preservation Ordinance.

Project: The project shall comply with the City of Walnut Creek Tree Preservation Ordinance (Section 3.8 Preservation of Trees on Private Property) consistent with the North Gate Specific Plan.

- R. NGSP: Protection of Agricultural and Open Space Land: To protect the agricultural preserve and open space lands, new lot created adjacent to these areas shall be larger than 40,000 sq. ft. and dwellings shall be set back from the adjoining property boundary at least 60 feet.

Project: As noted above the minimum lot size is for the project is 41, 210 sq. ft and the project proposes a 60 foot buffer adjacent to the open space area / detention basin area to the west and south.

- S. NGSP: Protection of Equestrian / Agricultural Uses and Facilities: Buffers are required between residential, equestrian or agricultural development. The rear or side yard setback adjacent to these facilities should exceed the required distance specified in the R-40 zone.

Project: The rear and side yard setbacks in R-40 zone are 15 feet and 20 feet respectively. The project is designed to have a 60 foot setback from the proposed equestrian trail that abuts the subject property on the west.

- T. NGSP: Grading should be minimized in the Specific Plan area, particularly on hillsides and along natural creeks.

Project: The average slope of the project site is 7% and there are no localized steep slopes on the project site. The proposed grading is minimal and substantially outside of creek structure setback area and the 60' structure setback area.

- U. NGSP: All utilities must be place underground. New residential development shall be connected to public sewers and the public water supply. All new residential development shall also provide on-site storm drainage, and shall pay a fee for off-site drainage improvements, if required.

Project: The project has letters from both the Contra Costa Water District and Central Contra Costa Sanitation District that indicate that water and sewer service are available to the project subject to the requirements of the respective agencies.

Property Owned by the County

- V. Pine Creek Detention Basin: The primary purpose of the detention basin is flood control. Passive recreation activities are permitted in this area, as well as the construction of a new equestrian trail.

The proposed project is adjacent to the Pine Creek Detention Basin, which is owned by the Contra Costa Flood Control District, and it does not conflict with the above policy. The project is designed to drain away from the Detention Basin and provides a 60-foot buffer that is to be heavily landscaped with trees.

IX. TREE REMOVAL

An arborist report was prepared for the project (McNeil, January 2008, amended January 2011) in which 66 trees were considered. Nineteen trees are proposed to be removed because of the subdivision. Of the nineteen trees proposed for removal eight

are remnant black walnut stump sprouts. They are walnut orchard trees with advanced decay. A ninth walnut tree, which is not a large tree, to be removed may have been planted as a shade tree but it is not a suitable species for the development area. Five are almond trees in poor condition. Four are very young redwoods in the way of the proposed lots. The arborist is also recommending the removal of three other trees because they are in very poor health. These three trees are two almonds and a coast live oak. Staff concurs with the arborist report and recommends removal of all twenty trees. The applicant is required to plant trees, mostly oak with and cedar in the 60' structure setback area.

X. TRAFFIC AND DRAINAGE CONSIDERATIONS

The subject parcel currently gains access to North Gate Road, a public road, via a gravel road. North Gate Road appears to have a current right of way width of 50 feet along the project frontage. The planned future right of way width of North Gate Road is 60 feet. Therefore, the applicant shall convey to the County, by offer of dedication, at least five feet of additional right of way along the project frontage for roadway purposes.

This proposed subdivision lies within the boundary of the North Gate Specific Plan, which requires the installation of certain identified improvements with developments in the area. In conformance with the Specific Plan, the applicant shall widen North Gate Road to provide a half-width of 16 feet of pavement, consisting of one 12 foot wide travel lane and a four foot wide shoulder, and a 5 foot wide pedestrian path. A nine foot wide landscaped strip should remain between the back of the path and the right of way. These improvements along the North Gate Road frontage should be aligned to the existing improvements previously constructed with Subdivision 7647 located immediately to the south of the project site.

Access from North Gate Road to the proposed lots will be provided with the construction of a 24-foot wide private roadway, designated as 'A' Court in the Vesting Tentative Map. The on-site roadway will serve the eight parcels that result from this subdivision and terminate at a cul-de-sac bulb at the north end of the property.

Drainage

Division 914 of the County Ordinance Code requires all storm water entering and/or originating on this property to be collected and conveyed without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks, or to an existing adequate storm drainage system which conveys the storm waters to an adequate natural watercourse.

Storm water generated from the northern portion of the site is to an existing off-site storm drain system that outfalls to Walker Canyon Creek, which traverses the northern boundary of the subject site. A Creek Structure Setback shall be recorded along Walker Canyon Creek, based on the methods described in Section 914-14 of the Ordinance Code.

The remaining portion of the proposed on-site storm drainage facilities will be directed to existing storm drain facilities located on North Gate Road. The applicant shall verify that the existing facilities are adequately sized for the additional storm water discharge

generated from the proposed development, and if determined to be inadequate, the applicant shall improve the facilities to ensure adequate capacity is provided.

XI. CONCLUSION

Staff recommends that the County Planning Commission approve the subdivision for 7 lots and a designated remainder, with tree removal, and recommend to the Board of Supervisors approval of the rezoning of the project site from A-2 to R-40.

COUNTY PLANNING COMMISSION
TUESDAY, SEPTEMBER 13, 2011

Continued Champion Hearing

I. INTRODUCTION

NELDA CHAMPION (Applicant & Owner) The applicant is requesting approval of the following two applications:

- A. County File #RZ073195: A request to rezone a 9.98 acre parcel from General Agricultural, A-2 Zoning District to Single Family Residential, R-40 Zoning District.
- B. County File #SD079167: A request for Vesting Tentative Map approval to subdivide 9.98 acres into 7 single-family lots with a designated remainder. Lots range in size from 41,210 square feet to 62,782 square feet. The requested subdivision includes a request to remove 22 trees.

The subject site's address is 1125 North Gate Road in the Walnut Creek area. (Zoning: A-2) (General Plan: SV) (APN 138-180-002)

II. BACKGROUND

On August 9, 2011 this item, which includes a 7 lot subdivision with Remainder (Plate 1, attached) was heard by the County Planning Commission. At the hearing were two public speakers who expressed concern about the proposed development. The first was an adjacent neighbor, located to the east, who spoke about concern of his view to the open space area and how it would be impacted by the development. The second speaker was a representative from Save Mount Diablo (SMD) who spoke about their concern of the project's impacts to the surrounding area.

Save Mount Diablo's concerns were primarily about lot sizes, visual impacts and impacts on sensitive species and habitats. And, according to SMD, most of the concerns could be addressed by realigning the access road, creating a larger buffer between the project and the open space land to the west and south. At the hearing they submitted a letter, dated August 9, 2011 (Exhibit 1, attached) that outlines those concerns.

At the end of the hearing the Planning Commission continued the item until September 13, 2011 because they wanted the applicant to provide them with an alternative design of the project that may include realignment of the access road.

MEETING WITH SAVE MOUNT DIABLO

On August 25, 2011 the applicant's engineer met with representatives of Save Mount Diablo and County staff, at County offices, to discuss Save Mount Diablo's concerns, which included the realignment of the access road.

As a follow-up to that meeting on September 1, 2011 that same group met at the project site to walk the area and discuss the issues in more detail. The applicant's engineer brought an Alternative Design (Exhibit 2, attached) that showed the realignment of the access road and one less lot than was on the original plan. The concerns expressed by Save Mount Diablo about this Alternative Plan had to do with potential impacts to the visual resources of the area, particularly for users of nearby trails and open spaces areas. Also they would like to see a larger buffer around the creek to protect those resources.

ADDITIONAL CONDITIONS OF APPROVAL

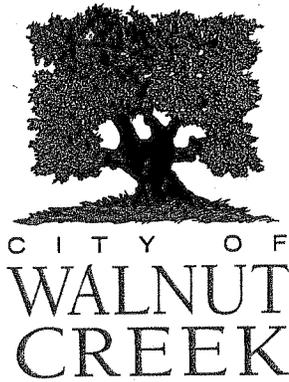
Also at the Planning Commission hearing on August 9, 2011, staff recommended two additional conditions of approval. The first would require the project to form a home owner's association to be responsible for the maintenance of the project road and landscaping. The second condition was submitted by the County Flood Control District and would require the applicant to obtain a Flood Control encroachment permit for the installation of the project's open space fence located on the project site, adjacent to their land.

Subsequent to the hearing staff received a memo, dated August 24, 2011 (Exhibit 3, attached), from Contra Costa Water District that had additional Conditions of Approval that the District would like to add to the project.

EMAIL OF SUPPORT FOR THE ORIGINAL DESIGN

Attached as Exhibit 4 is an email dated September 6, 2011, from an adjacent property owner that is in support of the project as it is originally designed.

G:\Current Planning\curr-plan\Staff Reports\SD079167.stfrpt.jo.cont. doc.doc



CONTRA COSTA

2011 MAY -9 P 2:57

DEPARTMENT OF CONSERVATION
AND DEVELOPMENT

May 5, 2011

John Osborne, Senior Planner
Community Development Department
651 Pine Street, North Wing, 4th Floor
Martinez, CA 94553

RE: Champion Property Subdivision 9167
County File #RZ07-3195
County File #SD07-9167

Dear John:

This letter is in response to the proposed Mitigated Negative Declaration dated January 28, 2011, prepared by Mills Associates for the above-named project and filed with the County Clerk on April 6, 2011. The project site is located within the lands subject to the North Gate Specific Plan (1991) which was adopted by the City and Walnut Creek and Contra Costa County as a guide for development within the unincorporated areas North Gate area of Walnut Creek.

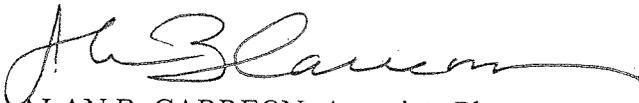
I have reviewed the environmental analysis and proposed mitigation measures and have the following comment regarding the evaluation of environmental impacts. Specifically, Item I. Aesthetics, which discusses and evaluates the potential effects of the development on the viewsheds from nearby trails and open space. The City of Walnut Creek supports the four proposed mitigation measures as listed on page 3-8 and is recommending an additional mitigation measure discussed below to ensure the visual openness of the area.

The development regulations of the North Gate Specific Plan discourages the use of solid board fencing and walls along the rear and side yards of properties. While Mitigation Measures I-1A through I-1D attempt to provide screening of future development on Lots 3 through 7, future residents are highly likely to propose solid board fencing or walls along the property lines shared with the CCC Flood Control District properties (APNs138-160-001 and -007). Solid fences and walls are abrupt transitions from visually open space to developed property with the required landscape screening located beyond the fence or wall. In form, a solid wall would line the project site when viewed from the open spaces.

The City of Walnut Creek is recommending the use of "Open Space" or wire mesh fencing as a required mitigation measure for Lots 3 through 7 as shown in Figure 2-3 of the environmental analysis. I have enclosed a drawing of an open mesh design for your reference. Such fencing should be required along those property lines that are shared with the Flood Control District properties. When combined with the landscaping screening (as proposed by Mitigation Measures I-1A through I-1D), an open mesh design will preserve the visual permeability of the area and protect the viewsheds from the open space. Furthermore, an open mesh design will benefit the future residents to: 1) Promote a reasonable expectation privacy; 2) Define property boundaries; and, 3) Provide a means of securing private property from wandering animals and the general public.

Thank you for the opportunity to comment on the project. Please contact me if you have questions or concerns. I can be reached at (925)943-5899 x2210 or via email at carreon@walnut-creek.org.

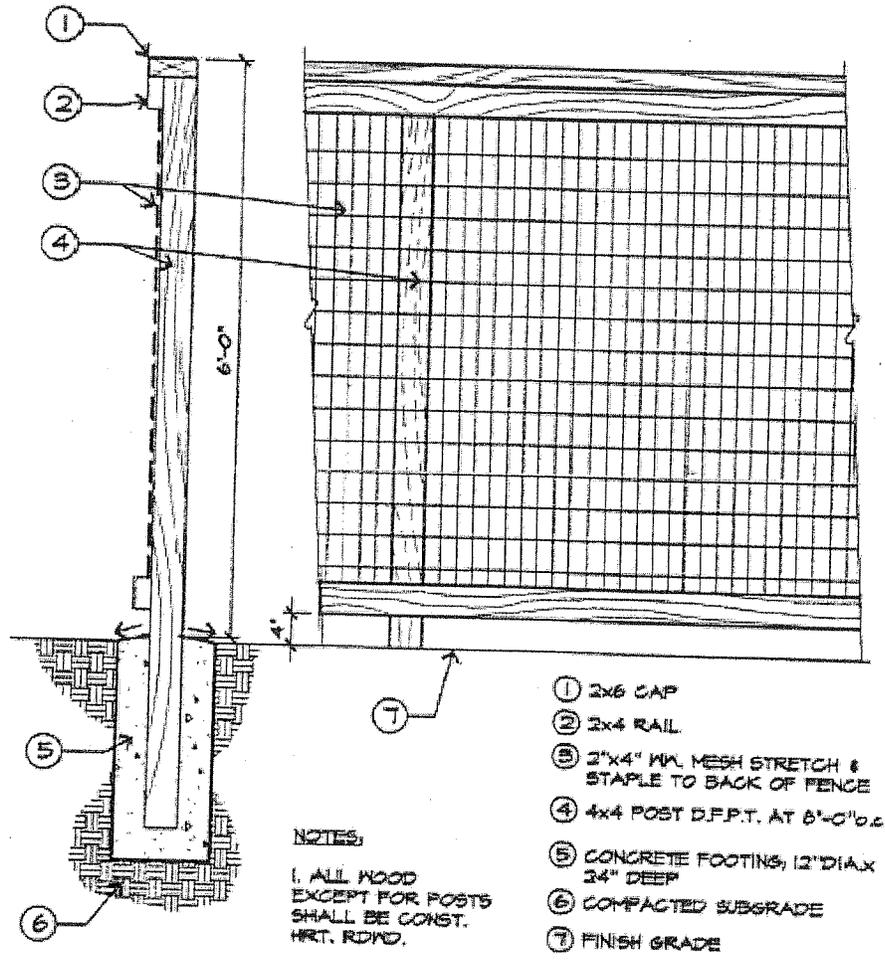
Sincerely,

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

ALAN B. CARREON, Associate Planner
City of Walnut Creek

Enclosure

Cc: County File

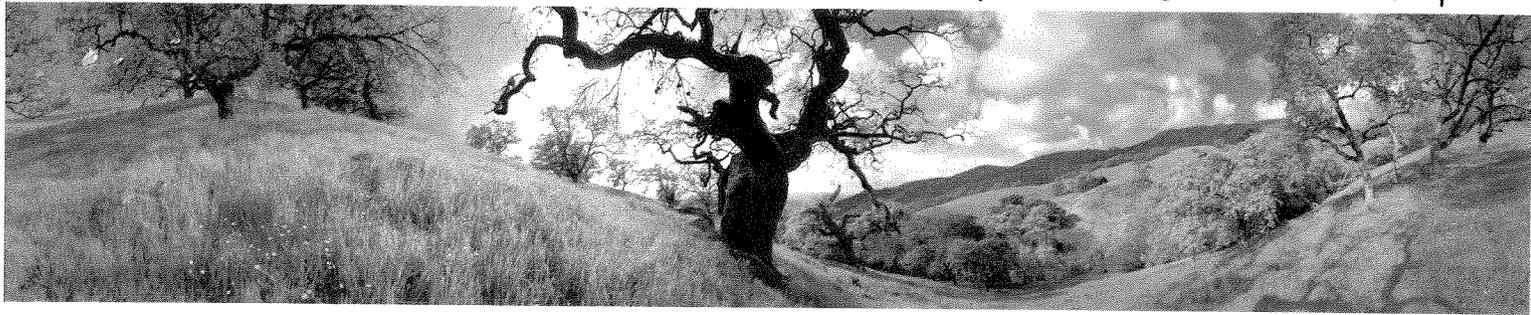


- ① 2x6 CAP
- ② 2x4 RAIL
- ③ 2'x4' MAX. MESH STRETCH & STAPLE TO BACK OF FENCE
- ④ 4x4 POST D.F.P.T. AT 8'-0" O.C.
- ⑤ CONCRETE FOOTING, 12" DIA X 24" DEEP
- ⑥ COMPACTED SUBGRADE
- ⑦ FINISH GRADE

NOTES:
 1. ALL WOOD EXCEPT FOR POSTS SHALL BE CONST. HRT. RND.

2 OPEN SPACE VIEW FENCE

SCALE: 3/4" = 1'-0"
 1/15 DT-FerWire01.dwg



1901 Olympic Blvd., # 320
Walnut Creek, CA 94596
Tel: (925) 947-3535
Fax: (925) 947-0642
www.SaveMountDiablo.org

September 8, 2011

Planning Commission
Contra Costa County
651 Pine Street
Martinez, CA 94553

RE: Continued Champion Hearing (Champion Project, 1125 North Gate Road, County Files #RZ0731395 and #SD079167)

Board of Directors

Malcolm Sproul
President

Amara Morrison
Secretary

Burt Bassler
Treasurer

Arthur Bonwell
Emeritus

Heath Bartosh
Charla Gabert
John Gallagher
Claudia Hein
Scott Hein

David Husted
Doug Knauer
Brian Kruse
David Sargent
David Trotter
Directors

Staff Directors

Ronald Brown
Executive Director

Seth Adams
Land Program Director

Julie Seelen
Development Director

Monica E. Oei
Finance Director

Founders

Arthur Bonwell
Mary L. Bowerman

Proud member of

Land Trust Alliance
California Council of Land Trusts
Bay Area Open Space Council

Dear Chair Snyder and Fellow Commissioners:

Save Mount Diablo appreciates the Planning Commission's action on the Champion project at the August 09, 2011 public hearing requesting that the project come back to the Commission with an alternative design which thereby deferred a final decision until the alternative could be evaluated. The Commissioners also suggested that the applicants meet with Contra Costa County (County) planning staff and Save Mount Diablo (SMD) to discuss our concerns with the project plan and to see if some creative solutions could be found that were mutually agreeable.

We think those discussions were valuable and established grounds for agreement. We would support the Project moving forward if it had:

- 1) a single-loaded access road aligned along the southern and western sides of the property;
- 2) a minimum buffer of 60 feet (with plantings of native valley oak), plus the width of the road, and the front-yard setbacks;
- 3) an larger buffer along the creek at least in its northwestern corner (increased to the 250-foot contour interval as discussed on our site visit).

Those changes make the Project more environmentally sensitive and reflective of its setting in the midst of the critical North Gate area visual corridor. Furthermore, these modifications do not require loss of any lots from the original proposal, creating a solution in which the Applicant and the public both benefit.

Just to review, the Champion project (Project) is a request by Nelda Champion (Applicant) to rezone a 9.98 acre parcel from General Agricultural A-2 Zoning District to Single-Family Residential, R-40 Zoning District and a request for a vesting tentative map approval to subdivide the property into 7 single-family lots with a remainder. At the previous hearing, the Commission was initially unable to reach a decision on the Project and recommend that the Applicant's representative, Vince D'Alo of Aliquot Associates come back to the Planning Commission with an

alternative design for the Project based, in part, on questions and concerns raised by the Commissioners, as well as SMD.

The Commission also encouraged Mr. D'Alo to meet with us and County staff to discuss whether or not we could find some creative ways for revising the Project that met the goals of both parties. That meeting took place with Mr. D'Alo and Mr. Osborne (from the County) on August 25. Following that, we also made a visit to the site with both of them on September 1. We think those discussions productively explored ways to address our concerns about the aesthetic and environmental sensitivities of the area.

The Champion property and the North Gate area have long been matters of concern to SMD. The Champion property is visible from most of Central Contra Costa County, including several surrounding protected open space areas. These include Lime Ridge, Shell Ridge, the Kubicek Detention Basin (which for all intents and purposes appears to be a natural wetland), Diablo Foothills Regional Park, and Mount Diablo State Park (See Figure 1 below).

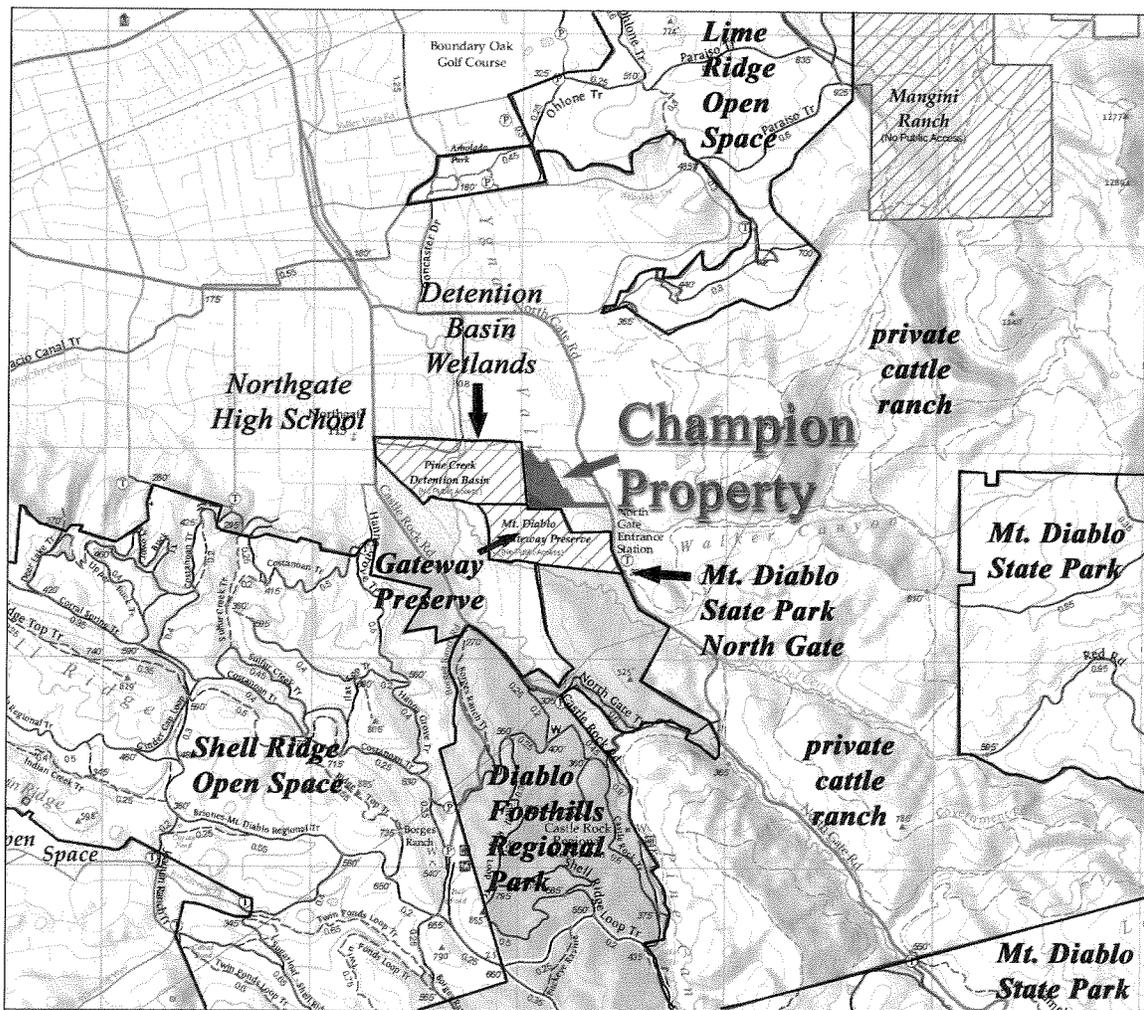


Figure 1. The central location of the Champion property and its visibility from numerous open space areas.

As you may remember from our earlier comments, SMD worked closely with the Contra Costa County (County) and others to protect the Gateway property – which is immediately adjacent to the Project – with a conservation easement. Save Mount Diablo and its allies raised 25 percent of the purchase price for the property and the County forgave the remaining 75 percent of the total price for the land. This deal represents a nearly \$9 million dollar investment by the County in protecting the visual corridor that includes the Champion property.

The County has also recognized the importance of this entire area by creating the North Gate Specific Plan (NGSP), which has special policies designed to ensure that any development in the North Gate area is done in a way that is sensitive to its unique position as the transition to the protected open spaces of Mount Diablo State Park.

As we mentioned in our previous comments, one of the main goals of the NGSP is to:

“Maintain and enhance the existing semi-rural character of the North Gate Specific Plan Area as a transition from suburban residential development to the north and west, to the agricultural and open space to the east.”

Policies 7 and 10 provide additional critical guidance on that bears on the Champion project. Policy 7 stresses the need to require larger minimum lot sizes on for development on land adjacent to open space and Policy 10 highlights the need to maintain a feeling of openness in the area through both larger lot sizes and dedication of public or private open space. As the map below shows (see Figure 2), the Champion property is adjacent to open space on two sides and any development that occurs at the site should clearly reflect these intentions of the NGSP.

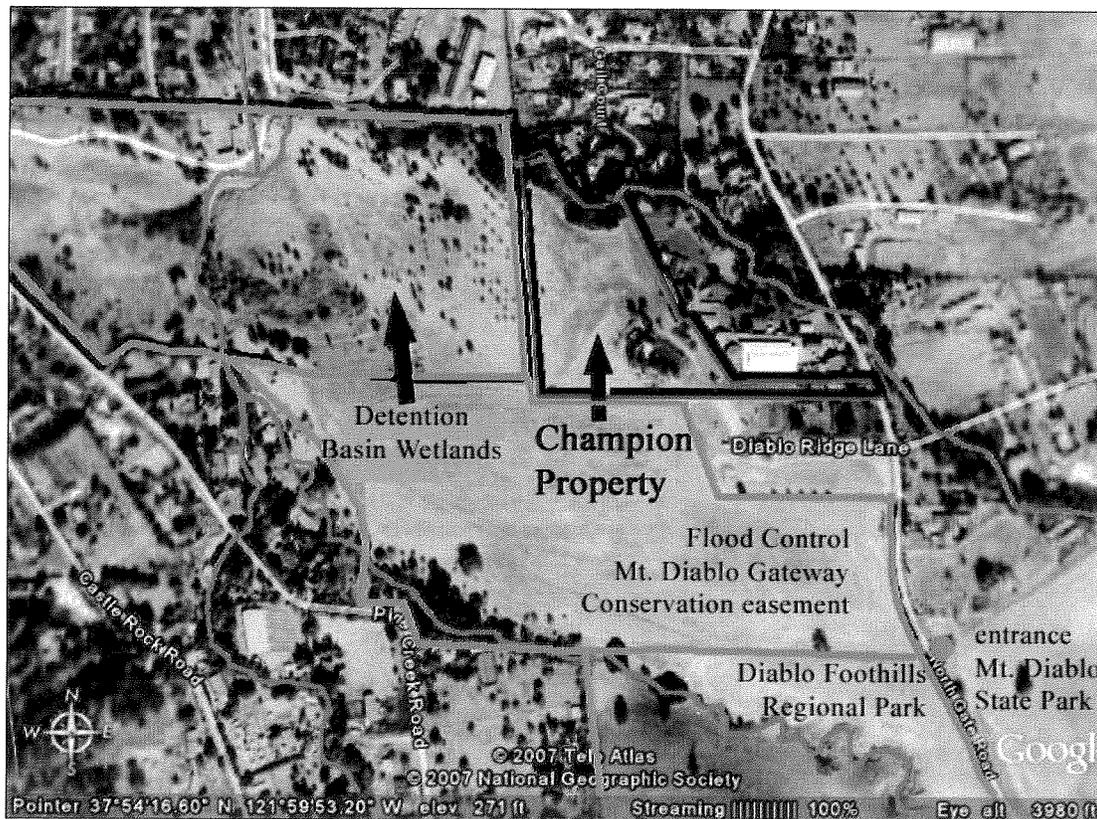


Figure 2. This map shows the Champion property and adjacent open space.



May 5, 2011

Board of Directors

Malcolm Sproul
President

Amara Morrison
Secretary

Burt Bassler
Treasurer

Arthur Bonwell
Emeritus

Heath Bartosh

Charla Gabert

John Gallagher

Claudia Hein

Scott Hein

David Husted

Doug Knauer

Brian Kruse

David Sargent

David Trotter

Directors

Staff

Ronald Brown

Executive Director

Seth Adams

Land Program Director

Julie Seelen

Development Director

Monica E. Oei

Finance Director

Contact

1901 Olympic Blvd., # 320

Walnut Creek, CA 94596

Tel: (925) 947-3535

Fax: (925) 947-0642

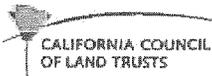
www.SaveMountDiablo.org

Founders

Arthur Bonwell

Mary L. Bowerman

Proud member of



John Osborne, Senior Planner
Community Development Department
Contra Costa County
County Administration Building
651 Pine Street, North Wing, Fourth Floor
Martinez, Ca 94553

RE: Notice of Intent to Adopt a Proposed Mitigated Negative Declaration for the Champion Property, located at 1125 North Gate Road in an unincorporated area of Walnut Creek for a Rezone and a Major Subdivision (County File #RZ07-3195 and # SD07-9167)

Dear Mr. Osborne,

Thank you for the opportunity to comment on the Notice of Intent to Adopt the Proposed Mitigated Negative Declaration (MND) for the project at the Champion property, located at 1125 North Gate Road in an unincorporated area of Walnut Creek.

As we understand it, the applicant is seeking to rezone the property from the General Agricultural District (A-2) to the Single-family Residential – R-40 (40,000 square-foot minimum lot size). The project also entails a subdivision, so there is a request to approve a vesting tentative map that would divide the existing 9.98-acre parcel into 7 additional lots. These two proposed changes (rezoning and subdivision) are the Project reviewed in the MND. Save Mount Diablo has concerns with the Project as described below.

The Champion project is overly dense and will negatively impact two county owned preserves, the adjacent Milton Kubicek wetlands detention basin and the Mt. Diablo Gateway Conservation easement. The Mitigated Negative Declaration is inadequate and the conclusions of its biotic report factually incorrect. The project violates the North Gate Specific Plan, which encourages a transition from suburban to rural uses, by creating an abrupt development edge with public open space. The project also significantly impacts Walker Creek.

In short, we believe that the development plan should be redrawn, placing a buffer and the access road between the development and public open spaces. The road should be single-loaded to expand the buffer, even if lot numbers

must be decreased. The buffer should be covered with a scenic easement dedicated to the county to ensure its long term protection and maintenance.

Save Mount Diablo (SMD) has been involved in the protection of open space including natural habitat for plants and wildlife, as well as for recreation for people on and around Mount Diablo for the last 40 years. As a result, the proximity of this project near the northern entrance to Mount Diablo State Park, between Lime Ridge and Shell Ridge Open Spaces, and adjacent to both the Milton Kubicek wetlands detention basin and the Mt. Diablo Gateway Conservation easement, makes this proposal of particular interest to us (see Figure 1). We have had years of involvement in protection of the Gateway property, but both properties are owned by the County.

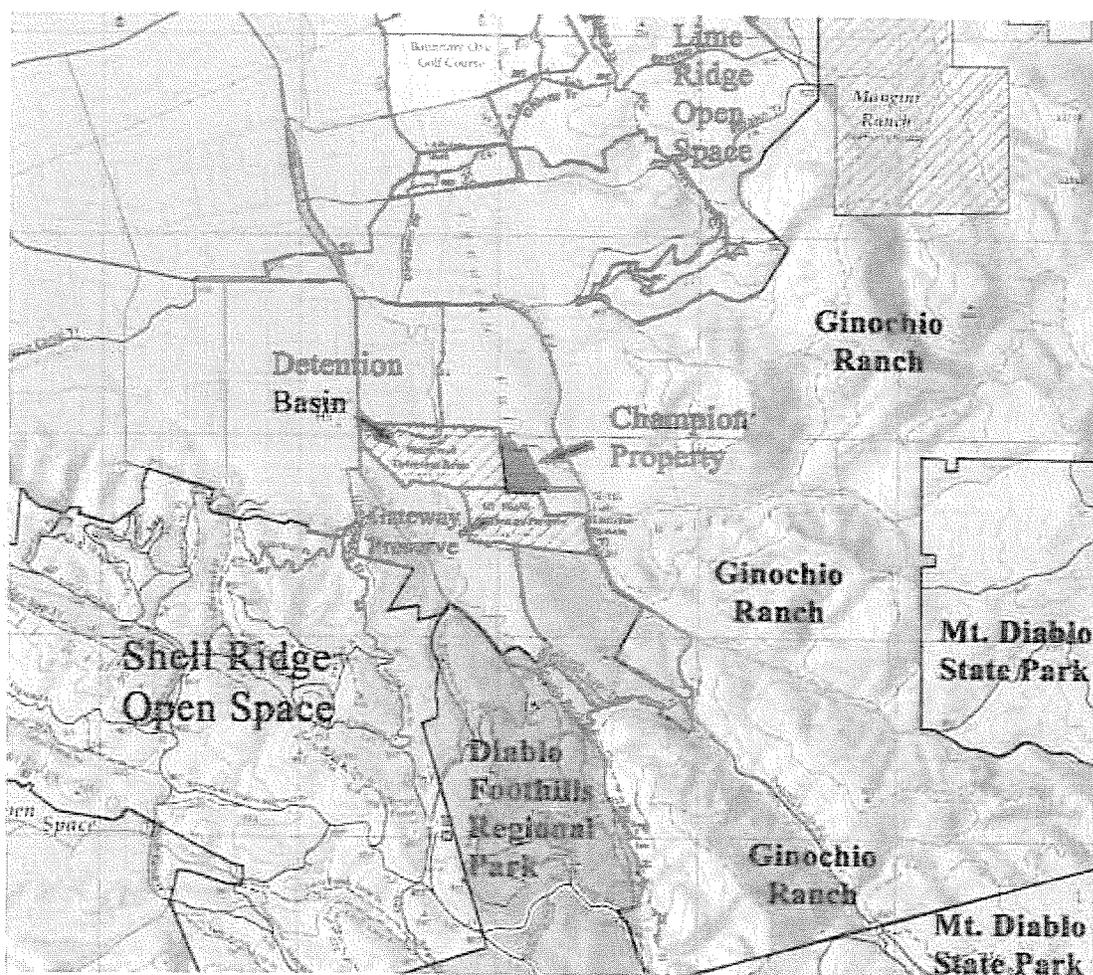


Figure 1 – Champion Project site and vicinity.

The project should be redesigned with a single loaded street closest to the open spaces to increase the buffer to the open spaces, and to make a better transition to rural uses. As proposed, the Project would make the transition from urban land uses to open space more abrupt; cause impacts to the visual/aesthetic qualities of the area; impact special status species; and lead to impacts on agricultural activities in the vicinity. The MND fails to fully describe these impacts

and to offer mitigation for them sufficient to reduce potentially significant impacts to less than significant. Our comments are detailed below.

Aesthetic and Visual Impacts –

- *Open Space Impacts*

The Champion site is bordered to the south and west by public open space and is less than a quarter of a mile from the entrance to Mount Diablo State Park. In addition the site is highly visible from the surrounding hills, including from Shell Ridge Open Space and Diablo Foothills Regional Park. Based on this topography, it is highly surprising that the MND rates the Project as having 'No Impact' on scenic resources and a 'Less than Significant' impact on a scenic vista. Furthermore, the general area is largely open grassland with relatively few trees and even with the proposed planting of trees and a 60-foot setback for structure along the open space borders, which are described as mitigation in the MND, the Project still has visual impacts to open space users. The addition of more homes in the area will be highly visible and distracting to users of public open space. Figure 2 (below) clearly shows the location and its visual prominence from surrounding open space areas.

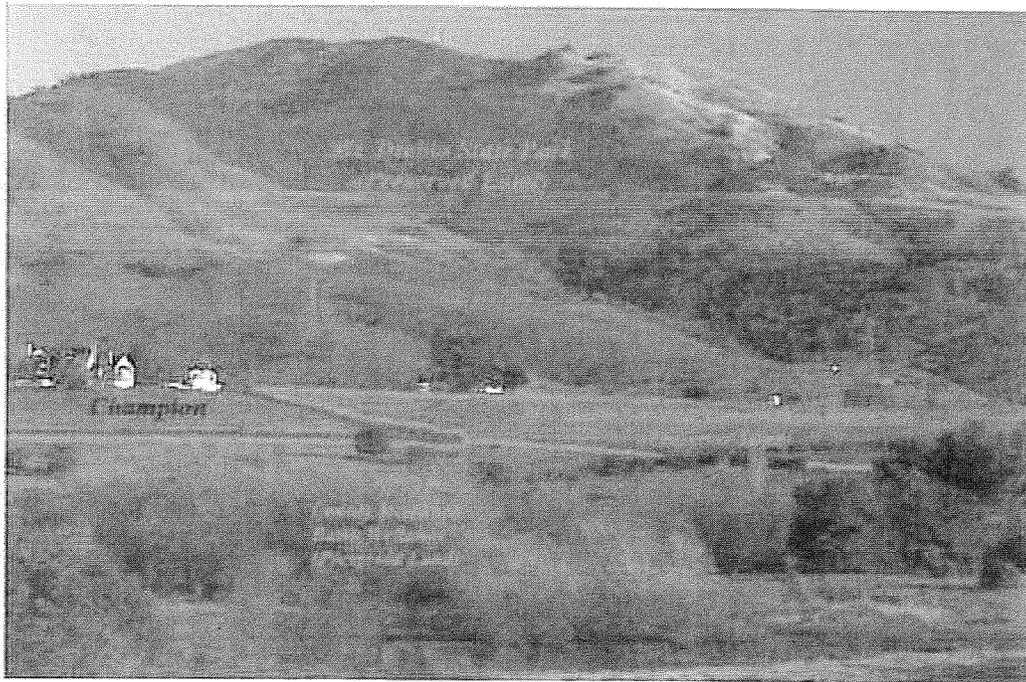


Figure 2 – Champion project site and surrounding open space.

- *Re-Alignment of Access Road*

The applicant plans to use the existing road to access the homes currently at the site along with the new lots that have been proposed. We suggest that the road should be re-aligned, single-loaded, and placed with a large buffer along the southern side of the parcels. The access road should be screened by southern by native plantings to protect the

visual qualities of the area for open space users. The buffer should be covered with a scenic easement dedicated to the county to ensure its long-term protection.

Agricultural Resources –

There is a family owned 2100-acre cattle ranch less than a quarter of a mile from the Project site. That family also grazes cattle on the Mount Diablo Gateway Preserve near the entrance to the state park. Farming and ranching activities often appear attractive, even enticing, to suburban residents contemplating a move to rural areas. However, in reality, these same residents often complain of nuisance smells, slow moving equipment on the road and other similar issues. Development of additional homes also places added pressure on land values, making on-going agricultural operations difficult to sustain.

The MND does not address these issues in any meaningful way.

Biological Resources –

- *California Red-legged Frog*

The MND states that California red-legged frog (CRLF) has not been recently observed within one mile of the project site. That is because the mile limit is one measure of how far frogs can range overland from water sources. However, the statement neglects that creeks are themselves wildlife corridors for frogs, and can carry the frogs, eggs or tadpoles much greater distances. **CRLF are confirmed upstream in ponds on the same creek.** The MND relies on California Natural Diversity Database records, which are well known to be incomplete and out of date given current funding. The biotic consultant should have developed more in-depth information and at the very least interviewed nearby landowners and public agencies.

The MND goes on to suggest that CRLF could not inhabit or colonize the area because all of the aquatic resources in the vicinity dry up during the summer months. This is incorrect. California red-legged frogs aestivate during the summer months, seeking refuge in ground squirrel burrows (or other similar relatively cool or temperature-stable, secluded places) during the hot dry season. Further, populations of CRLF tend to be higher and more stable in areas that dry out during the summer because their main competitor, the bullfrog, cannot survive without aquatic habitat year round.

In addition, there are confirmed occurrences of CRLF uphill within the same drainage, about 1.5 miles upstream on Walker Canyon Creek. There are also other confirmed sightings nearby, including on SMD's Mangini Ranch property and in Mt. Diablo State Park. These recorded instances of CRLF in the vicinity make it highly likely that the frog may use the project site during some part of the year, or as a wildlife corridor. Therefore, the Project poses potentially significant impacts on this species. These impacts should be fully analyzed and mitigation proposed for them in any environmental review documents for the Project.

There are in fact red-legged frogs in most of these nearby ponds. If there were any doubts about the frog's presence, our most recent confirmation of red-legged frog in the Ginocchio Walker Canyon and creek pond was on April 15 of this year as relayed to us in a conversation with rancher John Ginocchio.

The biotic report is both flawed and incorrect in its conclusions and failed to look at surrounding areas or to seek information from the most likely sources—such as nearby landowners and park agencies.

- *Buffer for Walker Canyon Creek*

The Project proposes only the minimum 50-foot setback for Walker Canyon Creek along Lots 2 and 3 which bordered the Creek on their north. The size and configuration are important in determining the extent of impacts from the Project on Walker Canyon Creek. Although the MND reports that a Creek Preservation and Enhancement Plan was prepared for the site, the MND still should have described any potential impacts to the creek and all proposed mitigation to reduce those impacts. In short, the pertinent facts of the plan should have been included directly in the MND to ensure they were available for review for their accuracy and adequacy.

In general, creeks and their attendant riparian corridors are important both as direct habitat for species that depend on that type of ecosystem as well as for species that use riparian areas as critical movement corridors. For such reasons, projects with any potential impacts on such environments require careful scrutiny. The MND fails to provide sufficient detail to review the Project's potential impacts to the creek.

Land use and Planning -

- *Consistency with the Goals of the North Gate Specific Plan*

The North Gate Specific Plan (NGSP), which provides the long-term vision for this entire area, notes that the County's intent is to maintain its semi-rural character ensuring that it provides an unobtrusive transition from suburban residential development to the adjacent open space. In fact, the Land Use Goal of the NGSP reads, in part:

“Maintain and enhance the existing semi-rural character of the North Gate Specific Plan area as a *transition* [emphasis added] from the suburban residential development to the north and west, to the agricultural and open space lands to the south and east.”

Subdividing the Champion property to create seven additional lots and ultimately seven additional homes, fails to maintain or enhance the semi-rural character of the area. In fact, this makes the property much more like nearby suburban developments than semi-rural envisioned in the NGSP or that currently characterizes the site.

The Project has numerous potentially significant environmental impacts that are neither fully described nor mitigated in this MND. Save Mount Diablo strongly encourages you to revise the document to more provide more accurate information about the Project to the public and decision makers.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodi L. Bailey", followed by a horizontal line extending to the right.

Jodi L. Bailey, Ph.D.
Land Conservation Manager

Initial Study/
Mitigated Negative Declaration
Champion Property – Subdivision 9167

County Files: SD079167
and RZ073195

Prepared for
Contra Costa County
Department of Conservation and Development

Prepared by
Mills Associates
Lafayette, California

January 28, 2011

Champion Property – Subdivision 9167
Draft Initial Study and
Mitigated Negative Declaration

Prepared for
Contra Costa County
Department of Conservation and Development

Prepared by
Mills Associates
Lafayette, California

January 28, 2011

TABLE OF CONTENTS

1.	Introduction	1-1
2.	Project Description	2-1
3.	Environmental Checklist	3-1
	I. Aesthetics.....	3-3
	II. Agriculture Resources	3-13
	III. Air Quality	3-15
	IV. Biological Resources	3-18
	V. Cultural Resources.....	3-31
	VI. Geology and Soils.....	3-33
	VII. Greenhouse Gas Emissions	3-37
	VIII. Hazards and Hazardous Materials	3-38
	IX. Hydrology and Water Quality	3-42
	X. Land Use and Planning.....	3-47
	XI. Mineral Resources	3-48
	XII. Noise.....	3-49
	XIII. Population and Housing.....	3-52
	XIV. Public Services	3-53
	XV. Recreation.....	3-56
	XVI. Transportation/Traffic	3-57
	XVII. Utilities and Service Systems	3-61
	XVIII. Mandatory Findings of Significance	3-65

APPENDIX

- A Mitigation Monitoring and Reporting Program

List of Figures

2-1 Site Location Map 2-3
2-2 Aerial Site Photo with Project Overlay 2-4
2-3 Proposed Development Plan 2-5
2-4 Rough Grading Plan 2-6
2-5 General Plan Map..... 2-7
2-6 Zoning Map..... 2-8

3-1 Existing and Proposed Conditions – Northeasterly View of Proposed Lots 3-6 ... 3-9
3-2 Existing and Proposed Conditions – Southeasterly View 3-10
3-3 Existing and Future Conditions with Landscaping – Northeasterly View 3-11
3-4 Existing and Future Conditions with Landscaping – Southeasterly View 3-12
3-5 Existing Evening Peak Hour Volumes (6:00-7:00 PM) at the
Walnut Avenue, Oak Grove Road, North Gate Road Intersection 3-58

List of Tables

1-1 Summary of Significant Impacts and Mitigation Measures..... 1-4

3-1 Air Quality Data Summary for Concord, 2005–2007 3-16
3-2 Levels of Service..... 3-59

1.0 INTRODUCTION

PURPOSE OF DOCUMENT

This Initial Study has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) and the state guidelines for the implementation of CEQA (2009 Revised). The purpose of this analysis is to determine whether the proposed project may have a significant effect on the environment and to identify applicable mitigation measures.

The project site is located in the central portion of Contra Costa County, California, at 1125 North Gate Road, southeast of the city limits of Walnut Creek, CA. The entrance to the project site is located approximately 1100 feet north of the North Gate Road entrance to Mt. Diablo State Park. The project site is located within the City of Walnut Creek Sphere of Influence. Site access is via Ygnacio Valley Boulevard, Walnut Avenue, and North Gate Road. The parcel is identified as APN: 138-180-002.

The application before the County includes a rezoning (RZ073195), a Major Subdivision (SD079167) and a tree permit. The proposed project consists of subdividing the 9.98-acre property into eight lots, of which seven new lots would be created.

Included in this document are a project description, Initial Study checklist, and Mitigation Monitoring and Reporting Program (Appendix A). Contra Costa County Department of Conservation and Development is the lead agency.

CEQA PROCESS

As the first step of the Initial Study process, a CEQA checklist (included as Chapter 3) was prepared to determine the significant effect on the environment from the proposed subdivision. For each environmental issue (soils, water quality, utilities, traffic, etc.), it was determined whether or not the proposed project could cause a significant environmental impact. The discussion, which follows each component in the checklist, supports the determination made for the following categories: "potentially significant impact," "potentially significant unless mitigation incorporated," "less than significant impact," or "no impact." It was determined that the project could create impacts on aesthetics, air quality, biological resources and geology/soils. Appropriate mitigation measures have been recommended (refer to Chapter 3). If approved, these mitigation measures become conditions of project approval.

A summary table (Table 1-1) of significant impacts and mitigation measures as a result of this analysis is found at the end of this chapter.

1.0 INTRODUCTION

A mitigation monitoring and reporting program is included as Appendix A. The monitoring and reporting program identifies each mitigation measure, the person/agency who will be responsible for implementation of the measure, how it will be monitored, and timing of the monitoring. Contra Costa County will use this monitoring and reporting program prior to and during construction activities on the project site.

REPORT PREPARATION

This document was prepared by Mills Associates for the Contra Costa County Department of Conservation and Development. In conformance with Sections 15050 and 15367 of the CEQA Guidelines, the County is the "lead agency" for this project. Lead agency is defined as the "public agency, which has the principal responsibility for carrying out or approving the project."

Lead Agency

Department of Conservation and Development
Contra Costa County
651 Pine Street
Martinez, CA 94553

Contact: Rose Marie Pietras, Senior Planner
(925) 335-1216

Applicant

Aliquot Associates, Inc.
1390 South Main Street, #310
Walnut Creek, CA 94598

Contact: Vince D'Alo
(925) 476-2300

Consultant

Mills Associates
3744 Mt. Diablo Boulevard, Suite 303
Lafayette, California 94549

Contact: Carolyn Mills, Principal

Subconsultants to Mills Associates

CADP – Photo simulations
Contact: Adam Noble

Environmental Collaborative – Biological Resources
Contact: Jim Martin

Robert Mills – Drainage and Public Utilities
Contact: Mills Associates

Tom Camara/Margaret Copeland, Graphics

Lynne LeRoy, Production

Persons Consulted

Tim Argenti, Allied Waste Services

Bill Bailey, Traffic Engineer, Public Works Department, Contra Costa County

Cindy Brittain, Ygnacio Valley Branch Library

Vince D'Alo, Aliquot Associates, Inc.

Ben Duclos, Contra Costa County Fire Protection District

Jim Haggerty, Traffic Engineer, Department of Public Services, City of Walnut Creek

Ted Leach, Contra Costa County Fire Protection District

Joe Marsich, Mount Diablo Unified School District

Kevin Vanisco, Bowman Water Treatment Plant, Contra Costa Water District

Terry Wagner, Contra Costa Sheriff's Department, Valley Station

Robert Wong, Aliquot Associates, Inc.

**Table 1-1
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES**

Significant Impact	Mitigation Measures	Does Implementation of all Mitigation Measure(s) Reduce the Impact to a Less-Than-Significant Level?
AESTHETICS		
<p>I-1: The existing visual character of the site would be altered for users of the existing and proposed trails that are located north and west of the project site.</p>	<p>I-1A: To block views of the new residences for users of the existing and proposed trails, a dense landscape screen, consisting of native trees, shall be planted within the 60-foot setback along the western/southwestern property line (Lots 3–7) upon completion of site improvements. Planting shall be as recommended by the applicant’s arborist (McNeil, January 2011).</p> <p>I-1B: Tree size shall be no smaller than 15-gallon and consist of native evergreen species; e.g., coast live oak, etc. Landscaping shall be irrigated for up to five years, protected from deer, and maintained during this period. The applicant shall submit a landscaping plan for review and approval by the County and City of Walnut Creek.</p> <p>I-1C: The applicant shall post a security bond to ensure protection of existing and newly planted landscaping. The term of the bond shall extend at least five years beyond completion of the subdivision improvements.</p> <p>I-1D: The landscaping shall be monitored for a period of five years from the date of installation. Any trees lost during this period shall be replaced and monitored by the developer and/or property owner. Future owners of Lots 3–6 and the owner of the existing house (Lot 7) shall be responsible for the maintenance of the landscaping as well as replacing any shrubs/trees that are lost. This requirement shall be recorded on the individual property deeds to run with the land.</p>	<p align="center">Yes</p>

Significant Impact	Mitigation Measures	Does Implementation of all Mitigation Measure(s) Reduce the Impact to a Less-Than-Significant Level?
AIR QUALITY		
<p>III-1: Construction of the proposed project could create potentially significant dust impacts that could affect nearby residents.</p>	<p>III-1: During construction, the applicant shall take the following measures to control dust:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. • Cover all trucks hauling soil, sand, and other loose materials, or require trucks to maintain at least two feet of freeboard. • Sweep off-site streets leading to the project site daily if visible soil, sand, or other loose materials are deposited on these streets. 	<p>Yes</p>
BIOLOGICAL RESOURCES		
<p>IV-1: The proposed project could have an adverse effect on special-status species.</p>	<p>IV-1A. If vegetation removal and grading commences between February 15 and August 31, a qualified wildlife biologist shall conduct a preconstruction survey for nesting birds. If nests of either migratory birds or birds of prey are detected on or adjacent to the site, a no-disturbance buffer (generally 50 feet for passerines and 300 feet for raptors) in which no new site disturbance is permitted shall be observed until August 15, or the qualified biologist determines that the young are foraging independently. The size of the no-disturbance buffer shall be determined by a qualified wildlife biologist, and shall take in to account local site features and existing sources of potential disturbance. If more than 15 days elapses between the survey and site disturbance, the survey shall be repeated.</p>	<p>Yes</p>

Significant Impact	Mitigation Measures	Does Implementation of all Mitigation Measure(s) Reduce the Impact to a Less-Than-Significant Level?
	<p>IV-1B. A preconstruction survey for burrowing owls shall be conducted by a qualified biologist not more than 30 days prior to the start of construction. If no owls or sign are detected during this survey, no further burrowing owl mitigation would be necessary. If burrowing owls or sign of burrowing owls is detected, mitigation consistent with the CDFG Staff Report (CDFG unpublished report: <i>Staff Report on Burrowing Owl Mitigation</i>, 1995) shall be provided.</p> <p>IV-1C. Measures shall be taken to prevent possible inadvertent loss of western pond turtles during construction. These shall consist of the following:</p> <ul style="list-style-type: none"> • A preconstruction survey for western pond turtles shall be conducted by a qualified biologist not more than 48 hours prior to the commencement of construction. If western pond turtles are detected which could be disturbed during construction, they shall be relocated to a suitable reach of Walker Creek upstream or downstream of the project site. • Prior to construction and after completion of the preconstruction survey above, silt fencing or equivalent shall be installed along the top of bank to prevent the movement of western pond turtles from the riparian corridor into the construction zone. This fencing shall be in addition to any fencing installed as part of best management practices for erosion control purposes. The location of the fencing shall be determined by the qualified biologist, shall be inspected weekly by the construction foreman and maintained intact at all times during construction, and shall be removed once grading and heavy off-road equipment operation is complete. 	

Significant Impact	Mitigation Measures	Does Implementation of all Mitigation Measure(s) Reduce the Impact to a Less-Than-Significant Level?
<p>IV-2: The proposed project may be in conflict with the Walnut Creek Tree Preservation Ordinance.</p>	<p>IV-2: The project shall comply with the City of Walnut Creek Tree Preservation Ordinance (Section 3.8 Preservation of Trees on Private Property), consistent with the North Gate Specific Plan. This shall include preparation of a Tree Replacement Program and Tree Preservation Guidelines as defined below:</p> <ul style="list-style-type: none"> • Tree Preservation Guidelines shall be prepared and implemented during construction activities to avoid injury of trees to be preserved during construction. This shall include establishment of tree protection zones at the drip line, or as modified under the direction of a certified arborist. Excavation, grading, construction, and storage of materials shall be avoided within this zone. Exclusion fencing shall be established around the tree protection zone. Tree protection methods during construction and any modifications to tree protection zones shall be overseen by a qualified arborist. • A Tree Replacement Program shall be prepared by the applicant, and implemented as part of the mitigation program for the project. Replacement trees shall be provided at a minimum 3:1 ratio, shall be installed along the edge of the riparian corridor as part of the CPEP where feasible, and shall be maintained for a minimum of five years to ensure their successful establishment. Replacement tree plantings shall be irrigated for a minimum of two years following initial planting to ensure their survival, and shall be replaced on an annual basis to meet success criteria specified in the Tree Replacement Program. 	

Significant Impact	Mitigation Measures	Does Implementation of all Mitigation Measure(s) Reduce the Impact to a Less-Than-Significant Level?
CULTURAL RESOURCES		
<p>V-1: The potential exists during site preparation that prehistoric, historic, cultural resources or human remains could be uncovered.</p>	<p>V-1A: If historic or prehistoric artifacts, features, or cultural resources are encountered during construction of the proposed project, all work shall be halted in the immediate vicinity of the find for purposes of evaluation by a qualified professional archaeologist approved by the Contra Costa County Department of Conservation and Development.</p> <p>V-1B: The County Coroner shall be notified if human remains are uncovered during construction. If it is determined that the remains are Native American, a representative of the NAHC shall be consulted.</p>	<p>Yes</p>
GEOLOGY AND SOILS		
<p>VI-1: Expansive soils could cause damage to foundations and the roadways/driveways if not properly engineered.</p>	<p>VI-1: Construction of house foundations, streets and driveways, and other structures shall comply with the recommendations of the applicant’s geotechnical engineering consultants (Jensen-Van Lienden Associates, Inc. December 29, 2006 report). These recommendations include the following:</p> <ul style="list-style-type: none"> • Houses with crawl spaces shall be supported with drilled piers and grade beams designed to resist uplift pressure. • Houses with slabs-on-grade shall be supported on mats of non-expansive engineered fill. 	<p>Yes</p>

Significant Impact	Mitigation Measures	Does Implementation of all Mitigation Measure(s) Reduce the Impact to a Less-Than-Significant Level?
	<ul style="list-style-type: none"> • Garage floor slabs, sidewalks and outdoor slabs (e.g., patios) where some cracking can be accepted could be designed to be stronger (e.g., with more steel reinforcing bars) and must be isolated from house foundations. If cracking is unacceptable, these slabs shall be supported on mats of non-expansive engineered fill. • Applicant shall provide recommendations by a registered geotechnical engineering consultant for proper foundation and support of asphalt-concrete streets. 	

2.0 PROJECT DESCRIPTION

PHYSICAL LOCATION

The project site is located in Contra Costa County, California, at 1125 North Gate Road, in the unincorporated area of Walnut Creek, CA. It is located approximately 1.75 miles from Ygnacio Valley Boulevard. The entrance to the property is located approximately 1100 feet north of the North Gate Road entrance to Mt. Diablo State Park. It is located within the City of Walnut Creek Sphere of Influence. Site access is via Ygnacio Valley Boulevard, Walnut Avenue, and North Gate Road. (Refer to Figure 2-1, Project Site Location, and Figure 2-2, Aerial Photo.)

The property is accessed from North Gate Road via a narrow 50-foot strip of land located between an equestrian facility and a single-family subdivision. The 9.98-acre parcel currently has two residences. The remainder of the parcel is vacant and contains non-native annual grassland and domestic landscaping. Walker Canyon Creek, an intermittent tributary to Pine Creek, forms the northern boundary of the project site. The creek corridor is wooded throughout with a mature mixed riparian woodland canopy as well as a dense vegetative understory. The property slopes up from Walker Creek seven percent to the existing houses. Elevations on the project site range from 250 feet at the creek bank to 310 feet at the developed pad located in the southern portion of the property.

As shown on Figure 2-2, the project site is located in a neighborhood of large-lot residential and equestrian-use properties. Open space owned by the Contra Costa County Flood Control District abuts the property to the south and west.

The assessor's parcel number for the property is 138-180-002.

PROJECT DETAILS

The application before the County includes a Rezoning (RZ073195), a Major Subdivision (SD079167) and a tree permit.

Land Use

The proposed project consists of subdividing the property into eight lots (including the existing development area). Seven additional lots would be created. Lot sizes would range between 41,210 square feet to 62,782 square feet. Lot 7, identified on the Vesting Tentative Map as the remainder parcel, is 43,232 square feet and contains the two houses. (Refer to the Proposed Development Plan in Figure 2-3.)

2.0 PROJECT DESCRIPTION

As required by County ordinance, a creek structure setback will be required for Lots 2 and 3 that abut Walker Canyon Creek. A 60-foot structure setback is designated along the western and southern property line where the project site abuts the open space.

Access and Circulation

Access to the project site will be from North Gate Road via a private road that will follow the existing driveway alignment. The roadway will be widened to 24 feet with 6-inch curbs. The new roadway will end in a cul-de-sac at the north end of the property. (Refer to the Proposed Rough Grading and Utility Plan in Figure 2-4.) As a part of the approval process, the applicant will be required to widen North Gate Road along the property frontage. Project plans reflect a 12-foot travel way, a 4-foot bike trail, a 5-foot pedestrian path, and a 9-foot landscape strip. These roadway improvements along North Gate Road will be aligned with the improvements required of Subdivision 7647 (Vesting Tentative Map, December 2010).

Infrastructure

The proposed project would be served by the Contra Costa Water District and Central Contra Costa Sanitary District for water and sewer service, respectively. The storm drain system would discharge through an existing storm drain that is located at the easterly property line of the project site.

Other Services

The development would be served by the Contra Costa County Fire Protection District, Allied Waste Services and Valley Waste Management, Pacific Gas and Electric Company, SBC, and Comcast. Students would attend schools in the Mt. Diablo Unified School District.

GENERAL PLAN AND ZONING

The property is designated on the General Plan map as SV (Single-Family Residential, Very Low Density) and zoned A-2 (General Agriculture). Refer to the General Plan and Zoning Maps on Figures 2-5 and 2-6. The applicant is requesting a rezoning of the entire property to R-40 (Single Family Residential, Very Low Density).

PROJECT APPROVALS

The proposed project will require approval of the major subdivision, rezoning and tree permit. The Planning Commission will hear the application and make a recommendation to the County Board of Supervisors, who will make a decision on the rezoning application.

Sources

Aliquot Associates, Inc., 2010, Vesting Tentative Map, Subdivision 9167, October 6.

D'Alo, Vince, 2010, Aliquot Associates, Inc., personal communication with Carolyn Mills, September.

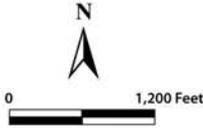
2.0 PROJECT DESCRIPTION



Source: Google, 2010

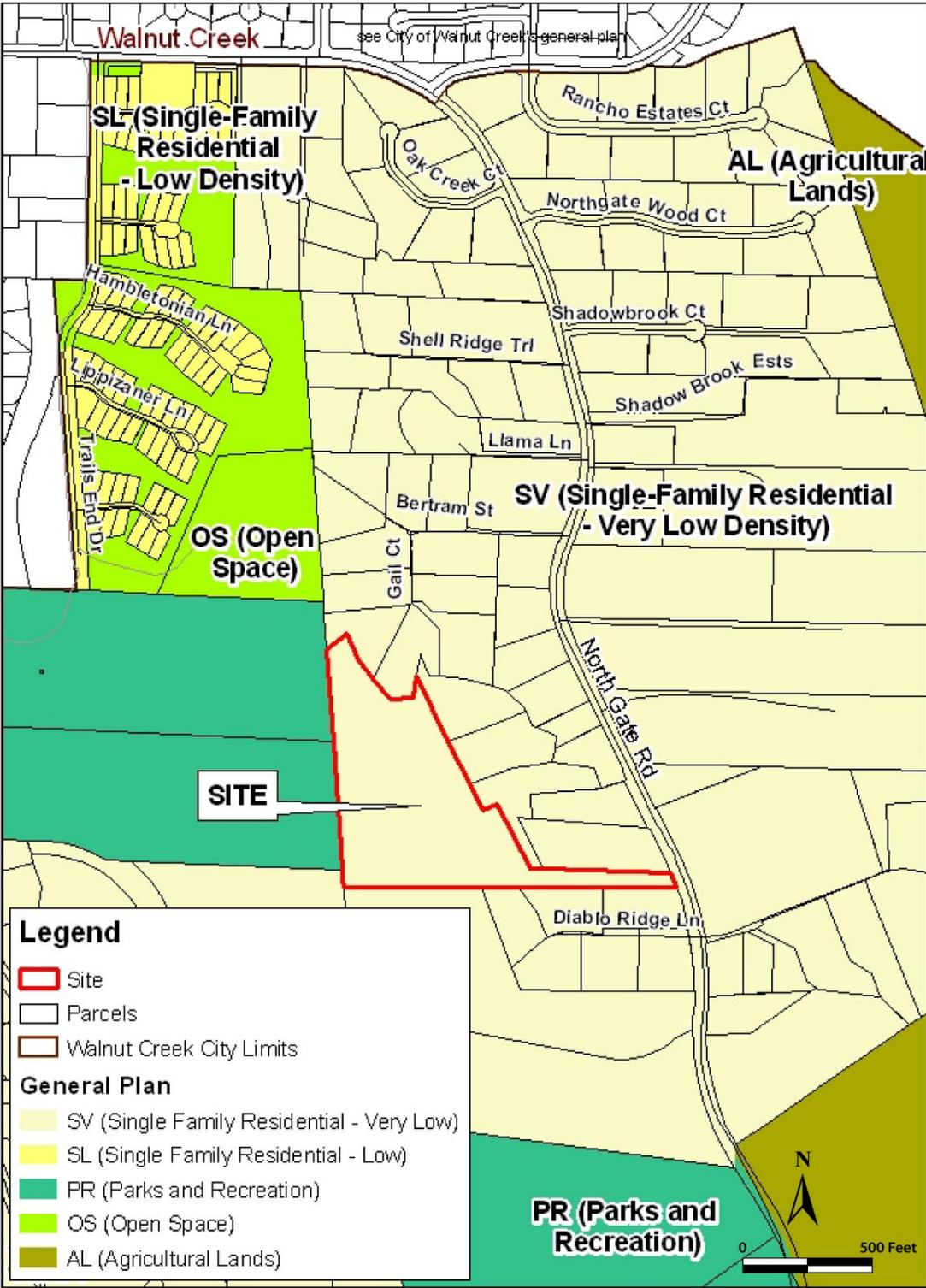
Figure 2-1 Site Map

2.0 PROJECT DESCRIPTION



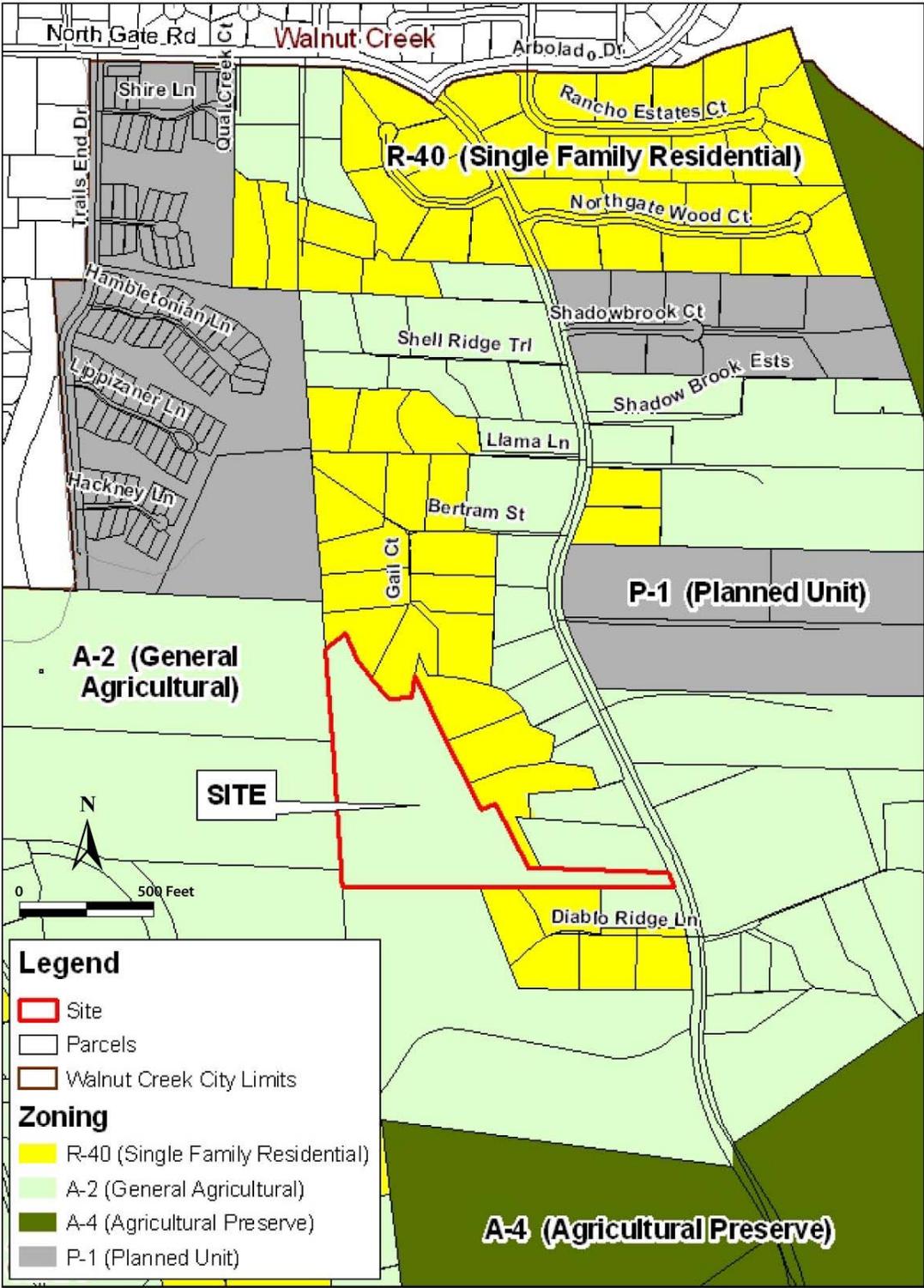
Source: Google, 2010

Figure 2-2 Aerial Photo of Project Site



Source: Contra Costa County Department of Conservation and Development

Figure 2-5 General Plan Map of Project Site and Vicinity



Source: Contra Costa County Department of Conservation and Development

Figure 2-6 Zoning Map of Project Site and Vicinity

3.0 ENVIRONMENTAL CHECKLIST

1. Project title: Champion Property – Subdivision 9167
2. Lead agency name and address: Contra Costa County
Department of Conservation and Development
651 Pine Street
Martinez, CA 94553-0095
3. Contact person and phone number: Rose Marie Pietras, Senior Planner, (925) 335-1216
4. Project location: 1125 North Gate Road, Walnut Creek, CA
5. Project sponsor’s name and address: Vince D’Alo – Aliquot Associates, Inc.
1390 South Main Street
Walnut Creek, CA
6. General plan designation: SV (Single Family – Very Low Density)
7. Zoning: A-2 (General Agriculture)
8. Description of project: The application before the County includes a rezoning (RZ073195) a Major Subdivision (SD079167) and a tree permit. The proposed project consists of subdividing the 9.98-acre property into seven additional lots. The existing two houses would be located on the remaining lot (#7).
9. Surrounding land uses and setting: The project site is bordered by Walker Canyon Creek and single-family residences beyond to the north; single-family development and equestrian facilities located to the east; open space owned by the Contra Costa Flood Control District located to the west and southwest; and single-family residences located along the driveway’s south property line. Shell Ridge open space and Mt. Diablo State Park land extends beyond the property to the south and east. (Refer to Aerial Photo in Figure 2-2.)
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement). City of Walnut Creek.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

3.0 ENVIRONMENTAL CHECKLIST

✓	Aesthetics		Agriculture & Forest Resources	✓	Air Quality
✓	Biological Resources	✓	Cultural Resources	✓	Geology / Soils
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology / Water Quality
	Land Use / Planning		Mineral Resources		Noise
	Population / Housing		Public Services		Recreation
	Transportation / Traffic		Utilities / Service Systems		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

_____ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

✓ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

_____ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

_____ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

_____ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Rose Marie Pietras
Signature Rose Marie Pietras

January 28, 2011
Date

3.0 ENVIRONMENTAL CHECKLIST

EVALUATION OF ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS				
a) Have a substantial adverse effect on a scenic vista?			✓	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) Substantially degrade the existing visual character or quality of the site and its surroundings?		✓		
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

Setting:

The project site is located in the southeast area of Walnut Creek where the terrain begins to rise; forming the Diablo foothills and Mt. Diablo beyond. The property rises from Walker Canyon Creek at an elevation of 250 feet at the creek bank to 310 feet at the southern edge of the property. The existing Tudor style house is located on the highest point of the property.

The property is considered a flag lot with the pole of the flag serving as the driveway. The driveway extends between a newer subdivision to the south and the North Gate Equestrian Center directly to the north. Along the eastern boundary of the property is a new subdivision and to the north, across Walker Canyon Creek, are single-family homes. Approaching the project site along the west side of North Gate Road are single-family houses on large lots. On the east side of the roadway are primarily rural ranchettes, many of which accommodate equestrian facilities. Directly adjacent to the western/southwestern boundary of the site is the Contra Costa County Flood Control District detention basin. This area is designated open space and a trail extends along the northern boundary of the basin. The site is located near the Shell Ridge Open Space and the Diablo Foothills Regional Park, which are accessed by trails from Castle Rock Road and North Gate Road. The entrance to Mt. Diablo State Park is located approximately 1100 feet south of the entrance to the proposed project site. (Refer to the aerial photo in Figure 2-2.)

As shown in **Photos 1 through 3**, Mt. Diablo and the foothills to the east and west of the property provide a backdrop to the project site. **Photo 1** shows the existing main house and secondary residence on the project site as well as the house on the adjoining property.

3.0 ENVIRONMENTAL CHECKLIST



Photo 1 – Looking east/southeast at surrounding hills.



**Photo 2 – Looking west/southwest from existing homesite;
Flood Control property located in the middle of the photo.**



**Photo 3 – Looking west/northwest of near and far hills;
Flood Control property located in middle of photo.**

3.0 ENVIRONMENTAL CHECKLIST



Photo 4 shows the view from the existing primary residence looking north to the Walker Canyon Creek corridor and beyond.

Photo 4 – Viewing north/northwest from the deck of the primary residence.

Discussion:

a) *Have a substantial adverse effect on a scenic vista?*

The scenic vista within the project vicinity is Mt. Diablo, which can be seen throughout the County as well as neighboring counties. The mountain peak elevation is 3,849 feet. The highest point on the project site is elevation 310, which is 3,539 feet lower than the peak of the mountain. The two existing houses are located on the highest part of the property. The proposed house pads, with the exception of Lot 8, would be located at lower elevations, which range from 261 feet at the north end of the property to an elevation of 282 at the south end of the property. The Lot 8 house pad would be the same as the existing house pad. Distant views of the property, in the context of Mt. Diablo, are from the northerly/northwesterly direction.

Photo 5 illustrates a long-distance view of the project area. This photo was taken from Dinosaur Hill on Pleasant Hill Road in Pleasant Hill, CA. As shown in this photo, the lower hills of Mt. Diablo can be seen, but structures are not visible. The high-rise commercial buildings located near I-680 in Pleasant Hill are seen in the middle of the photo.



Photo 5 – Long distance view from Pleasant Hill Road.

3.0 ENVIRONMENTAL CHECKLIST

Photo 6 is the same view as Photo 5 but with the use of a telephoto lens. The Rancho Paraiso residential development is identified due to the circular landscaped area on the lower flank of the Lime Ridge Open Space. The proposed project is located at a lower elevation than Rancho Paraiso. An intervening ridge blocks the site from this viewpoint.

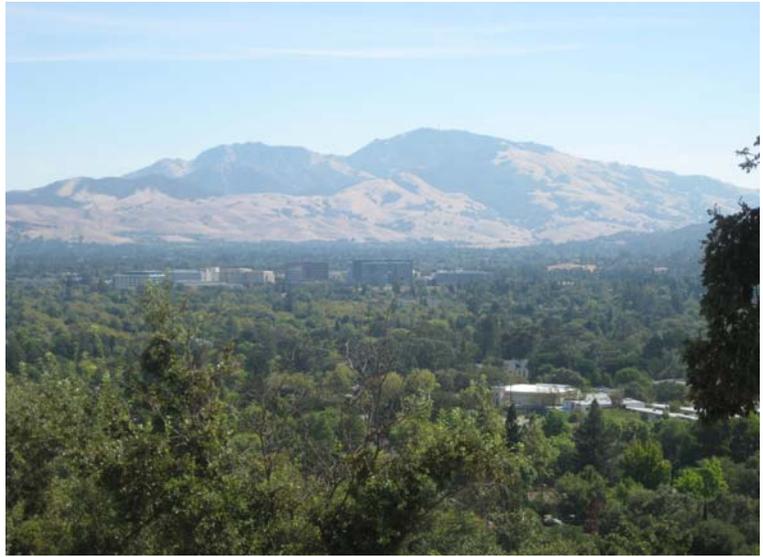


Photo 6 – Southeasterly view (with telephoto lens) from Pleasant Hill Road.



Photo 7 - Viewing southeasterly across Flood Control Detention Basin to project site.

Photo 7 illustrates a mid-view of the project site as seen from the entrance to the Trails End Drive near the intersection with Pine Creek Road. The existing house and neighboring houses to the south are visible in the photo.

The new development would occur primarily below the existing house. One new lot (#8) is located at the same elevation as the existing house pad. The North Gate Specific Plan states that the maximum height for residential structures shall be no higher than 25 feet. With

the exception of Lot 8, all of the new structures would be lower than the existing house, due to the lower elevations. Most of the house on Lot 8 would not be visible from this location shown in Photo 7 as it would be shielded by the existing house on Lot 7 (the remainder parcel). While the proposed structures could be seen from mid-viewpoints, such as that shown, the new structures would not block the view of the mountain, a scenic vista. This is considered a less-than-significant impact.

3.0 ENVIRONMENTAL CHECKLIST

- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The proposed project is not located within a state scenic highway. Therefore, no impact would occur.

- c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

The proposed project would alter the view of the site as seen from the existing Trails End Drive trail along the northern boundary of the detention basin as well as the proposed trail designated in the North Gate Specific Plan to abut the project site's western boundary. Photo simulations were prepared to illustrate the view as seen from the proposed trail and the existing trail. Figures 3-1 and 3-2 illustrate existing and proposed conditions as seen from the proposed trail, located west of the project site and from the existing trail north of the project site. Figures 3-3 and 3-4 illustrate the proposed development with landscaping.

As called for in the North Gate Specific Plan, a 60-foot setback is required along the westerly/southwesterly boundary where the property abuts open space. No structures are permitted within this setback, however landscaping is permitted. The applicant proposes to plant 40 feet of the 60-foot setback with a dense grove of oaks. Furthermore, the Specific Plan also requires that new lots created adjacent to open space areas shall be larger than 40,000 square feet. The tentative map reflects the 60-foot setback and all of the residential lots within the proposed subdivision exceed 40,000 square feet. The Specific Plan also calls for new home designs to blend in with the semi-rural character of the area. House designs must comply with the following points:

- Buildings on hillsides should complement the topography of the site;
- Exterior building materials of wood, wood shingles, and brick are preferred; and
- Exterior colors should be in earth tones and bright colors should be avoided.

The Specific Plan also emphasizes drought resistant landscaping and native plant materials. Landscape plans, as well as building plans, will be reviewed by the County and City of Walnut Creek for compliance with the Specific Plan requirements prior to the issuance of building permits.

Although the new residences would be visible from the existing and proposed trails that are located west/northwest and southeast of the project site, the use of a landscape screen along the western/southwestern property boundary would reduce the visual impact to a less-than-significant level.

The proposed project may be seen by users of the various trails within Mt. Diablo State Park and Shell Ridge, who would have a northwesterly and or southeasterly view that could overlook the project site and development within the North Gate Specific Plan area. The proposed project would be a continuation of existing development and would not block views for trail users. Due to the distance of the proposed development from the trail user, as well as

3.0 ENVIRONMENTAL CHECKLIST

the elevation of the future residential structures in relation to the higher trails, this is considered a less-than-significant impact.

IMPACT I-1: The existing visual character of the site would be altered for users of the existing and proposed trails that are located north and west of the project site.

Mitigation Measure I-1A: To block views of the new residences for users of the existing and proposed trails, a dense landscape screen, consisting of native trees, shall be planted within the 60-foot setback along the western/southwestern property line (Lots 3–7) upon completion of site improvements. Planting shall be as recommended by the applicant’s arborist (McNeil, January 2011).

Mitigation Measure I-1B: Tree size shall be no smaller than 15-gallon and consist of native evergreen species; e.g., coast live oak, etc. Landscaping shall be irrigated for up to five years, protected from deer, and maintained during this period. The applicant shall submit a landscaping plan for review and approval by the County and City of Walnut Creek.

Mitigation Measure I-1C: The applicant shall post a security bond to ensure protection of existing and newly planted landscaping. The term of the bond shall extend at least five years beyond completion of the subdivision improvements.

Mitigation Measure I-1D: The landscaping shall be monitored for a period of five years from the date of installation. Any trees lost during this period shall be replaced and monitored by the developer and/or property owner. Future owners of Lots 3–6 and the owner of the existing house (Lot 7) shall be responsible for the maintenance of the landscaping as well as replacing any shrubs/trees that are lost. This requirement shall be recorded on the individual property deeds to run with the land.

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

A new source of light would be created by the proposed seven residences; however, the light/glare of these houses would be comparable to the existing lighting in the North Gate neighborhood. This is considered a less-than-significant impact.

SOURCES OF INFORMATION

City of Walnut Creek and Contra Costa County, 1991, *North Gate Specific Plan*, June 25.

Aliquot Associates, 2010, Vesting Tentative Map, October 6.

Erickson’s Maps, Mt. Diablo State Park and Other Recreational Lands, Sponsored and Distributed by Mt. Diablo Interpretive Association, Diablo, CA.

McNeil, Joseph, Consulting Arborist, 2011, Letter Report to Nelda Champion, January 7.



Existing Conditions



Future Conditions

Source: CADP

Figure 3-1 Existing and Future Conditions - Northeasterly View of Proposed Lots 3-6



Existing Conditions



Future Conditions

Source: CADP

Figure 3-2 Existing and Future Conditions - Southeasterly View



Existing Conditions



Future Conditions

Source: CADP

Figure 3-3 Existing and Future Conditions with Tree Screen - Northeasterly View

3.0 ENVIRONMENTAL CHECKLIST



Existing Conditions



Future Conditions

Source: CADP

Figure 3-4 Existing and Future Conditions with Tree Screen - Southeasterly View

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FOREST RESOURCES: Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

Setting:

The project site is undeveloped except for two residences on the remainder parcel (Lot 7) located on the south side of the site. The site is covered with wild grasses and weeds and may have been used for cattle grazing in the past when it was part of a larger tract of land. Cattle have been grazed on the Mt. Diablo Gateway Preserve located south of the project site (Bristol, 2007) as well as on the land directly west of the project site. The adjoining land to the north and east is used for single-family residential development or equestrian facilities.

Discussion:

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The California Department of Conservation Farmland Mapping and Monitoring Program shows that the project site is in an area categorized as Urban and Built-up Land. The Contra Costa County General Plan does not consider the project site to be an Important Agricultural Area (Contra Costa County Community Development Department, 1996, Figure 8-2). The North Gate Specific Plan

3.0 ENVIRONMENTAL CHECKLIST

designates the project site as Single Family Residential, Very Low Density (City of Walnut Creek & Contra Costa County, 1991, Figure 3). The proposed project would not impact the equestrian facility land uses that exist east of the project site, nor would the proposed development have an impact on adjacent agricultural resources.

b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The project site is currently zoned A-2 (5-acre minimum parcel size), but designated in the Specific Plan/General Plan as Single Family, Very Low Density (40,000 s.f. minimum lot size). The applicant is requesting a rezoning to R-40 to accommodate seven additional lots for a total of eight. The proposed project does not conflict with the land use designation, but does conflict with the A-2 zoning, thus the request to rezone the property. The project site is not under a Williamson Act contract. The nearest agricultural land under Williamson Act contract is located approximately 1200 feet southeast of the project site entrance. This is considered a less-than-significant impact, and no mitigation is necessary.

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?*

The property does not contain a forest, nor is there forested land in close proximity to the project site. No impact is anticipated.

d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

Refer to c) above.

e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

The proposed project site is surrounded by single-family residences, an equestrian center and open space owned by the Contra Costa County Flood Control District. The proposed project would not result in the conversion of the existing open space as this land is set aside for flood control purposes. The adjoining equestrian center could potentially develop in the future as it is designated in the North Gate Specific Plan as Single Family, Very Low Density. This property could convert to residential use whether or not the proposed project proceeds. Therefore, the proposed project does not result in the conversion of agricultural use to non-agricultural use. No impact is anticipated.

SOURCES OF INFORMATION

Bristol, Troy, Land Conservation Associate, Save Mount Diablo. 2007. Letter to Rose Marie Pietras, Project Planner, Community Development Department, County of Contra Costa, November 21.

City of Walnut Creek & Contra Costa County. 1991. *North Gate Specific Plan*, June 25.

3.0 ENVIRONMENTAL CHECKLIST

Contra Costa County Community Development Department. 1996. *Contra Costa County General Plan, 1995-2010*, July.

State of California Department of Conservation, Farmland Mapping and Monitoring Program. 2007. *Contra Costa County Important Farmland 2006*, June.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>III. AIR QUALITY — Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p> <p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p> <p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p> <p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p> <p>d) Expose sensitive receptors to substantial pollutant concentrations?</p> <p>e) Create objectionable odors affecting a substantial number of people?</p>			<p>✓</p> <p>✓</p> <p>✓</p>	<p>✓</p>

Setting:

The proposed project site is located in the unincorporated area of Walnut Creek in the eastern portion of the nine-county San Francisco Bay Area Air Basin. Walnut Creek has a relatively low potential for air pollution given the predominance of westerly winds. These winds dilute pollutants and transport them away from the area. There are, however, several major stationary sources in upwind cities that can adversely influence local air quality.

Both the United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common pollutants. Ambient standards include criteria pollutants and toxic air contaminants. These ambient air quality standards are levels of contaminants that represent safe levels that avoid specific adverse health effects associated with each pollutant. The federal and California standards differ in some cases. In general, the California standards are more stringent, particularly for ozone and particulate matter (PM₁₀ and PM_{2.5}). Pursuant to the California Clean Air Act, the CARB designates areas of the state as attainment, non-attainment, or unclassified with respect to applicable standards.

3.0 ENVIRONMENTAL CHECKLIST

The San Francisco Bay Area is currently designated as a non-attainment area for the 1-hour ozone standard. However, in April 2004, USEPA made a final finding that the Bay Area has attained the federal 1-hour ozone standard. The finding of attainment does not mean the Bay Area has been reclassified as an attainment area for the 1-hour standard. The region must submit a re-designation request to EPA in order to be reclassified as an attainment area. The USEPA has classified the Bay Area as a non-attainment area for the federal 8-hour ozone standard and unclassified for the 24-hour federal PM_{2.5} standards.

Under the California Clean Air Act, Contra Costa County is a non-attainment area for ozone and particulate matter (PM₁₀ and PM_{2.5}). Contra Costa County is either an attainment or unclassified area for other pollutants. The California Clean Air Act requires local air pollution control districts to prepare air quality attainment plans. These plans must provide for district-wide emission reductions of five percent per year averaged over consecutive three-year periods or provide for adoption of “all feasible measures on an expeditious schedule.”

The project site is located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD) whose various plans, guidelines and regulations would apply to the project. The BAAQMD has a multi-pollutant monitoring site on Treat Boulevard in Concord. Table 3-1 shows historical occurrences of pollutant levels exceeding the California and federal ambient air quality standards for the three-year period 2005-2007. The number of days that each standard was exceeded is shown. As shown in the table, all federal ambient air quality standards are met in the area with the exception of ozone. Additionally, the California ambient standards for ozone and PM₁₀ are regularly exceeded.

Table 3-1
AIR QUALITY DATA SUMMARY FOR CONCORD, 2005–2007

Pollutant	Standard	Days Exceeding Standard In:		
		2005	2006	2007
Ozone	State 8-Hour	2	14	4
Ozone	Federal 8-Hour	2	9	1
PM ₁₀	Federal 24-Hour	0	0	0
PM ₁₀	State 24-Hour	0	3	2
PM _{2.5}	Federal 24-Hour	5	5	7
Carbon Monoxide	State/Federal 8-Hour	0	0	0
Nitrogen Dioxide	State 1-Hour	0	0	0
Sulfur Dioxide	State 1-Hour	0	0	0

Source: Air Resources Board, Aerometric Data Analysis and Management (ADAM), 2009 (<http://www.arb.ca.gov/adam/cgi-bin/adamtop/d2wstart>).

Discussion:

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

A project would be judged to conflict with or obstruct implementation of the regional air quality plan if it would be inconsistent with the growth assumptions, in terms of population, employment or regional growth in Vehicle Miles Traveled. This could occur if a project required a general plan amendment or rezoning, and the proposed new zoning would result in greater vehicle traffic than would occur with the current zoning. The proposed project does require a rezoning from A-2 (General Agricultural) to R-40 (Single-family Residential). However, these lots would have been considered buildable residential sites in the growth and traffic forecasts that were incorporated into the current Bay Area Clean Air Plan (CAP) based upon the land use designations identified in the Specific Plan and County General Plan. Furthermore, the BAAQMD considers a daily auto vehicle trip generation of 2,000 to be the threshold of significance requiring project review for air quality mitigation (BAAQMD CEQA Guidelines, 1996). The project would generate approximately 70 additional vehicle trips per day and would not increase pollutants to levels exceeding BAAQMD air quality standards. Therefore, the impact is considered less than significant.

b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

Refer to discussion for Item c) below. In addition, the project would generate construction, motor vehicle, and other air emissions (from fireplaces, barbecues, 2-cycle engine leaf blowers, etc.) similar to existing residential neighborhoods in the North Gate area. Since only seven houses would be constructed, the long-term emission of air pollutants would be less than significant.

A long-term increase in air pollutants from project-related traffic would occur, but the small number of vehicle trips (approximately 70 per day) would not increase pollutants to levels exceeding BAAQMD air quality standards. The BAAQMD considers a daily auto vehicle trip generation of 2,000 to be the threshold of significance requiring project review for air quality mitigation (BAAQMD CEQA Guidelines, 1996). The impact would be less than significant.

c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?*

The San Francisco Bay Area is a non-attainment area for 8-hour ozone levels (Richardson, 2007). However, since the proposed project consists of seven new houses that would generate approximately 70 additional vehicle trips per day, the contribution to Bay Area ozone levels is considered less than significant.

d) *Expose sensitive receptors to substantial pollutant concentrations?*

During construction of the proposed project, the closest sensitive receptors are the residents located directly adjacent to the project site. Diesel fuel emissions from trucks and equipment are unavoidable, but temporary. Temporary construction dust can be mitigated through appropriate dust control practices.

IMPACT III-1: Construction of the proposed project could create potentially significant dust impacts that could affect nearby residents.

Mitigation Measure III-1: During construction, the applicant shall take the following measures to control dust:

- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand, and other loose materials, or require trucks to maintain at least two feet of freeboard.
- Sweep off-site streets leading to the project site daily if visible soil, sand, or other loose materials are deposited on these streets.

e) *Create objectionable odors affecting a substantial number of people?*

The proposed subdivision would create odors associated with residential living such as fireplaces, barbecues, etc. These odors are considered typical of suburban living and would not create an impact on adjoining residences.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES — Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			✓	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓	

3.0 ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

Setting:

Biological resources associated with the project site were identified through a review of available background information and field reconnaissance surveys. Available documentation was reviewed to provide information on general resources in the Walnut Creek area, presence of sensitive natural communities, and the distribution and habitat requirements of special-status species which have been recorded from or are suspected to occur in the project vicinity. These included review of the records on special-status species and sensitive natural communities maintained by the California Natural Diversity Database (CNDDB), as well as detailed studies conducted for the applicant. Available studies prepared by consultants retained by the applicant consist of:

- Biological Resources Report (BRR)¹ prepared by Mosaic Associates describing existing biological and wetland resources on the site, assessing the potential impacts of the proposed project, and recommending measures to mitigate anticipated significant or potentially significance impacts. Focused botanical surveys were conducted on April 27 and August 3, 2006.
- Habitat Assessment (HA1) for special-status amphibians and reptiles on the site² prepared by Rana Resources. A survey of the site was conducted on April 27, 2006.
- Habitat Assessment (HA2) on the survey results for the federally-threatened California red-legged frog³ prepared by Rana Resources and conducted consistent with protocols defined by the U.S. Fish and Wildlife Service. Field surveys were conducted during the day on March 22, May 23, and August 15, 2009, and at night on March 3, April 18 and 23, May 30, and August 22, 2009.

¹ Mosaic Associates, 2007, revised 2011, *Biological Resources Report*, 1125 North Gate Road, prepared for Nelda Champion, December, revised January.

² Rana Resources, 2006, letter report to Ms. Judy A. Bendix, Mosaic Associates, from Mark R. Jennings, July 4.

³ Rana Resources, 2006, revised 2009, letter report to Ms. Judy A. Bendix, Mosaic Associates, from Mark R. Jennings, November 21, revised August 30.

3.0 ENVIRONMENTAL CHECKLIST

- Tree report (TR)⁴ providing an inventory of existing trees on the site and an assessment of the potential impacts of the project on trees.
- Creek Preservation and Enhancement Plan (CPEP)⁵ describing protection and enhancement provisions of the project to be installed along Walker Canyon Creek.

(The above five reports are on file at the Contra Costa County Department of Conservation and Development.)

Field reconnaissance surveys of the site were conducted on January 7, 2009 and October 2, 2010 by the Initial Study/MND biologist to confirm information presented in the applicant's reports and determine the potential impacts of the project on sensitive resources. The following provides a summary of biological resources on the site, followed by an assessment of potential impacts. Where significant or potentially significant impacts have been identified, mitigation measures have been recommended. The adequacy of mitigation recommended in the BRR has been evaluated, and where appropriate, these have been identified as such under the respective checklist item.

Vegetation and Wildlife Habitat

Vegetation on the site is dominated by non-native grasslands, ornamental landscaping, and mixed riparian woodland along the banks of Walker Canyon Creek. Landscape vegetation is present surrounding both existing houses. Waters of the U.S. and state are present in the creek, and non-native annual grassland is present on the western portion of the site. The aerial photo in Figure 2-2 reflects the tree and grassland in the project vicinity. Plant communities and associated wildlife species are summarized below.

Coast Live Oak Woodland

Coast live oak woodland habitat is found along the banks of Walker Canyon Creek. The woodland varies from dense canopy to more open areas and is primarily comprised of native riparian species. Characteristic species include: valley oak (*Quercus lobata*), coast live oak (*Quercus agrifolia*), elderberry (*Sambucus mexicana*), and willow (*Salix spp.*). The understory on the creek bank is dominated by several mature stands of poison oak (*Toxicodendron diversilobum*) interspersed with native and non-native grasses and forbs such as slender wild oats (*Avena barbata*), hedgeparsley (*Torilis arvensis*) and snakeroot (*Sanicula crassicalus*).

The woodlands provide nesting and foraging habitat for a number of bird species, including bushtit (*Psaltriparus minimus*), western scrub jay (*Aphelocoma californica*), wild turkey (*Meleagris gallopavo*), black phoebe (*Sayornis nigricans*), and Swainson's thrush (*Catharus ustulatus*), among others. Deer (*Odocoileus hemionus*), skunks (*Mephitis mephitis*), and raccoons (*Procyon lotor*) are expected to forage on site, and most likely use the protective cover of the woodlands for resting, and surface water for drinking when present. Pacific treefrogs (*Hyla regilla*) and California toads (*Bufo boreas halophilus*) were observed along the creek during the protocol surveys for California red-legged frog (*Rana draytonii*), which was not detected on the site.

⁴ Joseph McNeil, Consulting Arborist, 2008 revised 2011, letter report to Nelda Champion addressing trees on the proposed subdivision site, from Joseph McNeil, January 17, revised January 7.

⁵ Mosaic Associates, 2008, revised 2011, *Creek Preservation and Enhancement Plan*, prepared for Nelda Champion, January, revised January.

Non-Native Annual Grassland

The open grassy fields in the western portion of the site are dominated by various non-native grasses, including slender wild oats and soft chess (*Bromus hordeaceus*), and non-native herbaceous species such as bristly ox-tongue (*Picris echioides*), field bindweed (*Convolvulus arvensis*) and hedgeparsley. The non-native grasslands also extend into the understory of the riparian woodland where dense duff and limited light levels do not preclude their establishment.

The grasslands provides foraging habitat for a number of bird species including black phoebe, western kingbird (*Tyrannus verticalis*), and western bluebird (*Sialia mexicana*). Red-winged blackbirds (*Agelaius phoeniceus*) may nest in patches of taller vegetation. California ground squirrel burrows (*Spermophilus beecheyi*) are present in small numbers in this field. The ground squirrel burrows provide suitable habitat for California burrowing owls (*Athene cunicularia*), although the height and density of vegetation in this field, and proximity to the riparian canopy reduce the suitability of the site for this owl species, which tends to nest in ground squirrel burrows.

Ornamental Landscaping

Landscape trees, shrubs, and groundcovers have been planted around the existing buildings on the site. These include: California pepper tree (*Schinus molle*), coast redwood (*Sequoia sempervirens*), almond (*Prunus dulcis*), pomegranate (*Punica granatum*), flowering shrubs and perennials, and turf composed of Kentucky bluegrass (*Poa pratensis*) surrounding the homes. Wildlife species utilizing the ornamental landscaping are common in suburban habitat and highly adapted to human activity.

Special-Status Species

Special-status species are plants and animals that are legally protected under the State and/or federal Endangered Species Acts⁶ or other regulations, as well as other species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or denning locations, communal roosts and other essential habitat. Species with legal protection under the Endangered Species Acts often represent major constraints to development, particularly when they are wide-ranging or highly sensitive to habitat disturbance and where proposed development would result in a "take"⁷ of these species.

Thirty special-status plant species were evaluated for their potential to occur on site in the BRR. No special-status plant species initially suspected to occur on the site were encountered during systematic surveys conducted in spring and summer of 2006. Individual California black walnut (*Juglans hindsii*) trees were detected on site. However, these trees grew from grafted rootstock, and are therefore not considered to be a natural occurrence or of special-status.

⁶ The federal Endangered Species Act (FESA) of 1973 declares that all federal departments and agencies shall utilize their authority to conserve endangered and threatened plant and animal species. The California Endangered Species Act (CESA) of 1984 parallels the policies of FESA and pertains to native California species.

⁷ "Take" as defined by the FESA means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect" a threatened or endangered species. "Harm" is further defined by the U.S. Fish and Wildlife Service to include the killing or harming of wildlife due to significant obstruction of essential behavior patterns (i.e., breeding, feeding, or sheltering) through significant habitat modification or degradation. The CDFG also considers the loss of listed species habitat as take, although this policy lacks statutory authority and case law support under the CESA.

3.0 ENVIRONMENTAL CHECKLIST

Forty-four special-status animals and invertebrates were considered for their potential to occur in the vicinity of the Champion project vicinity as part of the BRR. Of these, 37 species were eliminated from further consideration because suitable habitat is not present at the site. California red-legged frog (*Rana aurora draytonii*) was not detected during protocol surveys and was therefore considered to be absent from the site. One species, white-tailed kite (*Elanus leucurus*) has a moderate potential to nest on site in the trees along the creek. Five species have a low potential to occur on site, including golden eagle (*Aquila chrysaetos*), western pond turtle (*Actinemys marmorata*), burrowing owl (*Athene cunicularia*), Cooper's hawk (*Accipiter cooperi*), and northern harrier (*Circus cyaneus*). This is primarily due to low foraging habitat and a low to moderate potential for nesting by burrowing owl, Cooper's hawk, and northern harrier. The HA1 assessed the suitability of the site and surrounding area for special-status amphibians and reptiles, and HA2 described the results of protocol surveys conducted for California red-legged frog, as summarized below.

California red-legged frog (*Rana aurora draytonii*)

This species was historically found in the Walnut Creek region, but there are no recent records of frogs from within one mile of the site. The CNDDDB reports three occurrences of this species within approximately 2 miles of the site, in Little Pine Creek and a tributary of San Ramon Creek, and an occurrence along Pine Creek approximately 2.8 miles from the site. The current habitat on the site is unsuitable for breeding and long-term occupation by California red-legged frogs because of the lack of deep water (>3 feet) pools in the immediate area, including Walker Canyon Creek.

The nearest potential frog habitat is the Pine Creek Detention Basin and two pools along Pine Creek to the west. However, the center pool in the detention basin supports only shallow water (6-8 inches during the spring survey conducted as part of HA2 in 2009). All of these aquatic habitats were completely dry, as well as Pine Creek upstream of the detention basin, by August 15, 2009, and Walker Creek was dry by May 23, 2009. Thus, there was no available aquatic habitat for ranid frogs by mid-summer. The complete drying of all these aquatic habitats in the vicinity on a regular basis by late summer was considered to be the probably reason why there are no California red-legged frogs in the area. Unless there are permanent aquatic habitats close by that can harbor individual, California red legged frogs will be unable to colonize the vicinity from more distant suitable habitat due to the presence of development (e.g. roads, fences, houses, domestic cats, and raccoons in the area surrounding the detention basin).

The HA1 concluded that California red-legged frogs do not inhabit the site or surrounding riparian areas and thus would not utilize Walker Canyon Creek as a movement corridor. No California red-legged frogs were observed during the protocol surveys conducted in 2009 for the site as described in HA2, the Walker Canyon Creek corridor, and the Pine Creek Detention Basin, confirming the conclusion in the HA1 that this species is not present on the site or vicinity.

California Tiger Salamander (*Ambystoma californiense*)

This species requires ephemeral pools in grassland habitats for breeding, but spends the majority of the year in underground refuges, primarily small mammal burrows, in grassland or oak woodland habitat. Pools used by California tiger salamander have to hold water for a minimum of three months to allow for successful larval development. The grassland on site is regularly disked for fire abatement. As concluded in HA1, there is no suitable aquatic habitat on site and the detention basin to the west is not suitable for this species as it was designed to drain within a few days of rainfall.

3.0 ENVIRONMENTAL CHECKLIST

Alameda Whipsnake (*Masticophis lateralis euryxanthus*)

This species is typically found in dense, chaparral habitats or along riparian areas with lots of trees in Alameda and Contra Costa counties. The general area of the site is unsuitable for this species. There are no rock outcrops for snakes to use for aestivation and hibernation and the riparian corridor along the northern edge of the site is too narrow, sparse, and isolated to support a population of snakes here. It is therefore concluded that the species does not occur on site or in the immediate vicinity.

California horned lizard (*Phrynosoma coronatum frontale*)

This species is typically found in chaparral or grassland habitats with friable soils that contain large native ant colonies. This lizard is not expected to occur on site or in the surrounding area due to the lack of suitable friable soils, the lack of large native ant colonies, and the presence of many potential predators such as domestic cats and raccoons.

Western pond turtle (*Actinemys marmorata*)

This species typically is found in ponds or along streams that contain ponds. The detention basin west of the site is approximately 0.25 mile to the west. Western pond turtles could occur in the vicinity (especially the silted in detention basin) and might forage along the riparian corridor of Walker Canyon Creek, although no suitable nesting or aestivation habitat for this turtle was detected on-site.

Wetlands

Although definitions vary to some degree, wetlands are generally considered to be areas that are periodically or permanently inundated by surface or ground water, and support vegetation adapted to life in saturated soil. Wetlands are recognized as important features on a regional and national level due to their high inherent value to fish and wildlife, use as storage areas for storm and flood waters, and water recharge, filtration and purification functions.

The CDFG, U. S. Army Corps of Engineers (Corps), and Regional Water Quality Control Board (RWQCB) have jurisdiction over modifications to wetlands and other "waters of the United States." Jurisdiction of the Corps is established through provisions of Section 404 of the Clean Water Act, which prohibits the discharge of dredged or fill material without a permit. The RWQCB jurisdiction is established through Section 401 of the Clean Water Act, which requires certification or waiver to control discharges in water quality. Jurisdictional authority of the CDFG over wetland areas is established under Sections 1600-1607 of the State Fish and Game Code, which pertains to activities that would disrupt the natural flow or alter the channel, bed or bank of any lake, river or stream.

Walker Canyon Creek runs along the northern border of the site, and forms the only jurisdictional waters on the property. The creek appears to convey water seasonally, drying out during the summer and fall. The creek flows in an open channel throughout the site, and discharges into Pine Creek and the Contra Costa County Flood Control District Pine Creek Detention Basin approximately 0.25 mile to the west of the site. Wetland vegetation is absent along the creek channel on the site, which is regulated by the Corps and RWQCB as an "other waters of the U.S." and by CDFG as a natural stream.

Regulatory Setting

Special-Status Species

State and federal “endangered species” legislation has provided the California Department of Fish and Game (CDFG) and US. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the CDFG and USFWS if activities associated with a proposed project will result in the “take” of a listed species. “Take” is defined by the state of California as “to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill” (California Fish and Game Code, Section 86). “Take” is more broadly defined by the federal Endangered Species Act to include “harm” (16 USC, Section 1532(19), 50 CFR, Section 17.3). Furthermore, the CDFG and the USFWS are responsible agencies under the California Environmental Quality Act (CEQA). Both agencies review CEQA documents in order to determine the adequacy of their treatment of endangered species issues and to make project-specific recommendations for their conservation.

Migratory Birds

State and federal law also protect most bird species. The Migratory Bird Treaty Act (MBTA: 16 U.S.C., sec. 703, Supp. I, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, their occupied nests, and eggs.

Birds of Prey

Birds of prey are also protected in California under provisions of the State Fish and Game Code, Section 3503.5, (1992), which states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by the CDFG.

Waters of the U.S. and State

Section 404 of the Clean Water Act (CWA) of 1972 regulates activities that result in the discharge of dredged or fill material into waters of the U.S., including wetlands. The primary intent of the CWA is to authorize the U.S. Environmental Protection Agency (EPA) to regulate water quality through the restriction of pollution discharges. The Corps has the principal authority to regulate discharges of dredged or fill material into waters of the U.S.

Pursuant to Section 401 of the Clean Water Act, an applicant for a federal permit to conduct any activity which may result in discharge into navigable waters must provide a certification from the Regional Water Quality Control Board (RWQCB) that such discharge will comply with the state water quality standards (Cal. Code Regs. Tit. 23, §§3830 et seq.).

Under the Porter-Cologne Water Quality Control Act (Cal. Water Code §§13000-14920), the RWQCB is authorized to regulate the discharge of waste that could affect the quality of the State’s waters. “Waste” is broadly defined by the Porter-Cologne Act to include “sewage and any and all

other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature..." (Cal. Water Code §13050).

The CDFG exercises jurisdiction over wetland and riparian resources associated with rivers, streams, and lakes under California Fish and Game Code Sections 1600 to 1607. The CDFG has the authority to regulate work that will substantially divert, obstruct, or change the natural flow of a river, stream, or lake; substantially change the bed, channel, or bank of a river, stream, or lake; or use material from a streambed. Areas subject to CDFG's jurisdiction over rivers, streams, creeks or lakes are usually bounded by the top-of-bank or the outermost edges of riparian vegetation.

Local Policies

The Contra Costa County General Plan has identified certain goals and policies relating to the protection of natural resources. Vegetation and Wildlife Policies from the Conservation Element of the General Plan that are relevant to the proposed project are listed below. The proposed project lies within the North Gate Specific Plan area, and thus, goals, policies and development regulations provided in that plan, which was adopted on June 25, 1991, are described below. Additionally, a Tree Ordinance is in effect which requires a tree removal permit if heritage trees, significant groupings of trees (groves of four or more trees), or protected trees (native trees greater than 6.5 inches in diameter at 4.5 feet) are to be removed in unincorporated areas of the County. However, the North Gate Specific Plan includes a policy which states that projects within the plan area must preserve healthy trees and maintain significant tree masses consistent with the requirements of the Walnut Creek Tree Preservation Ordinance (see North Gate Specific Plan, Policy 3, below). The City of Walnut Creek Tree Preservation Ordinance (Section 3.8.03) requires a tree removal permit when any tree with a single trunk of 28 inches or more in circumference (9 inches in diameter), or a multitrunk tree having an aggregate circumference of 40 inches or more at 4.5 feet. Under the Walnut Creek Ordinance, a highly protected tree includes any tree of the following species: valley oak (*Quercus lobata*), blue oak (*Q. douglasii*), coast live oak (*Q. agrifolia*), California black oak (*Q. kelloggii*), canyon live oak (*Q. chrysolepsis*), interior live oak (*Q. wizliseni* var. *wizlizeni*), madrone (*Arbutus menziesii*), California buckeye (*Aesculus californica*), California black walnut (*Juglans hindsii*), and grey pine (*Pinus sabiniana*).

Contra Costa County General Plan

Vegetation and Wildlife Policies

- 8-6 Significant trees, natural vegetation, and wildlife populations generally shall be preserved.
- 8-10 Any development located or proposed within significant ecological resource areas shall ensure that the resource is protected.
- 8-13 The critical ecological and scenic characteristics of rangelands, woodlands, and wildlands shall be recognized and protected.
- 8-14 Existing vegetation, both native and non-native, and wildlife habitat areas shall be retained in the major open space areas sufficient for the maintenance of a healthy balance of wildlife populations.
- 8-28 All efforts shall be made to identify and protect the County's mature native oak, bay, and buckeye trees.

Policies to Protect and Maintain Riparian Zones

- 8-78 Where feasible, existing natural waterways shall be protected and preserved in their natural state, and channels which already are modified shall be restored. A natural waterway is defined as a waterway which can support its own environment of vegetation, fowl, fish and reptiles, and which appears natural.
- 8-79 Creeks and streams determined to be important and irreplaceable natural resources shall be retained in their natural state whenever possible to maintain water quality, wildlife diversity, aesthetic values and recreation opportunities.
- 8-80 Wherever possible, remaining natural watercourses and their riparian zones shall be restored to improve their function as habitats.

Policies for New Development Along Natural Watercourses

- 8-86 Existing native riparian habitat shall be preserved and enhanced by new development unless public safety concerns require removal or habitat for flood control or other public purposes.
- 8-89 Setback areas shall be provided along natural creeks and streams in areas planned for urbanization. The setback areas shall be of a width adequate to allow maintenance and to prevent damage to adjacent structures and the loss of private property.
- 8-90 Deeded development rights for lands within established setback areas along creeks or streams shall be sought to assure creek preservation and to protect adjacent structures and the loss of private property.
- 8-91.1 Grading, filling and construction activity near watercourses shall be conducted in such a manner as to minimize impacts from increased runoff, erosion, sedimentation, biochemical degradation, or thermal pollution.
- 8-91.2 Revegetation of a watercourse shall employ native vegetation, providing the type of vegetation is compatible with the watercourse's maintenance program and does not adversely alter channel capacity.

North Gate Specific Plan

Goal: Protect natural features such as heritage quality trees, creeks, knolls, ridgelines and rock outcroppings.

Policies

1. Preserve to the extent feasible, creeks and riparian vegetation in the area. Enhance creeks and riparian corridors by revegetating creeks with native riparian vegetation from local seed stock.
3. Preserve healthy trees and maintain significant tree masses consistent with the requirements of the Walnut Creek Tree Preservation Ordinance.

The North Gate Specific Plan also specifies development regulations, including one that requires that applications for residential development “shall be required to provide, as part of the application submittal, a creek preservation and enhancement plan, which outlines the methods of protecting and enhancing this resource. This plan shall include, at a minimum, re-vegetation of the creeks with

3.0 ENVIRONMENTAL CHECKLIST

native riparian vegetation from local seed stock.” As noted above, any proposed tree removal must be consistent with the Walnut Creek Tree Preservation Ordinance.

Discussion:

- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

It is unlikely that the site provides habitat for any special-status species. No special-status plant species were detected during systematic surveys conducted in 2006, and none suspected to occur on the site. Although no nests were observed during past surveys of the site, there is a possibility that one or more bird species could establish nests in the future before construction begins, particularly along the Walker Canyon Creek corridor. Construction activities could result in a “take” of tree- or ground-nesting migratory birds and/or birds of prey, including but not restricted to Cooper’s hawk, burrowing owl, and white-tailed kite, if new nests are established in the future, which would be a potentially significant impact.

Foraging opportunities for some of these special-status bird species would change with elimination of most of the non-native grasslands on the site, but abundant habitat remains in the surrounding area and this loss would be considered a less-than-significant impact.

There remains a remote possibility that western pond turtle individuals could disperse along Walker Canyon Creek. However, no in-channel activities are proposed as part of the project, with surface drainage to be accomplished by tying into an existing off-site drainage system. The BRR included two recommendations related to western pond turtle, calling for a preconstruction survey prior to installation of the previously proposed outfall and installation of silt fencing around the top of bank to prevent turtles from moving into the construction zone. Although the likelihood of turtles dispersing into the construction zone is considered remote, these measures would still be necessary to prevent inadvertent take.

IMPACT IV-1: The proposed project could have an adverse effect on special-status species.

The following measures were recommended in the BRR by the applicant’s consulting biologist, and would serve to mitigate potentially significant impacts on special-status bird species to a level of less-than-significant. Mitigation to prevent possible inadvertent loss of western pond turtles during construction is also recommended below based on two measures the BRR by the applicant’s consulting biologist, which would mitigate potentially significant impacts to a less-than-significant level.

Mitigation Measure IV-1A. If vegetation removal and grading commences between February 15 and August 31, a qualified wildlife biologist shall conduct a preconstruction survey for nesting birds. If nests of either migratory birds or birds of prey are detected on or adjacent to the site, a no-disturbance buffer (generally 50 feet for passerines and 300 feet for raptors) in which no new site disturbance is permitted shall be observed until August 15, or the qualified biologist determines that the young are foraging independently. The size of the

3.0 ENVIRONMENTAL CHECKLIST

no-disturbance buffer shall be determined by a qualified wildlife biologist, and shall take in to account local site features and existing sources of potential disturbance. If more than 15 days elapses between the survey and site disturbance, the survey shall be repeated.

Mitigation Measure IV-1B. A preconstruction survey for burrowing owls shall be conducted by a qualified biologist not more than 30 days prior to the start of construction. If no owls or sign are detected during this survey, no further burrowing owl mitigation would be necessary. If burrowing owls or sign of burrowing owls is detected, mitigation consistent with the CDFG Staff Report⁸ shall be provided.

Mitigation Measure IV-1C. Measures shall be taken to prevent possible inadvertent loss of western pond turtles during construction. These shall consist of the following:

- A preconstruction survey for western pond turtles shall be conducted by a qualified biologist not more than 48 hours prior to the commencement of construction. If western pond turtles are detected which could be disturbed during construction, they shall be relocated to a suitable reach of Walker Creek upstream or downstream of the project site.
- Prior to construction and after completion of the preconstruction survey above, silt fencing or equivalent shall be installed along the top of bank to prevent the movement of western pond turtles from the riparian corridor into the construction zone. This fencing shall be in addition to any fencing installed as part of best management practices for erosion control purposes. The location of the fencing shall be determined by the qualified biologist, shall be inspected weekly by the construction foreman and maintained intact at all times during construction, and shall be removed once grading and heavy off-road equipment operation is complete.

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

No sensitive natural community types occur on the site, which is dominated by a cover of non-native grasslands and ornamental landscaping. The mixed riparian woodland along Walker Canyon Creek does contain sensitive habitat regulated under Section 1602 of the State Fish and Game Code. Major grading and construction related to the project would be restricted away from the riparian habitat. Implementation of the Creek Preservation and Enhancement Plan (CPEP) prepared by the applicant's consulting biologist would result in temporary disturbance along the southern edge of the riparian corridor during installation of plantings and seeding, but this would be relatively minor with no heavy equipment operation anticipated, and ultimately would serve to expand and enhance the existing habitat along the Walker Canyon Creek corridor. The BRR included mitigation recommending protection of riparian trees and shrubs. With implementation of the proposed CPEP and Best Management Practices to avoid possible indirect impacts on aquatic habitat, as provided under Section IX, Hydrology and Water Quality, potential impacts on sensitive natural communities would be considered less than significant. No additional mitigation measures are required.

⁸ California Department of Fish and Game, 1995, *Staff Report on Burrowing Owl Mitigation*, Unpublished report. 8 pp.

3.0 ENVIRONMENTAL CHECKLIST

- c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No direct impacts on jurisdictional waters are anticipated as part of the project. Potential indirect effects could degrade the existing habit functions and values of jurisdictional waters, resulting from accidental spills, contamination from fertilizers and other urban pollutants, and increased runoff volumes and possible erosion in waters of the U.S. and state. Creation of impervious surfaces tends to magnify the volume of runoff and potential for urban pollutants, with perhaps the greatest potential damage resulting from sedimentation during the construction phase of a project and from new non-point discharge of automobile by-products, fertilizers, and herbicides. However, implementation of adequate erosion control measures, and incorporation of the numerous storm water runoff treatment methods would serve to address potential indirect impacts on wetlands and water quality. Additional discussion of the potential indirect impacts on wetlands and water quality are provided under Section IX. Hydrology and Water Quality. No additional mitigation measures are required.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

The site provides suitable habitat for common wildlife species associated with grasslands, landscaped yards, and riparian corridors in the vicinity. Due to the extent of residential development to the north of the site, proposed development would not substantially interfere with the movement of wildlife species or impede use of native wildlife nurseries, as the Walker Canyon Creek corridor would be preserved and enhanced as part of the proposed CPEP and undeveloped land to the south and west would remain available for wildlife movement. Some species which utilize the non-native grasslands and ornamental landscaping on the site could be displaced or eliminated from the site, but suitable habitat remains in the surrounding area and no significant impacts on special-status species or essential habitat for these species is anticipated. Equipment operation, construction-generated noise, and increased human activity on the site, both during construction and after, could result in disturbance to species using the adjacent undeveloped lands. But preconstruction surveys recommended in Mitigation Measure IV-1A and IV-1B would serve to identify and avoid any sensitive nesting habitat in the immediate vicinity until young have fledged. And implementation of Mitigation Measure IV-1C would ensure no inadvertent take of western pond turtles during construction. Wildlife are used to some level of human activity in the vicinity, given the extent of existing development to the north and east, and eventually wildlife would become acclimated to the developed condition of the site as well. Potential impacts on wildlife habitat and movement opportunities is considered less-than-significant. No mitigation measures are required.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Project implementation would not significantly conflict with any local policies or ordinances protecting biological resource, such as the County's tree preservation or creek protection ordinance. Wetlands and riparian habitat along Walker Canyon Creek would not be adversely affected, and would be enhanced as part of the proposed CPEP. As indicated on the tentative map in Figure 2-3, a 50-foot creek structure setback is required to protect the creek corridor. The BRR included mitigation measures calling for preparation of a creek preservation and enhancement plan to provide

3.0 ENVIRONMENTAL CHECKLIST

consistency with the North Gate Specific Plan, and securing a tree permit for the proposed tree removal. Measures recommended to mitigate potential impacts on special-status species would serve to address potential conflicts with County policies related to protection of sensitive biological resources.

As described in the arborist evaluation for the project, a total of 66 trees occur on the site. An estimated 19 trees are to be removed as part of the proposed project. Of the 19 to be removed, nine are remnant black walnut stump sprouts, five are almond trees in poor or very poor condition (tree #776 along the creek corridor is actually dead), four are young redwoods with trunk diameters of from 6 to 7 inches, and one is a planted California pepper tree.

Although most of the trees on the site are to be retained as part of the project, it appears that a tree removal permit would be required pursuant to Section 3-8.03 of the Walnut Creek Tree Preservation Ordinance and Policy 3 of the North Gate Specific Plan. Of the 19 trees to be removed, a total of nine have trunk diameters of nine inches or greater meeting the definition of “tree” under the Walnut Creek Tree Preservation Ordinance. These consist of seven black walnut stump sprouts, three almonds (one of which is dead), and one California pepper. Because of the potential conflict with the City’s Tree Preservation Ordinance, this would be considered a potentially significant impact, which would be mitigated to a level of less-than-significant when compliance is met through the permit application process.

IMPACT IV-2: The proposed project may be in conflict with the Walnut Creek Tree Preservation Ordinance.

The following measure would serve to mitigate potentially significant impacts on tree resources and need for compliance with the Walnut Creek Tree Preservation Ordinance to a level of less-than-significant.

Mitigation Measure IV-2: The project shall comply with the City of Walnut Creek Tree Preservation Ordinance (Section 3.8 Preservation of Trees on Private Property), consistent with the North Gate Specific Plan. This shall include preparation of a Tree Replacement Program and Tree Preservation Guidelines as defined below:

- Tree Preservation Guidelines shall be prepared and implemented during construction activities to avoid injury of trees to be preserved during construction. This shall include establishment of tree protection zones at the drip line, or as modified under the direction of a certified arborist. Excavation, grading, construction, and storage of materials shall be avoided within this zone. Exclusion fencing shall be established around the tree protection zone. Tree protection methods during construction and any modifications to tree protection zones shall be overseen by a qualified arborist.
- A Tree Replacement Program shall be prepared by the applicant, and implemented as part of the mitigation program for the project. Replacement trees shall be provided at a minimum 3:1 ratio, shall be installed along the edge of the riparian corridor as part of the CPEP where feasible, and shall be maintained for a minimum of five years to ensure their successful establishment. Replacement tree plantings shall be irrigated for a minimum of two years following initial planting to ensure their survival, and shall be replaced on an annual basis to meet success criteria specified in the Tree Replacement Program.

3.0 ENVIRONMENTAL CHECKLIST

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans encompassing the site and vicinity, so no impacts are anticipated. No mitigation measures are required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES — Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		✓		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✓		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d) Disturb any human remains, including those interred outside of formal cemeteries?		✓		

Setting:

A Phase I Cultural Resources Evaluation of the proposed project site was conducted in early 2006 (Archeo-Tec, 2006). This evaluation included a formal request to the Native American Heritage Commission to search its “Sacred Lands” file. Based on the results of the archival review and surface reconnaissance, there is no clear evidence that prehistoric or historic cultural materials of significance exist within the project site. The record search of the “Sacred Lands” file failed to indicate the presence of Native American cultural resources in the immediate project area. In addition, eleven previous studies performed in the vicinity of the project site were reviewed and did not reveal any prehistoric remains within one-half mile of the site. However, no subsurface investigations have been performed at the project site, and the project site is in an environment that would have been hospitable for aboriginal occupation (Archeo-Tec, 2006).

Discussion:

- a & b) Cause a substantial adverse change in the significance of a historical or archeological resource as defined in §15064.5?*

As stated in the Setting section above, there are no known historical or archeological resources on the project site. However, because no subsurface studies were undertaken, the potential exists to encounter historic or prehistoric artifacts, features or cultural resources during site preparation and improvement activities; e.g., grading, trenching, etc.

3.0 ENVIRONMENTAL CHECKLIST

This is a standard condition of approval that is placed upon the application. Therefore, the impact on cultural resources is considered a less-than-significant impact.

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

There are no known unique paleontological or geologic features at the proposed project site. (Refer to Section VI. Geology and Soils, for more information.) There would be no impact.

d) *Disturb any human remains, including those interred outside of formal cemeteries?*

The 2006 Phase I Cultural Resources Evaluation did not reveal that human remains exist at the project site. However, California Health and Safety Code 7050.5 states that if human remains are discovered during construction, no further disturbance shall occur until the county coroner has made findings as to the origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. If the coroner determines that the remains may be Native American, a representative of the Native American Heritage Commission (NAHC) would be consulted as to which tribe has jurisdiction and what the disposition of the remains should be.

IMPACT: V-1: The potential exists during site preparation that prehistoric, historic, cultural resources or human remains could be uncovered.

Implementation of the following mitigation measures would reduce the impact to less than significant.

Mitigation Measure V-1A: If historic or prehistoric artifacts, features, or cultural resources are encountered during construction of the proposed project, all work shall be halted in the immediate vicinity of the find for purposes of evaluation by a qualified professional archaeologist approved by the Contra Costa County Department of Conservation and Development.

Mitigation Measure V-1B: The County Coroner shall be notified if human remains are uncovered during construction. If it is determined that the remains are Native American, a representative of the NAHC shall be consulted.

SOURCE OF INFORMATION

Archeo-Tec. 2006. Report on Findings of the Phase I Cultural Resources Evaluation of a 9.77-acre parcel of land (APN # 138-180-0022) located at 1125 North Gate Road, Walnut Creek, Contra Costa County, California, March 31.

3.0 ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS — Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			✓	
ii) Strong seismic ground shaking?			✓	
iii) Seismic-related ground failure, including liquefaction?				✓
iv) Landslides?			✓	
b) Result in substantial soil erosion or the loss of topsoil?			✓	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		✓		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓

Setting:

The project site is located approximately 1300 feet southwest of the active, north/south-trending Concord fault. A fault is considered active if it has experienced earthquakes during Holocene time (about the last 11,000 years). The Maximum Moment Earthquake along the Concord fault is magnitude 6.9. The western boundary of the Alquist-Priolo zone associated with the Concord fault passes through the remainder parcel (Lot 7) of the proposed project (Joyce Associates, 2007).

Several geotechnical investigations have been conducted at the project site. The reports of these investigations include the following:

3.0 ENVIRONMENTAL CHECKLIST

- Fault Hazard Report prepared by Joyce Associates, dated December 12, 2007.
- Geotechnical Study prepared by Jensen-Van Lienden Associates, dated December 29, 2006.
- Supplemental Geotechnical Recommendations prepared by Jensen-Van Lienden Associates, dated January 8, 2008.
- Geologic Peer Review prepared by Darwin Myers Associates, dated September 24, 2007.
- Geologic Peer Review, Alquist-Priolo Report & CEQA Section prepared by Darwin Myers Associates, dated December 24, 2007.

Discussion:

- a) *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
- i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*

Ground rupture is most likely to occur along previously active fault traces. The risk of ground rupture in areas where previous faulting has not occurred is considered to be very low. The Joyce Associates investigation concluded that in-situ traces of active faults are not present within the project site, and, therefore, the risk of fault-related ground rupture within the site is very low (Joyce Associates, 2007).

A peer review of the Joyce Associates investigation found it to be adequate, and that no further evaluation of the hazard posed by the Concord fault is required (Darwin Myers Associates, 2007). The impact of fault rupture is considered less than significant.

- ii) *Strong seismic ground shaking?*

The project site is located in a Seismic Zone 4. The Concord fault has a Maximum Moment Earthquake magnitude of 6.9. An earthquake of this magnitude along this fault would create strong seismic ground shaking at the project site. Ground shaking would also occur from lesser-magnitude earthquakes along the Concord fault or earthquakes along other faults in the Bay Area (e.g., the San Andreas or Hayward faults). The project site is in an area rated as moderate damage susceptibility in the Contra Costa County General Plan (Contra Costa County Community Development Department, 1996, Figure 10-4).

The risk of structural damage from ground shaking is controlled through building codes and Contra Costa County ordinances. The applicant's geotechnical engineering consultant presents current Uniform Building Code seismic design parameters (Jensen-Van Lienden Associates, 2006). In addition, the California Building Code (CBC) requires use of seismic parameters for structural engineering analysis for buildings that are based on seismic zones and soil profile types (CBC 2007, Section 1613). The residences in the proposed project would probably be constructed with wood frames that perform relatively well during seismic ground shaking when properly designed.

3.0 ENVIRONMENTAL CHECKLIST

Compliance with building codes would keep risks within generally accepted limits, and the impacts of strong seismic ground shaking are considered less than significant.

iii) Seismic-related ground failure, including liquefaction?

The project site is located near the boundary between areas rated as generally low and generally moderate to low liquefaction potential in the Contra Costa County General Plan (Contra Costa County Community Development Department, 1996, Figure 10-5). The project site is underlain by very stiff to hard silty clay soil and bedrock. Liquefaction occurs in loose sandy soils that lie below the water table. No loose sandy soils were encountered during the geotechnical investigation of the site. The chances of liquefaction at the project site are extremely remote (Jensen-Van Lienden Associates, 2006). Seismic-related landslides would be prevented through construction of cuts and fills with proper slide slopes. There would be no impact resulting from seismic-related ground failure, including liquefaction.

iv) Landslides?

The project site slopes down from elevation 310 at the existing development pads along the southern site-boundary to elevation 250 at the top of the Walker Canyon Creek bank. The average slope is approximately seven percent, and there are no localized steep slopes. No landslides were observed on the project site during a site reconnaissance in late 2007 (Joyce Associates, 2007) or during the geotechnical test borings drilled in December 2006 (Jensen-Van Lienden Associates, 2006). The applicant's geotechnical engineering consultant recommends cut and fill slopes that become flatter with increasing height (Jensen-Van Lienden Associates, 2006). The consultant also recommends sub-drains under some of the deeper fills. The Vesting Tentative Map for the proposed project shows that the steepest slopes would be 3:1 (horizontal to vertical) with flatter slopes around the perimeter of the project site (Aliquot Associates, 2008).

The Walker Canyon Creek channel on the north side of the project site is incised. The channel banks are approximately 15 deep with 2:1 (horizontal to vertical) bank slopes. Existing erosion and sloughing is relatively minor and appears to be confined to shallow sloughing of the steeper, eroded channel banks (Joyce Associates, 2007). The creek structure setback shown on the Vesting Tentative Map for the proposed project would protect houses and other infrastructure from creek bank erosion (Aliquot Associates, 2008). The potential impact from landslides is considered less than significant.

b) Result in substantial soil erosion or the loss of topsoil?

Construction of the proposed project would result in loss of topsoil because grading would be required to form building pads for the new houses. The geotechnical report for the proposed project recommends removing the native grasses and weeds before proceeding with grading. These shallow-rooted plants would require removal of no more than 6 inches of soil. This mixture of soil, grasses and weeds would be useless and would be disposed of off site. There would be no loss of valuable topsoil.

A Storm Water Pollution Prevention Plan (SWPPP) and an Erosion Control Plan are requirements for projects requiring grading permits in Contra Costa County. The SWPPP identifies the Best Management Practices that are most appropriate for the site, and the Erosion Control Plan provides details of the erosion control measures to prevent soil erosion and off-site migration of sediment-

3.0 ENVIRONMENTAL CHECKLIST

laden runoff during construction. With these control measures in place, the impacts from soil erosion and loss of topsoil are considered less than significant.

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Refer to discussion of Item a) above. The project site is underlain by very stiff to hard silty clay soil and bedrock. With these soil and rock conditions, combined with properly engineered building pads and cut and fills, on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse should not occur. The impact from these risks is considered less than significant.

- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

Due to the high clay content, all of the soils and some of the bedrock at the project site are moderately to highly expansive. The applicant's geotechnical engineering consultant has made preliminary recommendations for structural foundations for houses and retaining walls to control the effects of expansive soil. These recommendations include using drilled piers and grade beams or constructing slabs-on-grade on mats of non-expansive engineered fill. Similar recommendations should be developed to avoid heaving of roadway pavements and driveways. If these recommendations are followed, the impact of expansive soils is considered less than significant.

IMPACT VI-1: Expansive soils could cause damage to foundations and the roadways/driveways if not properly engineered.

Mitigation Measure VI-1: Construction of house foundations, streets and driveways, and other structures shall comply with the recommendations of the applicant's geotechnical engineering consultants (Jensen-Van Lienden Associates, Inc. December 29, 2006 report). These recommendations include the following:

- Houses with crawl spaces shall be supported with drilled piers and grade beams designed to resist uplift pressure.
- Houses with slabs-on-grade shall be supported on mats of non-expansive engineered fill.
- Garage floor slabs, sidewalks and outdoor slabs (e.g., patios) where some cracking can be accepted could be designed to be stronger (e.g., with more steel reinforcing bars) and must be isolated from house foundations. If cracking is unacceptable, these slabs shall be supported on mats of non-expansive engineered fill.
- Applicant shall provide recommendations by a registered geotechnical engineering consultant for proper foundation and support of asphalt-concrete streets.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The proposed project would be served by a sanitary sewer system that would convey wastewater to a municipal wastewater treatment plant for treatment and disposal. There would be no septic tanks or alternative wastewater disposal systems at the proposed project, so there would be no impact.

SOURCES OF INFORMATION

Aliquot Associates. 2010. *Vesting Tenting Map, Subdivision 9167 – 1125 North Gate Road*, October 6.

Contra Costa County Community Development Department. 1996. *Contra Costa County General Plan, 1995-2010*, July.

Darwin Myers Associates. 2007. *Geologic Peer Review, SD079167/RZ073195, APN 138-180-002/1125 North Gate Road, Walnut Creek area, Contra Costa County*, September 24.

Darwin Myers Associates. 2007. *Geologic Peer Review, Alquist-Priolo Report & CEQA Section, SD079167/RZ073195, APN 138-180-002/1125 North Gate Road, Walnut Creek area, Contra Costa County*, December 24.

Jensen-Van Lienden Associates, Inc. 2006. *Geotechnical Study, Proposed 8-Lot Subdivision, 1125 North Gate Road, Contra Costa County, CA*, December 29.

Jensen-Van Lienden Associates, Inc. 2008. *Supplemental Geotechnical Recommendations, 1125 North Gate Road, Contra Costa County, CA*, January 8.

Joyce Associates. 2007. *Fault Hazard Investigation, Proposed Subdivision, 1125 North Gate Road, Walnut Creek, California*, December 12.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS — Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				✓

Setting:

On June 2, 2010, the Bay Area Air Quality Management District (BAAQMD) Board approved thresholds of significance for land development projects and plans; e.g., General Plans and Climate Action Plans. The BAAQMD thresholds are a response to the California statewide mandate (AB 32) to reduce GHG emissions in year 2020 to the 1990 level. The analysis of Greenhouse Gas Emissions is now a required topic to be addressed in all CEQA documents.

Discussion:

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Future land use development to create single-family houses or buildable lots with infrastructure entails energy for grading, paving, building construction, finish work, and painting. The operation of houses entails using electricity for lighting, cooling, and appliances; natural gas for space heating; and fuel for transportation for home/work commute, home-based shopping, and other travel. Other general characteristics of land use development include uses of water, and generation of wastewater and solid waste. Greenhouse gases (GHGs) emitted from these activities are termed land use-driven GHG emissions. The proposed project creates seven additional lots for single-family residences. Based upon traffic projections (10 trips/household/day), approximately 70 additional vehicle trips would be generated by the subdivision.

As a part of the GHG threshold criteria and based upon BAAQMD modeling, it was determined that various land uses which may exceed a “screening size level” would likely have GHG emissions that the BAAQMD deems significant. For single-family residential development projects, the threshold level is 56 dwelling units, therefore the potential development of seven dwelling units as a result of the proposed subdivision is considered a less-than-significant impact based upon BAAQMD’s threshold criteria (BAAQMD, 2010).

- b) *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

The proposed project would not conflict or interfere with other plans for climate action of the state, regional, and local planning agencies; e.g., the BAAQMD or California Air Resources Board. Contra Costa County’s Municipal Climate Action Plan addresses GHG emissions from municipal operations, but not land use-driven GHG emissions (Contra Costa County, 2008).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS — Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓

3.0 ENVIRONMENTAL CHECKLIST

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	

Setting:

The 9.98-acre project site is undeveloped except for two residences on the remainder lot (#7) located on the south side of the site. The undeveloped portion of the property is covered with wild grasses and weeds and scattered remnants of orchard trees. The site is not located near a hazardous land use as shown on Figure 10-9a of the Contra Costa County General Plan (CCCCDD, 1996). There are no known underground storage tanks on the site. There are no known petroleum or natural gas pipelines on or near the site, and no pipelines appear near the site on Figure 10-9b of the Contra Costa County General Plan (CCCCDD, 1996). There is a low-pressure Pacific Gas and Electric gas main along North Gate Road at the entrance to the project site.

Crops requiring use of herbicides and/or pesticides have never been grown on the site. Cattle grazing may have occurred in the past when the property was part of a larger land tract. A Phase I Environmental Assessment for hazardous materials has not been prepared for the site.

Discussion:

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

No hazardous materials would be routinely used at the proposed project other than common household hazardous wastes (aerosol sprays, paint, oil, solvents, pesticides, weed killers, etc.). The Central Contra Costa Solid Waste Authority has established a Household Hazardous Waste Collection Facility in Martinez where residents can dispose of their household hazardous wastes. Drop inlets for the storm drain system would be labeled with "Do Not Dump – Drains to Creek" signs to discourage people from dumping household hazardous wastes into the drop inlets. Assuming the public behaves responsibly, the proposed project would not create a significant hazard to the public or the environment, and the impacts would be less than significant.

During construction of the houses, hazardous materials would be transported to the project site. Construction activities typically involve the use of potentially toxic substances such as paints, fuels, and solvents. People living in neighborhoods near the project site could be exposed to these materials as trucks move through their neighborhoods during construction at the project site. Construction activities would be subject to federal, state, and local laws and requirements designed to minimize and avoid the potential health and safety risks associated with hazardous materials. Furthermore, a Storm Water Pollution Prevention Plan (SWPPP) would be required that would describe methods to protect against the accidental release of construction-related chemicals into runoff from the site (refer to Section VIII: Hydrology and Water Quality). Given these controls, impacts related to the transport, use, or storage of hazardous materials are considered to be less than significant.

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Refer to the discussion of Item a) above. Proper transfer and storage should prevent accidents that would release any hazardous materials. If such materials are accidentally released, corrective actions would be conducted in accordance with requirements of the Contra Costa County Environmental Health Department. Implementation of these measures would reduce impacts to a less-than-significant level.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The front of Northgate High School, the nearest school to the project site, is located approximately 2300 feet, or 0.4 mile, west of the western boundary of the project site. There would be no impact.

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The proposed project site is not included on lists of hazardous materials sites compiled pursuant to any government code. There would be no impact.

3.0 ENVIRONMENTAL CHECKLIST

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

The project site is not located within the boundaries of an airport land use plan. The nearest airport is Buchanan Field, which is located approximately 6.5 miles north of the project site (CCCCDD, 1996, Figure 5-5). There would be no hazard to people residing in the project area. There would be no impact.

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

The proposed project is not located within the vicinity of a private airstrip. There would be no impact.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The proposed project would not impair or interfere with an adopted emergency response or evacuation plan. There would be no impact.

- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

The project site is in a semi-rural residential area with equestrian facilities to the east and residential subdivisions on the north and southeast sides of the site. The Pine Creek detention basin to the west of the site is an open area with patches of grass and weeds. Grass covered grazing land exists on the south side of the site. The Lime Ridge and Shell Ridge open spaces, Foothill Regional Park and Castle Rock Recreational Area are all located in the vicinity. There is ample fuel for wildfires to occur in the area.

However, vegetation clearances would be required at the proposed project site in accordance with the International Wildland-Urban Interface Code (Leach, 2010). The houses in the proposed project should be constructed with Class A roofs; chimneys equipped with spark arresters; eave and vent openings protected with fire-resistant screening; and decks with ignition-resistant materials. All future house plans will be reviewed by the Fire District to comply with the fire code requirements. In addition, CCCFD's fire station on Walnut Avenue near Comanche Court has a Type III engine—which is designed for fighting wild fires and can travel cross-country—as well as a Type I engine to help in fighting wildland fires. (Also refer to Section XIV. Public Services.) With these defense measures, the chance of wildfires in the vicinity of the project site would be reduced and the impact is considered less than significant.

SOURCES OF INFORMATION

Contra Costa County Community Development Department (CCCCDD). 1996. *Contra Costa County General Plan, 1995-2010*, July.

Contra Costa County Fire Protection District. 2007. Letter to Ms. Rose Marie Pietras, Contra Costa County Community Development Department, September 16.

3.0 ENVIRONMENTAL CHECKLIST

Leach, Ted, Fire Inspector, 2010. Contra Costa County Fire Protection District. Personal communication with Robert Mills, Mills Associates, November 4.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY				
— Would the project:				
a) Violate any water quality standards or waste discharge requirements?			✓	✓
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			✓	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			✓	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
f) Otherwise substantially degrade water quality?			✓	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓

3.0 ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j) Inundation by seiche, tsunami, or mudflow?			✓	

Setting:

The 9.98-acre project site slopes down from elevation 310 at the existing house pads along the southern boundary to elevation 244 at the top of the bank of Walker Canyon Creek at the far northwestern point of the site. The average slope of the property is approximately 7 percent, and there are no localized steep slopes. The site is undeveloped except for two residences. There is a pond to the east of the two existing houses. The average annual rainfall is approximately 17 inches. Existing site drainage primarily consists of sheet flow across the vacant land northward to Walker Canyon Creek.

The Pine Creek detention basin, owned and maintained by the Contra Costa County Flood Control and Water Conservation District (CCCFC&WCD), abuts the western boundary of the project site. Federal Emergency Management Agency Flood Insurance Rate Map Panel Number 06013C0315F shows that the project site is not located within a 100-year flood plain (Zone A) or Special Flood Hazard Area. There is no 100-year flood plain shown along Walker Canyon Creek. A Zone A flood plain is shown along Arroyo Del Cerro Creek located approximately 1,000 feet south of the southern boundary of the project site. A Zone A flood plain also exists at the Pine Creek detention basin. Neither of these Zone A flood plains affect the project site.

Discussion:

a) *Violate any water quality standards or waste discharge requirements?*

The wastewater (i.e., sewage) from the proposed project would be collected in sanitary sewers and conveyed to the Central Contra Costa Sanitary District for proper treatment and disposal (refer to Section XVII. Utilities and Service Systems of this checklist). Storm water runoff from the project would be collected and treated in conformance with a Storm Water Control Plan (SWCP) prepared by the applicant’s civil engineer (Aliquot Associates, 2010). This plan was prepared to comply with the C.3 requirements of the Contra Costa Clean Water Program using the fourth edition of the Stormwater C.3 Guidebook. The C.3 requirements were developed to comply with the mandates of the San Francisco Bay Regional Water Quality Control Board. Storm water runoff from impervious areas would be collected and treated to remove pollutants in either bio-retention planters or roadside grassy swales. The bio-retention planters would discharge to Walker Canyon Creek. The plants and temporary storage in these facilities would retain the runoff so that the rate of discharge to Walker Canyon Creek would be no greater than the rate from the existing undeveloped site. Pervious areas would be considered self-retaining areas. Since the SWCP satisfies the C.3 requirements there would be no violations of water quality standards or waste discharge requirements; thus, no impact would occur.

3.0 ENVIRONMENTAL CHECKLIST

- b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

Since the proposed project would increase the impervious surfaces on site, recharge of the local groundwater table from the site itself may be reduced. However, the geotechnical engineering investigation for the proposed project (Jensen-Van Lienden Associates, Inc. 2006) revealed that the native soils at the site have fairly high clay content that makes them relatively impervious and limits the existing recharge capacity. In addition, the storm drain system for the proposed project that collects runoff from the impervious surfaces would convey runoff to bio-retention planters prior to discharge to Walker Canyon Creek that flows along the north side of the project site. The planters are designed to provide limited infiltration to the ground. The creek is a concentrated, natural recharge feature as water percolates down through the creek banks and bottom. Therefore, it is unlikely that the reduced recharge created by the proposed project would significantly deplete local groundwater supplies so that production of existing nearby wells (if any) would be adversely impacted. The impact is considered less than significant.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

The proposed project would not substantially alter the existing drainage pattern of the site or area. Most of the existing project site drains via sheet flow over the ground to Walker Canyon Creek that flows along the north side of the site. The storm drain system for the proposed project would also discharge to Walker Canyon Creek, but the discharge would be at a single location. The discharge would be through an existing outlet that is lined with rock rip-rap. The rip-rap would dissipate energy, which should prevent increased erosion of the creek banks at the outlet. Since this outfall is an existing structure, the proposed project would not result in any disturbance within the banks of Walker Canyon Creek, and a Streambed Alteration Agreement pursuant to Section 1600 et seq. of the Fish and Game Code would not be required. The course of the creek would not be altered.

The applicant's SWCP is designed to limit the rate of surface runoff to the rate that exists from the undeveloped property. In addition, a Storm Water Pollution Prevention Plan (SWPPP) and an Erosion Control Plan will be prepared and approved prior to issuance of a grading permit. The SWPPP identifies the best management practices that are most appropriate for the site, and the Erosion Control Plan provides details of the erosion control measures to be applied during construction and maintained throughout the first winter rainy season. There should be no substantial erosion or siltation during or following construction, and the impact would be less than significant.

- d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

Refer to discussion of Item c) above. The proposed project would create impervious surfaces including roofs, driveways, and the access road. The storm drain system designed for the proposed project would be sized to prevent on-site flooding from a 10-year storm (i.e., a storm that has a 10 percent of occurring each year). Storm runoff from the project would drain to Walker Canyon Creek.

3.0 ENVIRONMENTAL CHECKLIST

The applicant's SWCP is designed to limit the rate of storm runoff from the proposed project to no more than the rate from the undeveloped property. However, due to the increase of impervious surfaces, the volume of surface runoff would increase and would be spread out over time.

Walker Canyon Creek flows into Pine Creek approximately 1,200 feet downstream from the northwest corner of the project site. The Pine Creek detention basin, located immediately west of the project site and just upstream from the creek juncture, controls the flow in Pine Creek downstream from that point so the rate of flow in the creek will not exceed the creek's capacity. Even though the proposed project would increase the volume of runoff reaching Walker Canyon Creek, the discharge to the creek would extend over a longer period of time such that the rate of flow in the creek would not increase above pre-project conditions. Since the capacity of the downstream storm water drainage system is based on rates of flow not volumes, the capacity would not be exceeded as a result of implementing the proposed project. Therefore, downstream flooding would not be increased, and the impact of the proposed project is considered less than significant.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Refer to discussion in Items a), c) and d) above. The eastern portion of the site access road would drain into an existing storm drain that currently drains the road. Although the proposed road would be paved, the small increase in flow would not exceed the capacity of the existing storm drain. The impact of the proposed project is considered less than significant. For further discussion on water quality impacts, refer to Item f).

f) Otherwise substantially degrade water quality?

The SWCP for the proposed project is based on the Contra Costa Clean Water Program Stormwater C.3 Guidebook, Fourth Edition. The SWCP proposes Integrated Management Practices (IMPs) consisting of bio-swales and bio-retention planters. These IMPs are sized according to the C.3 Guidebook and would provide for pollutant removal as the storm water runoff flows through the grasses, soil and rock and percolates into the ground. When the ground under the IMPs becomes saturated and cannot accept any more percolation, the runoff would flow through outlet pipes to Walker Canyon Creek. Since the IMPs are sized according to the *C.3 Guidebook*, the proposed project would not substantially degrade water quality, and the impact is considered less than significant.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Federal Emergency Management Agency Flood Insurance Rate Map Panel Number 06013C0315F shows that the project site is not located within a 100-year flood plain (Zone A) or Special Flood Hazard Area. No impact would occur.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Refer to discussion in Item g) above. No impact would occur.

3.0 ENVIRONMENTAL CHECKLIST

- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

Refer to the discussion in Item g) above. The project site is not located behind a levee or below a dam. There would be no impact.

- j) *Inundation by seiche, tsunami, or mudflow?*

The project site is not located near a large body of water, and it is over 200 feet above sea level. Suisun Bay is more than 10 miles north of the site. The proposed project would not be impacted by tsunamis generated by earthquakes.

A seiche is the occasional oscillation of water above and below the mean surface level of a lake or land-locked sea. The project site is not on the shores of a lake or sea.

The land at the project site slopes down to the north at approximately 7 percent. The site would be graded to form building pads for the new houses. With proper construction of the cuts and fills (including keys and sub-drains in some locations) to form the pads, and the installation of the storm drain system to convey runoff to Walker Canyon Creek, there would be very little chance of mudflows occurring either on or off the project site. The impacts from a seiche, tsunami, or mudflow are considered less than significant.

SOURCES OF INFORMATION

Aliquot Associates, Inc. 2010. Vesting Tenting Map, Subdivision 9167 – 1125 North Gate Road, October 6.

Aliquot Associates, Inc. 2010. Stormwater Control Plan, revised October 8.

California Department of Fish and Game. 2006. Letter to Mr. Will Nelson, Contra Costa County Community Development Department, February 21.

Contra Costa County Public Works Department. 2007. Interoffice Memo to Rose Marie Pietras, Contra Costa County Community Development Department, September 13.

Jensen-Van Lienden Associates, Inc. 2006. Geotechnical Study, Proposed 8-Lot Subdivision, 1125 North Gate Road, Contra Costa County, CA, December 29.

Wong, Robert, Aliquot Associates, Inc. 2010. Personal communication with Robert Mills, Mills Associates, September 9.

3.0 ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING — Would the project:				
a) Physically divide an established community?				✓
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

Setting:

The property is currently designated in the North Gate Specific Plan and County General Plan as Single Family – Very Low Density, and zoned General Agriculture A-2 Zoning District. The applicant is requesting a rezoning from the A-2 Zoning District to R-40 (Single-family Residential) Zoning District. At the present time two existing houses are located on the property at the southern end of the project site. The remaining acreage is undeveloped. The property is essentially a “flag” lot with a long driveway extending from North Gate Road westward/northwestward where it culminates at the two existing houses. Implementation of the proposed project would improve the existing driveway to comply with County private road standards.

Discussion:

a) *Physically divide an established community?*

Residential development occurs to the north, east and southeast of the project site. Open space occurs to the west/southwest of the project site. The proposed project is contained within the existing property and does not divide adjacent residential communities. The proposed development would essentially “fill in” the remaining undeveloped portion of the property.

b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

The project site is designated in the North Gate Specific Plan/General Plan as Single Family Very Low density. This designation requires that slopes not exceed 15 percent; the project site has a slope of 7 percent. As called for in the Specific Plan, the Very Low-density designation requires a minimum lot size of 40,000 square feet. The applicant is requesting a rezoning from A-2 to the R-40 zoning district, with a minimum 40,000 square foot lot size. The Very Low-density designation

3.0 ENVIRONMENTAL CHECKLIST

allows for a maximum of .09 du/net acre. Based upon a net acreage of 8.9 acres, the overall density of the project is consistent with the land use designation’s density requirement.

The proposed project is consistent with the Specific Plan regarding 60-foot setbacks for dwellings when the development abuts open space lands. The tentative map depicts this setback along the west and southwest property line, as well as the 50-foot minimum creek setback that is also required of the Specific Plan and County ordinance (Title 914-14.012). The County ordinance requires varied setbacks to creeks based upon creek depth. The 50-foot setback is shown on Figure 2-4 and is based upon the depth of Walker Canyon Creek. Project plans also reflect the widening of North Gate Road along the project frontage as required of new projects in the Specific Plan.

The project application is for the subdivision of the property and does not include building plans. At such time house plans are submitted, these, as well as landscape and fencing plans, would be reviewed for compliance with the Development Regulations contained in the North Gate Specific Plan.

The proposed project is consistent with the North Gate Specific Plan; therefore, no impacts are anticipated.

c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans encompassing the site and vicinity. No impacts are anticipated.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES — Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

Setting:

There are no known mineral resources on or under the proposed project site. According to the Contra Costa County General Plan, the nearest mineral resource of value is a diabase aggregate deposit located approximately 1.3 miles to the east of the project site (Contra Costa County, 1996, Figure 8-4).

Discussion:

- a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

The proposed project would not result in loss of a valued mineral resource, thus no impact would occur.

- b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

The availability of the locally important mineral recovery site would not be lost. Therefore, the proposed project would have no impact.

SOURCE OF INFORMATION

Contra Costa County Community Development Department. 1996. *Contra Costa County General Plan, 1995-2010*, July.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. NOISE — Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	

3.0 ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

Setting:

Existing land uses surrounding the project site include residential housing, equestrian facilities, and the Pine Creek detention basin. Existing noise levels are common to residential neighborhoods. Noise is currently generated by vehicular traffic, primarily from North Gate Road, the main thoroughfare in the area. Figure 11-5J of the Contra Costa County General Plan (2005) shows that the proposed project is located outside a 60 dBA noise contour.

Discussion:

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Activities at the new houses in the proposed development are not expected to expose persons to, or generate, noise levels in excess of the Community Noise Exposure Levels shown on Figure 11-6 of the Contra Costa General Plan (2005). Figure 11-6 shows that levels of 60 dB or less are normally acceptable and 70 dB or less are conditionally acceptable. Types and levels of noise generated from the houses in the proposed project would be similar to noise levels from the existing residential developments in the area. Sources would include vehicular traffic, barking dogs, landscape-maintenance equipment, electronic amplification systems, and parties. The proposed project would be subject to the guidelines contained in the Noise Element of the County General Plan. The Plan calls for outdoor noise levels in new residential development to not exceed a DNL of 60dB and an indoor noise level not to exceed a DNL (day/night sound level) of 45 dB. The noise impacts generated by the proposed project are considered less than significant.

- b) *Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?*

The proposed project would not generate any ground-borne vibration or noise. There would be ground-borne vibrations from earthquakes that are not project-related (refer to Section VI. Geology and Soils). Refer to discussion of Item d) regarding noise impacts caused by ground-borne vibrations from mechanical equipment during construction of the project. The ground-borne vibration or noise generated by the proposed project is considered less than significant.

- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

The increase in traffic generated by the proposed project, as well as normal residential activities other than vehicular traffic, would increase noise levels in the vicinity of the project site above existing ambient noise levels without the project. However, these increases would not generate noise levels that would exceed the levels allowed by the Contra Costa County General Plan. The increase in ambient noise levels is considered less than significant.

3.0 ENVIRONMENTAL CHECKLIST

- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

A temporary increase in ambient noise levels would occur during construction of the proposed project. Trucks and grading equipment, air compressors, use of hammers and drills, etc., would generate noise that would be audible at nearby residences. Equipment typically used during construction generates noise levels above 60 dB. Contra Costa County does not consider construction noise to be a significant impact if:

1. Construction would not require major noise-producing equipment such as pile drivers or major noise-producing processes such as blasting.
2. The duration of the construction period would be relatively short.
3. There are no sensitive receptors (such as schools or libraries) in close proximity.
4. There are no biological resources in the area that would be especially sensitive to noise, such as the nesting sites of listed raptors.

The County's standard practice regarding small-scale construction projects that meet the four conditions listed above is to implement conditions of approval designed to reduce construction noise. These conditions include:

1. Limiting the hours of construction and delivery of materials and equipment to the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday and prohibiting work on weekends and State and federal holidays.
2. Prohibiting pile driving. (Drilled pier construction could be used for pier and grade-beam foundations of the houses.)
3. Requiring stationary noise-generating equipment to be located as far from particularly sensitive land uses as practicable.
4. Requiring construction equipment to use mufflers that are in good working order.
5. Prohibiting unnecessary idling of construction equipment.
6. Requiring posting, in a publicly visible location on-site, the contact information of the person responsible for noise control.

The County has determined that, with these conditions in place, noise generated by the proposed construction would not be substantial and would have a less-than-significant temporary impact on ambient noise levels.

3.0 ENVIRONMENTAL CHECKLIST

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

Buchanan Field is 6.5 miles north of the project site. The site is not located within an airport land use plan (CCCCDD, 2005, Figure 5-5). People residing in the project area would not be exposed to excessive noise levels. The noise impacts of aircraft over-flights is considered less than significant.

- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

The proposed project site is not located near any private airstrip. There would be no impact.

SOURCE OF INFORMATION

Contra Costa County Community Development Department. 2005. *Contra Costa County General Plan, 2005-2020*, January.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING — Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

Setting:

The proposed project would subdivide the 9.98-acre parcel into eight lots. Currently, two houses occupy new Lot 7 (the remainder parcel) which will remain when the property is subdivided. The remainder of the property is currently vacant.

Discussion:

- a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Based upon a population rate of 2.5 persons/dwelling unit, the proposed project would generate a population of 17.5 additional persons. This is considered a less-than-significant impact.

3.0 ENVIRONMENTAL CHECKLIST

b & c) Displace substantial numbers of existing housing and population, necessitating the construction of replacement housing elsewhere?

The existing houses will remain, therefore, no houses or persons will be displaced. There is no impact associated with the proposed project.

SOURCE OF INFORMATION

Contra Costa County Community Development Department, 2005. *Contra Costa County General Plan 2005-2020*, January.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES —				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				✓
Police protection?				✓
Schools?				✓
Parks?				✓
Other public facilities?				✓

Setting:

The proposed project would be served by the following public service agencies:

- Fire protection: Contra Costa County Consolidated Fire Protection District
- Police protection: Contra Costa County Sheriff’s Department
- Schools: Elementary school (grades K-5) – Walnut Acres Elementary School
Middle school (grades 6-8) – Foothill Middle School
High school (grades 9-12) – Northgate High School
- Regional parks: East Bay Regional Park District
- Local parks: City of Walnut Creek
- Libraries: Contra Costa County Library

Discussion:

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire Protection

Fire protection would be provided by the Contra Costa County Fire Protection District (CCCFFPD) from its station on Walnut Avenue near Comanche Court. This station is equipped with one Type I engine and one Type III wildfire engine. The station is manned with a crew of three firefighters, one of whom is a paramedic. The other two are emergency medical technicians (Duclos, 2009). The travel distance from the fire station to the proposed project site is 1.67 miles, and the response time is estimated to be approximately 5 minutes. The acceptable response time standard is 5 minutes 90 percent of the time. The CCCFFPD could serve the proposed project without increasing staffing, equipment, or facilities. The impact of the proposed project on existing fire protection services is considered less than significant.

The CCCFFPD reviewed the proposed project application and issued a letter defining roadway dimension and design standards, the need for a water supply that provides at least 1,500 gallons per minute, and other requirements necessary for CCCFFPD approval of the project. The access road would be 24-foot wide from curb to curb, except at three 4-foot-wide turnouts where the width increases to 28 feet. The CCCFFPD would require that this road have red curbs on both sides and be posted with *NO PARKING – FIRE LANE* signs (CCCFFPD, 2007). The cul-de-sac at the northern end of the access road has a radius of 45 feet, which is satisfactory for the CCCFFPD. Improvement plans will require approval from the Fire District prior to the start of grading activities. Additionally, development of any parcel will be subject to review and approval of the Fire District prior to the issuance of building permits.

Police Protection

The Contra Costa County Sheriff's Department would provide police protection out of its Valley Station located in Alamo. Three 24-hour beats are dispatched from the Valley Station, with one deputy patrolling per beat. Response time depends on where any of the deputies are located when a dispatch order is received, and how far they have to travel to respond. A duty sergeant supervises the Valley Station operation 24 hours per day. In case of emergencies, mutual aid can be provided by the City of Walnut Creek and the California Highway Patrol (Wagner, 2009). Due to Contra Costa County budget constraints, only three two-deputy patrol cars will serve the entire unincorporated area of the county from dusk to dawn on weekday nights starting in Fiscal Year 2009/2010. Four two-deputy cars will serve on weekend nights (Contra Costa Times, 2009). The Sheriff's Department could serve the proposed project without increasing staffing, equipment, or facilities. Therefore, the impact on existing police services is considered less than significant.

Schools

The Mount Diablo Unified School District (MDUSD) would provide school services for the proposed project. Elementary school students would attend Walnut Acres Elementary School on Cerezo Drive in Walnut Creek that has capacity for 692 students. The 2009-2010 enrollment was 620 students. Middle school students would attend Foothill Middle School on Cedro Lane in Walnut Creek that has capacity for 1,067 students. The 2009-2010 enrollment was 1,037 students. High school students would attend Northgate High School on Castle Rock Road in Walnut Creek that has capacity for 1,594 students. The 2009-2010 enrollment was 1,475 students. A recent MDUSD study determined that the district-wide student generation rate is 0.403 students per single-family separated dwelling unit for grades kindergarten through 12 (Marsich, 2010). Using this student generation rate, the seven additional lots would generate a total of three students.

The applicant for the proposed project would be required to pay the state-mandated school impact fees. State law dictates that payment of these fees constitutes full mitigation of school capacity impacts. Therefore, with payment of the impact fees, no impact would occur.

Parks

Refer to Section XV. Recreation for a discussion on impacts of the proposed project on parks.

Libraries

The closest library to the proposed project site is Contra Costa County's Ygnacio Valley branch library located at 2661 Oak Grove Road. Parking is a problem at this branch. The branch has sufficient seating, although at times all the seats are filled. Attendance at libraries has increased over the past five years, particularly during the recent economic recession (Brittain, 2009). Although service in the future may be less than ideal, the impact of the additional use by the anticipated 19 residents of the proposed project would be less than significant.

SOURCES OF INFORMATION

Aliquot Associates. 2010. Vesting Tenting Map, Subdivision 9167 – 1125 North Gate Road, October 6.

Brittain, Cindy, Ygnacio Valley Branch Librarian. 2009. Personal communication with Robert Mills, Mills Associates, April 22.

Contra Costa County Fire Protection District. 2007. Letter to Ms. Rose Marie Pietras, Contra Costa County Community Development Department, September 16.

Contra Costa Times. 2009. Fewer Deputies To Patrol At Night In Contra Costa. April 30.

Duclos, Ben, Contra Costa County Fire Protection District. 2009. Personal communication with Robert Mills, Mills Associates, April 15.

Marsich, Joe, Mount Diablo Unified School District. 2010. Personal communication with Robert Mills, Mills Associates, September 13.

Wagner, Terry, Contra Costa Sheriff's Department, Valley Station. 2009. Personal communication with Robert Mills, Mills Associates, April 22.

3.0 ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. RECREATION —				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

Setting:

The proposed project site is surrounded by an abundance of recreational opportunities. The North Gate entrance to Mt. Diablo State Park is located 1100 feet south of the project site entrance, as is the northern boundary of Diablo Foothills Regional Park. The boundary of the Shell Ridge Open Space is approximately 0.5 mile southwest of the site, and the boundary of the Lime Ridge Open Space is approximately 0.6 mile north of the site. These facilities are equipped with many trail systems. Local parks in the vicinity of the project site include Northgate Park and Arbolado Park.

Discussion:

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Using Contra Costa General Plan planning data, the proposed project would house 19 people (Contra Costa General Plan, Table 6-11, Central County). This small number of residents would have a negligible effect on parks and other recreational facilities, thus substantial physical deterioration would not occur or be accelerated. The proposed project would be subject to Park Dedication Fees prior to the issuance of building permits for each house. This impact is considered less than significant.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The proposed project does not include any recreational facilities, thus there would be no impact.

SOURCE OF INFORMATION

Contra Costa County Community Development Department. 2005. *Contra Costa County General Plan, 2005-2020*, January.

3.0 ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC — Would the project:	•	•	•	•
a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				✓
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e) Result in inadequate emergency access?				✓
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				✓

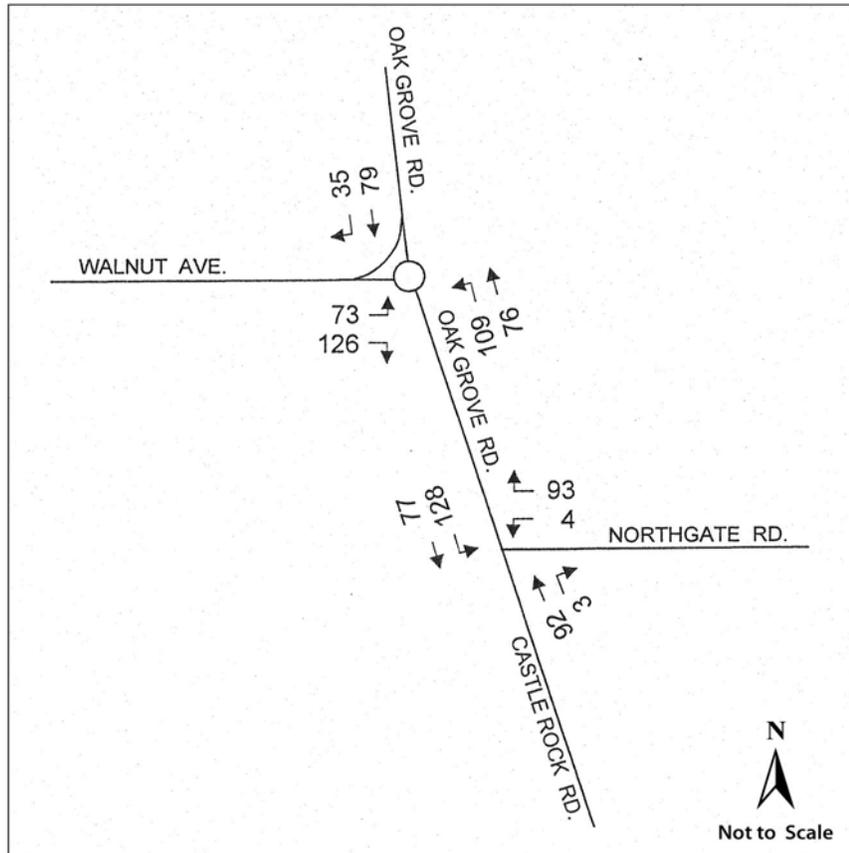
Setting:

The site is accessed via an existing private road that extends west from North Gate Road approximately 1.2 miles southeast of the three-way intersection of North Gate Road, Walnut Avenue and Oak Grove Road. Walnut Avenue is a two-lane arterial street that extends southeasterly from Ygnacio Valley Road. Oak Grove Road is a four-lane arterial street that extends throughout the eastern portion of the City of Walnut Creek. North Gate Road is a two-lane residential street that narrows 0.6 mile east of the three-way intersection before extending south to Mount Diablo State Park. Presently two residences occupy the site, which will remain as a part of the proposed subdivision.

Traffic counts between 6:00 to 7:00 p.m. were conducted on November 7, 2008, at the Walnut/Oak Grove and Oak Grove/Castle Rock/North Gate intersections for preparation of the proposed Northgate High School Stadium Lighting Project Environmental Impact Report (Mount Diablo Unified School

District, 2010). The conditions during this time period are considered representative of peak PM hour conditions. These counts are shown on Figure 3-5.

**FIGURE 3-5
EXISTING EVENING PEAK HOUR VOLUMES (6:00-7:00 PM)
AT THE WALNUT AVENUE, OAK GROVE ROAD,
NORTH GATE ROAD INTERSECTION**



Source: Northgate High School Stadium Lighting Project EIR, 2010.

The counts were used in Level of Service (LOS) calculations of the intersections' operation. As shown in Table 3-2, both intersections currently operate at LOS "A" with minimal delays during 6:00 to 7:00 p.m. LOS "A" has very slight or no delay. LOS "F" has excessive delay.

**Table 3-2
Levels of Service**

Intersection	LOS and Other Data 6-7 PM
	Existing
Walnut Avenue/ Oak Grove Road ¹	LOS "A" Volume/capacity: 0.20
Oak Grove Road/ Castle Rock Road/North Gate Road ²	LOS "A" Delay: 9.5 seconds

Notes:

- ¹ The LOS and volume-capacity ratio refer to the overall operation of this "roundabout" intersection.
- ² The LOS and seconds of delay refer to traffic entering the intersection from the stop sign-controlled North Gate Road approach.

Contra Costa County Public Works Department (CCCPWD) conducted traffic counts 200 feet south of Arbolado Drive on Tuesday and Wednesday, March 31 and April 1, 2009. The peak AM hour count was 72 vehicles northbound, and the PM peak hour count was 75 vehicles southbound. The peak periods occurred between 7:30 and 8:30 a.m. and 2:45 and 3:45 p.m., respectively. These hours tend to coincide with nearby school schedules.

Discussion:

- a) *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?*

The seven new houses proposed for the project would generate approximately 84 daily vehicle trips based upon a conservative trip generation rate of 12 vehicle trips/household. Peak hour trips are determined using a factor of 8-10 percent of the morning and evening commute hours (Institute of Transportation Engineers, 2008). The AM peak commute hour would be about 8 percent of the daily total (7 trips) with 2 trips inbound and 5 trips outbound. The PM peak commute hours would be about 10 percent of the daily total (8 trips) with 5 trips inbound and 3 trips outbound. The increase from the proposed project would not significantly impact existing traffic flows.

In addition, traffic from the proposed project would not significantly impact conditions at the intersections at Walnut Avenue, Oak Grove Road, Castle Rock Road, and North Gate Road. For example, an addition of five vehicles during the evening peak hour traffic would amount to an increase of 6 percent. Therefore, North Gate Road would have adequate capacity for the increased traffic associated with the proposed project, and the impact is considered less than significant.

- b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?*

Contra Costa County no longer establishes levels of service standards (Bailey, 2010). There would be no impact.

3.0 ENVIRONMENTAL CHECKLIST

- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

The project site is not located within the boundaries of an airport land use plan. The nearest airport is Buchanan Field that is located approximately 6.5 miles north of the project site (CCCCDD, 2005, Figure 5-5). The proposed project is not located within the vicinity of a private airstrip. There would be no impact on air traffic patterns.

- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The Contra Costa County Fire Protection District (CCCFPD) and the Contra Costa County Public Works Department (CCCPWD) have reviewed the Vesting Tentative Map for proposed project. The CCCFPD has prescribed required minimum width, maximum grade, minimum turning radius, and parking restriction requirements for the private access road (CCCFPD, 2007). The CCCPWD has stated that the access road must comply with the County's Policy on Private Rural Road and Driveway Design Standards (CCCPWD, 2007). The access road for the proposed project is designed to satisfy the requirements of both agencies with the exception of road length (refer to discussion of emergency access in Item e below). There are no incompatible uses at the project site. Therefore, there would be no impacts involving hazardous design features.

- e) *Result in inadequate emergency access?*

The access road for the proposed project is longer than allowed by Contra Costa County's Policy on Private Rural Road Design Standards that were primarily promulgated to "provide adequate emergency access for medical and fire vehicles." However, the CCCFPD did not comment about the length of the road in its review comment letter (CCCFPD, 2007), and the access road complies with all other design requirements of the CCCFPD. The District did not require an emergency vehicle access. The access road has three turnouts to allow automobiles to pull out of the way to let fire engines and EMT trucks pass. The CCCFPD requires an all-weather access road, and the road must be paved with asphaltic concrete to provide an all-weather road. Therefore, the proposed project will not result in inadequate emergency access, and there will be no impact.

- f) *Result in inadequate parking capacity?*

The Contra Costa County Zoning Code establishes requirements for off-street parking (Contra Costa County, 1999). The proposed project would be rezoned to R-40 with a minimum lot size of 40,000 square feet. The minimum number of spaces required is two covered off-street parking places per house. The County can impose additional off-street parking spaces as a condition of approval. The Contra Costa County Fire Protection District requires no parking on both sides of the access road. Therefore, additional automobiles and guest parking would have to be accommodated within the individual lots. There would be no adverse impact regarding parking capacity.

- g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

The proposed project would not conflict with any policies, etc., supporting alternative transportation. Buses would not enter the project site; therefore, no impact would occur.

SOURCES OF INFORMATION

- Bailey, Bill, Traffic Engineer, Public Works Department, Contra Costa County. 2010. Personal communication with Robert Mills, Mills Associates, October 12.
- City of Walnut Creek and Contra Costa County. 1991. *North Gate Specific Plan*, June 25.
- Contra Costa County. 1999. *Contra Costa County Code, Planning and Zoning*, November.
- Contra Costa County Community Development Department. 1996. *Contra Costa County General Plan, 1995-2010*, July.
- Contra Costa County Fire Protection District (CCCFPD). 2007. Letter to Ms. Rose Marie Pietras, Contra Costa County Community Development Department, September 16.
- Contra Costa County Public Works Department (CCCPWD). 2007. Interoffice Memo to Rose Marie Pietras, Contra Costa County Community Development Department, September 13.
- Contra Costa County Public Works Department (CCCPWD). 2000. *Policy on Private Rural Road Design Standards*, March 23.
- Haggerty, Jim, Traffic Engineer, Department of Public Services, City of Walnut Creek. 2010. Personal communication with Robert Mills, Mills Associates, September 30.
- Institute of Transportation Engineers. 2008. *Trip Generation and Informational Report*, Eighth Edition.
- Mount Diablo Unified School District. 2010. *Northgate High School Stadium Lighting Project, Final Environmental Impact Report*, May.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS —				
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	

3.0 ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g) Comply with federal, state, and local statutes and regulations related to solid waste?				✓

Setting:

The public/private utilities that could serve the proposed project include the following:

Water: Contra Costa Water District

Wastewater (i.e., sewerage): Central Contra Costa Sanitary District

Storm Drainage: Contra Costa County Flood Control and Water Conservation District

Solid Waste-Recycling and Disposal: Allied Waste Services and Valley Waste Management

Electrical power: Pacific Gas and Electric Company

Telephone: SBC

Cable television: Comcast

Discussion:

- a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

Wastewater (i.e., sewage) from the proposed project would be conveyed through sanitary sewers to the CCCSD Wastewater Treatment Plant (WWTP) in Martinez for treatment and disposal into Suisun Bay. The CCCSD plant operates under a National Pollutant Discharge Elimination System (NPDES) permit issued by the San Francisco Bay Regional Water Quality Control Board (RWQCB) that establishes discharge requirements that reduce pollutants in the plant's effluent to acceptable levels. The RWQCB has the authority to levy penalties, impose cease and desist orders, and issue moratoriums for new sewer service connections if waste discharge requirements are violated. CCCSD must satisfy these requirements. The proposed project would not cause CCCSD to exceed wastewater treatment requirements, thus no impact would occur.

3.0 ENVIRONMENTAL CHECKLIST

- b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Contra Costa Water District (CCWD) owns and operates the Bollman Water Treatment Plant that has a current capacity of 75 million gallons per day (mgd). The current maximum day demand on the treatment plant is between 60 and 65 mgd during the peak summer months (Vanisco, 2010). The proposed project, which has a maximum-day water demand of 0.0034 mgd, ($7 \text{ du} \times 2.71 \text{ persons/du} \times 120 \text{ gallons/person/day} \times 1.5 \text{ maximum day demand/average day demand}$). This small demand would not require expansion of water treatment plant facilities.

CCWD stated that potable water service for the proposed project would be made available upon completion of financial arrangements and installation of all necessary water facilities to meet the requirement of domestic use and fire protection according to current CCWD standards. The water district performed a preliminary hydraulic analysis for the proposed project and determined that all parcels are within their zone III service area and can receive standard water pressure between 40 and 79 pounds/square/inch (psi) during normal operating conditions. The water delivery system is capable of supplying 1500 gallons/minute (gpm) to the proposed fire hydrants (CCWD, 2011). A new water main would be installed along the access road from the existing water main along North Gate Road.

The CCCSD WWTP has an average dry weather flow (ADWF) treatment capacity of 55 million gallons per day (mgd) and a peak wet weather flow hydraulic capacity of 240 mgd. The WWTP currently treats an ADWF of approximately 45 mgd (CCCSD, 2008). The proposed project would generate only 0.0017 mgd ADWF ($7 \text{ du} \times 2.71 \text{ persons/du} \times 90 \text{ gallons/person/day}$). This small demand would not require expansion of wastewater treatment facilities.

CCCSD completed a limited analysis for the sewer system downstream of the proposed project site. The existing main sewer is adequate for the additional wastewater that would be generated by the project. However, CCCSD facilities farther downstream do not have adequate flow-carrying capacity under CCCSD's current design criteria for ultimate conditions. Improvements to correct deficiencies are or will be included in CCCSD's Capital Improvement Plan. Such improvement projects are subject to separate environmental review performed by CCCSD. Improvements to CCCSD's existing facilities that are required as a result of new development would be funded from applicable CCCSD fees and charges. The applicant would be required to pay these fees and charges at the time of connection to the sewer system (CCCSD, 2010).

- c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

New storm water drainage facilities, consisting of drop inlets and storm drains (i.e., storm water pipelines under the roadways) would be installed to serve the proposed project. Storm water runoff would be directed to grassy swales or in-ground infiltration planters that would treat the storm water to reduce pollutants in conformance with the Contra Costa County Clean Water Program C.3 requirements. Treated water from these swales and planters would flow through an existing storm drain into Walker Canyon Creek that flows along the north side of the project site.

Therefore, the impacts of construction of new or expanded storm drainage facilities is considered less than significant.

3.0 ENVIRONMENTAL CHECKLIST

- d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

CCWD prepares an Urban Water Management Plan every five years that documents planning activities to ensure adequate water supplies will be available to meet exiting and future demands for water in normal precipitation years and dry years. The 2005 plan determined that CCWD has sufficient water supplies to meet demands through 2030 through a combination of allocations from the federal Central Valley Project, conservation, use of recycled water, and water transfers. During multi-year droughts, spot purchases and short-term demand management would also be used. The proposed project would have a less-than-significant impact on available water supplies.

- e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Refer to discussion of Item b) above. The CCCSD WWTP has sufficient capacity to serve both the proposed project and other planned developments in the CCCSD service for the next several decades. The impact would be less than significant.

- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

Each resident at the proposed project is expected to generate approximately 0.42 tons of solid waste per year, of which 52 percent is garbage sent to a landfill. Therefore, the 19 residents of the proposed project together would generate 4.1 tons of garbage per year. Over 50 years, 80 tons would be generated.

Garbage from the proposed project would be collected by Allied Waste Services. Valley Waste Management would collect recyclable materials (Argenti, 2010). Garbage is taken to the Contra Costa Transfer and Recovery Station in Martinez where certain recyclable materials (e.g., construction waste materials) are extracted and sent to the nearby Acme Landfill. The remaining garbage is transported to the Keller Canyon Landfill in Pittsburg for disposal. The Keller Canyon Landfill has sufficient remaining capacity to receive garbage from the collection services it serves (e.g., Allied Waste Services) for at least the next 50 years. Increases in recycling may extend the service life of Keller Canyon Landfill. Therefore, the proposed project would have a less-than-significant impact on landfill capacity.

- g) *Comply with federal, state, and local statutes and regulations related to solid waste?*

The Acme Landfill is licensed and operated in compliance with applicable federal, state and local statutes and regulations. The landfill must continuously satisfy the requirements of this license to comply with federal, state, and local statutes and regulations related to solid waste. Therefore, the proposed project would have no impact regarding compliance with these statutes.

SOURCES OF INFORMATION

- Aliquot Associates, Inc. 2010. Vesting Tenting Map, Subdivision 9167 – 1125 North Gate Road, October 6.
- Aliquot Associates, Inc. 2010. Stormwater Control Plan, revised October 8.
- Argenti, Tim, Allied Waste Services, 2010. Personal communication with Robert Mills, Mills Associates, October 15.
- Central Contra Costa Sanitary District. 2008. www.centrcsan.org, April 4.
- Central Contra Costa Sanitary District. 2010. Letter to Rose Marie Pietras, Conservation and Development Department, Contra Costa County, October 7.
- Contra Costa County Fire Protection District. 2007. Letter to Ms. Rose Marie Pietras, Contra Costa County Community Development Department, September 16.
- Contra Costa Water District. 2010. Letter to Frankie Wei, Aliquot Associates, Inc., October 14.
- Contra Costa Water District. 2011. Letter to Frankie Wei, Aliquot Associates, Inc., January 19.
- Vanisco, Kevin, Bowman Water Treatment Plant, Contra Costa Water District. 2010. Personal communication with Robert Mills, Mills Associates, October 19.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE —				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			✓	

3.0 ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			√	

Discussion:

- a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

The development is contained to the 9.98-acre site. Development would be set back a minimum of 50 feet from the top of the creek bank and storm drainage would be conveyed through an existing storm drain on an adjoining property where it empties upstream of the project site. Therefore, the proposed development would not interfere with wildlife movement nor impact the riparian habitat. (Refer to discussion in IV. Biological Resources.)

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

The project does not create substantial cumulative impacts. Development of the project site is designated in the planning documents for the area. This is considered an in-fill project in a semi-rural area and the proposed seven new lots is consistent with the designated land use and density.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

The project would create environmental impacts for which mitigation measures have been recommended.

Appendix A

MITIGATION MONITORING AND REPORTING PROGRAM

APPENDIX A
MITIGATION MONITORING AND REPORTING PROGRAM
(For Significant Impacts Only)

Mitigation Measure	Person/Agency Responsible for Implementation	Monitoring Requirements	Person/Agency Responsible for Monitoring	Timing or Frequency of Monitoring
AESTHETICS				
<p>I-1A: To block views of the new residences for users of the existing and proposed trails, a dense landscape screen, consisting of native trees, shall be planted within the 60-foot setback along the western/southwestern property line (Lots 3-7) upon completion of site improvements. Planting shall be as recommended by the applicant's arborist (McNeil, January 2011).</p>	Applicant/Developer	<p>Tree planting plans shall be submitted to the County and City of Walnut Creek prior to issuance of a grading permit.</p> <p>Notify County and City when trees have been planted. Conduct on-site inspection of new trees.</p>	<p>County Community Development Division and City of Walnut Creek Planning Dept.</p> <p>Same as above</p>	<p>Pre-construction.</p> <p>Upon completion of planting.</p>
<p>I-1B: Tree size shall be no smaller than 15-gallon and consist of native evergreen species; e.g., coast live oak, etc. Landscaping shall be irrigated for up to five years, protected from deer, and maintained during this period. The applicant shall submit a landscaping plan for review and approval by the County and City of Walnut Creek.</p>	Applicant/Developer	<p>Tree planting plans shall be submitted to the County and City of Walnut Creek prior to issuance of a grading permit.</p> <p>Annual status report shall be submitted to County and City for review and approval.</p>	<p>County Community Development Division and City of Walnut Creek Planning Dept.</p> <p>Reports reviewed by jurisdictions.</p>	<p>Pre-construction.</p> <p>Yearly after first year of installation.</p>
<p>I-1C: The applicant shall post a security bond to ensure protection of existing and newly planted landscaping. The term of the bond shall extend at least five years beyond completion of the subdivision improvements.</p>	Applicant/Developer	Bond shall be posted prior to start of site preparation and grading.	Contra Costa County Department of Conservation and Development	Prior to issuance of grading permit.

APPENDIX A
MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Mitigation Measure	Person/Agency Responsible for Implementation	Monitoring Requirements	Person/Agency Responsible for Monitoring	Timing or Frequency of Monitoring
<p>I-1D: The landscaping shall be monitored for a period of five years from the date of installation. Any trees lost during this period shall be replaced and monitored by the developer and/or property owner. Future owners of Lots 3-6 and the owner of the existing house (Lot 7) shall be responsible for the maintenance of the landscaping as well as replacing any shrubs/trees that are lost. This requirement shall be recorded on the individual property deeds to run with the land.</p>	Applicant/Developer	The applicant shall submit annual monitoring reports to the County and City of Walnut Creek for review and approval.	County Community Development Division and City of Walnut Creek Planning Dept.	Reports filed yearly after first year of installation.
AIR QUALITY				
<p>III-1: During construction, the applicant shall take the following measures to control dust:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. • Cover all trucks hauling soil, sand, and other loose materials, or require trucks to maintain at least two feet of freeboard. • Sweep off-site streets leading to the project site daily if visible soil, sand, or other loose materials are deposited on these streets. 	Applicant/Developer	Grading plans shall include dust control measures approved by the County Grading Section.	Contra Costa County Grading Section	On-site inspection during grading activities.

APPENDIX A
MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Mitigation Measure	Person/Agency Responsible for Implementation	Monitoring Requirements	Person/Agency Responsible for Monitoring	Timing or Frequency of Monitoring
BIOLOGICAL RESOURCES				
<p>IV-1A. If vegetation removal and grading commences between February 15 and August 31, a qualified wildlife biologist shall conduct a preconstruction survey for nesting birds. If nests of either migratory birds or birds of prey are detected on or adjacent to the site, a no-disturbance buffer (generally 50 feet for passerines and 300 feet for raptors) in which no new site disturbance is permitted shall be observed until August 15, or the qualified biologist determines that the young are foraging independently. The size of the no-disturbance buffer shall be determined by a qualified wildlife biologist, and shall take in to account local site features and existing sources of potential disturbance. If more than 15 days elapses between the survey and site disturbance, the survey shall be repeated.</p>	<p>Applicant's consulting biologist.</p>	<p>Conduct preconstruction survey if vegetation and grading commences between February 15 and August 31. Follow-up surveys conducted if more than 15 days elapse between initial preconstruction survey and site disturbance. A report of findings prepared by the consulting biologist shall be provided to DCCD prior to initiation of vegetation removal and grading, and authorization to proceed provided in writing by DCCD before vegetation removal and/or grading proceeds. A report of findings shall be provided to DCCD for any required followup surveys or construction restrictions, if necessary, with authorization provided in writing by DCCD before vegetation removal and/or grading proceeds within the no-disturbance buffer zone.</p>	<p>DCCD</p>	<p>Preconstruction survey initiated no more than 15 days prior to commencement of vegetation removal and grading from February 15 to August 31. Followup surveys and submittal of reports of findings as specified under Monitoring Requirements.</p>
<p>IV-1B. A preconstruction survey for burrowing owls shall be conducted by a qualified biologist not more than 30 days prior to the start of construction. If no owls or sign are detected during this survey, no further burrowing owl mitigation would be necessary. If burrowing owls or sign of burrowing owls is detected, mitigation consistent with the CDFG Staff Report (CDFG unpublished report: <i>Staff Report on Burrowing Owl Mitigation</i>, 1995) shall be provided.</p>	<p>Applicant's consulting biologist.</p>	<p>Conduct preconstruction survey no more than 30 days prior to start of construction, including vegetation removal. A report of findings prepared by the consulting biologist shall be provided to DCCD prior to initiation of vegetation removal and/or grading, and authorization to proceed provided in writing by DCCD before construction proceeds.</p>	<p>DCCD</p>	<p>Preconstruction survey initiated no more than 30 days prior to start of construction. Submittal of report of findings as specified under Monitoring Requirements.</p>

APPENDIX A
MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Mitigation Measure	Person/Agency Responsible for Implementation	Monitoring Requirements	Person/Agency Responsible for Monitoring	Timing or Frequency of Monitoring
<p>IV-1C. Measures shall be taken to prevent possible inadvertent loss of western pond turtles during construction. These shall consist of the following:</p> <ul style="list-style-type: none"> • A preconstruction survey for western pond turtles shall be conducted by a qualified biologist not more than 48 hours prior to the commencement of construction. If western pond turtles are detected which could be disturbed during construction, they shall be relocated to a suitable reach of Walker Creek upstream or downstream of the project site. • Prior to construction and after completion of the preconstruction survey above, silt fencing or equivalent shall be installed along the top of bank to prevent the movement of western pond turtles from the riparian corridor into the construction zone. This fencing shall be in addition to any fencing installed as part of best management practices for erosion control purposes. The location of the fencing shall be determined by the qualified biologist, shall be inspected weekly by the construction foreman and maintained intact at all times during construction, and shall be removed once grading and heavy off-road equipment operation is complete. 	<p>Applicant's consulting biologist, construction foreman.</p>	<p>Conduct preconstruction survey no more than 48 hours prior to start of construction. A report of findings prepared by the consulting biologist shall be provided to DCCD prior to initiation of vegetation removal and/or grading, and authorization to proceed provided in writing by DCCD before construction proceeds.</p> <p>Protective silt fence installed under supervision of consulting biologist immediately after conduct of the preconstruction survey. Construction foreman shall inspect and direct repairs of the protective silt fence on a weekly basis. Protective silt fence removed following completion of grading and heavy off-road equipment operation.</p>	<p>DCCD</p>	<p>Preconstruction survey conducted no more than 48 hours prior to start of construction. Submittal of report of findings as specified under Monitoring Requirements.</p>

APPENDIX A
MITIGATION MONITORING AND REPORTING PROGRAM (continued)

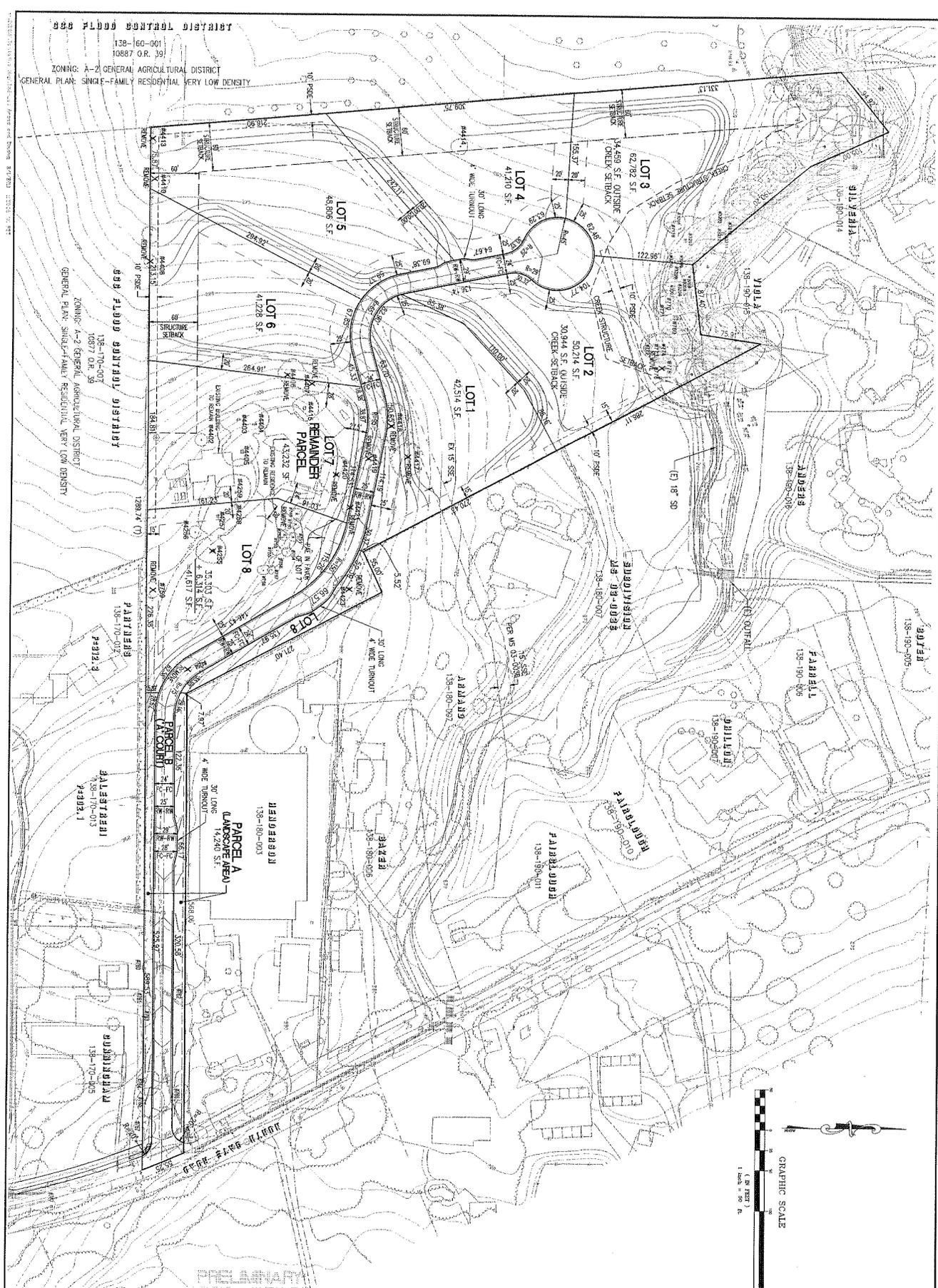
Mitigation Measure	Person/Agency Responsible for Implementation	Monitoring Requirements	Person/Agency Responsible for Monitoring	Timing or Frequency of Monitoring
<p>IV-2: The project shall comply with the City of Walnut Creek Tree Preservation Ordinance (Section 3.8 Preservation of Trees on Private Property), consistent with the North Gate Specific Plan. This shall include preparation of a Tree Replacement Program and Tree Preservation Guidelines as defined below:</p> <ul style="list-style-type: none"> • Tree Preservation Guidelines shall be prepared and implemented during construction activities to avoid injury of trees to be preserved during construction. This shall include establishment of tree protection zones at the drip line, or as modified under the direction of a certified arborist. Excavation, grading, construction, and storage of materials shall be avoided within this zone. Exclusion fencing shall be established around the tree protection zone. Tree protection methods during construction and any modifications to tree protection zones shall be overseen by a qualified arborist. • A Tree Replacement Program shall be prepared by the applicant, and implemented as part of the mitigation program for the project. Replacement trees shall be provided at a minimum 3:1 ratio, shall be installed along the edge of the riparian corridor as part of the CPEP where feasible, and shall be maintained for a minimum of five years to ensure their successful establishment. Replacement tree plantings 	<p>Applicant’s consulting arborist, biologist, civil engineer, and contractor.</p>	<p>Secure a tree removal permit for all “protected trees” to be removed, comply with Tree Preservation Guidelines, and implement the Tree Replacement Program as part of the Creek Preservation and Enhancement Plan (CPEP). DCCD and Walnut Creek shall ensure that tree removal permit is secured, and that the CPEP is revised to provide adequate replacement of “protected trees.” Applicant’s arborist and civil engineer shall revise grading plans accordingly to identify Tree Protection Zones. Applicant’s biologist shall revise the CPEP to provide minimum replacement plantings along the creek corridor, which shall be monitored and maintained for a minimum of 5 years as called for in the CPEP. Annual monitoring reports prepared by the applicant’s biologist in accordance with the CPEP shall be provided to DCCD and Walnut Creek.</p>	<p>DCCD</p>	<p>Secure tree removal permit as part of Final Development Plan approval. Revise CPEP and grading plans prior to Final Development Plan approval. Submit annual monitoring reports for a minimum of 5 years by December 31 of each monitoring year.</p>

APPENDIX A
MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Mitigation Measure	Person/Agency Responsible for Implementation	Monitoring Requirements	Person/Agency Responsible for Monitoring	Timing or Frequency of Monitoring
shall be irrigated for a minimum of two years following initial planting to ensure their survival, and shall be replaced on an annual basis to meet success criteria specified in the Tree Replacement Program.				
CULTURAL RESOURCES				
V-1A: If historic or prehistoric artifacts, features, or cultural resources are encountered during construction of the proposed project, all work shall be halted in the immediate vicinity of the find for purposes of evaluation by a qualified professional archaeologist approved by the Contra Costa County Department of Conservation and Development.	Builder/Developer	Notify County Department of Conservation and Community Development if cultural resources are encountered.	Builder/Developer and County	During site preparation.
V-1B: The County Coroner shall be notified if human remains are uncovered during construction. If it is determined that the remains are Native American, a representative of the NAHC shall be consulted.	Builder/Developer	Notify County Coroner and County Department of Conservation and Community Development.	Builder/Developer and County	During site preparation.
GEOLOGY AND SOILS				
VI-1: Construction of house foundations, streets and driveways, and other structures shall comply with the recommendations of the applicant's geotechnical engineering consultants (Jensen-Van Lienden Associates, Inc. December 29, 2006 report). These recommendations include the following:	Builder/Developer	Grading and foundation measures shall be reviewed by Grading Section and Building Inspection Division prior to issuance of grading permits and building permits. On site inspection to verify as-built conditions are consistent with the geotechnical recommendations.	Grading Section and Building Inspection	Prior to issuance of grading and building permits. During grading and construction.

APPENDIX A
MITIGATION MONITORING AND REPORTING PROGRAM (continued)

Mitigation Measure	Person/Agency Responsible for Implementation	Monitoring Requirements	Person/Agency Responsible for Monitoring	Timing or Frequency of Monitoring
<ul style="list-style-type: none"> • Houses with crawl spaces shall be supported with drilled piers and grade beams designed to resist uplift pressure. • Houses with slabs-on-grade shall be supported on mats of non-expansive engineered fill. • Garage floor slabs, sidewalks and outdoor slabs (e.g., patios) where some cracking can be accepted could be designed to be stronger (e.g., with more steel reinforcing bars) and must be isolated from house foundations. If cracking is unacceptable, these slabs shall be supported on mats of non-expansive engineered fill. • Applicant shall provide recommendations by a registered geotechnical engineering consultant for proper foundation and support of asphalt-concrete streets. 				



888 FLOOD CONTROL DISTRICT
 138-160-001
 10887 O.R. 391
 ZONING: A-2 GENERAL AGRICULTURAL DISTRICT
 GENERAL PLAN: SINGLE-FAMILY RESIDENTIAL VERY LOW DENSITY

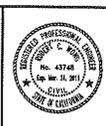
888 FLOOD CONTROL DISTRICT
 138-170-007
 10887 O.R. 39
 ZONING: A-2 GENERAL AGRICULTURAL DISTRICT
 GENERAL PLAN: SINGLE-FAMILY RESIDENTIAL VERY LOW DENSITY

888 FLOOD CONTROL DISTRICT
 138-170-013
 10887 O.R. 39
 ZONING: A-2 GENERAL AGRICULTURAL DISTRICT
 GENERAL PLAN: SINGLE-FAMILY RESIDENTIAL VERY LOW DENSITY

JOB NO 205016.00
 SCALE 1"=50'
 DATE 2/1/2011
 DESIGN RC/FW
 SURVANN FW
 APPROVED
 TM-3
 3 OF 7

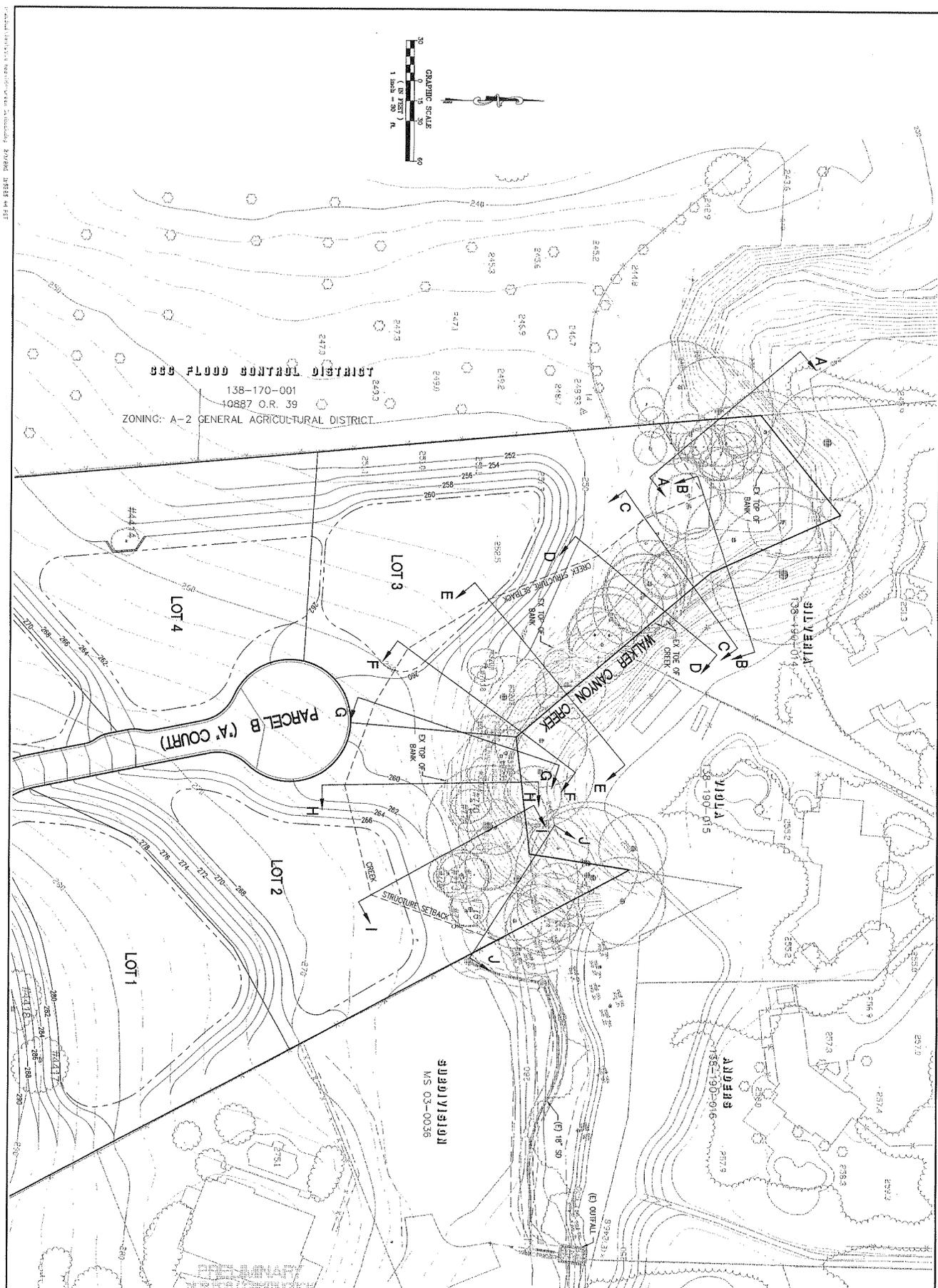
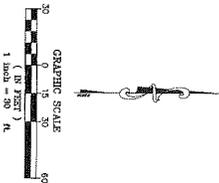
VESTING TENTATIVE MAP
 LOT AREAS AND DIMENSIONS
 SUBDIVISION 9167

CONTRA COSTA COUNTY CALIFORNIA



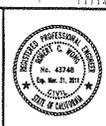
No.	BY	DATE	REVISIONS

ALIQOT
 PLANNERS
 CIVIL ENGINEERS
 CIVIL SURVEYORS
 1390 SCOTT WALKER STREET
 WALNUT CREEK, CA 94596
 FAX (925) 938-2200



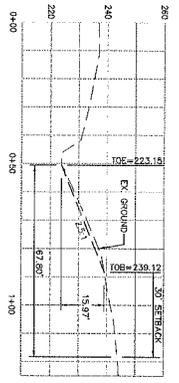
JOB NO 205016.00
 SCALE 1"=30'
 DATE 2/1/2011
 DESIGN RC/FW
 DRAWN FW
 APPROVED
TM-4
 4 OF 7

VESTING TENTATIVE MAP
CREEK STRUCTURE SETBACK
SUBDIVISION 9167 - 1125 NORTH GATE ROAD
 CALIFORNIA

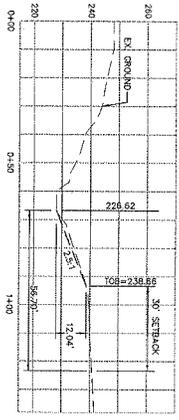


No.	BY	DATE	REVISIONS

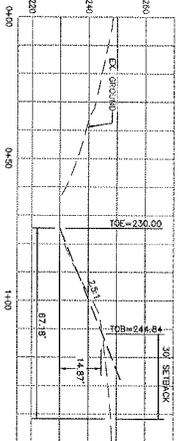
ALIQOT
PLANNERS
CIVIL ENGINEERS
CIVIL SURVEYORS
 1390 SOUTH SHORE RD. SUITE 310, SHERMAN
 WALKER CREEK, CA. 94598
 FAX (925) 476-2350



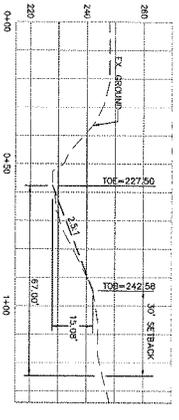
CREEK SECTION A-A
HORIZONTAL SCALE 1"=20'
VERTICAL SCALE 1"=20'



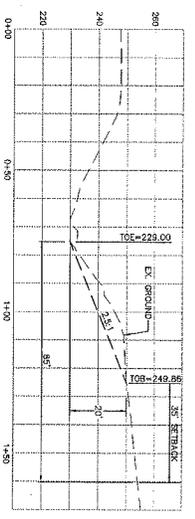
CREEK SECTION B-B
HORIZONTAL SCALE 1"=20'
VERTICAL SCALE 1"=20'



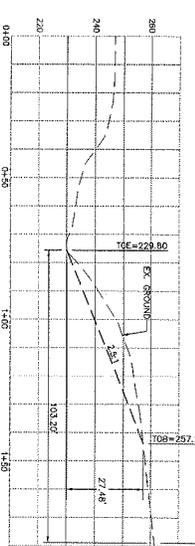
CREEK SECTION C-C
HORIZONTAL SCALE 1"=20'
VERTICAL SCALE 1"=20'



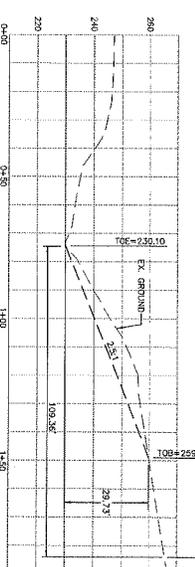
CREEK SECTION D-D
HORIZONTAL SCALE 1"=20'
VERTICAL SCALE 1"=20'



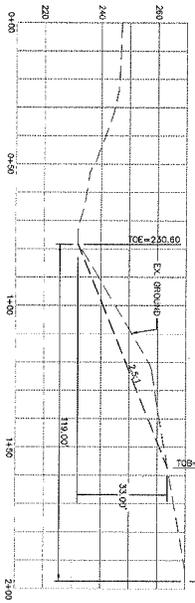
CREEK SECTION E-E
HORIZONTAL SCALE 1"=20'
VERTICAL SCALE 1"=20'



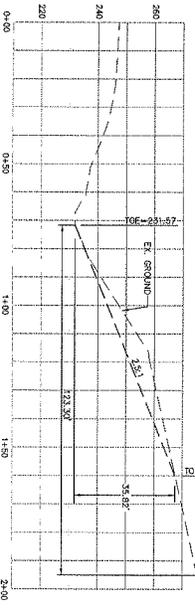
CREEK SECTION F-F
HORIZONTAL SCALE 1"=20'
VERTICAL SCALE 1"=20'



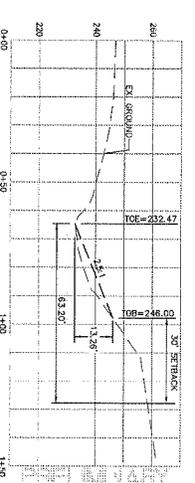
CREEK SECTION G-G
HORIZONTAL SCALE 1"=20'
VERTICAL SCALE 1"=20'



CREEK SECTION H-H
HORIZONTAL SCALE 1"=20'
VERTICAL SCALE 1"=20'



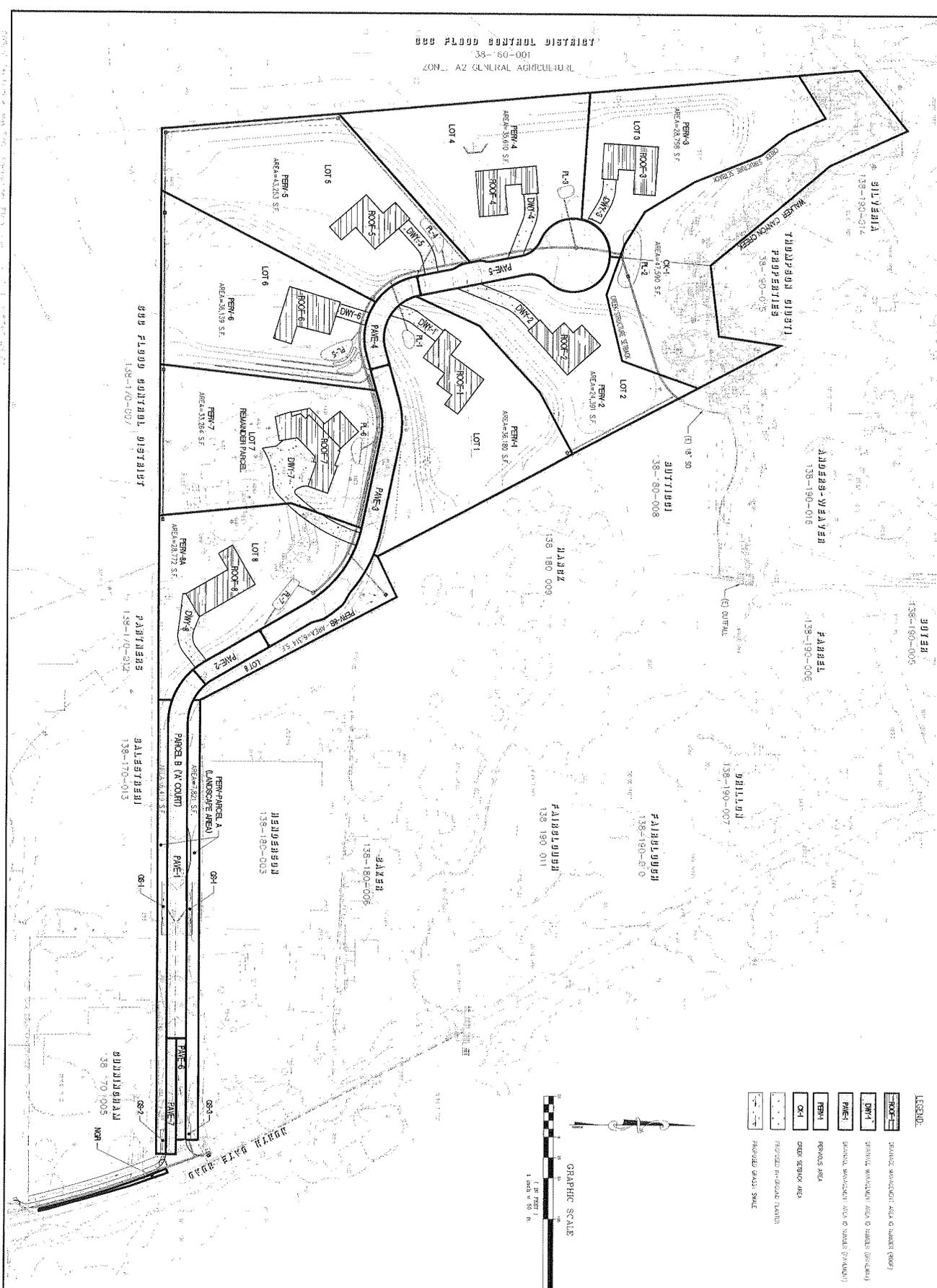
CREEK SECTION I-I
HORIZONTAL SCALE 1"=20'
VERTICAL SCALE 1"=20'



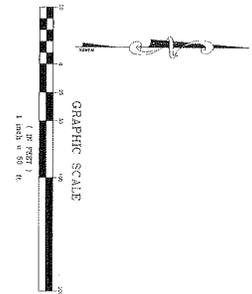
CREEK SECTION J-J
HORIZONTAL SCALE 1"=20'
VERTICAL SCALE 1"=20'

	<p>VESTING TENTATIVE MAP STRUCTURE SETBACK CROSS SECTIONS SUBDIVISION 9167 - 1125 NORTH GATE ROAD</p>		<p>CONTRA COSTA COUNTY CALIFORNIA</p>
<p>JOB NO 205016.00 SCALE 1"=20' DATE 2/1/2011 DESIGN RC/FW DRAWN FW</p>	<p>APPROVED</p>	<p>No. BY DATE REVISIONS</p>	<p>TM-5 5 of 7</p>

38-60-001
 ZONING: A2 GENERAL AGRICULTURAL



- LEGEND:**
- STORM WATER CONTROL AREA (HATCHED PATTERN)
 - DRAINAGE STRUCTURE (HATCHED PATTERN)
 - PROPOSED STRUCTURE LOCATION (DOTTED PATTERN)
 - PROPOSED AREA (DOTTED PATTERN)
 - PROPOSED STRUCTURE AREA (DOTTED PATTERN)
 - PROPOSED GRASS STREET (DOTTED PATTERN)



<p>CONTRACT NO. 205016.00 SCALE: 1"=50' DATE: 2/1/2011 DESIGNED BY: RC/TW DRAWN BY: FW</p>	<p>VESTING TENTATIVE MAP STORM WATER CONTROL PLAN SUBDIVISION 9167 - 1125 NORTH GATE ROAD</p>		<p>ALIQOT CIVIL ENGINEERS PLANNERS SURVEYORS 1300 SOUTH MAIN STREET WALNUT CREEK, CA 94598 FAX: (925) 938-2500 FAX: (925) 938-2500</p>
<p>CONTRA COSTA COUNTY CALIFORNIA</p>	<p>TM-6 5 OF 7</p>	<p>DATE: _____ BY: _____ CHECKED: _____</p>	<p>DATE: _____ BY: _____ CHECKED: _____</p>

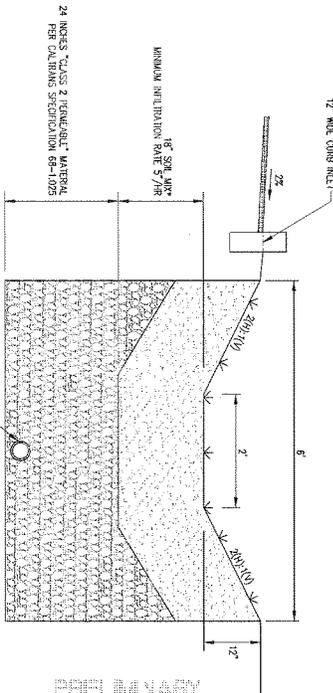
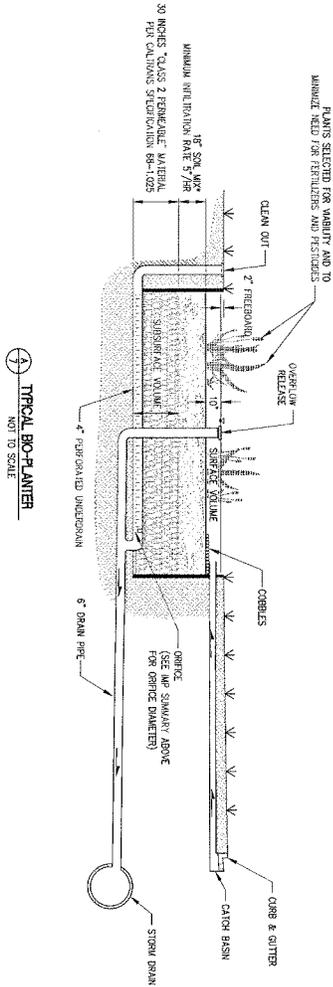
IZING INTEGRATED MANAGEMENT PRACTICES (IMP) SUMMARY

IMP NAME (TYPE)	DMA NUMBER	TOTAL DMA AREA (SQ FT)	MANUP SIZE (SQ FT)	PROPOSED IMP SIZE (SQ FT)	MAN SURFACE VOLUME (CU FT)	PROPOSED SURFACE VOLUME (CU FT)	MIN SURFACE VOLUME (CU FT)	PROPOSED SUBSURFACE VOLUME (CU FT)	MIN SUBSURFACE VOLUME (CU FT)	PROPOSED OFFICE DIAMETER (IN)
PL-1 (BIO-PLANTER)	ROOF-1	4,200	240	239	209	215	209	201	204	0.5
PL-2 (BIO-PLANTER)	ROOF-2 DW-2 TO DW-9 PAVE-5, ROOF-3	23,643	1,349	1,329	1,133	1,133	1,133	1,133	1,483	1.2
PL-3 (BIO-PLANTER)	ROOF-4	4,200	240	239	201	216	201	201	284	0.5
PL-4 (BIO-PLANTER)	DW-1, DW-6 PAVE-4, ROOF-5 DW-7, PAVE-3	8,893	507	547	428	456	428	456	558	0.75
PL-5 (BIO-PLANTER)	ROOF-6	18,602	1,061	1,146	891	955	891	1,167	1,167	1.0
PL-6 (BIO-PLANTER)	ROOF-7	4,840	276	298	232	248	232	248	304	0.5
PL-7 (BIO-PLANTER)	DW-4, ROOF-8 PAVE-2	7,937	453	488	380	406	380	406	498	0.7
OS-1 (BIO-SWALE)	PAVE-1	10,789	615	650	517	520	517	520	676	0.9
OS-2 (BIO-SWALE)	NSR, PAVE-7	2,220	127	130	106	120	106	120	139	0.4
OS-3 (BIO-SWALE)	PAVE-6	1,480	85	100	71	80	71	80	93	0.3

NOTE:
1. CUSTOM HOMES, ROOF AND DOWNDRAV AREAS SHOWN ABOVE ARE APPROXIMATE.

DRAINAGE MANAGEMENT AREAS

DRAINAGE AREA TYPE	DMA NUMBER
(i) SELF-TREATING AREAS	PERV-1 TO PERV-8, PERV-PAVE-1 & CW-1
(ii) SELF-RETAINING AREAS	NONE
(iii) INTERGENIC AREAS TRANS TO SELF-RETAINING AREA	NONE
(iv) AREAS DRAINING TO IMPs	ROOF-1 TO ROOF-8, DW-1 TO DW-9, PAVE-1 TO PAVE-7, NSR



NOTE:
* SOIL MIX PER CONTRA COSTA CLEAN WATER PROGRAM FOURTH EDITION
* SUBWALLER C.3 OVERBANK APPENDIX B

JOB NO.	205018.00
SCALE	N/A
DATE	2/1/2011
DESIGN	RC/FW
DRAWN	FW
APPROVED	

TM-7
7 OF 7

CONTRA COSTA COUNTY CALIFORNIA

VESTING TENTATIVE MAP
STORMWATER CONTROL PLAN
SUBDIVISION 9167 - 1125 NORTH GATE ROAD



ALLOTOT PLANNERS CIVIL ENGINEERS SURVEYORS 1005 SOUTH MAIN STREET SUITE 300 SACRAMENTO, CA 95811 FAX (916) 471-2500

No.	BY	DATE	REVISIONS

**HSD – ENVIRONMENTAL HEALTH
(INTEROFFICE)**

Historical Resources Information
Attn: Leigh Jordan, Coordinator
Sonoma State University
1303 Maurice Avenue
Rohnert Park CA 94928

Central Sanitary District
5019 Imhoff Place
Martinez CA 94553

Mt Diablo Unified School District
1936 Carlotta Drive
Concord CA 94519

**LAFCO
(INTEROFFICE)**

Mark Jennings
PO Box 2185
Davis, CA 95617

**PUBLIC WORKS
FLOOD CONTROL
(INTEROFFICE)**

CA Department of Fish & Game
Region 3
7329 Silverado Trail
Napa CA 94558

Contra Costa Water District
1331 Concord Avenue
PO Box H20
Concord CA 94524

East Bay Regional Park District
2950 Peralta Oaks Court
PO Box 5381
Oakland CA 94605-0381

Nelda Champion
1125 North Gate Rd.
Walnut Creek, CA 94598

Allan Moore
279 Front St.
Danville, CA 94526

**PUBLIC WORKS
ENGINEERING SERVICES
(INTEROFFICE)**

**CCC FIRE DISTRICT
(INTEROFFICE)**

City of Walnut Creek
Attn: Alan Carreon
1666 North Main Street
Walnut Creek CA 94596

Save Mount Diablo
Attn: Jodi L. Bailey, Ph.D.
1901 Olympic Blvd, Suite 320
Walnut Creek CA 94596

Save Mount Diablo
Attn: Seth Adams
1901 Olympic Blvd, Suite 320
Walnut Creek CA 94596

Aloquot Associates
Attn: Vince D'Alo
1390 S. Main St., Ste. #310
Walnut Creek, CA 94596

138091065
COMMON AREA TRACT 4127
1035 DETROIT AVE #100
CONCORD CA 94518-2437

138142005
CCC FLOOD CONTROL DISTRICT
255 GLACIER DR
MARTINEZ CA 94553-4825

138142006
CCC FLOOD CONTROL DISTRICT
255 GLACIER DR
MARTINEZ CA 94553-4825

138160001
CCC FLOOD CONTROL DISTRICT
255 GLACIER DR
MARTINEZ CA 94553-4825

138170005
CUNNINGHAM MARION E TRE
1147 NORTH GATE RD
WALNUT CREEK CA 94598-5105

138170007
CCC FLOOD CONTROL DISTRICT
255 GLACIER DR
MARTINEZ CA 94553-4825

138170009
OLIVER BARRY W & PEGGY L
21 DIABLO RIDGE LN
WALNUT CREEK CA 94598-5119

138170010
GIATZIS GEORGE M & KRISTEN
25 DIABLO RIDGE LN
WALNUT CREEK CA 94598-5119

138170011
CHATFIELD MICHAEL &
KATHLEEN
29 DIABLO RIDGE LN
WALNUT CREEK CA 94598-5119

138170012
CROSTHWAITE BARRY S TRE
28 DIABLO RIDGE LN
WALNUT CREEK CA 94598-5119

138170013
BALESTRERI FRANK & JANNA
TRE
24 DIABLO RIDGE LN
WALNUT CREEK CA 94598-5119

138180002
COJAM LLC
1125 NORTH GATE RD
WALNUT CREEK CA 94598-5105

138180003
HENDERSON STEVEN H
3024 RAILROAD AVE
PITTSBURG CA 94565-5202

138180006
BAKER VIRGIL A JR
1077 NORTH GATE RD
WALNUT CREEK CA 94598-5103

138180008
BUTTICCI ARMAND III
999 NORTHGATE RD
WALNUT CREEK CA 94598-5101

138180009
HANCK JAMES B TRE
20 WALKER CREEK CT
WALNUT CREEK CA 94598-5101

138180010
BUTTICCI ARMAND III
999 NORTHGATE RD
WALNUT CREEK CA 94598-5101

138190006
FARRELL MICHAEL G
909 NORTH GATE RD
WALNUT CREEK CA 94598-5101

138190007
DHILLON TIM S
925 NORTH GATE RD
WALNUT CREEK CA 94598-5101

138190011
FAIRCLOUGH RICHARD H TRE
957 N GATE RD
WALNUT CREEK CA 94598-5101

138190012
STICH JAMES E & ANGELA B TRE
837 GAIL CT
WALNUT CREEK CA 94598-5143

138190013
SEBERRAS WESLEY J & SANDRA
TRE
841 GAIL CT
WALNUT CREEK CA 94598-5143

138190014
SILVERIA SUSAN GAIL TRE
895 GAIL CT
WALNUT CREEK CA 94598-5143

138190015
THOMPSON GIUSTI PROPERTIES
850 GAIL CT
WALNUT CREEK CA 94598-5143

138190016
HULTIN O ANDERS TRE
846 GAIL CT
WALNUT CREEK CA 94598-5143

138190017
DAVIES ROBERT W & ANGELICA
842 GAIL CT
WALNUT CREEK CA 94598-5143

138200002
ASHLOCK DENNIS D & LINDA E
TRE
1050 NORTH GATE RD
WALNUT CREEK CA 94598-5104

138200007
KRONICK FAMILY PARTNERSHIP
266 LA CASA VIA
WALNUT CREEK CA 94598-4833

138210003
HIRSCH WILLIAM REECE
1238 N GATE RD
WALNUT CREEK CA 94598-5108

ORDINANCE NO. 2011 - 18
 (Re-Zoning Land in the

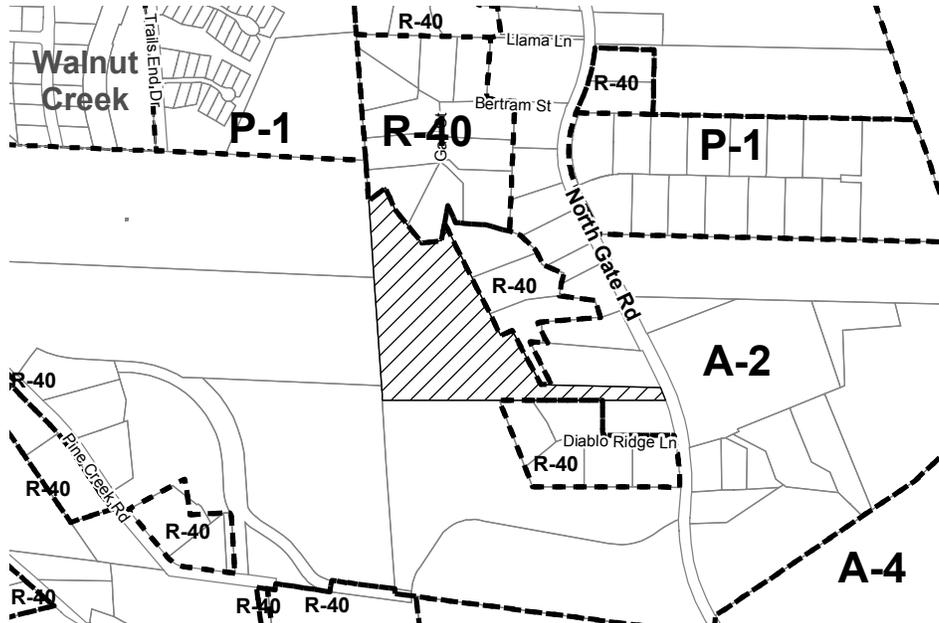
Walnut Creek Area)

The Contra Costa County Board of Supervisors ordains as follows:

SECTION I: Page N-16 of the County's 2005 Zoning Map (Ord. No. 2005-03) is amended by re-zoning the land in the above area shown shaded on the map(s) attached hereto and incorporated herein (see also Department of Conservation and Development File No. RZ07-3195.)

FROM: Land Use District A-2 (General Agricultural)

TO: Land Use District R-40 (Single Family Residential)
 and the Department of Conservation and Development Director shall change the Zoning Map accordingly, pursuant to Ordinance Code Sec. 84.2.002.



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

PASSED on _____ by the following vote:

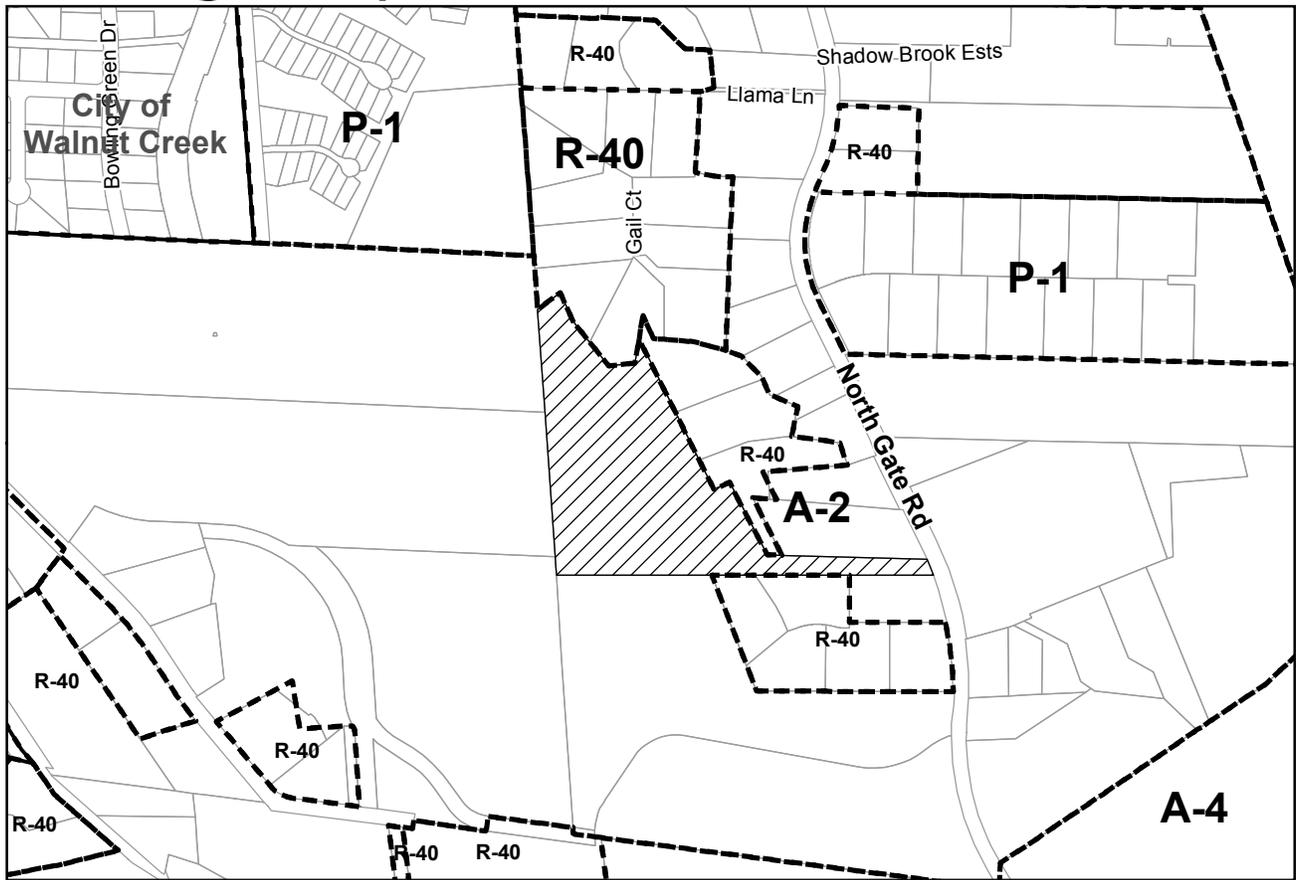
Supervisor	Aye	No	Absent	Abstain
1. J. Gioia	()	()	()	()
2. G.B. Uilkema	()	()	()	()
3. M.N. Piepho	()	()	()	()
4. K. Mitchoff	()	()	()	()
5. F.D. Glover	()	()	()	()

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

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

ORDINANCE NO. 2011 - 18

Findings Map



Rezone from A-2 to R-40



 Walnut Creek Area

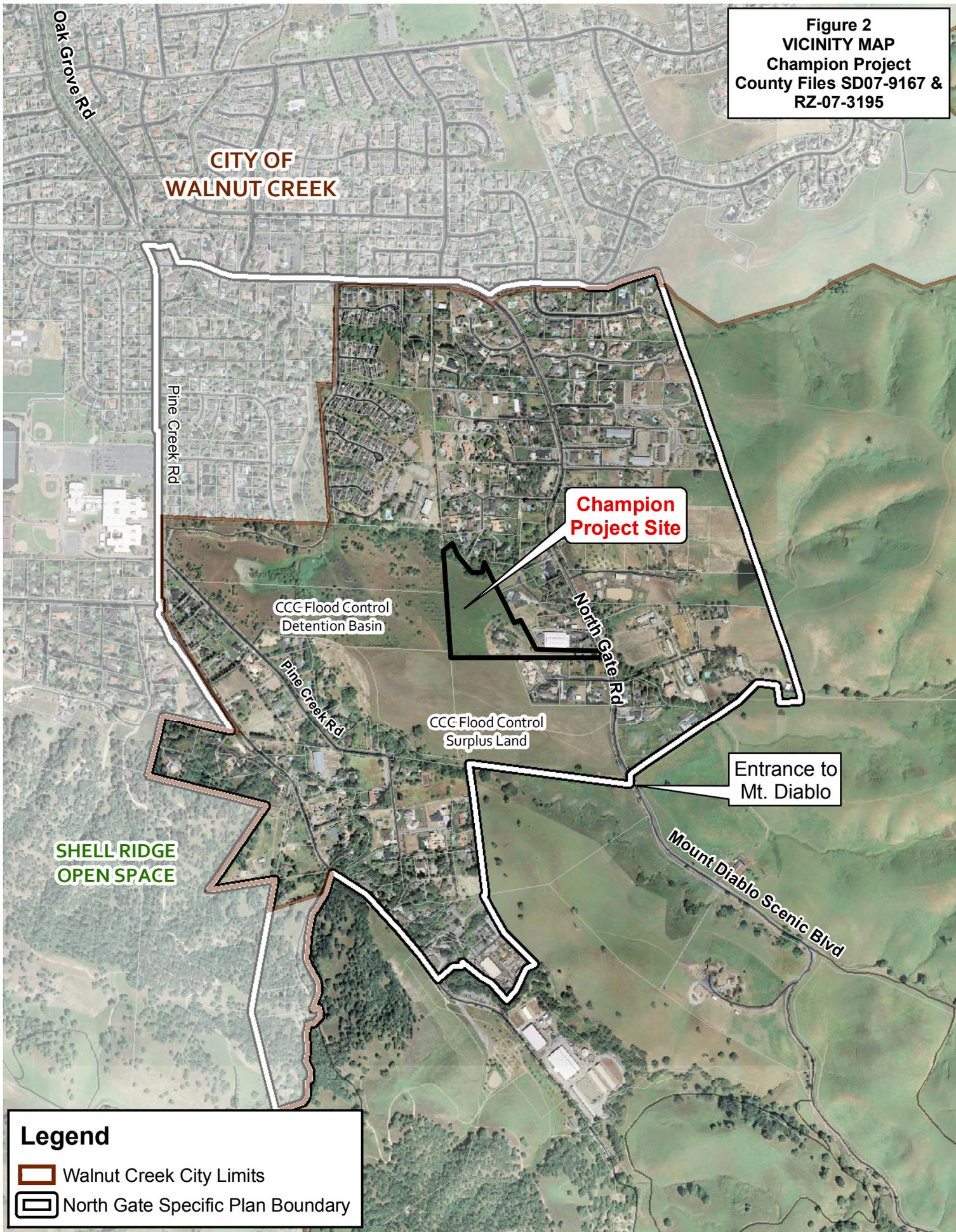
I, Don Snyder Chair of the Contra Costa
 County Planning Commission, State of California do hereby
 certify that this is a true and correct copy of an excerpt of the
 County's digital zoning map, indicating thereon the decision
 of the Contra Costa County Planning Commission in the matter
 of _____

 Nelda Champion - RZ07-3195

ATTEST:

 Secretary of the Contra Costa County Planning Commission,
 Contra Costa County, State of California

**Figure 2
VICINITY MAP
Champion Project
County Files SD07-9167 &
RZ-07-3195**



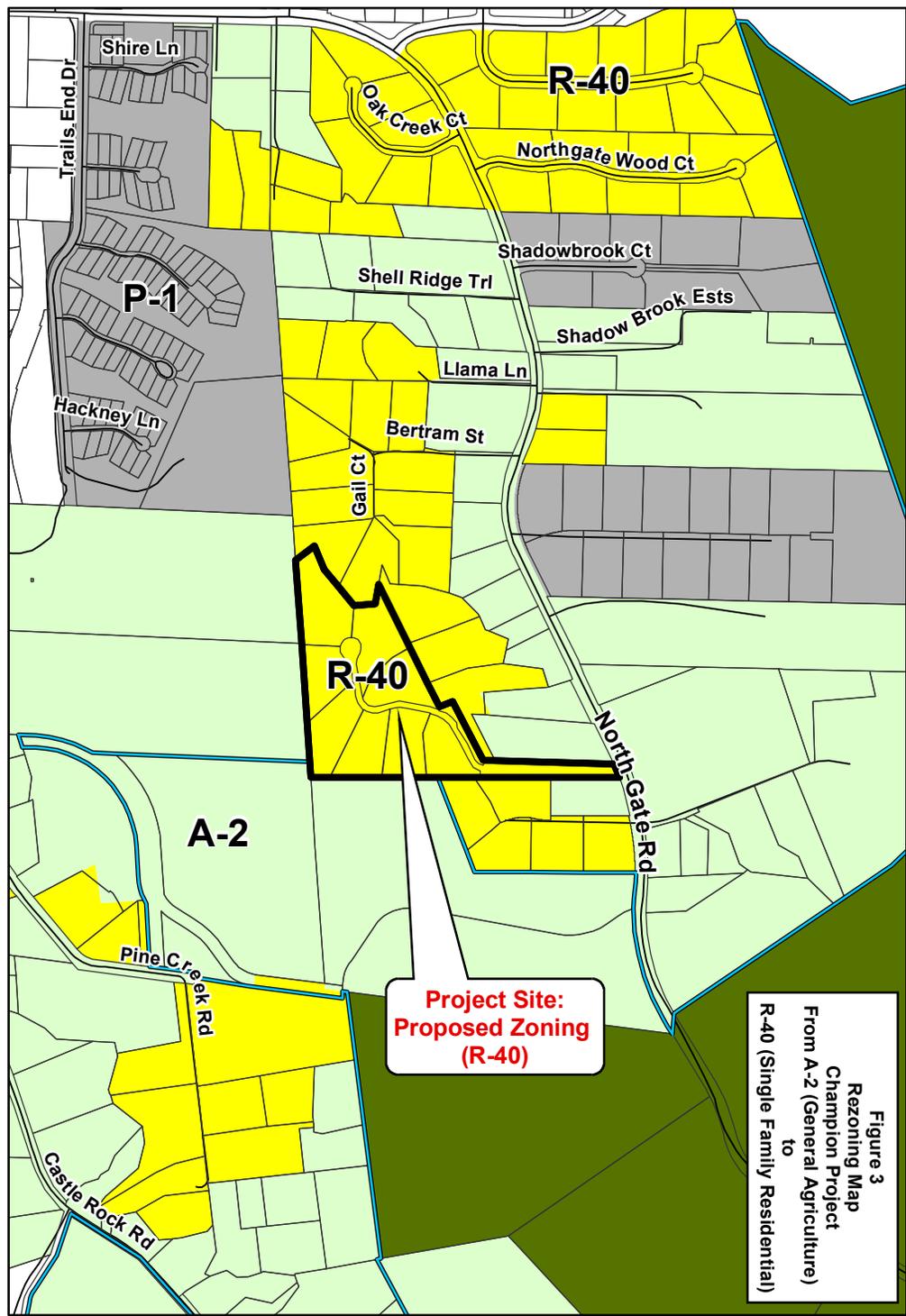
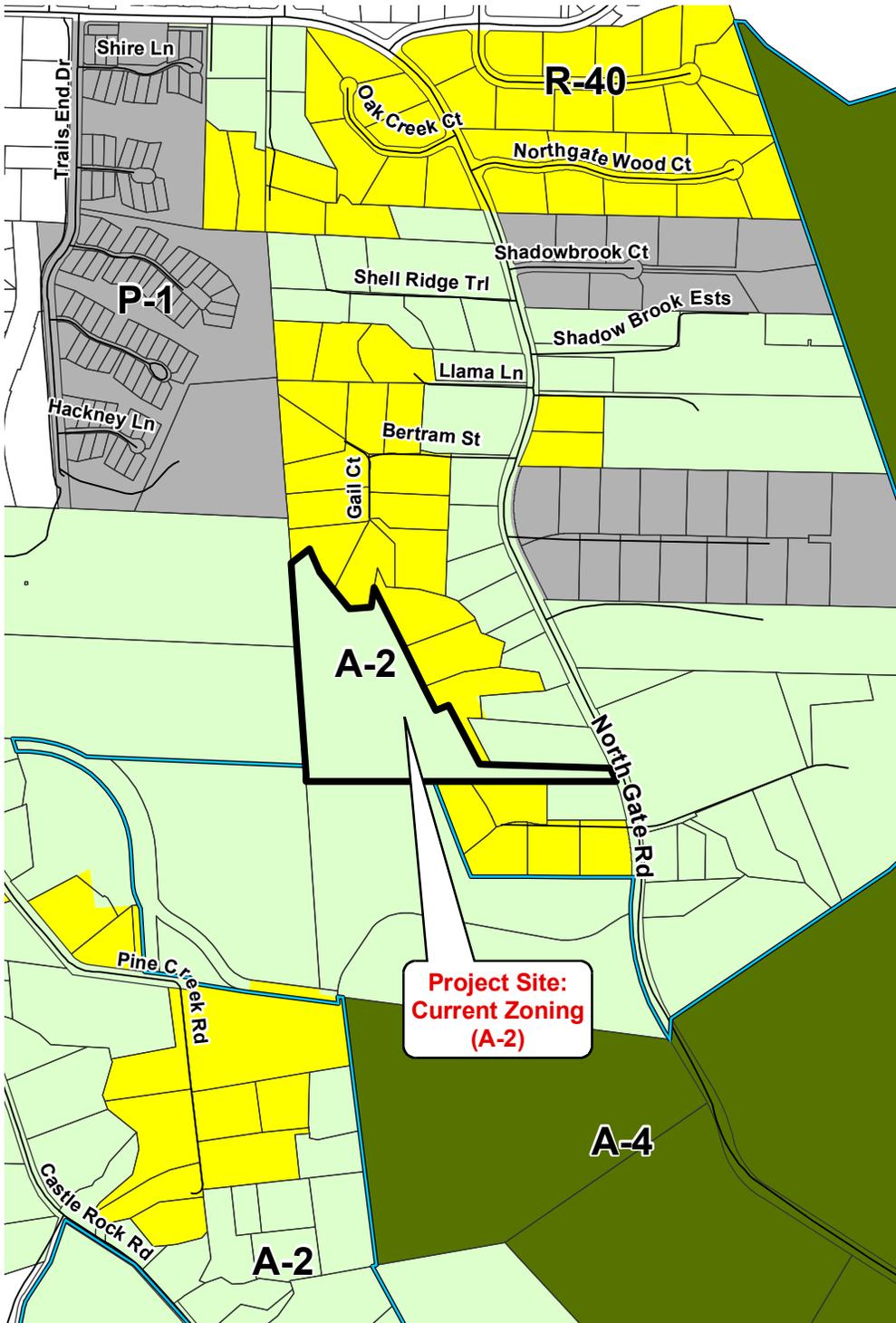
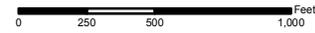
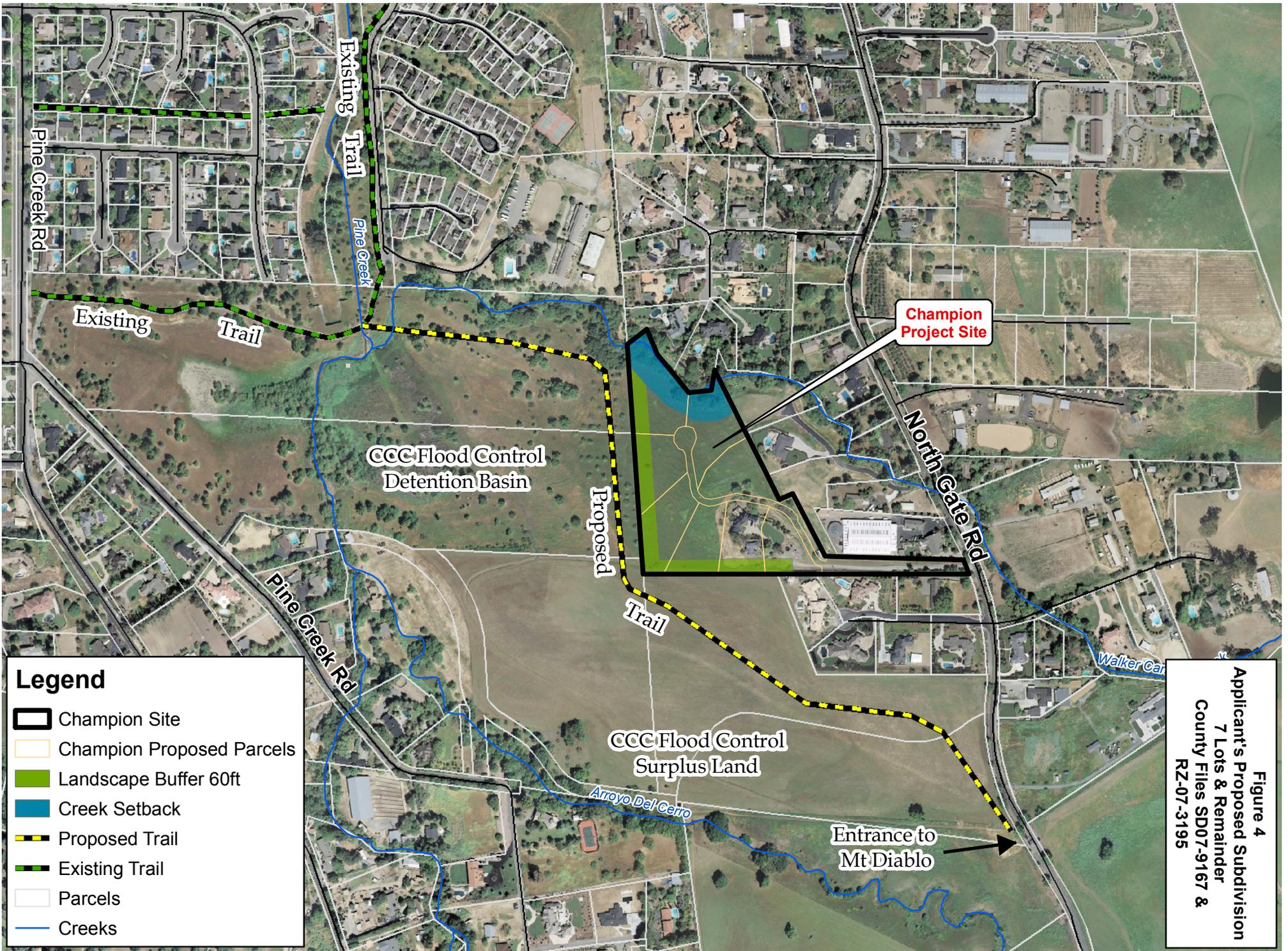


Figure 3
 Rezoning Map
 Champion Project
 From A-2 (General Agriculture)
 to
 R-40 (Single Family Residential)



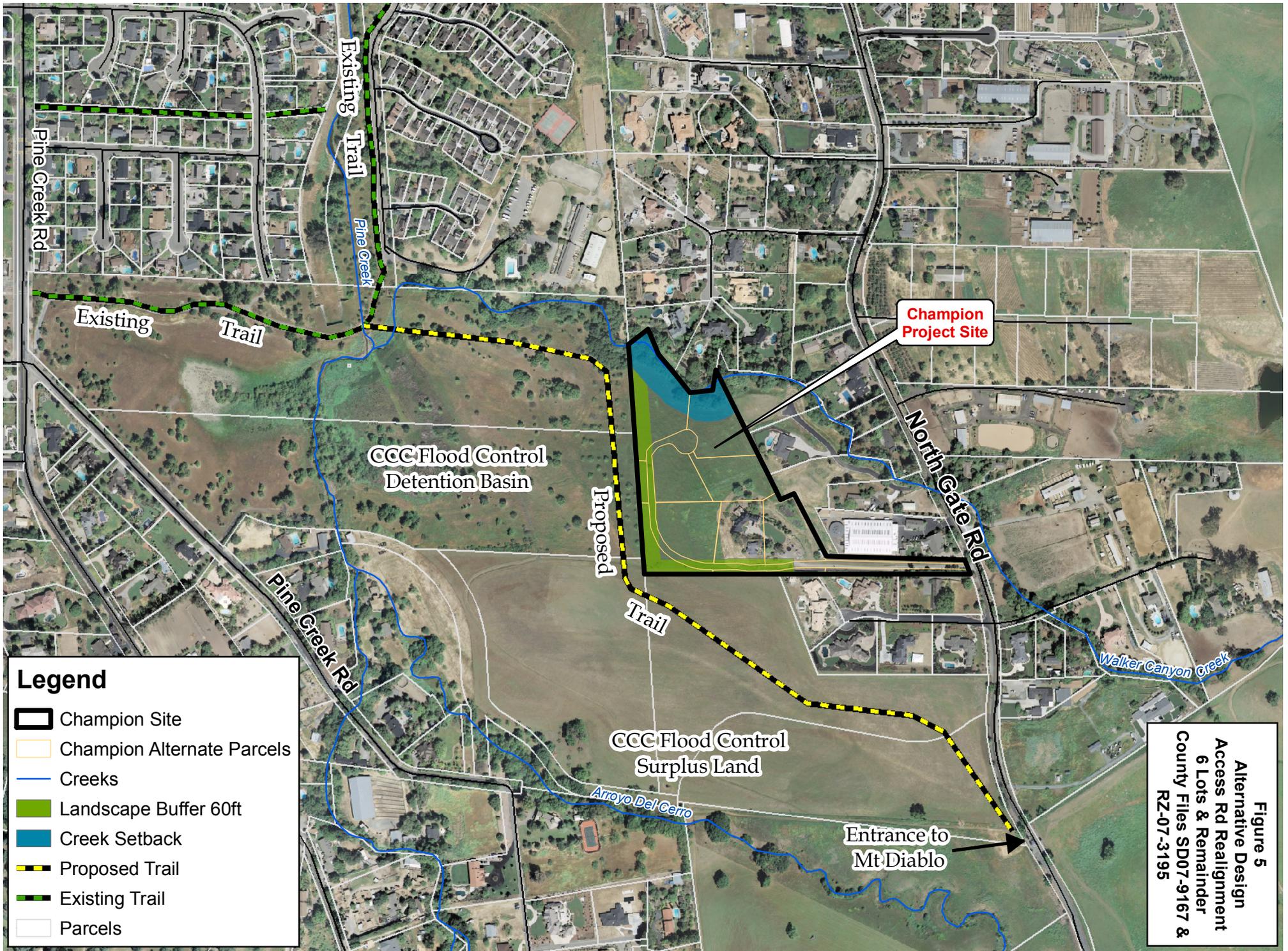


Legend

- Champion Site
- Champion Proposed Parcels
- Landscape Buffer 60ft
- Creek Setback
- Proposed Trail
- Existing Trail
- Parcels
- Creeks

Figure 4
Applicant's Proposed Subdivision
7 Lots & Remainder
County Files SD07-9167 &
RZ-07-3195





Champion Project Site

CCC Flood Control Detention Basin

Proposed Trail

North Gate Rd

Walker Canyon Creek

Pine Creek Rd

CCC Flood Control Surplus Land

Arroyo Del Cerro

Entrance to Mt Diablo

Legend

-  Champion Site
-  Champion Alternate Parcels
-  Creeks
-  Landscape Buffer 60ft
-  Creek Setback
-  Proposed Trail
-  Existing Trail
-  Parcels

Figure 5
Alternative Design
Access Rd Realignment
6 Lots & Remainder
County Files SD07-9167 & RZ-07-3195



Map created 7/27/2011
 by Contra Costa County Department of Conservation and Development
 GIS Group
 651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
 37.59.48.455N 122.36.35.384W

This map or dataset was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. The map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

0 250 500 1,000 Feet

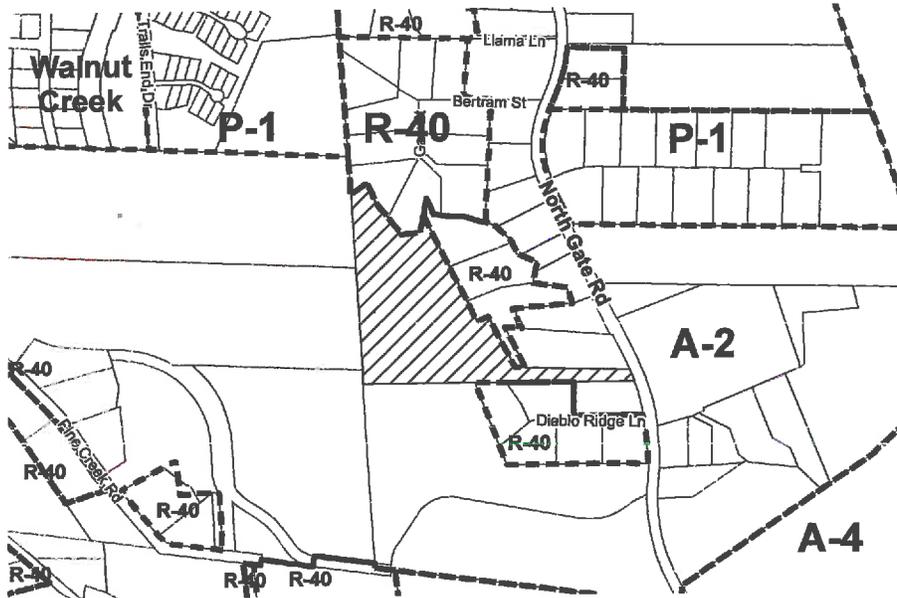


ORDINANCE NO. 2011 - 18
 (Re-Zoning Land in the
Walnut Creek Area)

The Contra Costa County Board of Supervisors ordains as follows:

SECTION I: Page N-16 of the County's 2005 Zoning Map (Ord. No. 2005-03) is amended by re-zoning the land in the above area shown shaded on the map(s) attached hereto and incorporated herein (see also Department of Conservation and Development File No. RZ07-3195.)

FROM: Land Use District A-2 (General Agricultural)
 TO: Land Use District R-40 (Single Family Residential)
 and the Department of Conservation and Development Director shall change the Zoning Map accordingly, pursuant to Ordinance Code Sec. 84.2.002.



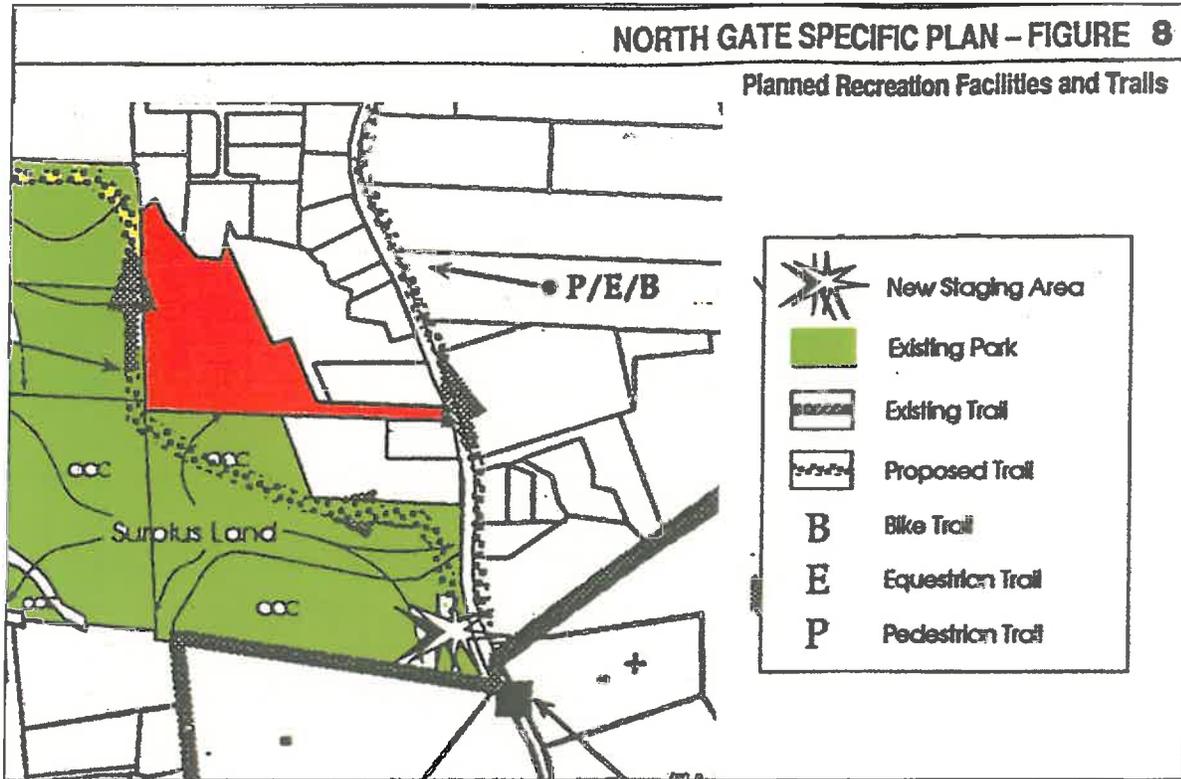
SECTION II. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once with the names of supervisors voting for and against it in the Contra Costa Times, a newspaper published in this County.

PASSED on Nov 15 2011 by the following vote:

Supervisor	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
1. J. Gioia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. G.B. Uilkema	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. M.N. Piepho	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. K. Mitchoff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. F.D. Glover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST: David Twa, County Administrator and Clerk of the Board of Supervisors
 By June Williams, Dep. Chairman of the Board (SEAL)
Gary P. Uilkema

ORDINANCE NO. 2011 - 18



Map copied from the North Gate Specific Plan showing the proposed trail on open space adjacent to the Champion property.

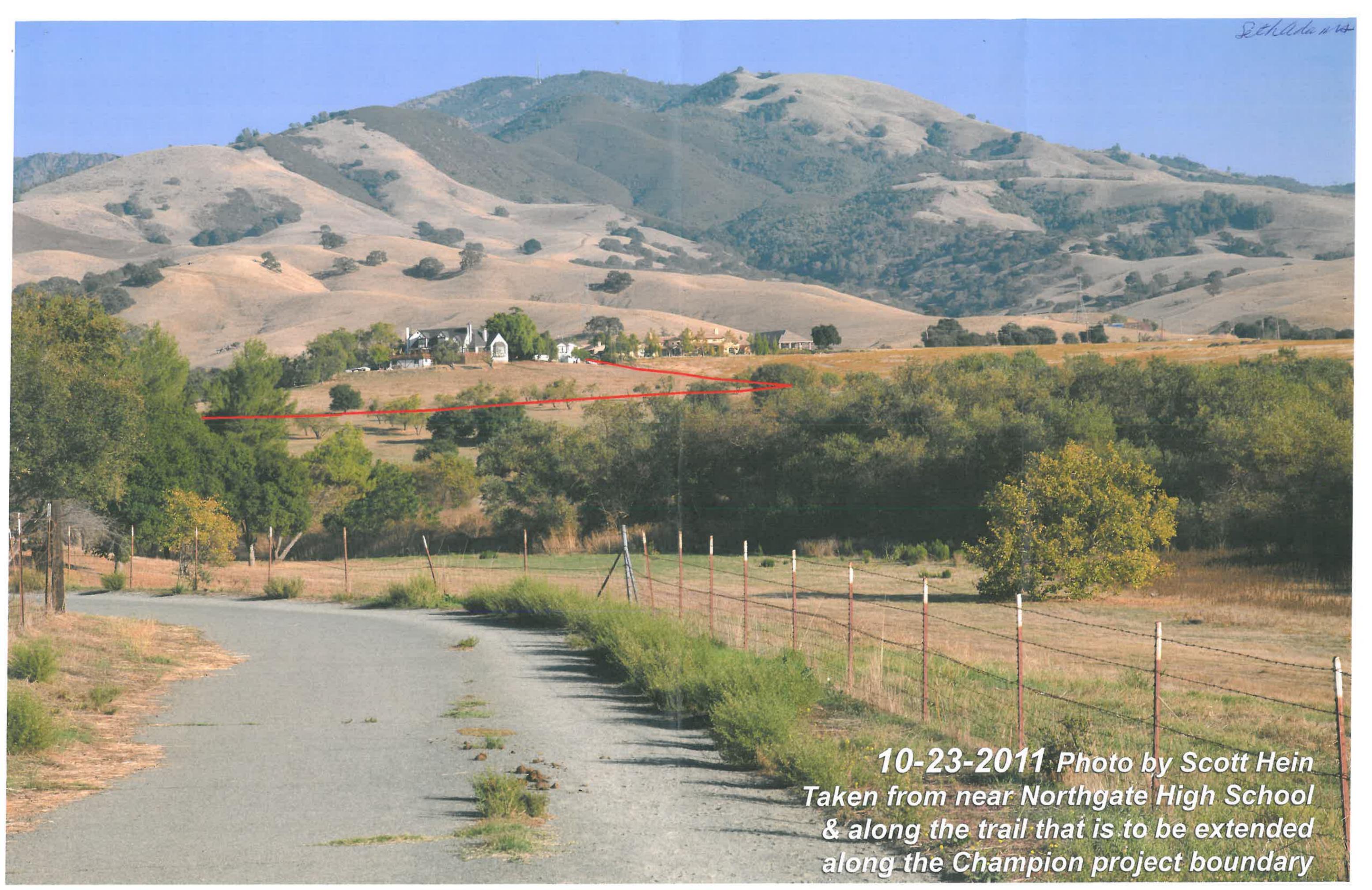
Conditions Agreed Upon between Save Mount Diablo and Champion project Representative:

- 1) The buffer shall be planted with a scattering of native oak trees; planting shall not be so dense as to change the overall grassland character of the existing open space, but shall be sufficient to break up the visual appearance of the new homes.
 - 2) The setback for proposed lot in the northwest corner of the property along the creek shall be increased to the 250' counter line.
-



*10-23-2011 Photo by Scott Hein
Taken from near Northgate High School
& along the trail that is to be extended
along the Champion project boundary*

Seth Adams 11/14



**10-23-2011 Photo by Scott Hein
Taken from near Northgate High School
& along the trail that is to be extended
along the Champion project boundary**



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: November 15, 2011

Subject: Annual county miles in the Total Maintained Mileage for County Roads Report. (All Districts)

RECOMMENDATION(S):

ADOPT Resolution No. 2011/463 approving the annual county miles in the Total Maintained Mileage for County Roads Report. (All Districts)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

State Department of Transportation requires annual total mileage to determine the amount of money allocated to the County from the gasoline tax.

CONSEQUENCE OF NEGATIVE ACTION:

The report could not be submitted to CalTrans without the Board approval.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: STACEY M BOYD, Deputy

Contact: Jim Stein, (925)
313-2343

cc:

ATTACHMENTS

Resolution No.

2011/463

Exhibit A

**“EXHIBIT A”
CONTRA COSTA COUNTY
ROAD MILEAGE (+ & -)**

Road No.	Road Name	Class	Mileage + or -	CRS Page	Coord.
3687L	*Rodrigues Ave.	MU	+0.01	5K45	9B
3687AF	Actriz Pl.	MU	+0.23	5K45	9B
5094A	*Driftwood Dr.	CU	+0.20	6K41	8B
5094Q	Coastview Ct.	MU	+0.16	6K41	8B
5094R	Tradwinds	M U	+0.16	6K41	8B

Corrections To Road Mileage

Road No.	Road Name	Class	Mileage	CRS Page	Coord.
3975AU	Marsh Dr.	CU	-0.02	5K55	2D

"EXHIBIT A"
CONTRA COSTA COUNTY
ROAD MILEAGE (+ & -)

Maintained Mileage Reported on May 1, 2010	669.79
Total Additions	+ 0.76
Total Corrections	- 0.02
Maintained Mileage as of May 1, 2011	670.53

*Addition to an Existing County Maintained Road

AU (ARTERIAL/URBAN)
CU (COLLECTOR/URBAN)
MR (MINOR/RURAL)
MU (MINOR/URBAN)

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 11/15/2011 by the following vote:

		John Gioia
AYES:	<input type="checkbox"/> 4	Gayle B. Uilkema
		Karen Mitchoff
		Federal D. Glover
NOES:	<input type="checkbox"/>	
ABSENT:	<input type="checkbox"/> 1	Mary N. Piepho
ABSTAIN:	<input type="checkbox"/>	
RECUSE:	<input type="checkbox"/>	



Resolution No. 2011/463

IN THE MATTER OF annual county miles in the Total Maintained Mileage for County Roads Report. (All Districts)

WHEREAS, Section 2121 of the Streets and Highways Code provides that in May of each year, each county shall submit to the State Department of Transportation any additions or exclusions from its mileage of maintained county roads, specifying the terminuses and mileage of each route added or excluded; and

WHEREAS, the State Department of Transportation certified to the State Controller on October 31, 2010, that the total mileage of maintained county roads in Contra Costa County was 669.79.

WHEREAS, the Public Works Director now reports that the total mileage of maintained county roads as of May 1, 2011, is 670.53 miles.

NOW THEREFORE BE IT RESOLVED that this Board finds and determines that the mileage of maintained County roads in Contra Costa County is 670.53, and that the terminuses and mileage of each route added to or excluded from the County's maintained roads is as shown in Exhibit "A", such exhibit being made a part of this resolution.

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

Contact: Jim Stein, (925) 313-2343

ATTESTED: November 15, 2011

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

Stacey M. Boyd

By: STACEY M BOYD, Deputy

cc:

"EXHIBIT A"
CONTRA COSTA COUNTY
ROAD MILEAGE (+ & -)

Road No.	Road Name	Class	Mileage + or -	CRS Page	Coord.
3687L	*Rodrigues Ave.	MU	+0.01	5K45	9B
3687AF	Actriz Pl.	MU	+0.23	5K45	9B
5094A	*Driftwood Dr.	CU	+0.20	6K41	8B
5094Q	Coastview Ct.	MU	+0.16	6K41	8B
5094R	Tradwinds	M U	+0.16	6K41	8B

Corrections To Road Mileage

Road No.	Road Name	Class	Mileage	CRS Page	Coord.
3975AU	Marsh Dr.	CU	-0.02	5K55	2D

"EXHIBIT A"
CONTRA COSTA COUNTY
ROAD MILEAGE (+ & -)

Maintained Mileage Reported on May 1, 2010	669.79
Total Additions	+ 0.76
Total Corrections	- 0.02
Maintained Mileage as of May 1, 2011	670.53

***Addition to an Existing County Maintained Road**

- AU (ARTERIAL/URBAN)
- CU (COLLECTOR/URBAN)
- MR (MINOR/RURAL)
- MU (MINOR/URBAN)



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: November 15, 2011

Subject: Ratifying the prior decision of the Public Works Director, or designee, to fully close a portion of Pomona Street between Alexander Street and Rolph

RECOMMENDATION(S):

ADOPT Resolution No. 2011/464 ratifying the prior decision of the Public Works Director, or designee, to fully close a portion of Pomona Street between Alexander Street and Rolph Avenue, and all of Rolph Avenue, on November 11, 2011 from 9:00 A.M. through 11:00 A.M., for the purpose of the John Swett High School Marching Band parade, Crockett area. (District V)

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Applicant shall follow guidelines set forth by the Public Works Department.

CONSEQUENCE OF NEGATIVE ACTION:

Applicant will not have Board approval for completed road closure.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 11/15/2011 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: STACEY M BOYD, Deputy

Contact: Bob Hendry, (925)
335-1375

cc:

ATTACHMENTS

Resolution No.
2011/464

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

Adopted this Resolution on 11/15/2011 by the following vote:

		John Gioia
AYES:	<input type="text" value="4"/>	Gayle B. Uilkema
		Karen Mitchoff
		Federal D. Glover
NOES:	<input type="text"/>	
ABSENT:	<input type="text" value="1"/>	Mary N. Piepho
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



Resolution No. 2011/464

IN THE MATTER OF ratifying the prior decision of the Public Works Director, or designee, to fully close a portion of Pomona Street between Alexander Street and Rolph Avenue, and all of Rolph Avenue, on November 11, 2011 from 9:00 A.M. through 11:00 A.M., for the purpose of the John Swett High School Marching Band parade, Crockett area. (District V)

WHEREAS, RC11-13

NOW THEREFORE BE IT RESOLVED that permission is granted to John Swett High School to fully close Pomona Street between Alexander Street and Rolph Avenue, and all of Rolph Avenue, except for emergency traffic, on November 11, 2011 for the period of 9:00 A.M. through 11:00 A.M., subject to the following conditions:

1. Traffic will be detoured via per plan reviewed by Public Works.
2. All signing to be in accordance with the California Manual on Uniform Traffic Control Devices.
3. John Swett High School 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) 335-1375

ATTESTED: November 15, 2011

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

Stacey M. Boyd

By: STACEY M BOYD, Deputy

cc:

**Contra
Costa
County**



Notice

The Board of Supervisors will make appointments to fill existing advisory body vacancies. Interested citizens may submit written applications for vacancies to the following address:

**Clerk of the Board of Supervisors
651 Pine Street, Rm. 106
Martinez, CA 94553**

Board, Commission, or Committee

Advisory Council on Aging

Appointments can be made after

November 29, 2011

I, David J. Twa, Clerk of the Board of Supervisors and the County Administrator, hereby certify that, in accordance with Section 54974 of the Government Code, the above notice of vacancy (vacancies) will be posted on November 15, 2011.

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: **November 15, 2011**

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

By: _____
Deputy Clerk

CC: Concord Library
Contra Costa Library Document Clerk
Delta 2000
Hard Copy to Maddy Book File



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: November 15, 2011

Subject: APPROVE and AUTHORIZE the Public Works Director, or designee, to issue a payment for \$1,500 from County Services Area (R-7A)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to issue payment of \$1,500 to the Alamo Chamber of Commerce, for CSA R-7A's participation in the Annual Tree Lighting Event at Andrew H. Young Park, Danville Blvd, Alamo Area. (100% County Service Area R-7A Funds)

FISCAL IMPACT:

This project is funded by CSA R-7A funds (100%).

BACKGROUND:

The Alamo Parks and Recreation (CSA R-7A) participates in the Chamber of Commerce Annual Tree Lighting each year. CSA R-7A contributes use of Andrew H. Young Park and provides funding to decorate the park with holiday lights. This year the event will take place on December 4, 2011 from 5:00 PM - 7:00 PM. The lights will be installed on November 26, 2011 and removed by January 15, 2012. The Alamo Tree Lighting event is a collaborative effort and is presented by the Chamber of Commerce. The Records of Actions from the September 6, 2011 Alamo Municipal Advisory Committee is attached showing the recommendation for this expenditure.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: STACEY M BOYD, Deputy

Contact: Jill Ray, (925)
335-1046

CONSEQUENCE OF NEGATIVE ACTION:

Without Board approval this event would not be possible.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.

ATTACHMENTS

9-6-11 Alamo MAC Record of Action

Alamo MAC

David Bowlby, Chair
Michael McDonald, Vice-Chair
David Barclay
Ed Best
Nancy Dommies
Janet Miller Evans
Steve Mick



Office of Supervisor
Mary NejedlyPiepho
District III

Jennifer Quallick, Field Representative
309 Diablo Road, Danville, CA 94526
925-820-8683

*The Alamo Municipal Advisory Council serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

Record of Actions **Tuesday, September 6th, 2011**

1. **CALL TO ORDER** Meeting called to order by Chair Bowlby at 6:03 P.M.
2. **PLEDGE OF ALLEGIANCE** Led by Member Mick
3. **ROLL CALL** Members Present: David Bowlby, Ed Best, Michael McDonald, Nancy Dommies, Steve Mick, David Barclay and Janet Miller Evans.
4. **PUBLIC COMMENT (3 Minutes/speaker)**
 - A. Sharon Burke spoke requested the County and the MAC consider the improvements necessary to the Alamo Elementary School Livorna Road crossing are as the schools field is a County park.
 - B. Sandy Menichely spoke on behalf of the organization, Save Our Creek and the impact of the proposed Summerhill Homes development.
 - C. Maryann Cella also spoke on behalf of Save Our Creek and the impacts of the proposed Summerhill Homes development. She asked that the MAC become familiar with the project and consider a future meeting where the Save Our Creek organization could come before the MAC with a formal presentation of noted concerns with the proposed project.
 - D. Mike Gibson representing the AIA spoke on their organization staying in touch with this project and watching it through the CEQA process and the MAC take action as it might be warranted.
5. **ADOPTION OF MEETING SUMMARY FROM AUGUST 2nd, 2011.**
Member McDonald moved to adopt as written, motion seconded by Member Best and passed with two abstentions from Members Bowlby and Miller Evans who were absent from the August meeting.
6. **COMMUNITY ORGANIZATION REPORTS**
 - A. None.
7. **STAFF/AGENCY REPORTS**
 - A. Staff provided an update on the Town of Danville and the Board of Supervisors having approved an amendment to the Joint Exercise of Powers Agreement at Hap Magee Ranch Park. No material changes were made in operations or use of the park; however, the new agreement allows for a more cost-effective means of managing the on-going operation and maintenance of the park.
 - B. The Exchange Club of the San Ramon Valley is sponsoring the 9/11 Memorial Ceremony at Oak Hill Park in Danville.
 - C. The annual Alamo Music Festival will be Saturday, September 10th at the Alamo Plaza Shopping Center from 12:00 noon to 11:00pm.
8. **CONSIDER CONSENT ITEMS.** Items are subject to removal from Consent Calendar by request of any MAC Member or on request for discussion by a member of the public. Items removed from this section will be considered with the Short Discussion Items.
 - A. 1241 Laverock Lane – Land Use Planning Application #LP11-2049. Applicant, Sprint PCS is requesting to renew permit #LP01-2077. Project to include upgrades to existing cellular site; including new antennas and adding one equipment cabinet.

- B. 34 Alamo Square – Development Plan Application #DP11-3016. Applicant requests approval to remodel an existing commercial building. The exterior and roof of the building to be improved by adding new composition shingles. Square footage of the building will be increase by approximately 120 square feet.

Both the above-mentioned ‘Consent Items’ were requested be moved and placed under ‘Deliberation Items’ of the evenings agenda for further discussion.

9. PRESENTATIONS

- A. None.

10. DELIBERATION ITEMS

Items 8 (A) and (B) from ‘Consent’ calendar above;

- 8(A). 1241 Laverock Lane – Land Use Planning Application #LP11-2049. Applicant, Sprint PCS is requesting to renew permit #LP01-2077. Project to include upgrades to existing cellular site; including new antennas and adding one equipment cabinet.

MAC requested this item be continued to a future meeting as more information was requested regarding the initial issuance of the LUP and the imposed conditions of approval.

Public Comment Provided By:

Mike Gibson representing AIA noted that the original conditions of approval placed on the project have not been adhered to. i.e. approved landscaping surrounding the equipment enclosure has not had landscaping for some time. Would like to know if the property owner or the carrier is responsible to replace and maintain.

- 8(B). 34 Alamo Square – Development Plan Application #DP11-3016. Applicant requests approval to remodel an existing commercial building. The exterior and roof of the building to be improved by adding new composition shingles. Square footage of the building will be increase by approximately 120 square feet.

MAC requested this item be continued to a future meeting as more information was requested regarding the proposed project application and the intended use of space to be improved.

Public Comment Provided By:

Mike Gibson representing AIA

- A. Consideration of new MAC meeting space in Alamo Plaza Shopping Center as offered by the Alamo Chamber of Commerce.

Member Mick recommends utilizing the space made available by the Alamo Chamber of Commerce on a trial basis starting December 2011. Seconded by Member Dommes, item passes unanimously.

Public Comment Provided By:

Mike Gibson recommended the MAC to be careful in its consideration of utilizing the space offered as the Chamber does have items that come before the MAC and there could potentially be a conflict of interest.

- B. Review request to utilize funds to publish MAC material in the Alamo Today monthly publication.

Member McDonald moved to recommend proceeding to request funding to publish articles in Alamo publication, ‘Alamo Today’ as the items relate to parks and recreation. Seconded by Member Barclay, item passes unanimously.

- C. Consideration of monetary donation to the Alamo Chamber of Commerce 2011 Annual Tree Lighting event at Andrew H. Young Park.

Member McDonald moved to recommend the approval of the \$1,500 monetary donation to the Alamo Chamber of Commerce in support of the 2011 Tree Lighting Event to take place on Sunday, December 4th.

- D. Review and consideration of Livorna Road speed mitigation efforts as presented by Public Works.

Jerry Fahy with Public Works (PW) provided to the MAC an update of what additional signage has been added tot eh crosswalk at Wilson Road and Livorna Road in front of Alamo Elementary School. A 4’ tall mobile neon ‘paddle sign’ was provided to the school to assist

with speeding along Livorna Road. Unfortunately the sign was hit by oncoming traffic and the Principal, Stan Hitomi removed the sign as he considered it a safety hazard to the school.

Some residents continue to be concerned that vehicles continue to speed along Livorna Road creating a safety issue for both pedestrians and bicyclists.

It was reported by Principal Stan Hitomi that after the school conducted a brief survey, 58 families would like to see improvement made to the intersection/area being reviewed.

The MAC discussed and would like to see the Alamo Area of Benefit (AoB) Project list updated as quickly as possible to include a possible project that could assist in developing funds for a project in this area. A sample project for this location could be; a pedestrian walking bridge over Livorna Road; stop light and/or stop sign; in-roadway warning lights/flashers. The MAC working group is to get together with PW to further discuss and review safety options for this area.

The item was continued to a future MAC meeting for further evaluation.

Public Comment Provided By:

Stan Hitomi, Principal of Alamo Elementary School who would like to see immediate improvement made to the intersection at Livorna Road and Wilson Road.

Janice Alamillo also spoke in support of improving the safety of the intersection and at a very minimum getting the in-ground flasher system in place to start the process of safety improvement.

Andy Baugh, local resident/attorney, also spoke in support of improving this intersection, as it is only a matter of time before someone is injured at this crosswalk.

Vicki Koc provided some great history from committees past of the development of the intersection and how it got to be as it is along with a history of options formally considered to help intersection in question.

11. COUNCIL MEMBER REPORTS

A. None.

12. CORRESPONDENCE

A. General Correspondence:

1. Danville Blvd. Tree Lighting Proposal update as prepared by Special Districts.

B. Pending Permit Applications:

1. 295 Las Quebradas - Land Use Permit Application #LP10-2041. Applicant requests approval for an existing residence on-site built without permits.
2. 2704 Danville Blvd. - Development Plan Application #DP11-3002. Applicant is requesting approval of an existing trellis built without permits in the rear yard.
3. 2199 Granite Drive – Development Plan Permit Application #DP11-3015. Request is to construct a 440 square foot cabana. Construction would require working within the drip line of 5 Redwood trees. This project requires a small lot design review due to the lot being substandard in size.

13.FUTURE AGENDA ITEMS

A. Scheduled:

B. Future Agenda Items:

1. CCTA Congestion Management Plan/CRIPP.
2. YMCA community and staff discussion as it relates to the slide area.
3. Financial updates on Zone 36 – Alamo Beautification, CSA R-7A – Alamo Parks & Recreation
4. Committee feedback on assigned interest areas.
5. Area of Benefit (AOB) needs and priorities.
6. Downtown tree lighting update.
7. Drainage Area 13 – Flood Control Division of Public Works.
8. Consideration of new Alamo logo contest.
9. Continued discussion regarding Livorna Road speed mitigating efforts.

14. ADJOURNED AT 8:38 P.M. - NEXT MEETING OCTOBER 4TH AT 6:00 P.M. AT THE SWAIN HOUSE AT HAP MAGEE RANCH PARK.



Contra
Costa
County

To: Contra Costa County Fire Protection District Board of Directors
From: Daryl L. Louder, Chief, Contra Costa County Fire Protection District
Date: November 15, 2011

Subject: 2011 DOT PHMSA Technical Assistance Grant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Fire Chief, or designee, of the Contra Costa County Fire Protection District to accept the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration Technical Assistance Grant, in an amount not to exceed \$28,025, for the purchase of portable multi-gas detectors and related equipment.

FISCAL IMPACT:

\$28,025, 100% Federal; No District match required. The grant award may be lower than the amount requested and will be for a period of one-year from the effective date of the award.

BACKGROUND:

The U.S. Department of Transportation (DOT), through the Pipeline and Hazardous Materials Safety Administration (PHMSA), grant program funds technical assistance in the form of engineering or other scientific analysis of pipeline safety issues affecting a local community.

Under this grant award the Contra Costa County Fire Protection District will provide portable multi-gas detectors to each of 12 front-line

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: STACEY M BOYD, Deputy

Contact: Jackie Lorrekovich,
925-941-3312

cc:

BACKGROUND: (CONT'D)

fire apparatus, including 42 pump kits with probes and tubing detectors for training and breakdown usage. The project also provides for eight calibration kits and the service of the vendor to conduct monthly calibration of each detector during the first year of acquisition and training.

The total budget for the project is \$28,025, as follows:

Multi-Gas Detection Monitors: 12 @ \$485 = \$5,820

Pump Kits: 42 @ \$200 = \$8,400

Calibration Kits: 8 @ \$350 = \$2,800

Sales Tax @ 8.25% = \$1,405

Monthly Detector Calibration for 1 Year = \$9,600

CONSEQUENCE OF NEGATIVE ACTION:

The District is funded primarily by property taxes and, therefore, has been particularly hard hit by the housing market decline and resulting impact on property tax revenue. Without this federal aid, the District will not have the funds to allocate to the purchase of the above-referenced equipment at this time.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



**Contra
Costa
County**

To: Contra Costa County Flood Control District Board of Supervisors

From: Julia R. Bueren, Public Works Director/Chief Engineer

Date: November 15, 2011

Subject: Execute grant documents to secure grant funding with the California Department of Water Resources, North Richmond Area. Project No. 7505-6F8740

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute all grant documents necessary to secure grant funding with the California Department of Water Resources, in an amount not to exceed \$5,000,000, from State matching funds for Fiscal Year 2011/2012, for the remediation and repair of Wildcat and San Pablo Creek Levees, North Richmond Area. (90% California Department of Water Resources Local Levee Critical Repair Program Grant and 10% Flood Control Zone 7 funding)

FISCAL IMPACT:

Because North Richmond is designated a Severely Disadvantaged Community by the Department of Water Resources, the Contra Costa County Flood Control and Water Conservation District (FC District) will only be required to provide 10% matching funding for the project. As grant awards are limited to \$5,000,000, the FC District's contribution (FC Zone 7) will not exceed \$500,000. FC Zone 7 also will fund the staff cost to actually prepare the grant application, estimated to be approximately \$15,000.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III Supervisor

By: STACEY M BOYD, Deputy

Contact: Carl Roner (925)
313-2213

BACKGROUND:

The purpose of the proposed project is the remediation and repair of the levees along Wildcat and San Pablo Creeks in the North Richmond Area. These remediation and repair activities will allow the certification of the levees by a Professional Engineer. Certifications will be submitted to the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) to show that the levees meet the requirements of Section 65.10 of the National Flood Insurance Program (NFIP) regulations. This grant, if received, will pay the majority of the costs associated with the remediation and repair of the levees required for the certification.

CONSEQUENCE OF NEGATIVE ACTION:

If repairs are not made and certifications are not provided to FEMA for the levees along Wildcat and San Pablo Creeks, the levees will lose their FEMA certification, the landward side of the levees will be declared floodprone, and property owners will be forced to purchase flood insurance.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



**Contra
Costa
County**

To: Contra Costa County Flood Control District Board of Supervisors

From: Julia R. Bueren, Public Works Director/Chief Engineer

Date: November 15, 2011

Subject: Execute grant documents with the California Department of Water Resources for the evaluation of Lower Walnut Creek levees. Project No. 7520-6B8280

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute all grant documents necessary to secure grant funding with the California Department of Water Resources (from state matching funds for Fiscal Year 2011/2012), to reimburse approximately \$250,000 of the nonfederal funds expended by Flood Control District Zone 3B for the geotechnical evaluation of Lower Walnut Creek Levees, Martinez and Concord Areas. (100% California Department of Water Resources Local Levee Evaluation Program Grant Funds)

FISCAL IMPACT:

If approved, the grant will result in reimbursement of approximately \$250,000 of FC District Zone 3B funds. The staff time needed to apply for this grant is approximately \$10,000, also funded by FC District Zone 3B.

BACKGROUND:

The Contra Costa County Flood Control and Water Conservation District (FC District) has partnered with United States Army Corps of Engineers (USACE) on the Lower Walnut Creek

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III Supervisor

By: STACEY M BOYD, Deputy

Contact: Carl Roner (925)
313-2213

BACKGROUND: (CONT'D)

general reevaluation project. The purpose of this project is to transform the 1960's-era USACE-constructed flood control channel into a more sustainable system. A portion of this study focused on the 8.5 miles of levees constructed as part of the original project. The levee evaluation portion of the study is complete, and no significant issues were found.

The FC District intends to submit a grant application to the California State Department of Water Resources (DWR) to request reimbursement of approximately \$250,000 of FC District Zone 3B funds that were expended for the Lower Walnut Creek levee geotechnical evaluation. Starting in July 2008, the FC District and the USACE together expended approximately \$500,000 on the levee evaluation. The USACE's federal contribution to this project satisfies DWR's grant match requirement, so the FC District will be requesting reimbursement of approximately \$250,000 of the already-expended FC District Zone 3B funds.

Under Proposition 84 of 2006, which includes the Local Levee Assistance Program, the state has made available funds to reimburse local entities for levee evaluation. As the grant program allows reimbursement of recently completed levee studies, the FC District intends to apply for grant funds to cover its share of the levee portion of the study costs.

CONSEQUENCE OF NEGATIVE ACTION:

If the FC District is not allowed to execute the grant documents, the FC District will not be able to recoup the nonfederal expenditure of \$250,000.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Sharon Offord Hymes, Risk Manager
Date: November 15, 2011

Subject: Final Settlement of Claim, Thomas Gill vs. Contra Costa County

RECOMMENDATION(S):

RECEIVE this report concerning the final settlement of Thomas Gill and AUTHORIZE payment from the Workers' Compensation Internal Service Fund in an amount not to exceed \$58,500.

FISCAL IMPACT:

Workers' Compensation Internal Service Fund payment of \$58,500.

BACKGROUND:

Attorney Robert J. Cavallero, defense counsel for the County has advised the County Administrator that within authorization, an agreement has been reached settling the workers' compensation claim of Thomas Gill v. Contra Costa County. The Board's November 1, 2011 closed session vote was Supervisors Uilkema, Gioia, Piepho, Mitchoff and Glover - Yes. This action is taken so that the terms of this final settlement and the earlier November 1, 2011 closed session vote of this Board authorizing its negotiated settlement are known publicly.

CONSEQUENCE OF NEGATIVE ACTION:

Case will not be settled.

CHILDREN'S IMPACT STATEMENT:

None.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

Contact: Sharon Hymes-Offord,
925 335-1450

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: November 15, 2011

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

By: STACEY M BOYD, Deputy

cc:



Contra
Costa
County

To: Board of Supervisors

From: Clerk of the Board

Date: November 15, 2011

Subject: CLAIMS FOR NOVEMBER 15, 2011

RECOMMENDATION(S):

DENY claims by Rosanna Bell, Joseph Bianchi, Geico Ins. for Judy Leach, Manuel Chavez, Janet Dauth, Jamie Finegold, Patrick Gordis, Michael Grant, Mario White, Blackhawk Homeowners Assoc., Byron Shields and DENY application to file late claim by Nathan Hill.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

Contact: TIFFANY LENNEAR
(925) 335-1900

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: November 15, 2011

, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

cc:

Contra
Costa
County



To: Board of Supervisors
From: Gayle B. Uilkema, District II Supervisor
Date: November 15, 2011

Subject: 2011 Contra Costa Philanthropy Award Recipients

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: KATHERINE SINCLAIR, Deputy

Contact: Steve Dexter,
925-335-1046

cc:

AGENDA ATTACHMENTS

Resolution No. 2011/466

MINUTES ATTACHMENTS

Signed Resolution No.

2011/466

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

In the matter of:

Resolution No. 2011/466

RECOGNIZING AND HONORING the 2011 Contra Costa Philanthropy Award Recipients

WHEREAS, the Contra Costa Council's Social Responsibility Task Force has announced the honorees for the inaugural Contra Costa Philanthropy Awards, which recognize individuals, businesses and service organizations that have made significant contributions of time, leadership, and financial support to benefit Contra Costa residents; and

WHEREAS, one of the key purposes of the Council's Social Responsibility Task Force to strengthen the links between the private, social and public sectors of the county, it is hoped that the Contra Costa Philanthropy Awards will help build awareness and inspire many more organizations to learn how to get involved in this work; and

WHEREAS, a prestigious panel representing all sectors of the community and government was formed to make the award selections, and whose members included Gayle B. Uilkema, Contra Costa County Supervisor; Dr. Joe Ovick, Contra Costa County Superintendent of Schools; Jim Foley, Wells Fargo Greater Bay Regional President; Jan Fischberg, President and Executive Director, Rubicon Programs; and Mark Hughes, Manager of Public Affairs, ConocoPhillips Rodeo Refinery, and

WHEREAS, honorees will be recognized at the inaugural Contra Costa Philanthropy Awards Celebration breakfast to be held on Thursday, November 10, 2011.

Now, Therefore, Be It Resolved that the Contra Costa County Board of Supervisors hereby recognize and honor the 2011 Contra Costa Philanthropy Award Recipients: • Outstanding Corporate Philanthropist (501 employees and above) – Chevron • Outstanding Corporate Philanthropist (100 to 500 employees) – Burr Pilger Mayer, Inc. • Outstanding Corporate Philanthropist (1 to 99 employees) – Lescure Company • Outstanding Philanthropist – Don and Sharon Ritchey • Outstanding Foundation or Community Grant Maker – The Dean & Margaret Leshner Foundation • Outstanding Collaborative Project – Acalanes Ridge Collaboration (East Bay Regional Park District, City of Lafayette, City of Walnut Creek and the Muir Heritage Land Trust) • Volunteer of the Year – Ray Zenoni • Lifetime Achievement – Assistance League of Diablo Valley

GAYLE B. UILKEMA

Chair,
District II Supervisor

JOHN GIOIA
District I Supervisor

MARY N. PIEPHO
District III Supervisor

KAREN MITCHOFF
District IV Supervisor

FEDERAL D. GLOVER
District V Supervisor

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

ATTESTED: November 15, 2011

David J. Twa,

By: _____, Deputy

Board of Supervisors Contra Costa County, State of California

RESOLUTION HONORING THE 2011 CONTRA COSTA PHILANTHROPY AWARD RECIPIENTS

RESOLUTION NO. 2011/466

WHEREAS, the Contra Costa Council's Social Responsibility Task Force has announced the honorees for the inaugural Contra Costa Philanthropy Awards, which recognize individuals, businesses and service organizations that have made significant contributions of time, leadership, and financial support to benefit Contra Costa residents; and

WHEREAS, because one of the key purposes of the Council's Social Responsibility Task Force to strengthen the links between the private, social and public sectors of the county, it is hoped that the Contra Costa Philanthropy Awards will help build awareness and inspire many more organizations to learn how to get involved in this work; and

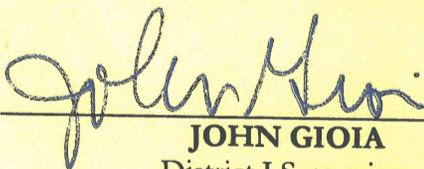
WHEREAS, a prestigious panel representing all sectors of the community and government was formed to make the award selections, and whose members included Gayle B. Uilkema, Chair, Contra Costa County Supervisor; Dr. Joe Ovick, Contra Costa County Superintendent of Schools; Jim Foley, Wells Fargo Greater Bay Regional President; Jan Fischberg, President and Executive Director, Rubicon Programs; and Mark Hughes, Manager of Public Affairs, ConocoPhillips Rodeo Refinery, and

WHEREAS, honorees will be recognized at the inaugural Contra Costa Philanthropy Awards Celebration breakfast to be held on Thursday, November 10, 2011.

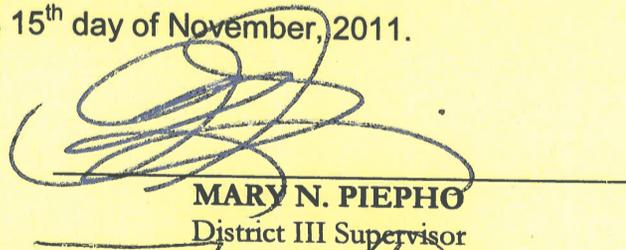
NOW, THEREFORE BE IT RESOLVED that the Contra Costa County Board of Supervisors hereby recognize and honor the 2011 Contra Costa Philanthropy Award Recipients:

- Outstanding Corporate Philanthropist (501 employees and above) – **Chevron**
- Outstanding Corporate Philanthropist (100 to 500 employees) – **Burr Pilger Mayer, Inc.**
- Outstanding Corporate Philanthropist (1 to 99 employees) – **Lescure Company**
- Outstanding Philanthropist – **Don and Sharon Ritchey**
- Outstanding Foundation or Community Grant Maker – **The Dean & Margaret Lesher Foundation**
- Outstanding Collaborative Project – **Acalanes Ridge Collaboration (East Bay Regional Park District, City of Lafayette, City of Walnut Creek and the Muir Heritage Land Trust)**
- Volunteer of the Year – **Ray Zenoni**
- Lifetime Achievement – **Assistance League of Diablo Valley**

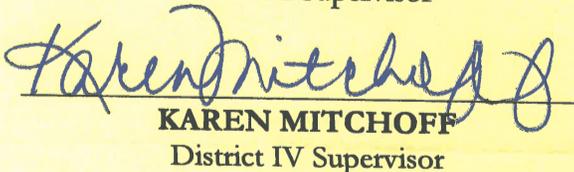
PASSED by a vote of the Board of Supervisors this 15th day of November, 2011.



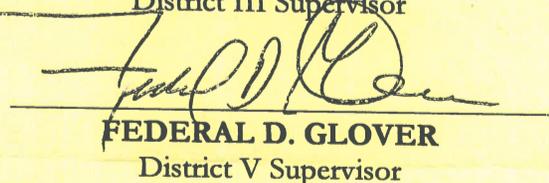
JOHN GIOIA
District I Supervisor



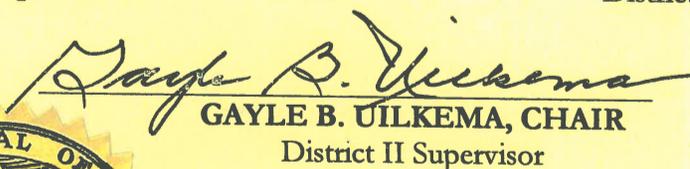
MARY N. PIEPHO
District III Supervisor



KAREN MITCHOFF
District IV Supervisor



FEDERAL D. GLOVER
District V Supervisor



GAYLE B. UILKEMA, CHAIR
District II Supervisor



I hereby certify that the foregoing is a true and correct copy of an Order entered into the minutes of the Board of Supervisors on the date aforesaid.

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



Contra
Costa
County

To: Board of Supervisors
From: Joe Valentine, Employment & Human Services Director
Date: November 15, 2011

Subject: Appointment to Economic Opportunity Council

RECOMMENDATION(S):

APPOINT Abiud A. Amaro Diaz to the Private/Non-Profit Seat No. 4 on the Economic Opportunity Council, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

None

BACKGROUND:

Mr. Diaz is appointed to the position recently vacated by James Sullivan. Mr. Diaz' term will be from November 15, 2011 to June 30, 2013. His address is: 715 Jackson Street, Albany, CA 94706

CONSEQUENCE OF NEGATIVE ACTION:

The Economic Opportunity Council will have difficulty conducting routine business if this position is not filled.

CHILDREN'S IMPACT STATEMENT:

None

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
Supervisor

By: KATHERINE SINCLAIR, Deputy

Contact: Earl Maciel 3-1648

cc: Earl Maciel



Contra
Costa
County

To: Board of Supervisors
From: Joe Valentine, Employment & Human Services Director
Date: November 15, 2011

Subject: Appointment to the Economic Opportunity Council

RECOMMENDATION(S):

APPOINT Clearnise P. Bullard to the Private/Non-Profit Seat No. 3 on the Economic Opportunity Council, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

None

BACKGROUND:

Clearnise Bullard is appointed to the position recently vacated by Tracy Fraas. Ms. Bullard's term will be from November 15, 2011 to June 30, 2013. Her address is: 4699 Ford Street, Brentwood, CA 94513

CONSEQUENCE OF NEGATIVE ACTION:

The Economic Opportunity Council will have difficulty conducting routine business if this position is not filled.

CHILDREN'S IMPACT STATEMENT:

None

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

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
Supervisor

By: KATHERINE SINCLAIR, Deputy

Contact: Earl Maciel 3-1648

cc:



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Appointment to the Emergency Medical Care Committee (EMCC)

RECOMMENDATION(S):

APPOINT Noel Luiz to the Emergency Medical Care Committee for the remainder of the 2-year term with an expiration date of November 30, 2012:

Public Provider Field Paramedic – Seat C-7
Noel Luiz
2010 Gear Road
Pleasant Hill CA 94523

FISCAL IMPACT:

None.

BACKGROUND:

The EMCC is a multidisciplinary committee appointed by the County Board of Supervisors, to provide advice and recommendations on EMS related matters to the Board, Health Services Director and its EMS Agency. Membership consists of consumer representatives, and representatives of EMS-related organizations and groups.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
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: November 15, 2011

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

By: KATHERINE SINCLAIR, Deputy

Contact: Patricia Frost, 646-4690

CONSEQUENCE OF NEGATIVE ACTION:

If this appointment is not approved, this position on the EMCC will not be filled.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

G:\C&G DIRECTORY\NON CONTRACTS\2011\nomination letter and board application - Luiz Nov 2011.pdf

CONTRA COSTA COUNTY FIRE CHIEFS ASSOCIATION



October 14, 2011

To: Chair of Emergency Medical Care Committee

Re: EMCC Nomination

On behalf of the Contra Costa County Fire Chiefs Association, I would like to nominate Noel Luiz to the Public Provider Paramedic seat on the Emergency Medical Care Committee.

Thank you,

Hugh Henderson, President
CCCFCFA

East Contra Costa Fire Chief



**Contra
Costa
County**

For Office Use Only
Date Received:

For Reviewers Use Only:
Accepted Rejected

BOARDS, COMMITTEES, AND COMMISSIONS APPLICATION

MAIL OR DELIVER TO:
Contra Costa County
CLERK OF THE BOARD
651 Pine Street Rm. 106
Martinez, California 94553-1292
PLEASE TYPE OR PRINT IN INK
(Each Position Requires a Separate Application)

BOARD, COMMITTEE OR COMMISSION NAME AND SEAT TITLE YOU ARE APPLYING FOR:

Emergency Medical Care Committee

Public Provider Paramedic Seat

PRINT EXACT NAME OF BOARD, COMMITTEE, OR COMMISSION

PRINT EXACT SEAT NAME (if applicable)

1. **Name:** Luiz Noel Brian
(Last Name) (First Name) (Middle Name)

2. **Address:** 2010 Geary Road Pleasant Hill, CA 94523
(No.) (Street) (Apt.) (State) (Zip Code)

3. **Phones:** 925-788-1383 925-788-1383 925-766-7697
(Home No.) (Work No.) (Cell No.)

4. **Email Address:** nluiz@cccfd.org

5. **EDUCATION:** Check appropriate box if you possess one of the following:

High School Diploma G.E.D. Certificate California High School Proficiency Certificate

Give Highest Grade or Educational Level Achieved J.C. - Paramedic School

Names of colleges / universities attended	Course of Study / Major	Degree Awarded	Units Completed		Degree Type	Date Degree Awarded
			Semester	Quarter		
A) Los Medanos	Fire Science / Gen Ed	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	20			
B) Skyline College	Paramedic	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	20 - 30			
C)		Yes No <input type="checkbox"/> <input type="checkbox"/>				
D) Other schools / training completed: Western Institute	Course Studied ALS Paramedic	Hours Completed 5000	Certificate Awarded: Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>			

6. PLEASE FILL OUT THE FOLLOWING SECTION COMPLETELY. List experience that relates to the qualifications needed to serve on the local appointive body. Begin with your most recent experience. A resume or other supporting documentation may be attached but it may not be used as a substitute for completing this section.

<p>A) Dates (Month, Day, Year) <u>From</u> <u>To</u> 4/2006 Present</p> <p>Total: <u>Yrs.</u> <u>Mos.</u> 5 6</p> <p>Hrs. per week <u>56</u> . Volunteer <input type="checkbox"/></p>	<p>Title Fire Captain - Paramedic</p> <hr/> <p>Employer's Name and Address Contra Costa County Fire District 2010 Geary Rd. Pleasant Hill, CA 94523</p>	<p>Duties Performed Supervision and Incident Command of both Fire and Emergency Incidents. Perform ALS Paramedic Duties, training, teaching, evaluation and supervision of district fire crews. Medical Advisory Committee at EMS, EMS Committee at CCC Fire, Fire Nozzle Program Coordinator.</p>
<p>B) Dates (Month, Day, Year) <u>From</u> <u>To</u> 3/1999 4/2006</p> <p>Total: <u>Yrs.</u> <u>Mos.</u> 7 1</p> <p>Hrs. per week <u>56</u> . Volunteer <input type="checkbox"/></p>	<p>Title Firefighter Paramedic and Fire Engineer</p> <hr/> <p>Employer's Name and Address Contra Costa County Fire Protection District 2010 Geary Road Pleasant Hill, CA 94523</p>	<p>Duties Performed Firefighting, emergency medical services, EMS Instructor at CCC Fire Training Center, Apparatus Driver.</p>
<p>C) Dates (Month, Day, Year) <u>From</u> <u>To</u> 1992 3/1999</p> <p>Total: <u>Yrs.</u> <u>Mos.</u> 7</p> <p>Hrs. per week <u>56</u> . Volunteer <input type="checkbox"/></p>	<p>Title Paramedic Field Operations Supervisor</p> <hr/> <p>Employer's Name and Address American Medical Response West Concord, CA 94520</p>	<p>Duties Performed Supervision of EMT and Paramedics in Contra Costa County Responding to Major Medical and Trauma Incidents to provide Incident command and oversight working within Contra Costa EMS Multi Casualty Plan.</p>
<p>D) Dates (Month, Day, Year) <u>From</u> <u>To</u> 1988 1992</p> <p>Total: <u>Yrs.</u> <u>Mos.</u> 4</p> <p>Hrs. per week <u>40-50</u> . Volunteer <input type="checkbox"/></p>	<p>Title EMT and Paramedic</p> <hr/> <p>Employer's Name and Address Regional Ambulance & AMR West Concord, CA & Fremont, CA</p> <hr/> <p>Allied Ambulance Oakland, CA</p>	<p>Duties Performed Provide BLS Care (EMT) and ALS Care (Paramedic) on an Ambulance in Contra Costa and Alameda Counties.</p>

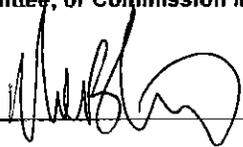
7. How did you learn about this vacancy?

CCC Homepage Walk-In Newspaper Advertisement District Supervisor Other _____

8. Do you have a Familial or Financial Relationship with a member of the Board of Supervisors? (Please see Board Resolution no. 2011/55, attached): No Yes

If Yes, please identify the nature of the relationship: _____

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge and understand that all information in this application is publically accessible. I understand and agree that misstatements / omissions of material fact may cause forfeiture of my rights to serve on a Board, Committee, or Commission in Contra Costa County.

Sign Name:  Date: 10/7/11

Important Information

1. This application is a public document and is subject to the California Public Records Act (CA Gov. Code §6250-6270).
2. Send the completed paper application to the Office of the Clerk of the Board at: 651 Pine Street, Room 106, Martinez, CA 94553.
3. A résumé or other relevant information may be submitted with this application.
4. All members are required to take the following training: 1) The Brown Act, 2) The Better Government Ordinance, and 3) Ethics Training.
5. Members of boards, commissions, and committees may be required to: 1) file a Statement of Economic Interest Form also known as a Form 700, and 2) complete the State Ethics Training Course as required by AB 1234.
6. Advisory body meetings may be held in various locations and some locations may not be accessible by public transportation.
7. Meeting dates and times are subject to change and may occur up to two days per month.
8. Some boards, committees, or commissions may assign members to subcommittees or work groups which may require an additional commitment of time.



Contra
Costa
County

To: Board of Supervisors
From: Gayle B. Uilkema, District II Supervisor
Date: November 15, 2011

Subject: REAPPOINTMENT TO THE ARTS & CULTURE COMMISSION OF CONTRA COSTA COUNTY

RECOMMENDATION(S):

REAPPOINT the following person to the District II Seat of the Arts & Culture Commission of Contra Costa County for a four-year term with an expiration date of June 30, 2015, as recommended by Supervisor Uilkema:

Darwin Marable, Ph.D.
3337 So. Lucille Lane
Lafayette, CA 94549

FISCAL IMPACT:

None.

BACKGROUND:

The Board of Supervisors established the Arts and Culture Commission in December 1994 to advise the Board in matters and issues relevant to arts and culture and to promote arts and culture as a vital element in the quality of life for all of the citizens of the County. The Commission consists of eight members: two At Large members, one member nominated by each Supervisorial

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
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: November 15, 2011

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

By: KATHERINE SINCLAIR, Deputy

Contact: Jill Ray, 925-335-1046

BACKGROUND: (CONT'D)

District, and one alternate. Terms are for four years.

Dr. Marable has done an excellent job in his role as a Commissioner and Supervisor Uilkema would like to reappoint him for another term.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will become vacant.

CHILDREN'S IMPACT STATEMENT:

None.



Contra
Costa
County

To: Board of Supervisors
From: Joe Valentine, Employment & Human Services Director
Date: November 15, 2011

Subject: Accept Resignation of Mim Carlson from Advisory Council on Aging

RECOMMENDATION(S):

ACCEPT resignation of Mim Carlson, DECLARE a vacancy in Member-at-Large Seat #12 on the Advisory Council on Aging, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

None

BACKGROUND:

Ms. Carlson was reappointed on August 8, 2010 for the term ending September 30, 2012. Ms. Carlson submitted her resignation effective October 3, 2011.

CONSEQUENCE OF NEGATIVE ACTION:

The Council will be unable to conduct routine business.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
Supervisor

By: KATHERINE SINCLAIR, Deputy

Contact: Earl Maciel 3-1648

cc:

CHILDREN'S IMPACT STATEMENT:

None



Contra
Costa
County

To: Board of Supervisors
From: Joe Valentine, Employment & Human Services Director
Date: November 15, 2011

Subject: Appointment of Robin Summers Mitchell to the Advisory Council on Aging

RECOMMENDATION(S):

APPOINT Robin Summers Mitchell to the Member at Large Seat #14 on the Advisory Council on Aging, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

None

BACKGROUND:

The Employment and Human Services Director recommends the appointment of Robin Summers Mitchell to the Member at Large Seat #14 on the Advisory Council on Aging.

Ms. Summers Mitchell is recommended appointment is to replace Janice Howe who resigned in May of 2011. Ms. Summers Mitchell's appointment will terminate on September 30, 2013. Her address is: P.O. Box 30661, Walnut Creek, CA 94598

CONSEQUENCE OF NEGATIVE ACTION:

The Advisory Council on Aging will be unable to conduct routine business

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
Supervisor

By: KATHERINE SINCLAIR, Deputy

Contact: Earl Maciel 3-1648

cc:

CHILDREN'S IMPACT STATEMENT:

None



Contra
Costa
County

To: Board of Supervisors
From: Joe Valentine, Employment & Human Services Director
Date: November 15, 2011

Subject: Appoint Ralph Hoffman to the Advisory Council on Aging

RECOMMENDATION(S):

APPOINT Ralph Hoffman to the Member at Large Seat #10 on the Advisory Council on Aging, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

None

BACKGROUND:

The Employment and Human Services Director recommends Mr. Ralph Hoffman be appointed to replace Alberto Lemos the Member at Large Seat #10 on the Advisory Council on Aging. Mr. Lemos resigned effective August 2011.

Mr. Hoffman's term will expire on September 30, 2012 and his address is: 1655 N. California Blvd, #204, Walnut Creek, CA 94596.

CONSEQUENCE OF NEGATIVE ACTION:

The Advisory Council on Aging will be unable to conduct routine business.

CHILDREN'S IMPACT STATEMENT:

None

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 11/15/2011 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
Supervisor

By: KATHERINE SINCLAIR, Deputy

Contact: Earl Maciel 3-1648

cc:



Contra
Costa
County

To: Board of Supervisors
From: Joe Valentine, Employment & Human Services Director
Date: November 15, 2011

Subject: Resignation of Terrese Robison from the Advisory Council on Aging

RECOMMENDATION(S):

ACCEPT resignation of Terrese Robison from the Advisory Council on Aging, DECLARE a vacancy in the Local Committee, Oakley Seat, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

None

BACKGROUND:

Mr. Robison was appointed this position on September 14, 2010 for a term expiring September 30, 2012.

CONSEQUENCE OF NEGATIVE ACTION:

The Advisory Council on Aging will be unable to conduct routine business.

CHILDREN'S IMPACT STATEMENT:

None

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

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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

ATTESTED: November 15, 2011
David Twa, County Administrator and Clerk of the Board of Supervisors

ABSENT: Mary N. Piepho, District III
Supervisor
By: KATHERINE SINCLAIR, Deputy

Contact: Earl Maciel 3-1648

cc:



Contra
Costa
County

To: Board of Supervisors
From: Joe Valentine, Employment & Human Services Director
Date: November 15, 2011

Subject: Appoint Mary Dunne Rose to the Advisory Council on Aging

RECOMMENDATION(S):

APPOINT Mary Dunne Rose to the Member at Large Seat #13 on the Advisory Council on Aging, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:

None

BACKGROUND:

Ms. Dunne Rose is being recommended for appointment to the Advisory Council on Aging to replace Ms. Jessica Abrams who resigned in May of 2011. Ms. Dunne Rose's term will expire on September 30, 2012. Ms. Dunne Rose's address is: 735 Winterside Circle, San Ramon, CA 94583.

In 1962, the Advisory Council on Aging (ACA) was formed to advise the Adult Services Bureau of the Contra Costa County Employment and Human Services Department. The ACA is a non-sectarian, non-partisan group that provides leadership and advocacy on behalf of older persons and serve as a channel of communication and information

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
Supervisor

By: KATHERINE SINCLAIR, Deputy

Contact: Earl Maciel 3-1648

cc:

BACKGROUND: (CONT'D)

on aging in Contra Costa County.

CONSEQUENCE OF NEGATIVE ACTION:

The Advisory Council on Aging may be unable to conduct routine business.

CHILDREN'S IMPACT STATEMENT:

None



Contra
Costa
County

To: Board of Supervisors
From: INTERNAL OPERATIONS COMMITTEE
Date: November 15, 2011

Subject: Appointment to the Alcohol and Other Drugs Advisory Board

RECOMMENDATION(S):

APPOINT the following individual to the Alcohol and Other Drugs Advisory Board, as recommended by the Internal Operations Committee:

At Large #3. Katherine Webster 5124 Fallon Avenue, Richmond, CA 94804. Term Expiration: June 30, 2013

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Alcohol and Other Drugs Advisory Board was established in August 1992. The Advisory Board consists of 18 members: three nominated by each of the County Supervisors (15 total) and three At-Large members. The IOC reviews nominations to the three At-Large seats. Seat terms are for three years.

At its October 25, 2011 meeting, the Internal Operations Committee reviewed and approved the nomination of Katherine Webster to the At-Large #3 seat on the Alcohol and Other Drugs Advisory Board. The term of the seat expires on June 30, 2013.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
 Gayle B. Uilkema, District II Supervisor
 Karen Mitchoff, District IV Supervisor
 Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: KATHERINE SINCLAIR, Deputy

Contact: Timothy Ewell,
925-335-1036

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this appointment is not made, there will be a lack of representation on the Alcohol and Other Drugs Advisory Board.

CHILDREN'S IMPACT STATEMENT:

None.



Contra
Costa
County

To: Board of Supervisors
From: INTERNAL OPERATIONS COMMITTEE
Date: November 15, 2011

Subject: APPOINTMENTS TO THE PUBLIC AND ENVIRONMENTAL HEALTH ADVISORY BOARD (PEHAB)

RECOMMENDATION(S):

I. RE-APPOINT the following individuals to the Public and Environmental Health Advisory Board for the terms specified:

1. Bruce Lyon, Unspecified Geographic Area, At-Large #1 seat for a term ending May 31, 2015;
2. Maeve Sullivan, West County, At-Large #1 seat for a term ending May 31, 2015; and,
3. Jaime Rich, Central County At-Large #2 seat for a term ending May 31, 2015.

II. APPOINT the following individuals to the Public and Environmental Health Advisory Board for the terms specified:

4. David Pitman to the Consumer/Community #2 seat for a term ending May 31, 2013.
5. Salena Killion to the East County, At-Large #2 seat for a term ending May 31, 2013.

III. CONFIRM appointments of the following individuals to the seats and terms specified:

6. Clyde J. Trombetta to the Environmental Health seat for a term ending May 31, 2013.
7. Jeffrey Ritterman, M.D. to the Private Medical Community seat for a term ending May 31, 2013.
8. Art Hatchett to the Volunteer

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

Contact: Timothy Ewell, (925)
335-1036

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: November 15, 2011

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

By: KATHERINE SINCLAIR, Deputy

cc:

RECOMMENDATION(S): (CONTD)

Health Agencies seat for a term ending May 31, 2012.

IV. CORRECT action taken by the Board

9. Steven Botic was appointed on May 18, 2010 (C.23) to the Central County At-Large seat #2 in error. The correct seat was the No Specific Geographic Area At-Large seat #2 for a term ending May 31, 2015.

10. Rosa Maria Sternberg was appointed on March 15, 2011 (C.48) to the Immigrant Community seat for a term ending May 31, 2013. The correct term should be May 31, 2012.

V. REVISE seat names as follows:

11. Re-name the No specific Geographic Area At-Large seat #1 and #2 to General At-Large seat #1 and General At-Large seat #2.

12. Re-name the Children's Issue seat to Family & Children seat.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Attached is a draft roster for the Public & Environmental Health Advisory Board as it would appear if all of the recommended actions are approved.

Reappointments:

1. Bruce Lyon, Unspecified Geographic Area, At-Large #1
1768 Bishop Drive
Concord, CA 94521

Mr. Lyon is very involved in youth development and is the volunteer leader of an adolescent after school program in Concord. His background is in architecture and the built environment.

2. Maeve Sullivan, West County At-Large #1
1477 14th St.
Oakland, CA 94607

Ms. Sullivan has served on PEHAB for the past three years. She is employed by the Community Clinics Consortium and leads their access to care projects.

3. Jaime Rich, Central County At-Large #2
85 Underhill Road
Orinda, CA 94563

Ms. Rich is employed by the Center for Human Development as their Alcohol Policy Director. She works with schools and youth in Lamorinda. She has served on PEHAB for the past year.

Appointments:

4. David Pitman, Consumer/Community #2
2535 Lynn Ave.
Concord, CA 94520

Mr. Pitman is the secretary/treasurer of the Concord Park Neighborhood association and a member of the Transportation Action Team of Monument Community Partnership. He is interested in emergency preparedness and wants to develop his leadership abilities.

5. Salena Killion, East County At-Large #2
2244 Old Creek Circle
Pittsburg, CA 94565

Ms. Killion recently completed her Master's in Public Health and is interested in cardiovascular disease and its impact on the African American Community. She works for a bio-tech company in Emeryville and lives in East County for two years. She would like to improve the health and the environment of the community.

Confirmations:

The County Administrator's Office recently completed a review of the seats on PEHAB and noted several problems that need resolution. Therefore, staff is recommending confirmation of appointments to three seats – Environmental Health, Private Medical Community and Volunteer Health Agencies. These three seats have long term incumbents who have continued to serve based on the approval of the IOC. Due to a clerical error, the re-appointments were never presented to the Board of Supervisors for approval.

Other Adjustments:

This review also revealed that two appointments made by the Board of Supervisors had errors in the requests. On May 18, 2010 Steven Botic was appointed to the Central County At-Large seat #2 instead of the No Specific Geographic Area At-Large seat as intended. On March 15, 2011, Rosa Maria Sternberg was appointed to a term ending 2013 when the correct term of the seat ends in 2012.

Lastly, there has been confusion around the names of several seats. Therefore, staff is recommending that the No Specific Geographic Area At-Large seat #1 and seat #2 be renamed to General At-Large Seat #1 and General At-Large Seat #2. In addition, it is recommended that the Children's Issues seat be renamed the Family & Children's Seat.

PEHAB Background:

The Public and Environmental Health Advisory Board (PEHAB) is a 19-member board appointed by the Board of Supervisors since 1986 to advise the Health Services Department on community needs. This community-oriented Board seeks diverse representation from throughout Contra Costa County and includes community members in the following representative categories: seniors, children/schools, business/industry, environmental organizations, labor and consumers. We also have local professionals representing local voluntary agencies, the medical provider community, and immigrant populations. These representatives provide broad community knowledge and a wealth of experience and expertise in the health and environmental fields.

PEHAB's mission is to identify community health needs and to make recommendations to the Health Services Department on how to address these needs. In order to accomplish this, PEHAB strives to anticipate emerging public health issues and advocates for policies, services, and programs that will improve the community's health.

PEHAB recruits new members by sending out press releases to local media and notices to community-based organizations, other coalitions and groups, and members of the Board of Supervisors. PEHAB members

also interview and recommend candidates. PEHAB is committed to diversity in its membership and residents of Contra Costa with a broad range of community and health backgrounds are encouraged to apply. Candidates are asked to submit a written application. A recruitment committee made up of current PEHAB members, with the PEHAB executive assistant, reviews the applications and interviews potential candidates. The recruitment committee makes recommendations of the candidates whose background, experience and interest best match the vacant seats on the Board. Upon approval by the Steering Committee, these candidates are contacted and invited to attend a Board meeting. PEHAB members then vote to approve forwarding these candidate's names and information to the Board of Supervisors via the Internal Operations Committee for appointment to PEHAB.

CONSEQUENCE OF NEGATIVE ACTION:

The appointments to the seats on the advisory committee will not be appropriately made or reflect the actual intentions of the Board of Supervisors.

CHILDREN'S IMPACT STATEMENT:

No impact.



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: November 15, 2011

Subject: APPOINTMENT IN LIEU OF ELECTION TO RECLAMATION DISTRICT NO. 2117 (CONEY ISLAND TRACT)

RECOMMENDATION(S):

Appoint the following individuals to Reclamation District No. 2117 for a term as listed:

Trustee: Term:

Herbert A. Speckman 4 Years

Joyce M. Speckman 4 Years

FISCAL IMPACT:

No fiscal impact.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: KATHERINE SINCLAIR, Deputy

Contact: Timothy Ewell,
925-335-1036

cc:

BACKGROUND:

The Board of Supervisors received a letter dated September 16, 2011, from Dante John Nomellini, Secretary and Counsel to Reclamation District No. 2117 (Coney Island Tract) representing the Board of Trustees of Reclamation District No. 2117, advising that pursuant to a Notice Calling for Nomination Petitions for two (2) vacancies on the Board of Trustees, a nominating petition was filed for the two (2) above-named individuals. The Board of Trustees respectfully requests that the Board of Supervisors appoint, in lieu of election, the above listed individuals.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Trustee seats for Reclamation District No. 2117 will remain vacant.

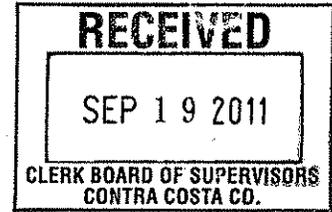
CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Letter from Reclamation District No. 2117

RECLAMATION DISTRICT NO. 2117
(Coney Island)
235 East Weber Avenue
P. O. Box 1461
Stockton, California 95201
(209) 465-5883
FAX: (209) 465-3956



Trustees
Herbert Speckman
Joyce Speckman

Secretary and Attorney
Dante John Nomellini

Engineer
Christopher Neudeck

September 16, 2011

Board of Supervisors
Contra Costa County
651 Pine Street
Martinez, California 94553

Re: Reclamation District No. 2117
Appointment of Trustees

Dear Board of Supervisors:

Pursuant to Notice Calling for Nomination Petitions for two (2) vacancies on the Board of Trustees, the District received two (2) nomination petitions. No petition requesting an election has been received. The Board of Trustees of the District requests that at the next regular meeting of the Board of Supervisors you appoint the nominees to fill the vacancies as follows:

Herbert A. Speckman for the term ending December, 2015
Joyce M. Speckman for the term ending December, 2015

Yours very truly,

RECLAMATION DISTRICT NO. 2117

A handwritten signature in black ink, appearing to read "Dante John Nomellini".

DANTE JOHN NOMELLINI
Secretary and Counsel

/ju

cc: Tim Ewell, CAD

BOS

B60



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: November 15, 2011

Subject: APPOINTMENT IN LIEU OF ELECTION TO RECLAMATION DISTRICT NO. 2024 (ORWOOD AND PALM TRACTS)

RECOMMENDATION(S):

Appoint the following individuals to Reclamation District No. 2024 for a term as listed:

Trustee: Term:

Robert Cecchini 4 Years

John R. Jackson 4 Years

FISCAL IMPACT:

No fiscal impact.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: KATHERINE SINCLAIR, Deputy

Contact: Timothy Ewell,
925-335-1036

cc:

BACKGROUND:

The Board of Supervisors received a letter dated September 16, 2011, from Dante John Nomellini, Secretary and Counsel representing the Board of Trustees of Reclamation District No. 2024, advising that pursuant to a Notice Calling for Nomination Petitions for two (2) vacancies on the Board of Trustees, a nominating petition was filed for the two (2) above-named individuals. The Board of Trustees respectfully requests that the Board of Supervisors appoint, in lieu of election, the above listed individuals.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Trustee seats for Reclamation District No. 2024 will remain vacant.

CHILDREN'S IMPACT STATEMENT:

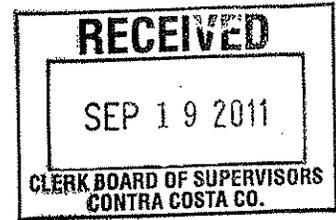
No impact.

ATTACHMENTS

Letter from Reclamation District No. 2024

**RECLAMATION DISTRICT NO. 2024
(Orwood and Palm Tracts)**

235 East Weber Avenue
P. O. Box 1461
Stockton, California 95201
(209) 465-5883
FAX: (209) 465-3956



Trustees
Robert Cecchini
John R. Jackson
Stan Numm
Don Wagenet

Secretary and Attorney
Dante John Nomellini

Engineer
Dominick Gulli

September 16, 2011

Board of Supervisors
Contra Costa County
651 Pine Street
Martinez, California 94553

Re: Reclamation District No. 2024
Appointment of Trustees

Dear Board of Supervisors:

Pursuant to Notice Calling for Nomination Petitions for two (2) vacancies on the Board of Trustees, the District received two (2) nomination petitions. No petition requesting an election has been received. The Board of Trustees of the District requests that at the next regular meeting of the Board of Supervisors you appoint the nominees to fill two of the vacancies as follows:

Robert Cecchini for the term ending December, 2015
John R. Jackson for the term ending December, 2015

Yours very truly,

RECLAMATION DISTRICT NO. 2024


DANTE JOHN NOMELLINI
Secretary and Counsel

/ju



Contra
Costa
County

To: Board of Supervisors
From: Russell Watts, Treasurer-Tax Collector
Date: November 15, 2011

Subject: TRANSFER OF APPROPRIATIONS TO GENERAL SERVICES FOR THE PURCHASE OF ONE VEHICLE

RECOMMENDATION(S):

APPROVE Appropriation Adjustment No. 5020 authorizing the transfer of appropriations in the amount of \$21,720 from the Treasurer-Tax Collector's Office (0015) to General Services, Fleet Operations (0063) to purchase a vehicle from General Services-Fleet through their Internal Service Fund (ISF) for use in the collection of current and delinquent secured and unsecured personal property taxes, business license and transient and occupancy taxes.

FISCAL IMPACT:

This action increases appropriations in General Services, Fleet Operations (0063) and reduces appropriations the Treasurer-Tax Collector's Office (0015) by \$21,720, offset by fees recovered from field visits.

BACKGROUND:

The Tax Collector's duties include collection of all taxes, including real and personal property taxes, school and special district taxes, and business licenses. Collection deputies spend approximately 25 hours per week on field collections and currently rent a vehicle

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 11/15/2011 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Brice Bins,
925-957-2848

cc:

BACKGROUND: (CONT'D)

from General Services-Fleet. Based upon the amount of time and money spent on renting, the cost of acquiring a vehicle is a cost saving alternative.

There is approximately \$56 million of unsecured property taxes currently past-due and uncollected in the county. Collecting taxes by a personal visit to a person or entity assessed significantly increases the probability of collecting past-due taxes.

CONSEQUENCE OF NEGATIVE ACTION:

The Treasurer-Tax Collector's Office will not receive a vehicle and will be required to continue "renting" vehicles from General Services at the much higher cost.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

App Adj 5020

**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: 0015 Treasurer-Tax Collector		
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
0015	2479	Other Specialized Departmental Expenses	21,720.00	
4263	4953	Autos and Trucks		21,720.00
			21,720.00	21,720.00

<p align="center">APPROVED</p> <p>AUDITOR - CONTROLLER By: <u><i>Q Gore</i></u> Date <u>11/1/11</u></p> <p>COUNTY ADMINISTRATOR By: <u><i>Daniel</i></u> Date <u>11/1/11</u></p> <p>BOARD OF SUPERVISORS</p> <p>YES: NO:</p> <p>By: <u><i>D. Sanchez</i></u> Date <u>11/1/11</u></p>	<p>EXPLANATION OF REQUEST</p> <p>Transfer funds to Org 4263 to cover the cost of the purchase of a new Ford Taurus Sedan for the tax collection division.</p> <p>PREPARED BY: <u>Brice Bins</u> TITLE: <u>Chief Deputy Treasurer-Tax Collector</u> DATE: 10/31/2011</p> <p align="right">APPROPRIATION APOO <u>5020</u> ADJ. JOURNAL NO.</p>
--	--

**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: 0015 Treasurer-Tax Collector		
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
0015	2479	Other Specialized Departmental Expenses	21,720.00	
4263	4953	Autos and Trucks		21,720.00
			21,720.00	21,720.00

APPROVED

AUDITOR - CONTROLLER
By: *Agore* Date 11/11

COUNTY ADMINISTRATOR
By: *Starnell* Date 11/11

BOARD OF SUPERVISORS
YES: *Giorgia Wilkema, Mitchoff*
NO: *Colover*
ABSENT: Picpho

By: *[Signature]* Date 11/11

EXPLANATION OF REQUEST

Transfer funds to Org 4263 to cover the cost of the purchase of a new Ford Taurus Sedan for the tax collection division.

PREPARED BY: *Brice Bins*
TITLE: *Chief Deputy Treasurer-Tax Collector*
DATE: 10/31/2011

APPROPRIATION *APOO 5020*
ADJ. JOURNAL NO.



Contra
Costa
County

To: Board of Supervisors
From: Ted Cwiek, Human Resources Director
Date: November 15, 2011

Subject: P300 #20995 Transition Project positions into the Merit System.

RECOMMENDATION(S):

ADOPT Position Adjustment Resolution No. 20995, to transition one (1) Public Health Program Specialist I-Project (VBS2) position #978 and its incumbent; two (2) Health Education Specialist-Project (VMW4) positions #9471 and #9530 and its incumbents; and one (1) Community Health Worker II-Project (VKV1) position #11024 and its incumbent into the merit system in the Health Services Department.

FISCAL IMPACT:

There is no fiscal impact associated with this request.

BACKGROUND:

The Department is requesting the transition of these four Project positions into the merit system in order to appropriately classify them as merit system positions as they are now being utilized on a permanent basis versus being engaged in a time limited program or service.

All four positions meet the criteria set forth in Section 1603.1 of the Personnel Management Regulations, which states the following,

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
 Gayle B. Uilkema, District II Supervisor
 Karen Mitchoff, District IV Supervisor
 Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Teji O'Malley,
925-957-5249

BACKGROUND: (CONT'D)

"when the Board of Supervisors establishes as regular service a program initially established by the Board for a specific limited period as part of an approved project, employees who have served in project positions for at least one (1) year shall be included in the merit system if:

- (a) The Director of Human Resources recommends such inclusion and allocates the position to a class in the classification plan; and
- (b) The Board of Supervisors approves the classification and addition of the position to the merit system; and
- (c) The employee was originally appointed to the project position from an eligible list on an open competitive basis."

All four employees were hired originally for time limited projects that have now become permanent and integral components of the Public Health Division, the classifications currently exist in the County classification plan, and all four incumbents were originally appointed off eligible lists and have been employed in their Project positions for more than one year.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the positions will not be appropriately classified as merit system positions and the incumbents will not be afforded merit system rights and privileges even though they are no longer working in time limited project positions. (No Fiscal Impact)

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

P-300_#20995

POSITION ADJUSTMENT REQUEST

NO. 20995
DATE 9/12/2011

Department Health Services/Public Health
Department No./ Budget Unit No. 0450 Org No. Vari Agency No. A18

Action Requested: Transition a Public Health Program Specialist I-Project position (#9781) and its incumbent, two (2) Health Education Specialist-Project positions (#9471 and #9530) and incumbents, and one (1) Community Health Worker II-Project position (#11024) and its incumbent into the merit system.

Proposed Effective Date: 10/1/11

Classification Questionnaire attached: Yes [] No [x] / Cost is within Department's budget: Yes [x] No []

Total One-Time Costs (non-salary) associated with request: _____

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 Cost Neutral

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Teji O'Malley

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Dorothy Sansoe

9/14/2011

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 10/26/2011

Transition a Public Health Program Specialist I-Project (VBS2) position #978 and its incumbent; two (2) Health Education Specialist-Project (VMW4) positions #9471 and #9530 and its incumbents; and one (1) Community Health Worker II-Project (VKV1) position #11024 and its incumbent into the merit system in the Health Services Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [x] Day following Board Action.
[] (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

11/8/2011

- [x] Approve Recommendation of Director of Human Resources
[] Disapprove Recommendation of Director of Human Resources
[] Other: _____

Dorothy Sansoe

(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:

POSITION ADJUSTMENT REQUEST

NO. 20995
DATE 9/12/2011

Department Health Services/Public Health
Department No./ Budget Unit No. 0450 Org No. Vari Agency No. A18
Action Requested: Transition a Public Health Program Specialist I-Project position (#9781) and its incumbent, two (2) Health Education Specialist-Project positions (#9471 and #9530) and incumbents, and one (1) Community Health Worker II-Project position (#11024) and its incumbent into the merit system.

Proposed Effective Date: 10/1/11

Classification Questionnaire attached: Yes [] No [x] / Cost is within Department's budget: Yes [x] No []

Total One-Time Costs (non-salary) associated with request: _____

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 Cost Neutral

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Teji O'Malley
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Dorothy Sansoe 9/14/2011
Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 10/26/2011

Transition a Public Health Program Specialist I-Project (VBS2) position #978 and its incumbent; two (2) Health Education Specialist-Project (VMW4) positions #9471 and #9530 and its incumbents; and one (1) Community Health Worker II-Project (VKV1) position #11024 and its Incumbent into the merit system in the Health Services Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [x] Day following Board Action.
[] (Date)

(for) Director of Human Resources Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 11/8/2011

- [x] Approve Recommendation of Director of Human Resources
[] Disapprove Recommendation of Director of Human Resources
[] Other:

Dorothy Sansoe
(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED [] DISAPPROVED []

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

DATE November 15, 2011

BY [Signature]

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:



Contra
Costa
County

To: Board of Supervisors
From: Ted Cwiek, Human Resources Director
Date: November 15, 2011

Subject: Add one Medical Social Worker II position in the Health Services Department.

RECOMMENDATION(S):

Adopt Position Adjustment Resolution #21014 to add one (1) Medical Social Worker II (X4VH) position at salary level 255 1590 (\$5157.99 - 6269.56) in the Health Services Department.

FISCAL IMPACT:

Upon approval, this action will result in an annual cost of approximately \$123,729, including pension costs of \$26,708, and will be funded with health plan member premiums.

BACKGROUND:

This position will be assigned to the Cooperative Care Management Unit of the Contra Costa Health Plan and will be responsible for completing state required health risk assessments for new members. Approximately 900 new members are enrolled each month and current staff is unable to keep up with the state mandated workload.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Contra Costa Health Plan will not have adequate staff to perform state mandated functions.

CHILDREN'S IMPACT STATEMENT:

Not applicable

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Terrina C. Manor,
957-5248

cc:

ATTACHMENTS

P-300_#21014

POSITION ADJUSTMENT REQUEST

NO. 21014
DATE 11/4/2011

Department HEALTH SERVICES - CCHP

Department No./

Budget Unit No. 0860 Org No. 6115 Agency No. A18

Action Requested: Add one (1) Medical Social Worker II (X4VH) position at salary level 255 1590 (\$5157.99 - 6269.56) in the Health Services Department.

Proposed Effective Date: 12/1/2011

Classification Questionnaire attached: Yes [] No [X] / Cost is within Department's budget: Yes [] No [X]

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$123,729.00

Net County Cost \$0.00

Total this FY \$72,175.25

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT CCHP MEMBER PREMIUMS

Department must initiate necessary adjustment and submit to CAO. Use additional sheet for further explanations or comments.

Terrina C. Manor

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Dorothy Sansoe

11/8/11

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [X] Day following Board Action.

[] (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

11/08/11

[] Approve Recommendation of Director of Human Resources

[] Disapprove Recommendation of Director of Human Resources

[X] Other: Approved as requested by Department, under delegated authority to department by Human Resources

Dorothy Sansoe

(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:

POSITION ADJUSTMENT REQUEST

C.25

NO. 21014
DATE 11/4/2011

Department HEALTH SERVICES - CCHP

Department No./
Budget Unit No. 0860 Org No. 6115 Agency No. A18

Action Requested: Add one (1) Medical Social Worker II (X4VH) position at salary level 255 1590 (\$5157.99 - 6269.56) in the Health Services Department.

Proposed Effective Date: 12/1/2011

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 \$123,729.00 Net County Cost \$0.00
Total this FY \$72,175.25 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT CCHP MEMBER PREMIUMS

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Terrina C. Manor

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Dorothy Sansoe

11/8/11

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE

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

11/08/11

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: Approved as requested by Department, under delegated authority to department by Human Resources

Dorothy Sansoe

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED DISAPPROVED

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

DATE November 15, 2011

BY *[Signature]*

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:



Contra
Costa
County

To: Board of Supervisors
From: Ted Cwiek, Human Resources Director
Date: November 15, 2011

Subject: Cancel one Substance Abuse Counselor position and add one Permanent Intermittent Substance Abuse Counselor position in the Health Services Department.

RECOMMENDATION(S):

Adopt Position Adjustment Resolution #21015 to cancel Substance Abuse Counselor position # 7261 and add one (1) Permanent Intermittent Substance Abuse Counselor position (VHVC) at salary level QT5 1436 (\$4428.52 - 5382.89) in the Health Services Department.

FISCAL IMPACT:

Upon approval, there will be no cost associated with this action.

BACKGROUND:

This Substance Abuse Counselor position will be assigned to Discovery House, the county-operated, 24-hour men's substance abuse treatment facility. The position will be used on an on-call basis to cover shifts left vacant due to vacations, sick leave, and leaves of absence.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, services provided to Substance Abuse clients may be adversely affected.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 11/15/2011 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Terrina C. Manor,
957-5248

cc:

ATTACHMENTS

P-300_#21015

POSITION ADJUSTMENT REQUEST

NO. 21015
DATE 11/7/2011

Department HEALTH SERVICES - AOD
Department No./ Budget Unit No. 0466 Org No. 5933 Agency No. A18
Action Requested: Cancel Substance Abuse Counselor (VHVC) position # 7261 and add one Permanent Intermittent Substance Abuse Counselor position (VHVC) at salary level QT5 1436 (\$4428.52 - 5382.89)

Proposed Effective Date: 12/1/2011

Classification Questionnaire attached: Yes [] No [x] / Cost is within Department's budget: Yes [x] 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 Cost Neutral

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Terrina C. Manor

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Dorothy Sansoe

11/8/2011

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE _____

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [x] Day following Board Action.
[] _____(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

11/8/11

[] Approve Recommendation of Director of Human Resources
[] Disapprove Recommendation of Director of Human Resources
[x] Other: Approved under Human Resources Delegation to Department

Dorothy Sansoe

(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 11/10/2011

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

POSITION ADJUSTMENT REQUEST

NO. 21015
DATE 11/7/2011

Department HEALTH SERVICES - AOD

Department No./ Budget Unit No. 0466 Org No. 5933 Agency No. A18

Action Requested: Cancel Substance Abuse Counselor (VHVC) position # 7261 and add one Permanent Intermittent Substance Abuse Counselor position (VHVC) at salary level QT5 1436 (\$4428.52 - 5382.89)

Proposed Effective Date: 12/1/2011

Classification Questionnaire attached: Yes [] No [X] / Cost is within Department's budget: Yes [X] 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 Cost Neutral

Department must initiate necessary adjustment and submit to CAO. Use additional sheet for further explanations or comments.

Terrina C. Manor

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Dorothy Sansoe

11/8/2011

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [X] Day following Board Action. [] (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

11/8/11

- [] Approve Recommendation of Director of Human Resources
[] Disapprove Recommendation of Director of Human Resources
[X] Other: Approved under Human Resources Delegation to Department

Dorothy Sansoe

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED [X] DISAPPROVED []

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

DATE November 15, 2011

BY [Signature]

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 11/10/2011

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



To: Board of Supervisors
From: Steve Silveira, Deputy General Services Director
Date: November 15, 2011

Subject: 1391 SHELL AVENUE, MARTINEZ - REVENUE LEASE FOR THE HEALTH SERVICES DEPARTMENT

RECOMMENDATION(S):

1. APPROVE a Revenue Lease with Shelter, Inc. of Contra Costa County for the County-owned property at 1391 Shell Avenue, Martinez, for a one (1) year term beginning July 1, 2011, and ending June 30, 2012, at a rent of \$800 per month for approximately 3,952 square feet of emergency residential space for homeless families, under the terms and conditions set forth in the Revenue Lease.
2. AUTHORIZE the Deputy General Services Director, or designee, to EXECUTE the Revenue Lease.
3. DETERMINE the project is a Class 1(a) Section 15301 Categorical Exemption under the California Environmental Quality Act (CEQA). (CP#11-66; W5731A).
4. DIRECT the Department of Conservation and Development Director, or designee, to file a Notice of Exemption with the County Clerk, and DIRECT the Deputy General Services Director, or designee, to arrange for the payment of the handling fees to the Department of Conservation and Development and County Clerk for filing of the Notice of Exemption.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Dick Awenius, (925)
313-7250

FISCAL IMPACT:

The County will receive revenue of \$9,600 over the one (1) year term of the Lease. The revenue has been budgeted in the Health Services Department's Fiscal Year 2011/12 Budget.

BACKGROUND:

The County owns the property at 1391 Shell Avenue, Martinez. The County has leased that property to Shelter, Inc. of Contra Costa County (Shelter, Inc.) since 1995 for Shelter Inc.'s operation of an emergency residential shelter for homeless families. Shelter, Inc. is a non-profit organization and receives funding for its operations from various state and charitable programs. The County no longer provides funding for Shelter, Inc.'s operation.

CONSEQUENCE OF NEGATIVE ACTION:

If the Revenue Lease is not approved, emergency shelter services for homeless families would not be provided at this location, Shelter, Inc. would have to find another location to provide those services, and the County would not receive revenue to offset its expenses in maintaining this building.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Vincent L. Guise, Director of Agriculture/Weights & Measures
Date: November 15, 2011

Subject: Statewide Exotic Pest Detection Trapping Agreement #11-0013

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute Agreement #11-0013 Statewide Exotic Pest Detection Trapping with the Department of Food and Agriculture in an amount not to exceed \$769,905 to reimburse the County for pest detection activities, the period of July 1, 2011 through June 30, 2012, as recommended by the Agricultural Commissioner.

FISCAL IMPACT:

This agreement reimburses the County expenditures incurred from July 1, 2011 through June 30, 2012 for pest detection activities performed on behalf of the California Department of Food and Agriculture in Contra Costa County, not to exceed \$769,905.

BACKGROUND:

The County Department of Agriculture deploys traps countywide to detect incipient infestations of exotic pests such as Medfly, Oriental fruit fly, Gypsy Moth, Japanese Beetle,

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Roxann Crosby,
925-646-5250

cc:

BACKGROUND: (CONT'D)

etc. These pests are not known to occur in Contra Costa County. This is a part of an early detection system designed to find incipient infestations when they are still eradicable.

The State reimburses the county for all costs that exceed the historic level of trapping.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to accept Agreement #11-0013 will mean that the Department will not be reimbursed for pest detection activities.

CHILDREN'S IMPACT STATEMENT:

No impact



Contra
Costa
County

To: Board of Supervisors
From: Vincent L. Guise, Director of Agriculture/Weights & Measures
Date: November 15, 2011

Subject: Agreement #10-0325 Amendment Pierce's Disease

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute Agreement #10-0325 Amendment 1 with the California Department of Food and Agriculture (CDFA) in an amount not to exceed \$553,860, to reimburse all costs associated with the Glassy-Winged Sharpshooter (GWSS) detection survey and control program for the period of July 1, 2010 through June 30, 2012, as recommended by the Agricultural Commissioner.

FISCAL IMPACT:

This agreement amendment reimburses the County for expenditures incurred from July 1, 2010 through June 30, 2012 for the implementation of the Pierce's Disease Control Program, in an amount not to exceed \$553,860.

BACKGROUND:

The County Department of Agriculture deploys traps, inspects incoming nursery shipments, landscaping and host crops countywide to detect incipient infestations of GWSS. Any population of GWSS detected is delimited and controlled

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Roxann Crosby,
925-646-5250

cc:

BACKGROUND: (CONT'D)

or eradicated. The California Department of Food and Agriculture (CDFA), reimburses the County for all costs involved in this program.

Pierce's Disease and its vectors are a clear and present danger to Contra Costa County's agricultural commodities. The Agricultural Commissioner can abate this nuisance pursuant to Contra Costa County Ordinance Code section 14-6.406 and Government code section 8558.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve Agreement #10-0325 Amendment 1 may result in a breach of contract with the California Department of Food and Agriculture (CDFA) and will mean that the Department will not be reimbursed for the implementation of the Pierce's Disease Control Program.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.



**Contra
Costa
County**

To: Board of Supervisors
From: Barbara Flynn, County Librarian
Date: November 15, 2011

Subject: Apply for and Accept a Grant in the Amount of \$1,500 from California Council for the Humanities

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Librarian, or designee, to apply for and accept a California Reads grant from the California Council for the Humanities in the amount of \$1,500 for materials and programming at the Martinez Library for the period January 1, 2012 through November 30, 2012.

FISCAL IMPACT:

No library fund match.

BACKGROUND:

California Reads is a state-wide initiative of the California Council for the Humanities and the California Center for the Book. The library's participation in the California Reads program will unite the community through various events, discussion and partnerships centered on the book "Farewell to Manzanar" by Jeanne Wakatsuki Houston and James D. Houston. The grant program will provide an opportunity for the library to bring in members of the community who are not the usual library stakeholders and make them library supporters for life. The California Reads program provides an opportunity to showcase the library as a facility and as a resource for the entire community.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

Contact: Gail McPartland,
925-927-3204

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: November 15, 2011

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

By: June McHuen, Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The library will not be able to provide cultural and reading enrichment programs to the Martinez community.

CHILDREN'S IMPACT STATEMENT:

Programs funded by the California Reads grant meet outcomes 1, 2 and 5 of the Children's Report Card. Programming from the grant meets outcome one by providing curriculum support for middle and high school students to help them succeed in school. The programs meet outcome two by providing programming that will prepare youth for a productive adulthood through civic discourse. The programs meet outcome five by providing a high quality of cultural programming and promoting civic engagement among youth and families.



**Contra
Costa
County**

To: Board of Supervisors
From: Barbara Flynn, County Librarian
Date: November 15, 2011

Subject: Apply for and Accept a Grant in the Amount of \$15,000 from California Council for the Humanities

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Librarian, or designee, to apply for and accept a California Reads grant from the California Council for the Humanities in the amount of \$15,000 for materials and programming in West County Libraries for the period January 1, 2012 through November 30, 2012.

FISCAL IMPACT:

No library fund match.

BACKGROUND:

California Reads is a state-wide initiative of the California Council for the Humanities and the California Center for the Book. The purpose of the grant is to bring diverse communities together through books and to engage Californians in challenging dialog around the theme of searching for democracy. The California Reads grant programs demonstrate the power of the humanities to inspire the public and showcase public libraries as active centers of community life. The grant will provide 1,000 copies of 2 titles ("Farewell to Manzanar" by Jeanne Wataksuki Houston and "Lost City Radio" by Daniel Alarcon) to be distributed to West County community

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

Contact: Gail McPartland,
925-927-3204

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: November 15, 2011

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

By: June McHuen, Deputy

cc:

BACKGROUND: (CONT'D)

sites, middle and high schools and libraries. The grant will also provide funding for approximately 10 programs including author visits, speakers, film showing, book discussions and professional performers. In addition the California Reads Grant will provide promotional and curriculum support materials.

CONSEQUENCE OF NEGATIVE ACTION:

The library will not be able to provide cultural and reading enrichment programming to students and communities in West County.

CHILDREN'S IMPACT STATEMENT:

Programs funded by the California Reads grant meet outcomes 1, 2 and 5 of the Children's Report Card. Programming from the grant meets outcome one by providing curriculum support for middle and high school students to help them succeed in school. The programs meet outcome two by providing programming that will prepare youth for a productive adulthood through civic discourse. The programs meet outcome five by providing a high quality of cultural programming and promoting civic engagement among youth and families.



Contra
Costa
County

To: Board of Supervisors
From: Joe Valentine, Employment & Human Services Director
Date: November 15, 2011

Subject: Community Development Block Grant funding

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board of Contra Costa County, Small Business Development Center, to apply for and accept Community Development Block Grant funds from the Contra Costa Department of Conservation and Development, in an amount not to exceed \$200,000 for micro-enterprise business start-up training and counseling for small business for the term of July 1, 2012 through June 30, 2014.

FISCAL IMPACT:

County to receive up to \$200,000 Community Development Block Grant funds. No County match.

BACKGROUND:

If granted, the funds will allow the Workforce Development Board, Small Business Development Center, to provide various city and County areas with both micro-enterprise business start-up training and one-on-one counseling for small business. Clients must meet the low income guidelines of the Community Development Block Grant funding to be eligible for services.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Stephen Baiter,
602-6820

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Without funding, services to micro-enterprise businesses would not delivered.

CHILDREN'S IMPACT STATEMENT:

Not applicable



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Submission of Grant Application #28-759-7 to the California Department of Resources Recycling and Recovery (CalRecycle)

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, (Director of Environmental Health), to submit Grant Application #28-759-7 (TEA-19), to the California Department of Resources Recycling and Recovery (CalRecycle), to pay the County in an amount not to exceed \$450,000, for the Environmental Health Waste Tire Enforcement Program, for the period from July 1, 2012 to June 30, 2013.

FISCAL IMPACT:

Approval of this application will result in an amount not to exceed \$450,000 from CalRecycle for the Environmental Health Waste Tire Enforcement Program. The funds are allocated and available from CalRecycle for grants to solid waste Local Enforcement Agencies (LEA) and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities at waste tire facilities. No County match required.

BACKGROUND:

Contra Costa Environmental Health/General Programs is the solid waste

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Marilyn Underwood,
682-2521

BACKGROUND: (CONT'D)

LEA for the entire county, including all incorporated cities except for the City of Pittsburg. CalRecycle has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by cities and counties under the program. The applicant (Contra Costa County) demonstrates it has sufficient staff resources, technical expertise, and/or experience with similar projects to carry out the proposed program.

Approval of application #28-759-7 will allow Contra Costa County Environmental Health services to apply for funds to implement the waste tire enforcement program through June 30, 2013.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not be able to monitor and reduce illegal waste tire practices, educate and enforce proper waste tire management throughout the County, assist in reducing potential vector problems and prevent tire fires, nor protect public health and safety.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: Joe Valentine, Employment & Human Services Director
Date: November 15, 2011

Subject: National Council on Aging grant funding

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to apply for and accept National Council on Aging grant funds in an amount not to exceed \$80,800 for Volunteer Care Coordination and Outreach Integration Program(s) for the period of February 1, 2012 through January 31, 2013.

FISCAL IMPACT:

If granted, County to receive up to \$80,800, 100% Federal, National Council on Aging grant funds. No County match. Catalog of Federal Domestic Assistance Number (CFDA) 93.518.

BACKGROUND:

The Employment and Human Services Department, Aging and Adult Services Bureau, is preparing to launch an innovative program of Volunteer Care Coordination to mitigate the decreases in social services funding that have forced a dramatic decline in person-centered care and service coordination. The vision of the Volunteer Care Coordination Program is to feature trained volunteer contributors (retired social workers, nurses, and paraprofessional in similar fields) who

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
Supervisor

By: June McHuen, Deputy

Contact: Elaine Burren, 313-1717

cc:

BACKGROUND: (CONT'D)

will work with seniors and adult disabled clients to assess their resource needs and assist them in accessing appropriate resources.

The program will leverage existing outreach services that have not been coordinated to improve access options for seniors and adults with disabilities. Workers will be cross-trained to perform outreach and sign-ups, trouble-shooting, and follow-up. Where seniors and adults with disabilities already have access to one program, the scope of that access can be expanded to include as many benefits as their eligibility allows. Under this grant, the target number of seniors and adults with disabilities screened and enrolled in appropriate additional benefits is 600 individuals.

CONSEQUENCE OF NEGATIVE ACTION:

Without authorization to accept funding, the Volunteer Care Coordination and Outreach Integration Program(s) would not be designed and implemented.

CHILDREN'S IMPACT STATEMENT:

Not applicable



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Grant Agreement #28-700-14 with the California Department of Public Health

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or designee (Wendel Brunner, M.D.), to execute on behalf of the County, Agreement #28-700-14 (State #EPO 10-08) with the California Department of Public Health, to pay the County an amount not to exceed \$1,470,461 for the 2011-2012 Centers for Disease Control and Prevention (CDC) Public Health Emergency Preparedness (PHEP), State General Fund (GF) Pandemic Influenza, Hospital Preparedness Program (HHP) & Comprehensive Program, for the period from July 1, 2011 through August 9, 2012.

FISCAL IMPACT:

Approval of this Agreement will result in \$1,470,461 of funding from the California Department of Public Health Centers for Disease Control and Prevention (CDC) for the Public Health Emergency Preparedness, and Hospital Preparedness Program (HHP) & Comprehensive Program through August 9, 2012. No County funds are required.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

Contact: Wendel Brunner, MD,
313-6712

By: June McHuen, Deputy

BACKGROUND:

On November 2, 2010, the Board of Supervisors approved both Agreements #28-700-13 with the California Department of Public Health to fund multiple Public Health Emergency Preparedness activities including, but not limited to, the Centers for Disease Control (CD) preparedness activities, the Cities Readiness Initiative (CRI) activities, Pandemic Influenza preparedness and ASPR Hospital Preparedness Program activities, for the County's Public Health Emergency Preparedness Response Program, for 2010-2011.

Approval of this Agreement #28-700-14 will allow County to continue to receive funding, through August 9, 2012.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County will not be able to continue to develop and test all hazards health emergency preparedness activities and hospital preparedness in response to any disease outbreaks in Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Grant Award #28-828 from the California Department of Public Health

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to accept, on behalf of the County, Grant Award #28-828 from the California Department of Public Health, to pay County an amount not to exceed \$2,594,280, for the Family Maternal and Child Health, Nurse Family Partnership project through the California Home Visiting Program, for the period January 1, 2012 through June 30, 2014.

FISCAL IMPACT:

Acceptance of this Grant Award will result in an amount not to exceed \$2,594,280 from the California Department of Public Health to fund the Nurse Family Partnership Project. No County funds are required.

BACKGROUND:

The California Department of Public Health, Maternal, Child and Adolescent Health (CDPH/MCAH) Division, California Home Visiting Program has awarded recipients of Maternal, Infant and Early Childhood Home Visiting funding to implement either Nurse-Family Partnership (NFP) or Healthy Families American (HFA) within at-risk communities in California. The Nurse-Family Partnership

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
 Gayle B. Uilkema, District II Supervisor
 Karen Mitchoff, District IV Supervisor
 Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III
 Supervisor

Contact: Wendel Brunner, M.D.
313-6712

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: November 15, 2011

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

By: June McHuen, Deputy

BACKGROUND: (CONT'D)

Project represents a highly refined approach to the long-established service strategy of home visiting. Starting at or before the 28th week of pregnancy, clients are visited at home, one-on-one with a trained nurse, visits continue throughout the pregnancy and the first two years of the child's life. The goal of the County's Public Health, Family and Maternal Child Health Program will be to achieve better pregnancy outcomes, improve the child's health and development and help the families become economically self-sufficient by working with parents to develop a vision of their own future, plan future pregnancies, continue their education and find jobs, through June 30, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not receive the funding necessary to support the goals of the Nurse-Family Partnership Project, home visiting program.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.



Contra
Costa
County

To: Board of Supervisors
From: Linda Dippel, Child Support Services Director
Date: November 15, 2011

Subject: Contract Agreement with Superior Court of California

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Child Support Services, or designee, to execute a contract amendment with Superior Court of California, to increase the total payment limit by \$3,230.40 to a new payment limit not to exceed \$66,492.40, to provide on-site family law facilitator services, and to extend the term from June 30, 2011 to October 31, 2011. This contract includes modified indemnification language.

FISCAL IMPACT:

This cost is funded by Federal 66% and State 34%.

BACKGROUND:

The Superior Court of California provides on site family law facilitator services at the local child support office. These services include assistance to self-represented parties to help them prepare the paperwork to establish or modify child and/or spousal support orders, providing assistance to self-represented parties to help them prepare the responses to support or paternity papers that have been served on a customer,

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
 Supervisor
 Gayle B. Uilkema, District II
 Supervisor
 Karen Mitchoff, District IV
 Supervisor
 Federal D. Glover, District V
 Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
 Supervisor

By: June McHuen, Deputy

Contact: 925-313-4433

cc:

BACKGROUND: (CONT'D)

running computer generated child and spousal support calculations, providing assistance to self represented parties to help them prepare Orders After Hearing and Wage Assignments and providing assistance to self represented parties to help them file motions to establish paternity (identity of the legal father.) The goal of providing said services is to improve customer service with our customers by having a resource available to better educate and guide them through the various child support processes.

CONSEQUENCE OF NEGATIVE ACTION:

If this action were not approved, the Department of Child Support Services would not have the ability to provide on site family law facilitator services.

CHILDREN'S IMPACT STATEMENT:



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Amendment #23-491-1 with CJS Solutions Group, LLC.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #23-491-1 with CJS Solutions Group, LLC., a limited liability company, effective October 7, 2011, to amend Contract #23-491, to increase the payment limit by \$250,000, from \$500,000 to a new payment limit of \$750,000, with no change in the original term of July 1, 2011 through June 30, 2012.

FISCAL IMPACT:

This Contract is funded 100% by Medicare & Medicaid Electronic Health Records (EHR) Incentive Program of the American Recovery & Reinvestment Act (ARRA). (No Rate Increase)

BACKGROUND:

On July 26, 2011, the Board of Supervisors approved Contract #23-491 with CJS Solutions Group, LLC., for the period from July 1, 2011 through June 30, 2012, for the provision of consultation and technical assistance to the Department with regard to project analysis and implementation of the Epic Electronic Health Record System including system optimization and configuration,

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
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: November 15, 2011

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

By: June McHuen, Deputy

Contact: David Runt, 313-6228

cc: A Down, D Gary

BACKGROUND: (CONT'D)

training, operational improvement and information security.

Approval of Contract Amendment Agreement #23-491-1 will authorize reimbursement of Contractor's reasonable travel and project expenses, to reflect the original intent of both parties, with no change in the original term through June 30, 2012.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, Contractor will not receive reimbursement for travel, project and other out of pocket expenses incurred during the performance of professional consultation and technical assistance services to the Department's Information Systems Unit.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Amendment #23-489-1 with Tango2, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #23-489-1 with Tango2, Inc, a corporation, effective June 1, 2011, to amend Contract #23-489, to increase the payment limit by \$400,000, from \$740,000 to a new payment limit of \$1,140,000, with no change in the original term of June 1, 2011 through May 31, 2013.

FISCAL IMPACT:

This amendment is funded 100% by Enterprise Fund I. (No Rate Increase)

BACKGROUND:

On June 28, 2011, the Board of Supervisors approved Contract #23-489 with Tango2, Inc. for the period from June 1, 2011 through May 31, 2013, for the provision of professional consultation and technical assistance to the Department's Information Systems Unit with regard to healthcare information technology systems, including project management, network integration and information security.

Approval

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Patrick Godley,
957-5410

BACKGROUND: (CONT'D)

of Contract Amendment Agreement #23-489-1 will authorize reimbursement of Contractor's reasonable travel and project expenses, to reflect the original intent of both parties, with no change in the original term through May 31, 2013.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, Contractor will not receive reimbursement for travel, project and other out of pocket expenses incurred during the performance of professional consultation and technical assistance services to the Department's Information Systems Unit.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.



**Contra
Costa
County**

To: Board of Supervisors
 From: William Walker, M.D., Health Services Director
 Date: November 15, 2011

Subject: Correct May 24, 2011 Board Order Item #C.58 with Apheresis Care Group, Inc

RECOMMENDATION(S):

Correct the Board Order which was approved by the Board of Supervisors on May 24, 2011, Agenda Item (C.58), Contract #26-362-10 with Apheresis Care Group, Inc., a corporation, to reflect the intent of the parties, which was to include mutual indemnification and modifications to County's standard General Conditions language, with no change in the Contract Payment Limit of \$600,000, for the provision of therapeutic apheresis services to patients at Contra Costa Regional Medical Center, and no change in the term of period April 1, 2011 through March 31, 2014.

FISCAL IMPACT:

100% Enterprise I funds. Cost to the County depends upon utilization. As appropriate, patients and/or third party payors will be billed for services. This contract reflects a rate increase with no change in the total payment limit.

BACKGROUND:

On May 24, 2011, the Board of Supervisors approved Contract #26-362-10 with Apheresis Care Group, Inc., to provide the necessary equipment and qualified professional staff

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
 Supervisor
 Gayle B. Uilkema, District II
 Supervisor
 Karen Mitchoff, District IV
 Supervisor
 Federal D. Glover, District V
 Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
 Supervisor

By: June McHuen, Deputy

Contact: Anna Roth, 370-5101

BACKGROUND: (CONT'D)

to conduct therapeutic apheresis services, such as therapeutic plasmapheresis and hemodialysis procedures, at Contra Costa Regional Medical Center, for the period from April 1, 2011 through March 31, 2014.

The Department and the Contractor have agreed to modifications to the County's Standard General Conditions language, which included mutual indemnification.

The purpose of this board order is to reflect the intent of the Department in which to include mutual indemnification to Contract #26-362-10, to hold both parties harmless for any claims arising out of the performance and modifications to the County's Standard General Condition, allowing Contractor to continue to providing therapeutic apheresis services, through March 31, 2014. The revised Contract also will include a higher insurance coverage requirement than the previously-approved contract.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, patients receiving therapeutic apheresis services at Contra Costa Regional Medical Center will go untreated.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: PURCHASE ORDER AND CHANGE ORDER FOR COVIDIEN, INC.

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department, to execute:
1) A change order to Purchase Order #F31616 with Covidien, Inc. to add \$143,000 for a new total of \$993,000 for the two year period ending January 31, 2012; and
2) A new Purchase Order with Covidien, Inc., in the amount of \$1,500,000 for the period from February 1, 2012 through January 31, 2014, for purchase of medical supplies for Contra Costa Regional Medical Center and Health Centers.

FISCAL IMPACT:

100% Enterprise Fund I.

BACKGROUND:

Health Services Department has used Covidien, Inc. since 1982 to purchase medical supplies of all types. Our long relationship with Covidien, Inc. reflects the fact that they are a participating vendor in our novation group

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Anna Roth, 370-5101

BACKGROUND: (CONT'D)

purchasing alliance, insuring that we receive preferred pricing. Covidien, Inc. has acquired a controlling interest in US Surgical and a partial interest in Kendall and Mallinckrodt, vendors that the Health Services Department frequently uses. Health Services Department will now buy their products from Covidien, Inc. Purchase Orders with those other vendors will no longer be needed.

CONSEQUENCE OF NEGATIVE ACTION:

If this Contract is not approved, Health Services Department will be hampered in its ability to treat patients.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Contract #24-681-84(6) with United Family Care, LLC (dba Family Courtyard)

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract #24-681-84(6) with United Family Care, LLC (dba Family Courtyard), a limited liability company, in an amount not to exceed \$178,560, to provide Augmented Board and Care Services, for the period from December 1, 2011 through November 30, 2012.

FISCAL IMPACT:

This Contract is funded 100% by Mental Health Realignment funds. (No rate increase)

BACKGROUND:

This Contract meets the social needs of the County's population in that it provides augmentation of room and board, and twenty-four hour emergency residential care and supervision to eligible mentally disordered clients, who are specifically referred by the Mental Health Program Staff and who are served by County Mental Health Services.

On March 23, 2010, the Board of Supervisors approved Contract #24-681-84(4)

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
 Gayle B. Uilkema, District II Supervisor
 Karen Mitchoff, District IV Supervisor
 Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

Contact: Cynthia Belon,
957-5201

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: November 15, 2011

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

By: June McHuen, Deputy

BACKGROUND: (CONT'D)

[as amended by Contract Amendment #24-681-84(5)] with United Family Care, LLC (dba Family Courtyard), for the period December 1, 2010 through November 30, 2011, for the provision of augmented board and care services for County-referred mentally disordered clients.

Approval of Contract#24-681-84(6) will allow the contractor to continue to provide augmented board and care services, through November 30, 2012.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, County residents will not receive services by this contractor.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Gift Cards for Safe Routes to School Project

RECOMMENDATION(S):

Authorize the Purchasing Agent to purchase, on behalf of the Health Services Department, gift cards in the amount of \$8,500 from Safeway, Target, and Walmart in the increments set forth below, to use as incentives for participation in the Safe Routes to School Project, for the Fiscal Years 2011 through 2014.

Safeway = two hundred twenty-five (225) \$20 gift cards for a total of \$4,500

Target = two hundred (200) \$10 gift cards for a total of \$2,000

Walmart = two hundred (200) \$10 gift cards for a total of \$2,000

FISCAL IMPACT:

This contract expense is funded 100% by the California Department of Transportation funds for the Safe Routes to School project. No County funds required.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

Contact: Wendel Brunner, M.D.,
313-6712

By: June McHuen, Deputy

BACKGROUND:

Through an Interdepartmental Agreement with Contra Costa Public Works Department, Contra Costa Health Services is implementing a 5 year grant from Caltrans to conduct educational and encouragement efforts that promote walking and biking to school and increase safety in school zones. This effort is now in its 3rd year. A component of the grant is to train resident "Champions" to conduct monthly walking and biking events at participating elementary and middle schools in the West Contra Costa Unified School District and to offer incentives to those who participate in trainings and events. Included in the grant budget is a line item for the gift card incentives at an amount of \$8,500 over the remainder of the grant period.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the funding would need to be reallocated within the project, community members would not be directly involved in implementation of the project, fewer walking and bicycling events would be conducted, and school buy-in would be lessened. These factors would compromise our ability to meet deliverables under Caltrans requirements, and the sustainability of activities would be negatively affected.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in the number of trips to school that are made by walking or bicycling.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Amendment #23-498-2 with Sarcom, Inc. (dba The Abreon Group)

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Contract Amendment Agreement #23-498-2 with Sarcom, Inc. (dba The Abreon Group), a corporation, effective November 1, 2011, to amend Contract #23-498 (as amended by #23-498-1), to increase the payment limit by \$140,000, from \$54,100 to a new payment limit of \$194,100, with no change in the original term of August 15, 2011 through August 15, 2012.

FISCAL IMPACT:

This Contract is funded 100% by Medicare & Medicaid Electronic Health Records (EHR) Incentive Program of the American Recovery & Reinvestment Act (ARRA). (No Rate Increase)

BACKGROUND:

In August 2011, the County Administrator approved and the Purchasing Services Manager executed Contract #23-498 (as amended by Amendment Agreement #23-498-1) with Sarcom, Inc. (dba The Abreon Group), for the period from August 15, 2011 through August 15, 2012, for the provision

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
 Gayle B. Uilkema, District II Supervisor
 Karen Mitchoff, District IV Supervisor
 Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Patrick Godley,
957-5405

BACKGROUND: (CONT'D)

of consultation and technical assistance to the Department with regard to development of a strategic communications plan for the Epic Electronic Health Record System.

Approval of Contract Amendment Agreement #23-491-2 will allow the Contractor to provide additional services including implementation of the strategic plan, including ongoing communication activities through “go-live” date, developing and coordinating editorial calendar, and providing design support as requested by County for the Epic Electronic Health Record System, through August 15, 2012.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, activities to inform and engage staff and address possible issues on the implementation of the Epic Electronic Health Record System won't be able to be completed on the recommended scale to help support the successful implementation of the project.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Cancellation Agreement #26-663-2 and Contract #26-663-3 with Dino Elyassnia, a Professional Corporation

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County as follows:

1. Cancellation Agreement #26 663-2 with Dino Elyassnia, M.D., a Professional Corporation, effective on the close of business on October 31, 2011; and
2. Contract #26-663-3 with Dino Elyassina, M.D., a Professional Corporation, in an amount not to exceed \$240,000, for the provision of professional plastic surgery services for patients at Contra Costa Regional Medical Center and Contra Costa Health Centers, for the period from November 1, 2011 through October 31, 2012.

FISCAL IMPACT:

This Contract is funded by Enterprise I Budget. Cost to the County depends upon utilization. As appropriate, patients and/or third party payors will be billed for services. Rates for surgical procedures have increased.

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

A YE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

Contact: David Goldstein, MD,
370-5525

By: June McHuen, Deputy

BACKGROUND:

On March 15, 2011, the Board of Supervisors approved Contract #26-663-1 with Dino Elyassnia, M.D., a Professional Corporation, to provide plastic surgery services including clinic coverage, consultation and medical and/or surgical procedures, for patients at Contra Costa Regional Medical Center and Contra Costa Health Centers, for the period from March 22, 2011 through March 31, 2014.

In consideration of Contractor's agreement to continue providing services, both parties have agreed to re-negotiate payment terms. Therefore, in accordance with General Conditions, Paragraph 5. (Termination and Cancellation) of the Contract, the Department and Contractor have agreed to a mutual cancellation of Contract #26-663-1. Approval of Cancellation Agreement #26-663-2 will accomplish this termination.

Under Contract #26-663-3, Contractor will provide professional plastic surgery services, including, clinic coverage, consultation, training and medical and/or surgical procedures, through October 31, 2012.

CONSEQUENCE OF NEGATIVE ACTION:

If this Contract is not approved, this physician would not be reimbursed the same as other County plastic surgeons for medical and/or surgical procedures. With fewer plastic surgeons to perform medical and/or surgical procedures patients at Contra Costa Regional Medical and Contra Costa Health Centers would have longer wait times and possibly go untreated.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Novation Contract #74-317-5 with Alternative Family Services, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #74-317-5 with Alternative Family Services, Inc., a non-profit corporation, in an amount not to exceed \$500,000, to provide Multidimensional Treatment Foster Care (MTFC) services to Seriously Emotionally Disturbed (SED) youth and their families, for the period from July 1, 2011 through June 30, 2012. This Contract includes a six-month automatic extension through December 31, 2012, in an amount not to exceed \$250,000.

FISCAL IMPACT:

This Contract is funded by 50% by Federal FFP Medi-Cal, and 50% by State Early and Periodic Screening, Diagnosis, and Treatment (EPSDT). (No rate increase)

BACKGROUND:

This Contract meets the social needs of County's population in that it provides MTFC services to SED youth who are in foster care or in Intensive Treatment Foster Care

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: CYNTHIA BELON,
957-5201

BACKGROUND: (CONT'D)

homes, and their families, including mental health services, medication support, and crisis intervention.

On January 11, 2011, the Board of Supervisors approved Contract #74-317-4 with Alternative Family Services, Inc., for the period from July 1, 2010 through June 30, 2011, with a six-month automatic extension through December 31, 2011, for the provision of a day treatment program for SED adolescents.

Approval of Novation Contract #74-317-5 replaces the automatic extension under the prior Contract and allows the Contractor to continue providing MTFC services to SED youth through June 30, 2012.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, multidimensional treatment foster care services for seriously emotionally disturbed youth and their families will not be provided.

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: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Novation Contract #74-370-3 with Milhous Children's Services, Inc.

RECOMMENDATION(S):

Approve and authorize the Health Services Director, or his designee, to execute, on behalf of the County, Novation Contract #74-370-3 with Milhous Children's Services, Inc., a non-profit corporation, in an amount not to exceed \$256,752, to provide Therapeutic Behavioral Services (TBS) for the period from July 1, 2011 through June 30, 2012. This Contract includes a six-month automatic extension through December 31, 2012 in an amount not to exceed \$128,376.

FISCAL IMPACT:

This Contract is funded 50% by Federal Financial Participation (FFP) Medi-Cal and 50% by State Early and Periodic Screening, Diagnosis and Treatment (EPSDT). (No rate increase)

BACKGROUND:

The State Department of Mental Health has been working in collaboration with the County's Mental Health Division to establish a mandated program to provide TBS to children who participate in the EPSDT Supplemental Specialty Mental Health services. This program will

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Cynthia Belon 957-5201

BACKGROUND: (CONT'D)

provide emergency placement services to eligible Medi-Cal beneficiaries less than 21 years of age, who meet the medical necessity criteria of their Mental Health Plan, and who have been discharged from a hospital or have failed in other placements.

On January 11, 2011, the Board of Supervisors approved Novation Contract #74-370-2 with Milhous Children's Services, Inc. for the period from July 1, 2010 through June 30, 2011, which included a six-month automatic extension through December 31, 2011, for the provision of TBS to County referred-clients at its facility in Nevada City.

Approval of Novation Contract #74-370-3 replaces the automatic extension under the prior Contract and allows the Contractor to continue providing services through June 30, 2012.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, children who participate in the EPSDT Supplemental Specialty Mental Health services will not receive mandated TBS services from this contractor, and may require services at higher levels of placement.

CHILDREN'S IMPACT STATEMENT:

This TBS 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: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Approval of Purchase Order with Search America, Inc.

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department to execute, a Purchase Order with Search America, Inc., in the amount not to exceed \$150,000, to purchase an address validation system for Contra Costa Regional Medical Center patients and Contra Costa Health Plan members.

FISCAL IMPACT:

This Purchase is fully paid for from (a) the Medicare & Medicaid Electronic Health Records (EHR) Incentive Program of the American Recovery & Reinvestment Act (ARRA) and (b) the Delivery System Reform and Incentive Pool (DSRIP) funding.

BACKGROUND:

The Search America, Inc system includes address validation that will assist Contra Costa Health Services in identifying and validating the proper mailing address for Contra Costa Regional Medical Center patients and Contra Costa Health Plan members. This solution will interact with the Epic Electronic Health Record (EHR) System.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase is not approved, the Department will not be able to take maximum advantage of the technologies available through the Epic EHR.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
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: November 15, 2011

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

By: June McHuen, Deputy

Contact: David Runt, 313-6228

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Purchase Order with Capsule Technologie, Inc.

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department to execute, a Purchase Order with Capsule Technologie, Inc. in the amount not to exceed \$300,000, for the purchase of a medical device connectivity system for Contra Costa Regional Medical Center and Health Centers.

FISCAL IMPACT:

This Purchase is fully paid for from (a) the Medicare & Medicaid Electronic Health Records (EHR) Incentive Program of the American Recovery & Reinvestment Act (ARRA) and (b) the Delivery System Reform and Incentive Pool (DSRIP) funding.

BACKGROUND:

The Capsule Technologie, Inc. medical device connectivity system will allow the Contra Costa Regional Medical Center and Health Centers (CCRMC) to connect virtually any medical device to the Epic Electronic Health Record (EHR) System.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to purchase this system would prevent the Department from being able to take maximum advantage of the technologies available through the Epic EHR.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
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: November 15, 2011

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

By: June McHuen, Deputy

Contact: David Runt, 313-6228

cc: Tasha Scott, Demetria Gary, David Runt

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Purchase Order with Clinical Computer Systems, Inc.

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department to execute a Purchase Order with Clinical Computer Systems, Inc., in the amount not to exceed \$425,000, for purchase of an OBIX fetal monitoring system for the Labor and Delivery Department at Contra Costa Regional Medical Center and Health Centers.

FISCAL IMPACT:

This Purchase is fully paid for from (a) the Medicare & Medicaid Electronic Health Records (EHR) Incentive Program of the American Recovery & Reinvestment Act (ARRA) and (b) the Delivery System Reform and Incentive Pool (DSRIP) funding.

BACKGROUND:

The Department's existing Philips OB TraceVue fetal monitoring system in the Labor and Delivery Dept. is no longer supported by the manufacturer and replacement parts are no longer available. Due to the age of the system, failures are common. This situation impacts the clinician's ability to provide an adequate standard of patient care. The Clinical Computer Systems OBIX fetal monitoring system, which integrates with the Epic Electronic Health Record (EHR), is the chosen replacement product.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
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: November 15, 2011

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

By: June McHuen, Deputy

Contact: David Runt, 313-6228

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase is not approved the Department will not be able to take maximum advantage of the technologies available through the Epic EHR.

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Purchase Order with Nexus IS, Inc.

RECOMMENDATION(S):

Approve and authorize the Purchasing Agent, on behalf of the Health Services Department to execute, a Purchase Order with Nexus IS, Inc., in the amount of \$859,000, for the purchase of Citrix servers and technology required for the Epic Electronic Health Record (EHR) implementation.

FISCAL IMPACT:

This Purchase is fully paid for from (a) the Medicare & Medicaid Electronic Health Records (EHR) Incentive Program of the American Recovery & Reinvestment Act (ARRA) and (b) the Delivery System Reform and Incentive Pool (DSRIP) funding.

BACKGROUND:

The Contra Costa Health Services Department is implementing technologies which will allow clinicians and others to use mobile devices, support the number of users necessary for business, and allow our employees to work remotely. This technology and configuration allows for redundancy in the event there is a failure at either of our data centers.

CONSEQUENCE OF NEGATIVE ACTION:

If this Purchase is not approved, the Department would not be able to take maximum advantage of the technologies available through the Epic EHR. Without Citrix we would not be able to implement the Epic EHR in the Public Health and Mobile Clinics.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

ABSENT: Mary N. Piepho, District III
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: November 15, 2011

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

By: June McHuen, Deputy

Contact: David Runt, 313-6228

cc: Tasha Scott, Demetria Gary, David Runt

CHILDREN'S IMPACT STATEMENT:

Not applicable.



Contra
Costa
County

To: Board of Supervisors

From:

Date: November 15, 2011

Subject: Weatherization Purchase Orders

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Conservation and Development Department, amended purchase orders with the following companies in the respective amounts which are listed below. These agreements will be used by the DCD Weatherization Program to purchase items needed to provide home weatherization services to low income residents throughout all of Contra Costa County. The purchase orders being authorized to be amended are:

1. Ambient Air Heating & Air Conditioning Systems, by increasing the amount by \$100,000 to a new total amount of \$640,000 for the purchase of heating and air conditioning systems, for the term of September 15, 2010 thru December 31, 2012;
2. Home Depot by increasing the amount by \$80,000 to a new total amount of \$280,000, for the purchase of miscellaneous materials for use in the Weatherization Program on behalf of low-income County residents, for the term of September 15, 2010 thru December 31, 2012;
3. McHale's Insulation by increasing the amount by \$90,000 to a new total amount of \$340,000, for the purchase of insulation, for the term of September 15, 2010, thru December 31, 2012;

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Natalie Torres 925
335-2114

cc:

RECOMMENDATION(S): (CONTD)

4. Entech Supply by increasing the amount by \$50,000 to a new total amount of \$140,000, for the purchase of carbon monoxide alarms, for the term of September 15, 2010 thru December 31, 2012.

These vendors were selected through a competitive bidding process, working closely with the Purchasing Division of the General Services Department and following the County's established procurement procedures.

FISCAL IMPACT:

Increases existing purchase orders with four vendors by \$320,000 total. Purchase orders with continue to be funded by a contract with the State of California for various weatherization projects throughout the County. A portion of the State grants may be funded with American Recovery and Reinvestment Act (ARRA) funding.

BACKGROUND:

The Department of Conservation and Development (DCD) has partnered with the Employment and Human Services Department (EHSD) for the past twenty years to provide energy saving home improvements to low-income families throughout unincorporated Contra Costa County, as well as the County's nineteen cities.

This funding is provided by State and Federal grant programs including but not limited to the Low Income Home Energy Assistance Program (LIHEAP), the Energy Crisis Intervention Program (ECIP), the Department of Energy (DOE), and the Department of Energy, American Recovery and Reinvestment Act (DOE ARRA).

The energy savings measures may provide homes with hot water heaters, furnaces, refrigerators, microwaves, doors, windows, fluorescent light bulbs, weatherstripping, ceiling fans, and attic insulation.

Homes receive a blower door test (a diagnostic tool to locate and correct air infiltration), and homes with gas appliances receive a combustion appliance safety test that checks for carbon monoxide gas leakage. Homes with gas appliances are provided with a carbon monoxide alarm.

The Weatherization Program has recently received additional funding from the State which increased the contract amount from \$3,452,979 to \$4,554,300. Consequently the State has requested the Weatherization Program to service additional 200 residential units. Therefore the purchase amounts on the Purchase Orders with the vendors need to be increased in order to help us to achieve the required unit production by the end of the contract term, which is March 31, 2012. Failure to maintain the monthly unit production goal may subject to the State to reallocate the additional funding to other Counties.

CONSEQUENCE OF NEGATIVE ACTION:

A denial would prevent the purchase of equipment, supplies and miscellaneous materials needed to provide home weatherization services.

CHILDREN'S IMPACT STATEMENT:

Approval of this item will enable the Weatherization Program to purchase materials necessary to provide home energy efficiency improvements to low-income households, which reduces living expenses and improves comfort and quality of life for children residing in the households served. This supports outcomes Nos. 3 and 5 established in the Children's Report Card: (3) Families are economically self-sufficient; and (5) Families are safe, stable and nurturing.



**Contra
Costa
County**

To: Board of Supervisors
From: Catherine Kutsuris
Date: November 15, 2011

Subject: Allow Property Rental located at 362 Karelian Street in Danville

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Conservation and Development, or designee, to allow the rental of property owned and currently occupied by Rong Shen and located at 362 Karelian Street in Danville, for up to two (2) years. Monthly rents shall not exceed current mortgage payments, property taxes and hazard insurance.

FISCAL IMPACT:

No General Fund Impact.

BACKGROUND:

On July 9, 2002, the Board of Supervisors approved the Camino Tassajara Affordable Housing Program (CTAHP). The CTAHP sets forth requirements to be met by the Camino Tassajara developers (Shapell, Braddock and Logan, and Ponderosa Homes). On January 9, 2006, Shapell and the County entered into a Developer Sales Agreement (Agreement). This Agreement placed conditions on the 127 unit townhome development known as Willow at Alamo Creek. All 127 units were required to be sold to moderate income homebuyers.

In addition, the Agreement stated that all buyers must enter into a Buyer's Resale Restriction

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III
Supervisor

By: June McHuen, Deputy

Contact: Alicia Smith 335-7217

cc:

BACKGROUND: (CONT'D)

Agreement (Resale Agreement) with the following requirements:

- The units would have 20 year resale restrictions;
- The homes must be sold at a restricted price to an income eligible buyer (“Eligible Purchaser”); and
- The units must be owner occupied for 20 years

Willow owners may sell their home at any time. The resale restriction includes a maximum sales price. There is also a minimum marketing period. If the units cannot be sold, then the County may release the resale requirement. The home can then be sold at market price to any buyer. The County will receive 94% of any profit over the restricted price. This provision is to prevent windfall profits to the seller. In the event of a sale, funds are provided to the County Housing Trust Fund to use for other affordable housing activities. The built in flexibility in the resale restriction allows the County to respond to market conditions when the owner wishes to sell on a case by case basis. The stated policy preference of the Board with respect to these inclusionary units has been to retain them as affordable whenever possible.

Rong Shen purchased her property in August, 2007, at which time she signed the Resale Agreement. In view of the applicable deed restrictions, the owner is seeking authorization from the County to rent the unit.

The term of this temporary rental shall be for up to two (2) years. Monthly rents shall not exceed current mortgage payments, property taxes and hazard insurance. A review of current apartment and townhome rents in the Danville and the Alamo Creek area indicate that market rents are affordable to moderate income renters (i.e. A moderate income household of four can afford a rent of \$2,800 per month. Apartment and townhome rents currently range from \$1,900 to \$2,500 per month.) Rents are expected to remain affordable to moderate income renters for the next two years. The new tenant shall not be entitled to relocation expenses when the lease terminates. The unit must remain affordable for another moderate income homebuyer.

Rong Shen has been trying to sell her home since January of this year. Due to the soft real estate market, she has been unable to sell the home. Therefore, staff recommends that the County allow her to rent the home.

CONSEQUENCE OF NEGATIVE ACTION:

Should this not be approved, the property owner would not be allowed to rent this unit.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.



Contra
Costa
County

To: Board of Supervisors
From: Joe Valentine, Employment & Human Services Director
Date: November 15, 2011

Subject: Head Start Corrective Action Plan / Self-Assessment

RECOMMENDATION(S):

ACCEPT corrective action plan for 2011/12 program year annual Head Start self-assessment as submitted by Employment & Human Services Director.

FISCAL IMPACT:

None

BACKGROUND:

During the period of February 28, 2011 through March 4, 2011, the Community Services Bureau completed the required self-assessment wherein internal processes were examined and evaluated for efficacy. The Head Start Performance Standards [CFR 1304.50(d)(1)(vii) and 1304, Appendix A] require that the Board of Supervisors approve the program's corrective action plan once all of the corrections have been certified by program staff. Program certification was completed on April 27, 2011.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, Department will not be able to submit required documents to federal agency.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: C. Youngblood,
313-1712

CHILDREN'S IMPACT STATEMENT:

The Employment & Human Services Department Community Services Bureau supports three of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 3: "Families that are Economically Self-sufficient," and, Outcome 4: "Families that are Safe, Stable, and Nurturing." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.

ATTACHMENTS

Corrective Action Plan

Self Assessment Report

**CONTRA COSTA COUNTY
EMPLOYMENT AND HUMAN SERVICES DEPARTMENT
COMMUNITY SERVICES BUREAU
2011 Self-Assessment
Corrective Action Plan**

Finding	Program Type	Corrective Action	Person Responsible	Completion Date	Verification
Compliance Indicator 2.4: (1304.40(b)(1)&(2)) While families are engaged in a family partnership agreement, resources were not offered that met their stated need.	Head Start	<ul style="list-style-type: none"> • Meet with CSB staff responsible for FCP to review protocols and all files to ensure resources are provided to meet needs. 	FCP Manager: Kristin Cooke	March 17, 2011	Monitoring report, Training materials, sign in sheets, minutes (See Section I, attached)
		<ul style="list-style-type: none"> • Emphasize FCP protocols at Comp Services Refresher Training in April 	Assistant Director for Comprehensive Services: Carolyn Johnson	April 27, 2011	Training materials, sign in sheets, evaluations (See Section II, attached)

SECTION I

- Monitoring Report
- Training Materials
- Sign In Sheets
- Minutes

Agenda

Group/Meeting Name: Family Partnership Agreement/Goal Setting

Date: 3-17-11 **Time: From:** 1:00 pm **To** 2:00 pm

Location: Brookside

Meeting Leader: Kristin Cooke

Purpose: Train staff to complete family partnership assessment and assist families with goal setting

Desired Outcome: By the end of this meeting, we will have:

An Understanding of the Desired Outcomes and Meeting Rules
An Understanding of the Family Partnership Process and CSB's Policies and Procedures Relating to that Process
An Understanding of How to Complete Family Partnership Assessments with Indicators
An Understanding of Family Goal Development and Follow-up
Clarification on Next Steps
Evaluated the Meeting

Agenda			
What	How	Who	Time
➤ Review Desired Outcomes & Meeting Rules	Present, Clarify, Check for Understanding	Rita Miranda	2 Minutes
➤ Family Partnership Process and CSB's P&Ps	Present, Clarify, Check for Understanding	Kristin Cooke	15 Minutes
➤ Family Partnership Assessments and Indicators	Present, Clarify, Check for Understanding	Kristin Cooke	15 Minutes
➤ Family Goal Development and Follow-up	Present, Clarify, Check for Understanding	Kristin Cooke	15 Minutes

➤ Next Steps	Present, Clarify, Check for Understanding	Kristin Cooke	10 Minutes
➤ Meeting Evaluation	Present, Clarify, Check for Understanding	Volunteer	3 Minutes

Contra Costa County
Head Start Meeting **Minutes**

Meeting: Family Partnership Process Training

Location: Brookside

Date: 3-17-11 **Time Convened:** 1:00 pm **Time Terminated:** 2:00 pm **Recorder:** Kristin Cooke

Attendees: Rita Miranda, Kristin Cooke, Tiffany Mullner, Gaby Derrer
Absent: None

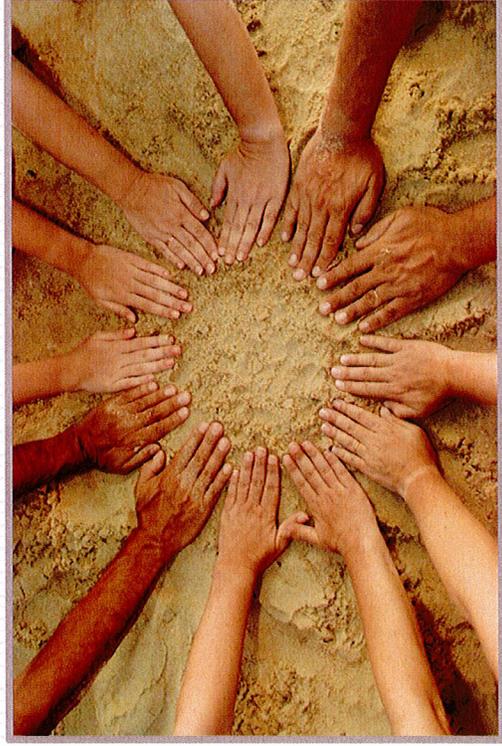
TOPIC	RECOMMENDATION / SUMMARY
Review Desired Outcomes and Meeting Rules	Kristin reviewed the desired outcomes and meeting rules.
Family Partnership Process and CSB's P&Ps	See attached presentation
Family Partnership Assessments and Indicators	
Family Goal Development and Follow-up	
Next Steps	<ul style="list-style-type: none"> • The group will go back through FPAs completed this year and make sure resources are given and documented in COPA. Since indicators cannot be changed at this point, comments will be carefully reviewed to determine if resources are needed. • Second FPAs, due 5/31/11, will be started now in order to reach families who may not have been given resources at the first FPA. • If any questions arise, call or email Kristin. • Rita will review all new FPAs for her sites • Rita will provide training to her CAT with Kristin's assistance if needed. Additional training will take place in April at the refresher.

Contra Costa County
Head Start Meeting **Minutes**

	<ul style="list-style-type: none">• Kristin will work with Ritche to correct the drop down and check-box issues with the “Referrals & Services” tab.
Meeting Evaluation	None.

Family Partnership Assessments Training

March 2011



I. Family Partnership Building

- Overview
- Begins at first point of contact
 - Enrollment line
 - Walk-in
 - Telephone call
 - Flyer distribution

I. Family Partnership Building

- Family Assessment
- First FPA due within 60 days of enrollment
 - **Be sure family services get started at enrollment or your assessments will be off**
- Second FPA due by May 31st
 - Is a follow-up to the initial FPA.
 - Any changes? Goal progress? Goal revision?

I. Family Partnership Building

- Use complete answers - avoid “yes”, “no”, “good”, “bad”
- Document key comments to validate selected indicator
 - Comments should be in each area and substantial enough to gain a picture of the family.
 - 2nd FPA may say “no changes” but updates MUST be made to the goal progress and referrals/services.
 - See “Risk Matrix” for help with indicator selection.

I. Family Partnership Building

- Goal Setting
 - At least one goal for each indicator below “stable”
 - If none below “stable”, then focus on child’s education/development
 - Provide resources referrals w/in 2 weeks.
 - Exception: “In-crisis” areas. See slide 7.
 - Use SMART goals (refer to handout)
 - Schedule one month follow-up to determine if resources were adequate
 - Exception: “In-crisis” areas. See slide 7.

I. Family Partnership Building

- When to Case Manage
- Referrals that require multiple steps and planning
 - Family “in-crisis”
 - Any 1 area “in-crisis”
 - 3 or more areas below “stable”
- Contact the appropriate Service Area Manager for assistance

I. Family Partnership Building

- Supporting Families In Crisis
 - Be sensitive and provide assurance
 - Do not overwhelm family with too many people/resources at one time
 - Consult the appropriate Service Area Manger
 - May contact MH unit for support/consultation
 - Will help determine immediate needs
- CSAM supporting site monitors situation
 - Resources within 2 weeks and consistent follow-up
 - Document all resources, contact with family, and effectiveness of intervention
- Case management meetings as needed

I. Family Partnership Building

- Accessing Community Services and Resources
 - Community Resource List
 - Surviving Parenthood, Regional Guides, Street Sheets, etc.
- Internet Database
 - 211 (www.crisis-center.org)
- Other Methods of Access
 - Parent bulletin boards, newsletters, parent meetings, community partners, service area managers

Risk Matrix

	Legal Problems	Food/ Nutrition. Clothing	Housing/ Shelter	Transportation	Mental/ Social/ Emotional Health	Education, Adult	Employment	Chemical Dependency/ Abuse
Thriving	No legal problem and not prone to legal problems	Always able to furnish regular and balanced food, clean and durable clothes	Able to own or in long term/affordable/ safe/ appropriate housing.	Consistent/ dependable transportation, license, safe/ reliable car & insurance	No problems or able to choose and pay for mental health services	Post secondary education/ training, positive attitude towards education	Permanent, stable/ sustaining employment, full benefits	No problem of 5 yrs free of drugs, treatment complete, no support
Self-Sufficient	Minor legal issues pending or resolved, obtains legal council	Always have resources for healthy food and appropriate clothing	Safe & secure dwelling for at least 13 months, ability to pay	Dependable trans, basic car insurance/ license of choice public transportation	Access/ insurance/ resources for mental health care of choice	Actively pursuing post-secondary education, values formal education	Full-time or adequate employment meets basic needs, benefits	Year drug free, completed treatment. Still receiving support services
Stable	Medium legal issues pending, has legal council	Sufficient person and community resources for food and clothing	In semi-permanent/ relatively safe & secure housing, mostly ability to pay	Access to trans when needed, safe	Adequate access/ insurance/ resources for mental health care	High school diploma or GED demonstrates some academic achievement	Under-employed, inadequate pay and benefits	Drug free, attending treatment program, and receiving support services
Vulnerable	Major legal issues or prone to problems, legal council issues	Limited knowledge of food. Food preparation and clothing resources	Temp or transitional housing, tent uncertain, unsafe or crowded	Limited access, possibly unsafe, driving w/o license, registration or insurance	Limited access/ insurance/ resources for mental health care	Realizes value of education, working on GED, improving literacy	Temporary or part time employment, no benefits, limited skills	Chemically dependent, currently in treatment program
In Crisis	Major legal issues, no legal council	No food and preparation, clothing inadequate. Malnutrition. Eating Disorders. Disability. Death	Homeless, no shelter	No access to transportation to satisfy basic needs	No access/ insurance/ resources for mental health care	History of school failure, doesn't value education, lacks basic skills	Unemployed with no prospects or skills	Chemically dependent, not receiving treatment no support services

Risk Matrix

	Parenting/ Child Education	Child Care	Pregnancy/ Infant Care	Family Relations	Income Budget	Energy	Medical Care	Community Involvement
Thriving	Excellent parenting skills and/or developmental problems well handled	Able to afford/access many options for child care	Receiving prenatal care, mother/child w/o health issues w/o subsidy	Strong support network, strong family identity	Sufficient/ stable income, regular savings, some non essential purchases	Ample personal resources to easily meet energy needs	Covered by insurance, medical/dental preventive medicine	Actively involved in community affairs, positive contribution
Self-Sufficient	Good parenting skills or problems handled with support w/o subsidy	Easy access to licensed/ acceptable or special needs childcare	Receiving prenatal care/ immunizations, well baby visits	Physically safe, emotionally secure, sense of family unit	Sufficient/ Stable income can pay bills, little or no savings.	Adequate personal resources to meet basic needs	Gets medical/ dental care with needed, partial coverage	Meaningful/ supportive involvement, feel part of the community
Stable	Resolving parenting issues or receiving services with subsidy	Limited access to acceptable or special needs childcare with subsidy	Adequate access/ insurance. Resources for prenatal care with subsidy	Negative behaviors, seeks change, some support	Adequate income, able to meet basic needs, little left for non essentials	Limited personal resources, community help needed to meet needs	Gets medical/ dental care with subsidy, inconsistent use of system	Minimal involvement, express desire for greater involvement
Vulnerable	Limited parenting skills or child development problems, limited resource	Limited access of no subsidy to acceptable or special needs childcare	Limited access/ insurance/ resources for prenatal care	Little or no interaction, household composition changes often	Inadequate income, occasional problems with basics, over due bills	Shut off notice, less than 10 days supply, limited resources	Inappropriate/ limited use and access of system	Appears isolated, lacks motivation/ confidence to be involved
In Crisis	No parenting skills or child development problems w/o access/ insurance/ resources	No access/ subsidy to acceptable or special needs children	No access/ insurance/ resources for prenatal care	Unable to develop relationships, no support systems	No money or basic needs, overwhelming debt, no knowledge of resources	Power off, out of deliverables, no personal resources	No coverage of dental, ignores health problems	No positive/ constructive involvement, limited social skills.

Setting SMART Goals

Goals should be:

S = Specific, Significant, Stretching

- *Is it well-defined?*
- *What exactly is to be accomplished?*
- *Use action words in writing the goal.*
- *Express the what, why & how of the goal.*

Ex: "I've always regretted that I never finished high school. It's important for me and my children that I do that. I want to get a GED certificate this semester."

M = Measurable

- *How will you know when it's achieved?*
- *Provide a benchmark or evidence of completion.*

In the example, we know it is achieved when she has the certificate.

A = Attainable, Acceptable, Agreeable

- *Can the goal be reach?*
- *Do all involved parties agree?*
- *Use this information to maximize chances of success.*

In the example, we know this is something she wants, is cognitively able to do, and agrees to do. We want to pay special attention to if it can logistically be achieved within a few months by taking prep classes and then scheduling to take the test.

R = Realistic, Relevant, Rewarding

- *Is the scale and scope of the goal realistic?*
- *Is the goal relevant and rewarding to the person, not just something easy to write down?*
- *This helps hold the goal seeker accountable.*

In the example, we know it is rewarding & relevant to the person given her statements about why she wants to do this but we'd want to find out how much time she has to devote to this goal (does she work 3 jobs and care for 4 children), if others are supportive of her, when classes start, and when the test are scheduled locally. Any barriers that may arise, talk them out and ask how she'd overcome that challenge and what she thinks would work best.

T = Timely, Time Frame

- *Is the goal with-in program year? If not, break it down into sub-goals.*
- *Help the family create a realistic timeframe. You made need to slow them down and help them break the goal into SMART objectives that work toward achieving the goal. On the other hand, you may need to encourage them to take larger steps then they initially suggest.*

In the example, make sure her timeframe is "realistic" and allows her to "attain" her goal successfully.

SECTION II

- Training Materials
- Sign In Sheets
- Evaluations

Agenda

Group/Meeting Name: Comprehensive Services Refresher Training

Date: 4-27-11 **Time: From:** 9:00 am **To** 4:00 pm

Location: Fairgrounds

Meeting Leader: Kristin Cooke

Purpose: To provide comprehensive services staff with updated information in all service areas.

Desired Outcome: By the end of this meeting, we will have:

An Understanding of the Desired Outcomes and Meeting Rules
An Understanding of the ERSEA Process and New Policies and Procedures
An Understanding of Health Services Requirements
An Understanding of Disabilities Services and Practice Intake
An Understanding of the Family Partnership Process and Parent Meeting Protocol
An Understanding of Mental Health Services and Assessment and Referral Processes
An Understanding of Nutrition Services and the Food Stamp Application Process
Evaluated the Meeting

Agenda			
What	How	Who	Time
Welcome and Introductions ➤ Desired Outcomes and Meeting Rules	Present, Clarify, Check for Understanding	Carolyn Johnson	10 Minutes 9:00 – 9:10
ERSEA ➤ Handling Referrals ➤ Over-Income Waivers ➤ Proposed New ERSEA Regulations ➤ Slots	Present, Clarify, Check for Understanding	Christina Reich	45 Minutes 9:10 – 9:55
Health ➤ Strategies for Meeting Physical and TB Requirements	Present, Clarify, Check for Understanding	Debi Marsee	55 Minutes 9:55 – 10:50

<ul style="list-style-type: none"> ➤ EHS Health Tracking ➤ Health History Review, Red Flags, Case Management, and Follow-up ➤ Transfers of Children with Health Concerns ➤ Obtaining Health Documents 			
Break			15 Minutes 10:50 – 11:05
Disabilities <ul style="list-style-type: none"> ➤ Early Identification ➤ Referral and individualization ➤ Intake role-play 	Present, Clarify, Check for Understanding	Ana Araujo	55 Minutes 11:05-12:00
Lunch			1 Hour 12:00 – 1:00
Family Partnerships <ul style="list-style-type: none"> ➤ Family Partnership Agreements & Goal Setting ➤ Goal Setting ➤ Parent Meetings ➤ Parent Trainings 	Present, Clarify, Check for Understanding	Kristin Cooke	55 Minutes 1:00 – 1:55
Mental Health <ul style="list-style-type: none"> ➤ Social/Emotional Concerns ➤ Referral Process ➤ Child Abuse Prevention and Intervention ➤ Using DECA 	Present, Clarify, Check for Understanding	Annie Bailey	55 Minutes 1:55 – 2:50
Break			10 Minutes 2:50 – 3:00
Nutrition <ul style="list-style-type: none"> ➤ Food Stamp Applications/Enrollment Procedures ➤ COPA Overview 	Present, Clarify, Check for Understanding	Sophia Talbot	55 Minutes 3:00 – 3:55

➤ Meeting Evaluation	Present, Clarify, Check for Understanding	Volunteer	5 Minutes 3:55 – 4:00
----------------------	--	-----------	--------------------------



Contra Costa County
Employment and Human Services Department
Community Services Bureau



Meeting/Event Sign-in Sheet

Date: 4/27/2011 Start Time: 9:00 End: 4:00 Location: CSB/ Fairgrounds Bldg- D Topic: Comp. Services Refresher Training

Name (Print)	Signature	Telephone	Agency/Address	Position	Arrival Time
Maurea Padilla	<i>[Signature]</i>	6-5995	CSB/George Miller	CLERK	9:00
Kristin Cooke	<i>[Signature]</i>	6881	CSB/6mill	CSM	9:00
Mirtha Rodriguez	<i>[Signature]</i>	6-5770	CSB / Partners	CLERK	8:25
Rimie Kashoy	<i>[Signature]</i>	6-8341	CSB / Clark	CLERK	8:25
Nelly Gomez	<i>[Signature]</i>	6-8696	CSB / Fairgrounds	ECH E	8:00
Arl Ruvonjehin	<i>[Signature]</i>	6-7492	CSB / Bayo Vista	CLERK	8:30
Tiffany Nurre	<i>[Signature]</i>	6-8098	Muller	CSB	8:30
Keira Aguilar Ortega	<i>[Signature]</i>	6-7992	CSB/Bayo Vista	CSM	8:00
ELEANOR McGUIRE	<i>[Signature]</i>	6-9897	CSB-GMC	ECH E	8:30
Jacqueline Lopez	<i>[Signature]</i>	6-7025	CSB - Barbora	CSM	8:30
Hebece Nunez	<i>[Signature]</i>	6-7025	CSB - Barbora	CLERK	8:30
Yvonne Hayes	<i>[Signature]</i>	3839	CSB Brookside	CLERK	8:30
Amy Wells	<i>[Signature]</i>	5-8912	CSB Summit	CSM	8:40
Sandra Gad	<i>[Signature]</i>	6-7497	CSB / Bayo Vista	CSM	8:30
Tracy Lewis	<i>[Signature]</i>	6-8268	CSB Bella Monte	CSC	8:30
Andrea Cardone	<i>[Signature]</i>		CSB - Fairgrounds	ECH E	8:30
Lupita Miramonte	<i>[Signature]</i>	6-8547	CSB / Fair grounds	CSM	8:32
RITA MIRANDA	<i>[Signature]</i>	6-7098	CSB / BROOKSIDE	CSM	8:30
Kivisa Houy	<i>[Signature]</i>	5891	CSB / GAMMY	MTA	9:00
Deborah	<i>[Signature]</i>	6-3415	CSB Brookside	CSM	9:00



Contra Costa County
Employment and Human Services Department
Community Services Bureau

Meeting/Event Sign-in Sheet

Date: 4/27/2011 Start Time: 9:00 End: 4:00 Location: CSB/Fairgrounds Bldg- D Topic: Comp. Services Refresher Training

Name (print)	Signature	Telephone	Agency/Address	Position	Arrival Time
21 Beth Gunn	<i>Beth Gunn</i>	6-5072	CSB / GMC	CSAM	8:30
22 Desee Smed	<i>Desee Smed</i>	6-8265	CSB / Caldera Alta	Clerk	8:30
23 Inelda Prieto	<i>Inelda Prieto</i>		CSB / Lake	Clerk	8:30
24 Patricia Yef-Suzuki	<i>Patricia Yef-Suzuki</i>	65568	CSB / GMC	clerk	8:45
25 Marthe Pearson	<i>Marthe Pearson</i>	5-8935	CSB / Summit	CSAM	8:45
26 Hauka Zaragoza	<i>Hauka Zaragoza</i>		CSB / GM III	Clerk	8:45
27 Veronica Calvadio	<i>Veronica Calvadio</i>		CSB / GM III	clerk	8:50
28 Maria Goven	<i>Maria Goven</i>	67326	CSB / GM III	clerk	8:50
29 Melissa Molina	<i>Melissa Molina</i>	6-3701	CSB / Crescent Park	clerk	8:50
30 Gabriela Ferrer	<i>Gabriela Ferrer</i>	8-885-9985	CSB / Summit	clerk	8:50
31 Joanne DeWardo	<i>Joanne DeWardo</i>	3-1774	HO Douglas	ASA III	9:00
32 Griseida Magana	<i>Griseida Magana</i>	6-3994	CSB / Brookside		
33 Claudia Hefel	<i>Claudia Hefel</i>	6-2099	CSB - GM III	CSAM	9:00
34 Lenora Brown	<i>Lenora Brown</i>	6-3995	CAT / San Pablo	clerk	9:00
35 WY Balyera	<i>WY Balyera</i>	6-5995	CSB / GM C	Teacher	9:00
36 Fabia Reddis	<i>Fabia Reddis</i>		CSB / G.M.	Teacher	9:00
37 Elaine Fryar	<i>Elaine Fryar</i>	6-5995	CSB / G.M.	ESHE	9:00
38 Maria Luz Renteria	<i>Maria Luz Renteria</i>		Aspirant First 5	CRS	9:00



Contra Costa County
Employment and Human Services Department
Community Services Bureau



Meeting/Event Sign-in Sheet

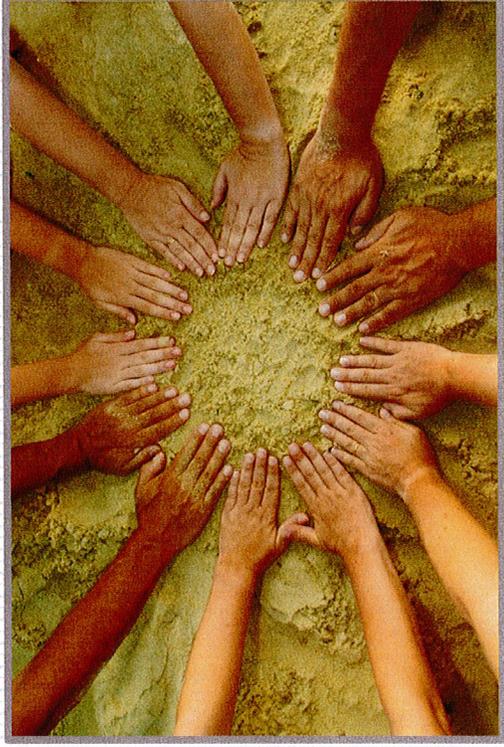
Date: 4/27/2011 Start Time: 9:00 End: 4:00 Location: CSB/ Fairgrounds Bldg- D Topic: Comp. Services Refresher Training

Name (print)	Signature	Telephone	Agency/Address	Position	Arrival Time
Beverly Butler	<i>Beverly Butler</i>	6-5996	CSB	Home base	8:58
Sheri Sweet	<i>Sheri Sweet</i>	50 232-5654	First Fire	Empty Room	9:05
Hortencia Aguilera	<i>Hortencia Aguilera</i>	6-5640	C.S.B. Home Base	ECHE	9:00
Theda Turner	<i>Theda Turner</i>	6-3732	CSB/BROOKSIDE	Intermediat	9:00
Monica Gillens	<i>Monica Gillens</i>	6-3398	CSB-BROOKSIDE	ECHE	9:00
Ramonita Gonzalez	<i>Ramonita Gonzalez</i>	6 3066	CSB Brookside HB	ECHE	9:00
Laura Lee MAX	<i>Laura Lee MAX</i>	65249	CSB 9M Concord	CCAM	9:10
Cher Jones	<i>Cher Jones</i>	6-3526	CM 111 CSB	Clerk	9:15
Tracy Flanora-Poyes	<i>Tracy Flanora-Poyes</i>	31792	40 D.	Clerk	9:15
Debi Marsce	<i>Debi Marsce</i>	6-5591	GMC	CSM	9:00
Katherine Messer	<i>Katherine Messer</i>	3-1588	CSB/40 D	DM	8:50
Janise White	<i>Janise White</i>	407-8272	CSB Helena Hill	ECHE	8:00
Marianne Starnes	<i>Marianne Starnes</i>	219-6360	F5	CLS	9:10
Jolene Johnson	<i>Jolene Johnson</i>	6-5997	C.S.B. G.M.C.	S.O.	9:00
Anna Adams	<i>Anna Adams</i>	6-5797	CSB G.M.C.	AD	8:30
Supriya Talbot	<i>Supriya Talbot</i>	6-7468	CSB Brookside	CSM	8:00
Camilla Rand	<i>Camilla Rand</i>	6-3067	11	R.D.	2:10
	<i>Heidi</i>	3-1771	CSB/40D.	Interim DIR	2:30

Plus/Delta Training Evaluation
For Comprehensive Services Refresher Training

+ All together, muffins, coffee, good facilitation, great information, great handouts, informative, good use of the play dough, great questions, Camilla came to visit
- room too small, noisy, too much info – should split into two days, cold, have next years' training closer to enrollment time, possibly use a microphone next time, hard to hear.

Family & Community Partnerships
May 2011



Agenda

- Family Partnership Building
- Family Partnership Assessments
- Goal Setting
- Case Management
- Parent Meetings
- Format
- Mandated Trainings
- Parent Involvement
- Dissemination of Information

I. Family Partnership Building

- Overview
- Begins at first point of contact
 - Enrollment line
 - Walk-in
 - Telephone call
 - Flyer distribution

I. Family Partnership Building

- Family Assessment
- First FPA due within 60 days of enrollment
 - **Be sure family services get started at enrollment or your assessments will be off**
- Second FPA due by May 31st
 - Is a follow-up to the initial FPA.
 - Any changes? Goal progress? Goal revision?

I. Family Partnership Building

- Use complete answers - avoid “yes” “no” “good” “bad”
- Document key comments to validate selected indicator
 - Comments should be in each area and substantial enough to gain a picture of the family.
 - 2nd FPA may say “no changes” but updates MUST be made to the goal progress and referrals/ services.
 - See “Risk Matrix” for help with indicator selection.

I. Family Partnership Building

- Goal Setting
 - At least one goal for each indicator below “stable”
 - If none below “stable”, then focus on child’s education/development
 - Provide resources referrals w/in 2 weeks.
 - Exception: “In-crisis” areas. See slide 7.
 - Use SMART goals (refer to handout)
 - Schedule one month follow-up to determine if resources were adequate
 - Exception: “In-crisis” areas. See slide 7.

I. Family Partnership Building

- When to Case Manage
- Referrals that require multiple steps and planning
 - Family “in-crisis”
 - Any 1 area “in-crisis”
 - 3 or more areas below “stable”
- Contact the appropriate Service Area Manager for assistance

I. Family Partnership Building

- Supporting Families In Crisis
 - Be sensitive and provide assurance
 - Do not overwhelm family with too many people/resources at one time
- Consult the appropriate Service Area Manger
 - May contact MH unit for support/consultation
 - Will help determine immediate needs
- CSAM supporting site monitors situation
 - Resources within 2 weeks and consistent follow-up
 - Document all resources, contact with family, and effectiveness of intervention
- Case management meetings as needed

I. Family Partnership Building

- Accessing Community Services and Resources
 - Community Resource List
 - Surviving Parenthood, Regional Guides, Street Sheets, etc.
- Internet Database
 - 211 (www.crisis-center.org)
- Other Methods of Access
 - Parent bulletin boards, newsletters, parent meetings, community partners, service area managers

II. Parent Meetings

- Format
- LED BY A PARENT
- Agenda to include (CSB-331)
 - Input to curriculum and site activities
 - Approval of minutes
 - New business (celebrations, WOTYC, planting, etc.)
 - Old business (parking, cell phones, etc.)
 - Training

II. Parent Meetings

- Mandated Trainings
 - PC Representative Election (1st meeting of the year)
 - Pedestrian Safety (no later than September 30th)
 - Kindergarten Transition (January)
 - Child Abuse Prevention (April)
- All agendas, minutes, and materials must be filed in the parent meeting binder.
- Binder cover to include dates of training

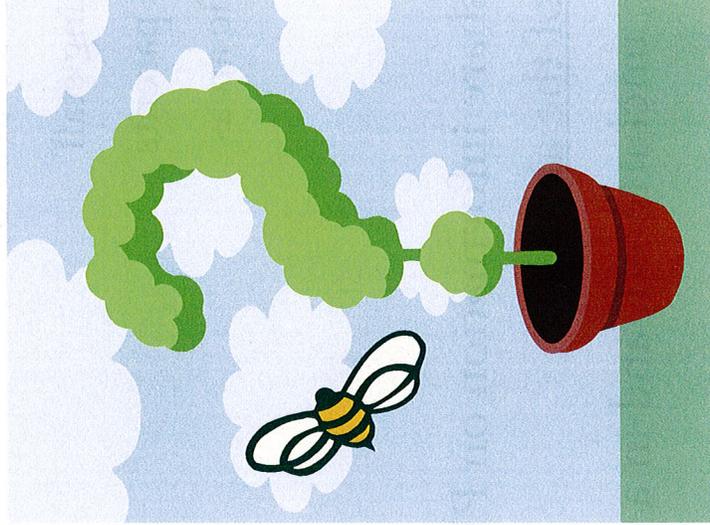
III. Parent Involvement

- Parent Meeting Trainings
 - 3 mandated trainings
 - 9 based on PI survey tallies
 - Filled in parent meeting binder
 - Tally on cover of binder
- Agency-Wide Opportunities
 - Male Involvement
 - Nutrition classes
 - Parenting classes
 - G2g

III. Parent Involvement

- Dissemination of Information
 - CSM sends to all CS and SS
 - Share with teaching staff
 - Personally invite parents
 - Post in high traffic areas
- Parent Boards
 - May be used to share information on PI opportunities in addition to one of the above
 - Must be current, uncluttered, and in a conspicuous area

Questions?



Contra Costa County Employment and Human Services Department
Community Services Bureau
Head Start & Early Head Start Programs
Self-Assessment 2011
February 28, 2011 – March 4, 2011

Overview

The annual Self-Assessment was conducted February 28 through March 4, 2011. The Grantee and Delegate agency continue to join forces to conduct the Self-Assessment. The Grantee also included its Community Action Partnership in the 2011 Self-Assessment process. One item was found to be non-compliant regarding lack of resources provided to families in the Family Partnership process. In addition, strengths were highlighted and several excellent recommendations were made that have already been implemented.

Methodology

Planning Process

The 2011 CSB Planning Calendar clearly delineated the planning process for the 2010 Self-Assessment, which began on October 20, 2010 with appointment of Policy Council members to the Self-Assessment Sub-Committee. On November 17, 2010, the Policy Council was provided an overview of the self-assessment process and more representatives were recruited to the Self-Assessment Sub-Committee. Board Members and Community Partners were also recruited in November and December via personal contacts by various management team members. In January, the Self-Assessment timeline, team composition, site selection, and tool selection were established and presented at various meetings such as Policy Council, Senior Management, Comprehensive Services Management, and Clusters. In early February, last minute refinements were made to the plan and training was conducted, culminating in the implementation during the last week of February. And finally, this report is submitted for approvals in the month of March, as planned.

Monitoring Instruments

Three instruments were chosen to be used in the 2011 Self Assessment:

1. The FY 2011 Office of Head Start Monitoring Protocol was chosen because it is used by Federal Review teams and was developed to incorporate requirements of the 2007 Head Start Reauthorization Act. In addition, this tool places great emphasis on the quality of delivery and management of program services. A slightly abbreviated version of the tool was used.

2. The Classroom Assessment Scoring System (CLASS) Observation Tool was also chosen because it meets the requirements of the reauthorization Act and is used by Federal Review teams.
3. The 2010 Standards of Excellence and Self-Study Questions were chosen to review our Community Action Partnership as it aspires to be a program of excellence. This self-study commenced with the 2011 Self-Assessment and is ongoing until the fall when the results are compiled and, therefore, is only referenced here as part of the initial process.

Site Selection, Protocol Assignment, and Team Composition

Sites were selected and specific protocols were assigned based on the results of ongoing monitoring efforts, anecdotal information garnered from managers responsible for services areas and systems throughout the program, and the yet-to-be-finalized results of the 2009 Federal Review. The Delegate-led teams visited 7 grantee operated sites and Home Base and the Grantee-led teams visited 8 Delegate operated and childcare partner sites as well as the Community Action Partnership (CAP). Team responsibilities mirrored those of a Federal Review Team, with the exception of the CAP team (See attachment 1).

Team Training

The teams gathered at one of four scheduled times between February 22nd and 25th to receive training. All participants were provided with a personalized Self-Assessment packet that included:

- OHS Monitoring Protocol or CAP Self-Study, specific to their assignment
- Agenda
- Training Power Point Handout
- Teams and Site Assignments
- Phone List of all Sites and Offices
- Google[®] Maps or Home Base phone list, specific to their assignment
- Who's Who – A list of content area experts for all programs & services.
- Timeline
- Report template

Implementation

During the week of Self-Assessment, teams conducted site observations, document reviews, file reviews, and interviews on Monday, Tuesday, Wednesday and Thursday. Friday was reserved for report writing. Debrief sessions were held on Tuesday and Thursday afternoons via conference calls. These sessions were held to provide team leaders the opportunity to give preliminary reports and obtain guidance. The debrief sessions also give team leaders an opportunity to inform each other about possible findings so that other teams could check for those same issues at other sites. Report templates were revisited along with reminders as to how to document non-compliances, strengths and recommendations.

Results

Non-Compliances and Strengths

The following chart shows that there was one non-compliance noted in the 2011 Self-Assessment. Several strengths were noted and helpful recommendations were made and implemented.

TEAMS	Site Visited	Non-Compliances
Integrated Services Team 1 – Grantee: <i>Disabilities, Mental Health & Family and Community Partnerships</i>	WCCUSD – Lincoln Cambridge Parkhaven	1 @ Lincoln in Family Partnerships (See Corrective Action Plan below)
Integrated Services Team 1 – Delegate: <i>Disabilities, Mental Health & Family and Community Partnerships</i>	Balboa Lake	None
Integrated Services Team 2 – Grantee: <i>Health, Nutrition, Safe Environments, Transportation</i>	YMCA Richmond CDC Fairgrounds	None
Integrated Services Team 2 – Delegate: <i>Health, Nutrition, Safe Environments, Transportation</i>	Los Nogales Las Deltas	None
Education and Early Childhood Development – Grantee:	Crossroads Martinez ECC	None
Education and Early Childhood Development – Delegate:	Bayo Vista Nelly Gomez – Home Base	None
Program Design & Management – Grantee:	Kid’s Castle Bonnie Duncan Family Child Care	None
Program Design & Management – Delegate:	GMIII Contra Costa College	None
Fiscal Management: Grantee:	FHBS Fiscal Unit	None
Fiscal Management: Delegate:	CSB Fiscal Unit	None
Community Action Program	CSB CAP Program	Report pending in the fall

The following non-compliance was noted:

Family and Community Partnerships: At Lincoln Center in Richmond, 8 out of 8 Family Partnership Agreements stated that the families were stable along all dimensions. Additional information about the families indicated that they had needs in particular areas and were not provided with resources to meet those needs.

Corrective Action Plan:

Finding	Program Type	Corrective Action	Person Responsible	Completion Date	Verification
Compliance Indicator 2.4: (1304.40(b)(1)&(2) While families are engaged in a family partnership agreement, resources were not offered that met their stated need.	Head Start	<ul style="list-style-type: none"> Meet with CSB staff responsible for FCP to review protocols and all files to ensure resources are provided to meet needs. 	FCP Manager: Kristin Cooke	March 17, 2011	Monitoring report, Small Group Conference Form
		<ul style="list-style-type: none"> Emphasize FCP protocols at Comp Services Refresher Training in April 	Assistant Director for Comprehensive Services: Carolyn Johnson	April 27, 2011	Training materials, sign in sheets, evaluations

The following strengths were noted:

Disabilities:

- At Lincoln, excellent bilingual transitions material and resources for pre-school to kindergarten.
- At Lake and Balboa, on-site special education services are offered; also LEA provides transportation to special day class.

Mental Health:

- At Grantee, licensed Mental Health Professionals are available full time, Mon – Fri and are involved in grant writing and other activities to meet the needs of the community.

Family & Community Partnerships:

- At Cambridge Parkhaven, teacher worked with parents to enhance yard to provide a rich outdoor environment.
- At Balboa/Lake, parent handbook is nicely organized.

Health:

- At Fairgrounds, great tracking system; consistency between documentation and tracking system; tremendous efforts in facilitation follow-up with parents
- At Los Nogales & Las Deltas, good utilization of COPA for tracking and identification of concern; binder system and ongoing communication between staff & families is excellent; good training for staff.

Nutrition:

- At Fairgrounds, home visits include great nutritional assessments to compliment those in the file which are done at intake.
- At Los Nogales & Los Deltas, menus are very diverse and monthly nutrition advisory.
- At YMCA Richmond CDC, children brush twice daily and children grow own vegetables and make salads from the produce.

Safe Environments:

- At Fairgrounds, indoor and outdoor exceptionally clean and neat; first aid kits routinely monitored by nurse.
- At Los Nogales & Los Deltas, binder system for easy monitoring, excellent environment including planters and park next door.

Education and Early Childhood Development:

- At Bayo Vista, great staff files, room arrangement, and room cleanliness – very inviting with good CLASS scores; staff and children very familiar with daily routine.
- At Crossroads, exceptional and unique program that meets the needs of a highly vulnerable population.

Program Design & Management:

- At San Pablo, staff and children's files kept up-to-date and PC & parents are well informed.
- At GMIII, excellent monthly calendar sent out with dates and birthdays.
- At FBHS, strong internal controls regarding LPC and board; strong documentation of all systems, exceptional director with strong mentoring and leadership skills.

Fiscal Management:

- At CSB, strong Fiscal Department, strong communication with delegate, PC, and BOS, and strong internal controls
- At FBHS, strong Fiscal Manager, strong internal controls and strong communication with board and LPC.

The following recommendations were made to enhance the program:

Disabilities:

- At Lincoln, ensure timely rescreens so referrals can be expedited.

Family & Community Partnerships:

- At Parkhaven, parent boards need to be updated and include PC documentation.
- At Balboa and Lake, ensure parents get information regarding all training opportunities.

Health:

- Increase monitoring to reduce discrepancies between documentation and COPA.

Safe Environments:

- At Fairgrounds, need to correct puddling in infant-toddler playground
- At Los Nogales, need to replace faulty refrigerator thermometer

Education and Early Childhood Development:

- At Crossroads, need to ensure that home visits are offered to all parents in their home.
- At Bayo Vista, child portfolio notes need to be filed regularly for ease of review.

Program Design & Management & ERSEA:

- At Bonnie Duncan FCC, need to increase eligibility monitoring
- At GM III, increase monitoring to ensure income worksheets are completely filled out.

Evaluation

Plus/Delta

A Plus/Delta evaluation was used at the close of the self-assessment trainings and debrief sessions. Plusses, or things that went well, that were noted were: well organized, helpful training, friendly process, great packets, training was to the point and thorough with clear instructions, using conference call instead of making everyone travel to a meeting. There were no deltas (things to change for next time).

ATTACHMENT 1: 2011 Self-Assessment

Grantee Operated Team – Reviewing Delegate, CAP and Partner Sites

Team Name	Team Members	Sites Visited
Integrated Services Team 1 Disabilities, Mental Health & Family and Community Partnerships	Team Leader: Ana Araujo Eleanor McGuire Kathy Jones, EOC Chair Reyna Flores, PC Parent (Spanish Speaking)	WCCUSD – Lincoln Cambridge Park Haven
Integrated Services Team 2 Health, Nutrition, Safe Environments, Transportation	Team Leader: Debi Marsee Lupita Miramontes Nikki Moultrie, CSB Community Partner	YMCA Richmond CDC Fairgrounds
Education & Early Childhood Development Team	Team Leader: Magda Bedros Afi Fiaxi Joanne Garcia, PC Parent	Crossroads Martinez ECC
Program Design & Management Team PDM & ERSEA	Team Leader: Pam Johnson Cathy McKeever Nimfa Gamez, EOC Member	Kid’s Castle FBHS FCC – Bonnie Duncan
Fiscal Management Team	Team Leader: Vickie Kaplan, Accountant Dawn Miguel, PC Parent	FBHS Fiscal Unit
Community Action Partnership Team	Team Leader: Monica Montano Kristin Cooke Mary Withers Tracy Fraas, EOC Member	CSB CAP

Delegate Team/Partner – Reviewing Grantee Operated Sites

Team Name	Team Members	Sites Visited
Integrated Services Team 1 Disabilities, Mental Health & Family and Community Partnerships	Team Leader: Ginger Novak Brenda W. Battle Maria Arroyo Joanna Garcia, PC Parent	Balboa Lake
Integrated Services Team 2 Health, Nutrition, Safe Environments, Transportation	Team Leader: Aundria Simpson Wayne Batchelor Kitty Lenhart/George Miller	Los Nogales Las Deltas
Education & Early Childhood Development Team	Team Leader: Sue Vo Ulla Estrada Patricia Taylor Dennisha Marsh	Home Base – Nelly Gomez Bayo Vista
Program Design & Management Team PDM & ERSEA	Team Leader: Brenda P. Battle Irene Medina Amy Wells Bob Spear	GMIII Contra Costa College
Fiscal Management Team	Team Leader: Linda Anderson, Fiscal Manager Heather Jackson, PC Parent	CSB Fiscal Unit



Contra
Costa
County

To: Board of Supervisors
From: William Walker, M.D., Health Services Director
Date: November 15, 2011

Subject: Approve New and Recredentialing Providers and Recredentialing Organizational Provider in Contra Costa Health Plan's Community Provider Network

RECOMMENDATION(S):

Approve the list of providers recommended by the Contra Costa Health Plan's Peer Review and Credentialing Committee at their October 11, 2011 meeting, and by the Health Services Director, as required by the State Departments of Health Care Services and Managed Health Care, and the Centers for Medicare and Medicaid Services.

FISCAL IMPACT:

None.

BACKGROUND:

The National Committee on Quality Assurance (NCQA) has requested evidence of Board of Supervisors approval for each Contra Costa Health Plan (CCHP) provider be contained within the provider's credentials file.

The recommendations were made by CCHP's Peer Review and Credentialing Committee.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, CCHP's Providers would not be appropriately credentialed and not be in compliance with the NCQA.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Patricia Tanquary,
313-6004

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

G\C&G DIRECTORY\NON CONTRACTS\2011\bopl-October 11, 2011

Contra Costa Health Plan
Providers Approved by Peer Review and Credentialing Committee
October 11, 2011

CREDENTIALING PROVIDERS OCTOBER 2011	
Name	Specialty
Beeckman, Jennifer, N.P.	Family Medicine
Courtelis, George, M.D.	Surgery – Neurological
Freeman, Vivian, N.P.	Family Planning
Julier, Barbara, M.D.	Primary Care General Practice
Kurwa, Nurjehan, M.D.	Primary Care Pediatrician
Lovett, Peter, M.D.	Primary Care Family Medicine
Masui, Rei, M.D.	Primary Care Pediatrician
Patel, Pragnesh, M.D.	Endocrinology
Raj, Divya, M.D.	Primary Care Family Medicine
Ramakrishnan, Sampath, M.D.	Primary Care Urgent Care
Thakkar, Smita, M.D.	Psychiatry
Tsang, Christine S., FNP	Family Medicine
Wise, Laura, M.D.	Primary Care Family Medicine

RE-CREDENTIALING PROVIDERS OCTOBER 2011	
Name	Specialty
Bhat, Kaleyathodi, M.D.	Allergy & Immunology
Brophy, Donald, DC	Chiropractic
Carmel, Richard, M.D.	Radiation Oncology
Dehlendorf, Christine, M.D.	Family Planning
Dong, Kevin, O.D.	Optometry
Evans, Robert, Ph.D.	Mental Health Services
Harmon, Robert, DDS	Pediatric Dentistry (Pedodontics)
Kaplan, Eugene, M.D.	Urogynecology & Pelvic Reconstructive Surgery

RECREREDENTIALING PROVIDERS OCTOBER 2011

Name	Specialty
Mahony, John, M.D.	Primary Care Family Medicine
Makooi, Mahmood, DC	Chiropractic
Mendoza, Julio, DDS	Dentist
Lee, Scott S., M.D.	Ophthalmology
Leon, Ronald, M.D.	Psychiatry
Leong, Craig, M.D.	Ophthalmology
Lit, Eugene, M.D.	Ophthalmology
Sanford, Mark, AUD	Audiology
Shirai, Ted, DDS	Dentist
Trombla, Laurie, PA	Primary Care Family Medicine
Vallejo, Greg, RDO	Dispensing Optician
Washington, Pamela, FNP	Primary Care Family Medicine

**RECREREDENTIALING ORGANIZATIONAL PROVIDER
OCTOBER 2011**

Provider Name	Provide the Following Services	Location
Dialysis Access Center, Inc.	Dialysis Services/Fistulagrams, perm cath placement, removal, declots	Oakland

bopl-October 11, 2011



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: November 15, 2011

Subject: Status Report on Solar Panel Project at the West County Justice Center

RECOMMENDATION(S):

ACCEPT report from Public Works Director on the status of the Main Street Power solar panel project at the West County Justice Center.

FISCAL IMPACT:

Undetermined. Under its contracts with the County, Main Street Power will pay the entire cost to acquire, construct, and maintain the solar panel system on the County facilities. The total estimated electricity cost savings to the County over the 20-year term of the contracts is approximately \$516,000. Examination of alternative sites for the solar panel installation and mitigation for the tree removal at the West County Justice Center site and evaluation of potential cost implications are currently underway.

BACKGROUND:

Main Street Power has two contracts with the County for installation of solar panel systems at twelve County-owned sites. The installation work is being done by local contractors hired by Main Street Power.

The original installation plan at the West County Justice Center called for both roof-mounted

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Julie Bueren, (925)
313-2201

cc:

BACKGROUND: (CONT'D)

and ground-mounted panels. At the site initially selected for the ground-mounted panels, there was a grove of eucalyptus trees that was removed to accommodate the panel installation. That initial site is adjacent to Point Pinole Regional Shoreline Park and served as a visual buffer between the park and the detention facility. The removal of the trees caused concerns about the appropriateness of the initial site and the esthetics of the project. In response, Public Works/General Services staff directed Main Street Power to stop all work on the ground-mounted site at the West County Justice Center and, on October 4, 2011, staff gave a report to the Board of Supervisors on the solar panel project. The October 4 report reviewed all of the solar project sites with respect to vegetation removal and visual impacts and also provided the status of installation at each site. At the October 4 meeting, the Board directed staff to report back in November with an update of the progress in resolving the issues at the West County Justice Center site.

Staff has asked Main Street Power to look at alternative designs that may include ground-mounted panels at other locations on the property or a carport structure in the parking lot. Staff has also had preliminary discussions with East Bay Regional Park District and has initiated a project to mitigate the loss of the trees and replace the visual buffer. We will continue to involve the Park District in the project planning and design. We will also engage in public outreach to the surrounding communities and park users.

The Public Works Department will make a full report to the Board of Supervisors as soon as we have developed recommendations on both alternative locations for the solar panel installation and the mitigation planting project at the West County Justice Center and have an understanding of the potential costs associated with each component.

CONSEQUENCE OF NEGATIVE ACTION:

None

CHILDREN'S IMPACT STATEMENT:

Not Applicable



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: November 15, 2011

Subject: Transfer of Crockett Co-Generation Plant Property Taxes to Various Crockett Community Projects

RECOMMENDATION(S):

APPROVE and AUTHORIZE the allocation of \$244,325 from the Crockett Co-Generation Property Tax Allocation for four projects as recommended by the Crockett Community Foundation.

FISCAL IMPACT:

100% General Fund.

BACKGROUND:

In September 1995, the Board of Supervisors appointed the Crockett Community Foundation as the advisory council to the Board regarding expenditures from the Community Benefits Program funded from property tax assessments on the Crockett Co-Generation Plant.

On October 6, 2011, by the attached Resolution 2011-2, the Crockett Community Foundation recommended that \$244,325 in property taxes obtained from the Crockett Co-Generation Plant be allocated to the Crockett Community Foundation as follows:

1.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Laura Strobel (925)
335-1091

cc:

BACKGROUND: (CONT'D)

\$21,500 for the benefit of the Crockett Library to continue to provide six additional hours of operation and special library programs;

- \$54,268 for the benefit of the Crockett Recreation Department for capital improvements and maintenance at the Crockett Community Center, swimming pool, and park facility;
- \$77,894 for the benefit of the Crockett Carquinez Fire Department for capital equipment and facility projects;
- \$90,663 for the benefit of the Crockett Sanitary Department for capital improvements in wastewater collection and treatment.

This request for the release of funds was forwarded to the County Administrator's Office for approval and processing.

CONSEQUENCE OF NEGATIVE ACTION:

If the action is not approved, the five-year community benefit plan developed by the Crockett Community Foundation for the allocation of return-to-source funds would be disrupted resulting in a decreased amount of public services in Crockett.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

Resolution 2011-2

RESOLUTION NO. 2011-2

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CROCKETT COMMUNITY FOUNDATION
RECOMMENDING THE ALLOCATION OF PROPERTY TAXES
TO SPECIFIC USES OF BENEFIT TO CROCKETT**

WHEREAS, the Crockett Community Foundation desires to allocate \$244,325 in Crockett Cogeneration Return-to-Source funds for projects and services of benefit to Crockett; and

WHEREAS, the Crockett Library has demonstrated the need to augment available funding for operating the Crockett Library, so as to continue to provide six (6) additional hours of operation and special library programs; and

WHEREAS, the Crockett Recreation Department has demonstrated the need to augment available funding for capital improvements and maintenance at the Crockett Community Center, swimming pool and park facility; and

WHEREAS, the Crockett Carquinez Fire Department has demonstrated the need to augment available funding for capital equipment and projects at its facilities; and

WHEREAS, the Crockett Sanitary Department has demonstrated the need to augment available funding for capital improvements in wastewater collection and treatment; and

WHEREAS, each of these four agencies regularly relies on property taxes to fund a portion of its annual budget and is empowered by law and/or local voters to receive property tax revenues to provide public services in Crockett; and

WHEREAS, the Board of Supervisors of Contra Costa County did on September 19, 1995, appoint the Crockett Community Foundation as the advisory council to the Board of Supervisors regarding expenditures from the Community Benefits Program funded from new property tax increment of the Crockett Cogeneration Plant; and

WHEREAS, the Board of Supervisors of Contra Costa County did on December 12, 1995, commit 100% of new property tax increment of the Crockett Cogeneration Plant to Crockett programs, with 57% for new police services in Crockett and 43% for unspecified community benefits; and

WHEREAS, the Crockett Community Foundation has developed a five-year plan for the allocation of return-to-source funds for community benefits.

NOW, THEREFORE, BE IT RESOLVED THAT the Crockett Community Foundation recommends that Crockett Cogeneration FY 2011/2012 property taxes in the amount of \$244,325 be immediately allocated as follows:

1. Crockett Community Foundation: \$21,500, for benefit of the Crockett Library.
2. Crockett Community Foundation: \$54,268, for benefit of Crockett Recreation Dept.
3. Crockett Community Foundation: \$77,894, for benefit of the Crockett Carquinez Fire Department.
4. Crockett Community Foundation: \$90,663, for benefit of the Crockett Sanitary Dept.

BE IT FURTHER RESOLVED THAT the Secretary of the Crockett Community Foundation be directed to transmit this Resolution No. 2011-2 to the Board of Supervisors of Contra Costa County immediately.

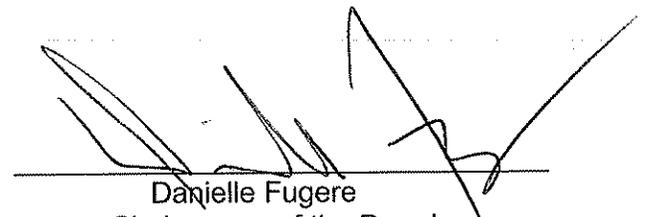
THE FOREGOING RESOLUTION was passed and adopted at the Regular Meeting of the Crockett Community Foundation held on October 6, 2011 by the following vote:

AYES: 6

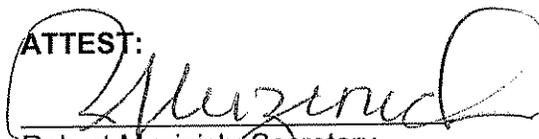
NOES: 0

ABSTAIN: 1 MICHAEL KIRKER

ABSENT: 0



Danielle Fugere
Chairperson of the Board

ATTEST:

Robert Muzinich, Secretary



**Contra
Costa
County**

To: Board of Supervisors
From: Catherine Kutsuris
Date: November 15, 2011

Subject: Allow Property Rental located at 18 Channi Court in Danville

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Conservation and Development or designee, to allow the rental of property owned and currently occupied by Ming Chen and Eric Tam and located at 18 Channi Court in unincorporated Danville, for up to two (2) years. Monthly rents shall not exceed current mortgage payments, property taxes and hazard insurance.

FISCAL IMPACT:

No General Fund Impact.

BACKGROUND:

On July 9, 2002, the Board of Supervisors approved the Camino Tassajara Affordable Housing Program (CTAHP). The CTAHP sets forth requirements to be met by the Camino Tassajara developers (Shapell, Braddock and Logan, and Ponderosa Homes). On January 9, 2006, Shapell and the County entered into a Developer Sales Agreement (Agreement). This Agreement placed conditions on the 127 unit townhome development known as Willow at Alamo Creek. All 127 units were required to be sold to moderate income homebuyers.

In addition, the Agreement stated that all buyers must enter into a Buyer's Resale Restriction

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Alicia Smith,
925-335-7217

cc:

BACKGROUND: (CONT'D)

Agreement (Resale Agreement) with the following requirements:

- The units would have 20 year resale restrictions;
- The homes must be sold at a restricted price to an income eligible buyer (“Eligible Purchaser”); and
- The units must be owner-occupied for 20 years

Willow owners may sell their homes at any time. The resale restriction includes a maximum sales price. There is also a minimum marketing period. If the units cannot be sold, then the County may release the resale requirement. The home can then be sold at market price to any buyer. The County will receive 94% of any profit over the restricted price. This provision is to prevent windfall profits to the seller. In the event of a sale, funds are provided to the County Housing Trust Fund to use for other affordable housing activities. The built in flexibility in the resale restriction allows the County to respond to market conditions when the owner wishes to sell on a case by case basis. The stated policy preference of the Board with respect to these inclusionary units has been to retain them as affordable whenever possible.

Ming Chen and Eric Tam purchased their property in May, 2008, at which time they signed the Resale Agreement. In view of the applicable deed restrictions, the owner is seeking authorization from the County to rent the unit.

The term of this temporary rental shall be for up to two (2) years. Monthly rents shall not exceed current mortgage payments, property taxes and hazard insurance. A review of current apartment and townhome rents in the Danville and the Alamo Creek area indicate that market rents are affordable to moderate income renters (i.e. A moderate income household of four can afford a rent of \$2,800 per month. Apartment and townhome rents currently range from \$1,900 to \$2,500 per month.) Rents are expected to remain affordable to moderate income renters for the next two years. The new tenant shall not be entitled to relocation expenses when the lease terminates. The unit must remain affordable for another moderate income homebuyer.

Due to financial hardship, Ming Chen and Eric Tam request, and staff recommends, that the County allow them to rent their home.

CONSEQUENCE OF NEGATIVE ACTION:

Should this not be approved, the property owner would not be allowed to rent this unit.

CHILDREN'S IMPACT STATEMENT:

Not Applicable



Contra
Costa
County

To: Board of Supervisors
From: Dorothy Sansoe, County Administrator
Date: November 15, 2011

Subject: Extension of Emergency Declaration Regarding Homelessness

RECOMMENDATION(S):

CONTINUE the emergency action originally taken by the Board of Supervisors on November 16, 1999 regarding the issue of homelessness in Contra Costa County.

FISCAL IMPACT:

None.

BACKGROUND:

Government Code Section 8630 required that, for a body that meets weekly, the need to continue the emergency declaration be reviewed at least every 14 days until the local emergency is terminated. In no event is the review to take place more than 21 days after the previous review.

On November 16, 1999, the Board of Supervisors declared a local emergency, pursuant to the provisions of Government Code Section 8630 on homelessness in Contra Costa County.

With the continuing high number of homeless individuals and insufficient funding available to assist in sheltering all homeless individuals and families, it is appropriate for the

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
 Gayle B. Uilkema, District II Supervisor
 Karen Mitchoff, District IV Supervisor
 Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Lavonna Martin,
925-313-6736

cc:

BACKGROUND: (CONT'D)

Board to continue the declaration of a local emergency regarding homelessness.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors would not be in compliance with Government Code Section 8630.

CHILDREN'S IMPACT STATEMENT:

None.



Contra
Costa
County

To: Board of Supervisors
From: Finance Committee
Date: November 15, 2011

Subject: Finance Committee Report - Crockett Co-Generation Plant Property Tax 'Return to Source'

RECOMMENDATION(S):

ACCEPT report on Crockett Co-Generation Plant Property Tax 'Return to Source' Funds.

FISCAL IMPACT:

No specific fiscal impact from this recommended change in policy.

BACKGROUND:

On November 7, 2011 the Finance Committee met and approved the following report.

At the September 13, 2011 meeting of the Board of Supervisors, a referral was made to the Finance Committee to revisit the report of Board-Administered Special Revenues. Due to staffing constraints, rather than reviewing the report of Special Revenue Funds Administered by Board of Supervisors Members as one document, the Committee will review one 'Fund' per meeting in order of need. The Committee was asked to look at the CCFutures Fund and Transient Occupancy Taxes as soon as possible.

The Finance Committee met on September 29 and discussed Transient Occupancy Taxes and County policy regarding allocating General Purpose revenue. Subsequently, on October 25, the Board of Supervisors adopted the Committee's recommendation, consistent with County policy, that all general purpose revenue be deposited directly into Department 0005-General Purpose revenue.

This report focuses on Crockett Co-Generation Plant Property Tax 'Return to Source' Funds and how those

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 11/15/2011 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

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

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

ATTESTED: November 15, 2011

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

By: June McHuen, Deputy

cc:

funds are allocated and administered. A recommended allocation of \$244,325 from the Crockett Community Foundation is currently pending Board of Supervisors review and approval. The current request is to allocate:

-

BACKGROUND: (CONT'D)

- \$21,500 for the Crockett Library to continue to provide six additional hours of operation and special library programs;
- \$54,268 for the Crockett Recreation Department for capital improvements and maintenance at the Crockett Community Center, swimming pool, and park facility;
- \$77,894 for the Crockett Carquinez Fire Department for capital equipment and facility projects; and
- \$90,663 for the Crockett Sanitary Department for capital improvements in wastewater collection and treatment.

Annually, the Community Benefits Program is allocated monies based on property tax assessments from the Crockett Co-Generation Plant.

The County’s obligation to the Crockett Community under the October 1993 contract was a contribution of \$200,000, subject to discounts resulting from State tax shifts, and up to an additional \$250,000 annually for police services. These obligations were based upon a pre-ERAF County property tax allocation rate and a project that was estimated at more than twice its enrolled assessed value. It does not appear that the County had a contractual obligation to divert tax increment to the Crockett community.

Irrespective of the actual project value being half of the original estimate, if the County were to have discounted the \$200,000 obligation in the contract in accordance with the ERAF shift, then the County’s contractual obligation to the Crockett Community Foundation was about \$110,000 (21.5% of the County’s 25.4% share of increment) annually plus up to \$250,000 for police services, creating a range of \$110,000 -- \$360,000. Any amounts granted above that amount can be considered a Board earmark.

HISTORY OF CROCKETT RODEO RETURN TO SOURCE FUNDING

November 3, 1992- By Resolution No. 92/757, Board declares intent to annually dedicate during the project’s operation \$200,000 of project property tax increment for general community uses, and additionally up to \$250,000 of new property tax increment to enhance police services in the Crockett community.

October 19, 1993 - Board approved and authorized CAO to execute an agreement with Crockett Cogeneration, LP, committing the County to annually dedicate during the project’s operation \$200,000 of project property tax increment for general community uses, and additionally up to \$250,000 of new property tax increment to enhance police services in the Crockett community. These amounts would be discounted by any tax losses due to state budget actions. [Though the rates don’t appear in any Board documents prior to 12/12/95, the \$200,000 contribution is based on a rate of 21.5% of the County share (which was estimated at 46.5%) of the estimated \$2,000,000 property tax increment.]

October 17, 1995 - Board approved a revised revenue sharing formula that doubled the allocation of County General Fund property tax increment from the Crockett Cogeneration project to the Crockett community from 21.5% to 43%. This was done because the Finance Committee determined that actual revenues to be allocated to the Crockett community would be less than half originally estimated because (1) ERAF reduced the County’s share of property tax from 46.5% to 25.4% and (2) the \$200 million project AV estimate for Crockett Cogeneration Plant would be closer to \$105 million.

December 12, 1995 - Board approved a revised revenue sharing formula increasing the allocation of County General Fund property tax increment from the Crockett Cogeneration project to the Crockett community for enhanced police services from 26.9% to 57%, with the balance of 43% going for community projects (equivalent to 100% of the County General Fund revenue).

The following is a table tracking the Crockett Co-General Plant taxes and distribution since inception.

Crockett Co-Generation					
<u>Roll</u>	<u>Assessed Value</u>	<u>Prop Tax 1%</u>	<u>Co Share (TRA) 25.4%*</u>	<u>Crockett Share 43%</u>	<u>Sheriff P-Dist 57%</u>
1995	108,787,000	1,087,866	276,318	118,818	157,500
1996	216,497,000	2,164,972	549,903	236,458	313,445
1997	234,816,000	2,348,157	596,432	256,466	339,966
1998	219,186,000	2,191,862	556,733	239,395	317,338

1999	203,617,000	2,036,169	517,187	222,390	294,797
2000	223,393,000	2,233,933	567,419	243,990	323,429
2001	227,240,000	2,272,402	577,190	248,192	328,998
2002	218,856,000	2,188,559	555,894	239,034	316,860
2003	182,230,000	1,822,299	462,864	199,032	263,832
2004	190,000,000	1,900,000	482,600	207,518	275,082
2005	200,000,000	2,000,000	508,000	218,440	289,560
2006	194,000,000	1,940,000	492,760	211,887	280,873
2007	169,000,000	1,690,000	429,260	184,582	244,678
2008	176,000,000	1,760,000	447,040	192,227	254,813
2009	180,792,195	1,807,922	459,212	197,461	261,751
2010	162,552,063	1,625,521	412,882	177,539	235,343
2011	223,700,000	2,237,000	568,198	244,325	323,873

Crockett Co-Generation Plant Property Tax Funds The purpose of this report is not to support nor debate the needs of the Crockett community but rather to focus on the source of allocation to the project. The Board of Supervisors may, of course, allocate general purpose revenues to any project as it sees fit. In the case of these monies and the Crockett Community Foundation, staff is following County policy. Appropriations, not revenues, are allocated annually to the Foundation and identified as General Fund dollars. The monies to be transferred, although calculated using an ‘earmark’ formula, are presented as a recommended appropriation as part of the annual budget. **Staff recommends no change regarding these funds.**

Attachments:

1. November 3, 1992 – Resolution No. 92/757
2. October 19, 1993 – Board Order
3. October 17, 1995 – Board Order
4. December 12, 1995 – Board Order

CONSEQUENCE OF NEGATIVE ACTION:

None.

CHILDREN'S IMPACT STATEMENT:

None.

ATTACHMENTS

Report Attachments 1-4

IN THE BOARD OF SUPERVISORS
OF
CONTRA COSTA COUNTY, STATE OF CALIFORNIA

In the Matter of Board of Supervisors)
Endorsement of Project and Approval of) RESOLUTION NO. 92/757
Community Benefits Program for Crockett)

THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS RESOLVES THAT:

Having been notified that an application for certification to the California Energy Commission (CEC) had been made by Energy National, Inc. (ENI) for a cogeneration project and that a request had been made by members of the Crockett community to provide a mechanism for community input, the Board created the Crockett Advisory Committee (CAC) to involve the community in determining an acceptable community benefit and enhancement program. Since that time there have been many meetings and continuous discussion leading to recommendations from the CAC to the Board on November 3, 1992. After hearing testimony from CAC representatives, representatives of the Applicant ENI and the public, and engaging in additional discussion and negotiation with all members present, a consensus was reached regarding a proposed community benefit and enhancement program for the Crockett area to be incorporated into the CEC approval, conditioning and certification of the project.

The Board having received the Committee's report and all people present, including ENI and C&H Sugar, providing their input, hereby determines and resolves as follows:

- A. The Board of Supervisors, based upon the representations made by representatives of ENI and CAC, endorses the proposed project subject to the certification for operation of the project including all the conditions set forth below in this part A which were agreed to by representatives of ENI before the Board on this date and would be done with CEC project certification:
1. Pay \$300,000 per fiscal year to the Crockett Community Foundation, a tax-exempt charity to be formed to receive and disburse funds for the benefit of the Crockett community; payments shall commence in the fiscal year ending June 30, 1996, and shall continue for 30 years escalating at 3% per year; payments shall be made semi-annually on November 10 and May 10, beginning November 10, 1995.
 2. During construction of the project, ingress and egress of construction truck traffic to the project construction site shall be restricted to Pomona and Port Streets or such other routes as may be designated by the County.
 3. Within six (6) months after the commercial operation date of the project, ENI shall complete resurfacing and repair of Pomona and Port Streets, and such other streets designated for use during construction to the extent that such roadways have been affected by use during construction, as finally determined by County. Such resurfacing and repair shall be performed to the standards mandated by the County for roadways similarly impacted.
 4. ENI agrees to advance to the Foundation up to \$100,000 per year, beginning in 1993, for any purpose including payment of attorneys' fees in excess of the \$15,000 to be paid by Applicant; such advances to be credited against the first annual payment to be made by Applicant to the Foundation.

5. ENI agrees to pay for and complete an alternative roadway study including feasibility studies as may be required to the County's satisfaction. The study shall be conducted in cooperation with the Crockett community and the County.
 6. ENI agrees to pay attorneys' fees incurred by the Advisory Committee and in the formation of the Foundation, not to exceed \$15,000.
- B. Having appeared before the Board on this date, representatives of the Crockett Advisory Committee agreed that they would support the proposed conditions specified in part A and further that the Crockett Chamber of Commerce will support and approve the specified aforementioned ENI commitments regarding community benefits and enhancements as satisfactory. This support will be provided to the CEC by appearance of Ms. Salli Spoon and Ms. Pam Pagni in this regard.
- C. The CEC should be advised that in connection with the foregoing, the Board, on its own, indicates its commitment and intention to a community benefits program for Crockett and other commitments as follows:
1. To annually dedicate during the project's operation \$200,000 of project property tax increment subject to any discounted amounts that may result from tax losses due to adoptions of the State budget and related public funding.
 2. To commit up to \$250,000 of new project property tax increment to enhance law enforcement in the greater Crockett area subject to any discounted amount resulting from any tax losses due to adoptions of the State budget and related public funding.
 3. Establish a community advisory council which shall meet with designated County representatives to obtain input on priorities prior to developing an annual budget proposal and advise the Board of Supervisors on the expenditures from a Board controlled designated fund to serve the said Crockett area separate from any Community Foundation established by ENI and C&H Sugar. If local elections take place for Trustees to oversee a Community Fund, the Trustees could also serve a dual role as the advisory council to the Board of Supervisors.
 4. Agree to explore the feasibility of creating a road fee Area of Benefit with C&H Sugar and ENI to acquire funds to construct an alternate access road.
 5. The Board is the governing body of the Crockett-Valona Fire Protection District and will enter into an appropriate agreement with ENI for payment to provide adequate fire protection for the portion of the ENI project not in the district.
 6. The Board hereby waives any annual fees that may be otherwise required for any ENI project franchise facilities located in Crockett public streets exclusive of any fees required for permits and plan checks (which are to be paid).
 7. The Board directs its Growth Management and Economic Development Agency and component departments to give urgent priority to review, comment and approval of all aspects of the ENI project subject to County review.

- D. C&H Sugar appeared before the Board of Supervisors and indicated its commitment of \$30,000 annually for a period of 15 years to be deposited with the Community Foundation for its use, and C&H Sugar's commitment to relocate its corporate offices from Concord to Crockett within its existing buildings or pay \$650,000 by December 31, 1997.
- E. The County will cooperate with the CEC to assure that the conditions referred to above are implemented to assure their achievement.

Passed by unanimous vote of the Board members present on this 3rd day of November, 1992.

I hereby certify that the foregoing is a true and correct copy of a resolution entered on the minutes of said Board of Supervisors on the date aforesaid.

Witness my hand and the Seal of the Board of Supervisors affixed this 3rd day of November, 1992.

PHIL BATCHELOR, County Administrator and Clerk of the Board of Supervisors

By J. D. Maglio
Deputy Clerk

JILL RAY
3/

-2-

The parties agree that upon its formation the Crockett Community Foundation is intended to be, and shall be recognized as, the third-party beneficiary of this agreement, and could also serve as the advisory council to the Board of Supervisors regarding County commitments of property tax increments. The terms of the agreement have been reviewed by the Crockett Advisory Committee and its attorney and they recommend it be approved.

FINANCIAL IMPACT

As part of the exchange for the commitments made by Crockett Cogeneration and the County for a community benefits program, as contained in the California Energy Commission Conditions of Certification, the project will be constructed and subsequent property tax revenues will accrue to the County.

Dept.: Scott Tandy (646-4087)

D.3



Contra Costa County

TO: BOARD OF SUPERVISORS

FROM: Finance Committee

October 17, 1995

SUBJECT: PROPERTY TAX REVENUE SHARING FOR UNOCAL MODERNIZATION AND CROCKETT CO-GENERATION FACILITY

SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

RECOMMENDATIONS:

- 1. APPROVE a revised revenue sharing formula which doubles the share of County General Fund property tax increment, resulting from the new co-generation facility, to the Crockett Community from 21.5% to 43%.
2. APPROVE a revised revenue sharing formula which doubles the share of County General Fund property tax increment, resulting from the UNOCAL Reformulated Gasoline Project, to the Crockett and Rodeo Community from 21.5% to 43%.

BACKGROUND:

On August 21, the Finance Committee met in Crockett to discuss economic development issues as well as ways and means of financing economic development in Crockett and Rodeo. One method, adopted by the Board in 1993, is to share increases in property taxes with the Community as a result of the construction of a new industrial plant. In that case, a new co-generation plant with a construction cost of nearly \$200 million was built in Crockett and the Board agreed to allocate 21.5% of the County's General Fund share of property tax increment to the Community in addition to using additional revenues to support enhanced law enforcement services.

On September 12, the Board approved the Finance Committee's proposal that the same formulation of 21.5% of general Fund property tax increment revenues, resulting from the UNOCAL Reformulated Gasoline Project, to be allocated to Rodeo and Crockett for the purpose of economic development activities. The UNOCAL modernization program is expected to cost nearly \$100 million. During the September 12 Board meeting, the Supervisors requested figures on the estimated revenue to be shared in the Crockett and Rodeo area.

CONTINUED ON ATTACHMENT: YES

SIGNATURE:

RECOMMENDATION OF COUNTY ADMINISTRATOR: RECOMMENDATION OF BOARD COMMITTEE:

APPROVE

OTHER

Tom Torlakson

Jeff Smith

SIGNATURE(S): Tom Torlakson

DATE OF BOARD ON: October 17, 1995

APPROVED AS RECOMMENDED X OTHER

CONSENT OF SUPERVISORS

UNANIMOUS (ABSENT)

NOES: ABSTAIN:

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 17, 1995

PHIL BATCHELOR, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR

[Signature]

CONTACT:

Community Development-Jim Kennedy
Crockett Chamber of Commerce
Crockett Foundation
County Administrator

On September 18, the Finance Committee reviewed the property tax revenue estimates and took testimony from the President of the Crockett Chamber of Commerce. The Committee requested additional information for its next meeting. On October 2, the Committee was provided with the information presented below.

1. Construction Cost Estimates and Actual Assessed Value Increases

In 1992, Energy National Inc. estimated that the cost to construct their co-generation facility would be \$200 million. All parties negotiating tax sharing agreements used this estimate and assumed that property tax assessments would closely approximate construction costs.

However, the Assessor's Office reports that the latest estimates from the company suggest an estimated completion cost of slightly over \$180 million. Of that amount, the company and the Assessor are reviewing the extent to which some construction costs would not result in increased tax assessments. Typically, the type of construction costs not subject to property taxes are:

1. Costs incurred by the company not on the construction site;
2. administrative and public relations costs;
3. rework and redesign costs;
4. abnormal or unforeseen costs resulting from floods, fire, etc; and
5. construction reserves.

Additionally, the Assessor's staff has indicated that since a substantial amount of the valuation is predicated on depreciating assets, the assessed value of the co-generation facility will decline each year. This means that property tax revenues will decline in subsequent years.

2. Police Services Share of Property Tax Revenue

Attachment A includes the police services and community portions of property tax revenue from the co-generation facility.

3. UNOCAL Reformulated Gasoline Project

Staff calculated revenue sharing figures based on the September 12 Board action, which appear in Attachment B. No actual values have been enrolled by the Assessor to date so these figures are estimates only. As of this writing, the amount of revenue available this year is not known.

4. Planning and Zoning Issues

Community Development staff is currently compiling a "cookbook" on downtown revitalization programs, and a list of financial resources available for economic development. This will be made available to the Crockett Foundation and Chamber of Commerce. Also, Community Development staff is following up on the small lot and height ordinances.

On October 2, the Finance Committee determined that the actual revenue to be allocated to Crockett Community would be less than half originally estimated because:

1. The state shifted property tax revenue to the schools in 1992, 1993, and 1994 resulting in the County General Fund share of property taxes shrinking from 46.5% to 25.5%; and
2. the \$200 million estimated increase in assessed value would be closer to \$105 million in 1995-96 and \$168 million in 1996-97.

Therefore, the Committee determined to recommend a doubling of the share of revenue going to the Crockett Community from the County General Fund from 21.5% to 43%. This revision will result in an additional \$59,409 in revenues to the Crockett Community for a total of \$118,818 in 1995-96, and a corresponding loss to the County General Fund.

Additionally, the Committee recommended the same doubling of the share of revenue resulting from the UNOCAL project, which is estimated to provide an additional \$44,600 and a total of \$89,200 to the Community of Crockett, Rodeo and Torrey, and a corresponding loss to the County General Fund. The first full year of revenue sharing for the UNOCAL project will be 1996-97.

The recommendations would result in an estimated loss to the General Fund as presented below.

	<u>Crockett Co-Generation</u>	<u>Unocal</u>	<u>Total</u>
1995-96	\$59,409	unknown	\$ 59,409
1996-97	\$95,000	\$44,600	\$139,600

TO: BOARD OF SUPERVISORS
FROM: Finance Committee, Tom Torlakson
Jeff Smith



Contra
Costa
County

DATE: December 12, 1995

SUBJECT: PROPERTY TAX SHARING FOR CROCKETT CO-GENERATION FACILITY
AND UNOCAL MODERNIZATION

SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

RECOMMENDATIONS:

1. APPROVE a revised revenue sharing formula which increases the share of County General Fund property tax increment, resulting from the new co-generation facility, for police services from 26.9% to 57%.
2. ESTABLISH a community meeting in the Crockett-Rodeo area to discuss property tax revenue sharing, resulting from the UNOCAL Reformulated Gasoline Project, between Crockett, Rodeo and Tormey.

BACKGROUND:

On December 4, 1995, the Finance Committee met with Crockett and Rodeo Community leaders to discuss property tax revenues resulting from the Crockett Co-Generation facility and the UNOCAL Reformulated Gasoline Project. Testimony focused on the need for more police services and the reduction in revenues for police services from original projections.

The Committee recommended that the revenue sharing formula be changed from 70% - 30% - Crockett programs and County General Fund - to 100% Crockett programs. The amounts of revenue resulting from this new proposal are presented below.

CONTINUED ON ATTACHMENT: YES

SIGNATURE: *Jonny Enee*

RECOMMENDATION OF COUNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

APPROVE

OTHER:

Tom Torlakson

Jeff Smith

SIGNATURE(S): Tom Torlakson

Jeff Smith

ACTION OF BOARD ON December 12, 1995

APPROVED AS RECOMMENDED

OTHER

	1995			1996	
	Original Plan	October Revision	December Proposal	December Proposal	Change from October
Total Revenues to General Fund	\$276,318	\$276,318	\$276,318	\$441,800	0
Revenue to Crockett	59,409	118,818	118,818	191,800	0
Revenue for Police Services in Crockett Area	74,330	74,330	157,500	250,000	131,000
TOTAL to Crockett	\$133,739 (48%)	\$193,148 (70%)	\$276,318 (100%)	\$441,800 (100%)	\$131,000

The Committee also agreed to establish a community meeting in the future in the Crockett-Rodeo area for the purpose of establishing a revenue sharing agreement between Crockett, Rodeo and Tormey resulting from the additional property tax revenues generated by the UNOCAL project. Supervisor Smith and his staff agreed to plan, coordinate and conduct the meeting. Committee staff cautioned that revenue estimates from the UNOCAL project are tentative and subject to change as the project has not been assessed by the county.



**Contra
Costa
County**

To: Board of Supervisors
From: Federal D. Glover, District V Supervisor
Date: November 15, 2011

Subject: Community Benefits Agreement Entered Between Contra Costa County and Genon Marsh Landing, LLC

RECOMMENDATION(S):

APPROVE and AUTHORIZE a Community Benefits Agreement entered into by and between Contra Costa County and Genon Marsh Landing, LLC, where Genon Marsh Landing, LLC provides accrued benefits up to \$6,500,000 to community based organizations over a ten-year period as specified in said agreement, as recommended by Supervisor Federal D. Glover.

FISCAL IMPACT:

There are no definitive hard costs to be borne by Contra Costa County.

BACKGROUND:

Genon Marsh Landing, LLC, ("Marsh Landing") is constructing and plans to own and operate the Marsh Landing Generating Station, a 760 megawatt natural gas-fired electricity generating facility (the "MLGS") to be located on a 27-acre parcel of land on Wilbur Avenue in the currently unincorporated area of Contra Costa County near the City of Antioch, California. On August 25, 2010, the California Energy Commission issued a decision approving Marsh Landing's application for certification for the MLGS and authorizing construction of the MLGS.

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes: See Addendum

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Gayle B. Uilkema, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

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

ATTESTED: November 15, 2011

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

ABSENT: Mary N. Piepho, District III Supervisor

By: June McHuen, Deputy

Contact: David Fraser,
925-427-8138

cc:

BACKGROUND: (CONT'D)

The City of Antioch, California has initiated and is pursuing an annexation request before the Local Agency Formation Commission (“LAFCO”) for the unincorporated area along and around Wilbur Avenue known as the Northeast Annexation, which includes the MLGS Property.

The Parties anticipate that construction and operation of the MLGS will provide benefits to the County and the local economy, including through the generation of tax revenue, the provisions of jobs, and associated economic development, and the County accordingly has expressed its support for construction of the MLGS.

Marsh Landing desires to provide additional community benefits to the County and its citizens, and to work with the County to mitigate the potential impacts of this project through local organizations whose work advances and/or promotes health, welfare, economic development, or other important public interests within the local community.

The Parties desire to enter into this Agreement to specify the terms and conditions that will apply to the additional community benefits to be provided by Marsh Landing, and the County’s continued support for the MLGS.

CONSEQUENCE OF NEGATIVE ACTION:

Community benefit funds of up to \$6,500,000 will not be available to qualified community based organizations for the provision of need services.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

CLERK'S ADDENDUM

APPROVED and AUTHORIZED a Community Benefits Agreement entered into by and between Contra Costa County and Genon Marsh Landing, LLC, as amended today to replace the word "mitigation" with "offset"; and Supervisor Glover will bring to the full Board further information on the process by which beneficiaries are selected.

ATTACHMENTS

Community Benefits Agreement

COMMUNITY BENEFITS AGREEMENT

This **COMMUNITY BENEFITS AGREEMENT** ("Agreement") is entered into effective as of October [___], 2011 (the "Execution Date") by and between CONTRA COSTA COUNTY, CALIFORNIA, a California [_____] ("County") and GENON MARSH LANDING, LLC, a Delaware limited liability company ("Marsh Landing"). County and Marsh Landing are referred to herein individually as a "Party" and collectively as the "Parties."

RECITALS

This Agreement is based on the following facts:

A. Marsh Landing is constructing and plans to own and operate the Marsh Landing Generating Station, a 760 megawatt natural gas-fired electricity generating facility (the "MLGS") to be located on a 27-acre parcel of land on Wilbur Avenue in the currently unincorporated area of Contra Costa County near the City of Antioch, California (the "MLGS Property");

B. On August 25, 2010, the California Energy Commission issued a decision approving Marsh Landing's application for certification for the MLGS and authorizing construction of the MLGS (such decision, as it may be amended and modified from time to time, is the "CEC Decision");

C. The City of Antioch, California has initiated and is pursuing an annexation request before the Local Agency Formation Commission ("LAFCO") for the unincorporated area along and around Wilbur Avenue known as the Northeast Annexation, which includes the MLGS Property (the "Annexation");

D. The Parties anticipate that construction and operation of the MLGS will provide benefits to the County and the local economy, including through the generation of tax revenue, the provisions of jobs, and associated economic development, and the County accordingly has expressed its support for construction of the MLGS;

E. Marsh Landing desires to provide additional community benefits to the County and its citizens, and to work with the County to mitigate the potential impacts of this project through local organizations whose work advances and/or promotes health, welfare, economic development, or other important public interests within the local community; and

F. The Parties desire to enter into this Agreement to specify the terms and conditions that will apply to the additional community benefits to be provided by Marsh Landing, and the County's continued support for the MLGS.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and the mutual covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. COMMUNITY BENEFITS

1.1 Accrued Benefit. Marsh Landing agrees to make available funds in the amounts and according to the schedule and process specified in this entire Section 1. On each Funding Date as defined in Section 1.2, the Accrued Amount specified for such Funding Date shall be deemed to be part of the Accrued Benefit for purposes of this Agreement. The aggregate amount of all Accrued Amounts at any given time, less the aggregate amount of any and all disbursements made pursuant to Section 1.4 below, shall constitute the “Accrued Benefit.” The Accrued Benefit shall be available for disbursement, in whole or in part, at the County’s direction to Qualified Organizations according to the process specified in Section 1.4 below. Upon any such disbursement, the disbursed amount shall be subtracted from the total Accrued Benefit that is available for disbursement and a new Accrued Benefit shall be calculated. Marsh Landing shall maintain an accounting of the Accrued Benefit throughout the term of this Agreement. The total cumulative amount of the Accrued Benefit that may be available for the purposes of this Agreement if all benchmarks listed in Section 1.2 below are met is \$6,500,000.

1.2 Schedule and Amounts. On each of the dates specified in the table below (each a “Funding Date”), funds shall be added to the Accrued Benefit in the amounts specified in the table below (each an “Accrued Amount”):

Funding Date	Accrued Amount
Effective Date of this Agreement	\$ 1,000,000
Upon the commencement of commercial operations of the MLGS, which shall be deemed to have occurred when the Initial Delivery Date has occurred for purposes of the Power Purchase Agreement between Marsh Landing and Pacific Gas and Electric Company (the “ <u>Initial Delivery Date</u> ”).	\$ 500,000
Upon each anniversary of the Initial Delivery Date, up to and including the tenth (10th) such anniversary (after which time this Funding Date and the associated Accrued Amount shall no longer apply).	\$ 400,000 per Funding Date \$ 4,000,000 total

Funding Date	Accrued Amount
<p>If the Annexation Date (as defined below) occurs on or before December 31, 2012, then upon the occurrence of the Annexation Date, and upon each anniversary of the Annexation Date, up to and including the ninth (9th) such anniversary (after which time this funding Date and the associated Accrued Amount shall no longer apply). The “<u>Annexation Date</u>” shall mean the date when the Annexation has been approved by LAFCO and become fully effective. For the avoidance of doubt, if the Annexation Date does not occur on or before December 31, 2012, then the amounts specified in this row of the table shall not be included in the Accrued Amounts.</p>	<p>\$ 100,000 per Funding Date \$ 1,000,000 total</p>

1.3 Disbursement. The County has the right to direct the disbursement of all or part of the Accrued Benefit to a Qualified Organization by sending written notice to Marsh Landing. Such written notice: (a) shall specify the name of the Qualified Organization and the amount of the requested disbursement (which shall never exceed the then-available Accrued Benefit); (b) may request that the disbursement be applied or used by the Qualified Organization for a particular purpose, interest or cause (a “Designation Request”); (c) shall specify any election pursuant to the penultimate sentence of this Section 1.3; and (d) shall be executed by the County’s Representative. Within sixty (60) days after receipt of such written notice, Marsh Landing shall send payment of the disbursement to the designated Qualified Organization, along with any Designation Request. Marsh Landing shall have the right to make the disbursement to the Qualified Organization in Marsh Landing’s own name and to receive any benefits or recognition that may be offered or conferred by the Qualified Organization, subject to the right of the County to elect to share the benefits or recognition that may be offered or conferred by the Qualified Organization by including such a request in any Designation Request. Marsh Landing will communicate any Designation Request to the Qualified Organization, but will have no responsibility or liability under this Agreement for ensuring that the Designation Request is actually complied with, honored or implemented.

1.4 Representatives. Each Party has designated a representative (“Representative”) to carry out the purpose of this Agreement. Each Party represents and warrants to the other Party that its Representative has the legal power, right, and actual authority to act on the Party’s behalf under Section 1.5, and that the decisions of such Representative shall be binding on such Party. As of the Execution Date, each Party shall provide documentation to the other Party demonstrating that such power, right and actual authority has been duly conveyed to its Representative. A Party may change its Representative from time to time by providing a written notice to the other Party identifying the new Representative and his or her contact information, and containing the representation and warranty and associated documentation as required above. Such written notices also shall comply with the requirements of Section 5.3 below.

For County:

Supervisor Federal D. Glover
315 E. Leland Avenue
Pittsburg, CA 94565
Phone: 925-427-8138
Fax: 925-427-8142

For Marsh Landing:

John Chillemi
696 West 10th Street,
PO Box 192
Pittsburg, CA 94565
Phone: 925-427-3560
Fax: 925-427-3518

1.5 Qualified Organizations. As of the Execution Date, the Parties have selected and agreed upon a list of local organizations whose work advances and/or promotes health, welfare, economic development, or other important public interests within the local community. Those organizations are specified below this paragraph and each is deemed to be a “Qualified Organization” for purposes of this Agreement. The list of Qualified Organizations may be modified from time to time by mutual agreement of the Parties’ Representatives to add or remove organizations, provided that any added organizations meet the standard set forth in the first sentence of this Section 1.5. Such modifications will not be effective unless they are memorialized in a written communication between the Representatives and delivered to the Parties as specified in Section 5.3 below.

List of Qualified Organizations as of the Execution Date:

Arts & Cultural Foundation of Antioch
Antioch Little League
Pittsburg Creative Arts Building
URATWORK

2. COUNTY SUPPORT

The County will use best and reasonable efforts to provide expedited County services and actions to Marsh Landing to support the MLGS in post certification compliance matters associated with the CEC Decision, and to support and facilitate completion of the Annexation. As used in this Agreement, “best and reasonable efforts” means that work will be carried out quickly and efficiently, while still complying with all legal, practical and procedural requirements of the County. Marsh Landing acknowledges and agrees that the County’s agreement to use best and reasonable efforts to provide these expedited services and actions to Marsh Landing and to support and facilitate completion of the Annexation, and to perform such reasonable actions as are

necessary to accomplish the purposes and intent of this Agreement, is valuable consideration and a benefit conferred to Marsh Landing by this Agreement. Nothing in this Agreement shall be construed as approval by the County or any other governmental entity, acting in its or their governmental capacity, of any application or request by Marsh Landing, to require such approval, or to release Marsh Landing from any governmental review or requirement pertaining to any application made by Marsh Landing in connection with the MLGS.

3. TERM

This Agreement shall be in effect commencing on the Execution Date; provided, however, that Marsh Landing's obligations to make funding available pursuant to Section 1 above and the County's obligations under Section 2 above shall be conditioned on Marsh Landing first having obtained all authorizations that are required under that certain Credit Agreement for the MLGS dated as of October 8, 2010 ("MLGS Lender Approval"). Marsh Landing shall provide written notice to the County of the date when MLGS Lender Approval has been obtained and the date of such notice shall be the "Effective Date." This Agreement shall be in full force and effect commencing on the Effective Date and shall remain in effect until all possible Funding Dates have passed and the Accrued Benefit has been fully disbursed in accordance with Section 1 above, unless terminated earlier (i) by the mutual agreement of the Parties, (ii) by written notice from either Party in the event that Marsh Landing does not receive the MLGS Lender Approval within sixty (60) days of the Execution Date, or (iii) pursuant to Section 4.2 below.

4. EVENTS OF DEFAULT, DISPUTE RESOLUTION, AND REMEDIES

4.1 Events of Default. A Party will be deemed to be in default under this Agreement ("Defaulting Party") upon the occurrence and continuance beyond all applicable cure periods of any of the following (each shall be an "Event of Default"): (a) the Defaulting Party fails to pay an amount due under this Agreement to the other Party (the "Non-Defaulting Party") and such failure continues for more than thirty (30) days after the date of written notice from the Non-Defaulting Party specifying the amount that is owing and past due in reasonable detail; (b) the Defaulting Party fails to perform any other material obligation under this Agreement and such failure continues for more than thirty (30) days after the date of written notice from the Non-Defaulting Party specifying such failure to perform in reasonable detail; or (c) failure of a representation or warranty set forth in this Agreement to be true in any material respect as of the date when made or required to be made under this Agreement.

4.2 Remedies. If an Event of Default occurs and continues under this Agreement, the remedies of the Non Defaulting Party will be to terminate this Agreement or to seek specific enforcement of this Agreement. County and Marsh Landing waive their respective rights to trial by jury of any claim or cause of action arising out of this Agreement. Neither County nor Marsh Landing shall have any liability or obligation to pay damages to one another or to any other person or entity as a result of or attributable to any Event of Default or other breach or violation of this Agreement.

5. MISCELLANEOUS

5.1 Successors and Assigns. This Agreement inures to the benefit of and binds the Parties and their respective representatives, successors, and permitted assigns. It is not

the intention of the Parties to confer third-party beneficiary rights upon any entity or person. No Party may assign its rights or obligations under this Agreement without the prior written consent of the other Party, which consent shall not be unreasonably withheld, conditioned, or delayed. Notwithstanding the foregoing, Marsh Landing shall have the right, without obtaining County's consent, to assign its rights and obligations under this Agreement to any lender, investor, or financing party providing financing in connection with the MLGS (including any refinancing), or to any entity succeeding to Marsh Landing's ownership interest in the MLGS. County agrees to cooperate with Marsh Landing on reasonable terms to facilitate any assignment that is permitted under the previous sentence, including by executing such acknowledgment, consent and attornment instruments as may be reasonably requested by any such lender, investor, financing party, or successor in interest.

5.2 Integration. This Agreement constitutes the entire agreement between the Parties regarding the subject matter hereof and supersedes all prior discussions and agreements between the Parties with respect to the subject matter hereof.

5.3 Notification. Notices provided under this Agreement shall be in writing and transmitted by mail, overnight mail service, facsimile, or electronic mail. Notice provided to a Party under this Section 5.3 shall be effective when first received by a receiving Party's representative as identified below. Either Party from time to time may change its address, facsimile number or other information for the purpose of notices to that Party by giving notice specifying such change to the other Party in accordance with the terms of this Section 5.3.

Notices to the County shall be addressed to:

Supervisor Federal D. Glover
315 E. Leland Avenue
Pittsburg, CA 94565
Phone: 925-427-8138
Fax: 925-427-8142

With a copy to:

David Twa, County Administrator
Contra Costa County
651 Pine St., 10th Floor
Martinez, CA 94553
Phone: 925-335-1080
Fax: 925-646-1353

and to:

Sharon L. Anderson, County Counsel
Contra Costa County
651 Pine St., 9th Floor
Martinez, CA 94553
Phone: 925-335-1800
Fax: 925-646-1078

Notices to Marsh Landing shall be addressed to:

President
GenOn Marsh Landing, LLC
c/o GenOn California, LLC
696 West Tenth Street
Pittsburg, California 94565
Telephone: 925-427-3560
Facsimile: 925-427-3518
Email: john.chillemi@genon.com

With a copy to:

Steven B. Nickerson
Senior Vice President and Deputy General Counsel Corporate
GenOn Energy, Inc.
1000 Main Street
Houston, Texas 77002
Telephone: 832-357-6440
Facsimile: 678-579-5951
Email: steve.nickerson@genon.com

5.4 Amendment and Modification. This Agreement may be amended, supplemented or modified only by a written instrument duly executed by each Party and referring specifically to this Agreement.

5.5 Governing Law. The Parties agree that the laws of the State of California shall govern the construction and implementation of this Agreement. This Agreement shall be deemed to have been entered into, and obligations hereunder to have been incurred and performed, in Contra Costa County, California.

5.6 Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be illegal, unenforceable, or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions or portions of them (if any) shall not be affected.

5.7 Ambiguities. Each Party and its counsel have participated fully in the review and revision of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not apply in interpreting this Agreement.

5.8 Waiver. No waiver of an Event of Default, breach, failure of any condition, or any right or remedy contained in or granted by the provisions of this Agreement shall be effective unless it is in writing and signed by the Party waiving the Event of Default, breach, failure, right or remedy. No waiver of any Event of Default, breach, failure, right, or remedy shall be deemed a waiver of any other Event of Default, breach, failure, right, or remedy, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies.

5.9 Headings. The headings in this Agreement are included for convenience only and shall not affect the construction or interpretation of any provision in this Agreement or any of the rights or obligations of the Parties.

5.10 Expenses. Except as otherwise provided in this Agreement, each Party shall pay its own expenses and costs related to the preparation of this Agreement or the consummation of the transactions contemplated hereby.

5.11 Exhibits. The Exhibits specifically referred to herein and delivered pursuant hereto are an integral part of this Agreement.

5.13 No Recourse to Affiliates. This Agreement is solely and exclusively between the Parties and any obligations created herein shall be the sole obligations of the Parties. No Party shall have recourse to any affiliate of any other Party for performance of such obligations unless the obligations are guaranteed or assumed in writing by the person or entity against whom recourse is sought.

5.14 Representations and Warranties. Each Party represents and warrants to the other Party as of the Execution Date as follows:

a. The Party has all necessary corporate, governmental, or other power and authority and has taken all actions necessary to enter into this Agreement, to carry out the transactions contemplated hereby, and to authorize the execution and delivery of this Agreement and the consummation of the transactions contemplated hereby, subject in Marsh

Landing's case to obtaining the MLGS Lender Approval, and the Party has provided written documentation of such approvals to the other Party.

b. This Agreement has been duly and validly executed and delivered by the Party and, when executed and delivered by the Party, will constitute a legal, valid and binding obligation of the Party enforceable against it in accordance with its terms except as limited by (i) applicable bankruptcy, insolvency, reorganization, moratorium and other laws of general application affecting enforcement of creditors' rights generally, and (ii) laws relating to the availability of specific performance, injunctive relief or other equitable remedies.

[Signatures appear on next page]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives as of the Execution Date and the Parties agree that execution may be in multiple counterparts, each executed copy of which shall constitute an original of the same instrument. Each Party represents and warrants that the individual(s) executing this Agreement on such Party's behalf has the legal power, right, and actual authority to do so.

GENON MARSH LANDING, LLC

By: _____

Name: _____

Title: _____

CONTRA COSTA COUNTY, CALIFORNIA

By: _____

Name: _____

Title: _____

Approved by:

By: _____

Name: _____

Title: County Attorney



Contra
Costa
County

To: Board of Supervisors
From: INTERNAL OPERATIONS COMMITTEE
Date: November 15, 2011

Subject: Appointments to the Citizens Advisory Committee of the Contra Costa Transportation Authority

RECOMMENDATION(S):

APPOINT the following individual to the Citizens Advisory Committee of the Contra Costa Transportation Authority:

Contra Costa County seat. Jeff Altman, 4197 Beacon Place, Discovery Bay, CA 94505. Term Expiration: March 31, 2015

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The Contra Costa Transportation Authority (CCTA) Citizens Advisory Committee began in 1988 as the "Transportation Partnership Advisory Committee", which was restructured in 1996 as the Citizens Advisory Committee (CAC). The Citizens Advisory Committee (CCTA CAC) reviews transportation issues pertaining to Contra Costa County, advising and providing recommendations to the Transportation Authority's Board. Among other transportation issues the committee will assist the Authority in reviewing the Biennial Growth Management Compliance checklists submitted

APPROVE
 OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR
 RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/15/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
 Gayle B. Uilkema, District II Supervisor
 Karen Mitchoff, District IV Supervisor
 Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III 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: November 15, 2011

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

By: June McHuen, Deputy

Contact: Timothy Ewell,
925-335-1036

cc:

BACKGROUND: (CONT'D)

by local jurisdictions.

The 19-member Citizens Advisory Committee reports directly to the CCTA Board of Directors. Contra Costa County appoints one representative to the Citizens Advisory Committee. Appointees should be citizens with an active interest in transportation, planning and/or growth management.

Conservation and Development department staff conducted a recruitment to fill the current vacancy in the County Representative seat. On October 25th, the Internal Operations Committee approved the nomination of Jeff Altman to the CCTA CAC for considerations by the full Board of Supervisors.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain vacant.

CHILDREN'S IMPACT STATEMENT:

No impact.