

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**

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

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

PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA, MAY BE LIMITED TO TWO (2) MINUTES.

A LUNCH BREAK MAY BE CALLED AT THE DISCRETION OF THE BOARD CHAIR.

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.

**ANNOTATED AGENDA & MINUTES**  
**February 13, 2018**

**9:00 A.M. Convene and announce adjournment to closed session in Room 101.**

**Closed Session**

**A. CONFERENCE WITH LABOR NEGOTIATORS**

1. Agency Negotiators: David Twa and Richard Bolanos.

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, Local 1021; 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 Employees International Union Local 2015; 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; Teamsters Local 856.

2. Agency Negotiators: David Twa.

Unrepresented Employees: All unrepresented employees.

3. Agency Negotiators: Karen Mitchoff and John Gioia

Unrepresented Employee: County Administrator

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

Inspirational Thought- "*A warm smile is the universal language of kindness.*" ~William Arthur Ward

Present: John Gioia, District I Supervisor; Candace Andersen, District II Supervisor; Diane Burgis, District III Supervisor; Karen Mitchoff, District IV Supervisor; Federal D. Glover, District V Supervisor

Staff Present: David Twa, County Administrator

**CONSIDER CONSENT ITEMS** (Items listed as C.1 through C.66 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Supervisor or on request for discussion by a member of the public. **Items removed from the Consent Calendar will be considered with the Discussion Items.**

**PRESENTATIONS (5 Minutes Each)**

**PR.1** PRESENTATION to recognize Robert Campbell, elected Auditor-Controller, for his 30 years of outstanding service to the citizens of Contra Costa County. (David Twa, County Administrator)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

PRESENTATION to recognize the participation and generosity of County employees in the 2017 Counties Care Holiday Food Fight. (Larry Sly, Executive Director, Food Bank, and Kate Sibley, Executive Assistant, LAFCO)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

## **DISCUSSION ITEMS**

**D. 1** CONSIDER Consent Items previously removed.

*The Board made comments on items C.1 and C.17, and subsequently adopted them as presented.*

**D. 2** PUBLIC COMMENT (2 Minutes/Speaker)

*There were no requests to speak at Public Comment.*

**D.3** CONSIDER accepting the 2017 Annual Report from the Contra Costa County Flood Control and Water Conservation District (Flood Control District); DIRECT the Chief Engineer, or designee, to implement the Action Plans in the report, with a follow-up report to the Board of Supervisors annually; and REFER the Flood Control District's efforts to develop sustainable funding to the Transportation, Water and Infrastructure Committee, Countywide. (100% Flood Control District Funds) (Tim Jensen, Public Works Department)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**D.4** CONSIDER authorizing the Conservation and Development Department to convene a series of public meetings with people and parties to assist in the policy review and generation of reform ideas to further promote and incentivize agricultural sustainability and economic vitality in Contra Costa County. (100% Livable Communities Trust Fund, District III portion) (Supervisor Burgis)

*Speaker: Lisa Borba, Ron Nunn Farms.*

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**D.5** CONSIDER approving and authorizing the Clerk-Recorder or designee to execute a contract, subject to approval by the County Administrator and approval as to form by County Counsel, with Dominion Voting Systems, Inc., in an amount not to exceed \$6,750,000 for the purchase, licensing, storage, and six years of maintenance of Dominion's Democracy Suite voting system, for the period March 1, 2018 through December 31, 2023. (Joe Canciamilla, Clerk-Recorder)

*Jan Warren, resident of Walnut Creek.*

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**D. 6** CONSIDER reports of Board members.

*There were no items reported today.*



## ***ADJOURN***

### **CONSENT ITEMS**

#### **Road and Transportation**

**C.1** TERMINATE the emergency action originally taken by the Board of Supervisors on March 7, 2017, pursuant to Public Contract Code Sections 22035 and 22050, to repair the Morgan Territory Road Slide Repair Project, and ACCEPT contracted work as complete, as recommended by the Public Works Director, Clayton area. (100% Local Road Funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.2** APPROVE and AUTHORIZE the conveyance of Contra Costa County property rights located in Imhoff Road right of way in the vicinity of Highway 4 (SR4) and Interstate 680 (I-680)/SR4 Interchange in Martinez, to the State of California, Department of Transportation, for the purchase price of \$3,000; and AUTHORIZE related action, as recommended by the Public Works Director. (100% County Road Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

#### **Engineering Services**

**C.3** ADOPT Resolution No. 2018/32 accepting completion of improvements for road acceptance RA17-01252, for a project developed by Pacific-Mountain Contractors of California, Inc., as recommended by the Public Works Director, Alamo area. (100% Developer Fees)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.4** ADOPT Resolution No. 2018/35 approving the tenth extension of the Drainage Improvement Agreement for drainage acceptance DA04-00035, for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, Danville area. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.5** ADOPT Resolution No. 2018/38 approving the fourth extension of the Subdivision Agreement for subdivision SD91-07553, for a project being developed by Alamo Land Investors, LLC, and Alamo 37, LLC, as recommended by the Public Works Director, Alamo area. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.6** ADOPT Resolution No. 2018/39 accepting completion of warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, subdivision SD13-09325, for a project developed by Western Pacific Housing, Inc., as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (100% Developer Fees)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.7** ADOPT Resolution No. 2018/40 accepting completion of warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, subdivision SD13-09303, for a project developed by Western Pacific Housing, Inc., as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (100% Developer Fees)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.8** ADOPT Resolution No. 2018/50 accepting completion of private improvements for subdivision MS14-00013, for a project developed by Pacific Union Property Developers, LLC, as recommended by the Public Works Director, Alamo area. (100% Developer Fees)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Special Districts & County Airports**

**C.9** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute on behalf of the County, (1) a consent to assignment of the lease between the County and the current tenant, Aerosports, Inc., dba Bay Area Skydiving, and the new tenant, West Coast Air Sports, Inc. to assign its lease of the County-owned property located at 6901 Falcon Way, Byron, to West Coast Air Sports, Inc.; and (2) an amendment to the lease between the County, as landlord, and West Coast Air Sports, Inc., as tenant, that clarifies that the premises subject to the lease is located at 6901 Falcon Way, Byron (100% Airport Enterprise Fund).

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.10** APPROVE and AUTHORIZE the Director of Airports to terminate a lease Agreement and a license agreement between the County and Aerosports, Inc. dba Bay Area Skydiving, for the use of two locations at Byron Airport. AUTHORIZE County Counsel to pursue legal action to regain possession of both premises (100% Airport Enterprise Fund).

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.11** As the governing body of the Contra Costa County Flood Control & Water Conservation District: ACCEPT the Assignment of Easement Deeds dated January 16, 2018, from Contra Costa County for interest in real property identified as a portion of Assessor's Parcel Numbers 184-070-011 and 184-070-027 in connection with the Las Trampas Creek Project, as recommended by the Chief Engineer, Walnut Creek area. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.12** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Lorraine McPherson and Kevin Wheeler for a T-hangar at Buchanan Field Airport effective February 1, 2018 in the monthly amount of \$394.10 (100% Airport Enterprise Fund).

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.13** ADOPT Resolution No. 2018/58 accepting as complete, the contract work performed by Suarez & Munoz Construction, Inc., for the Montalvin and MonTara Bay Parks Improvement Project, Denise Drive and 2250 Tara Hills Drive, San Pablo, as recommended by the Public Works Director. (100% County Service Area M-17)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.14** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Matt Giudice for a shade hangar at Buchanan Field Airport effective February 1, 2018 in the monthly amount of \$177.07 (100% Airport Enterprise Fund).

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 15** APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Robert Hawkins and Lisa Tyler for a T-hangar at Buchanan Field Airport effective February 15, 2018 in the monthly amount of \$394.10. (100% Airport Enterprise Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Claims, Collections & Litigation**

**C. 16** DENY claims filed by Marta Chavalas, Doug MacMaster, Daneshece Montanocordoba, Dan O'Connor, and David Stack.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Statutory Actions**

**C. 17** ADOPT Resolution No. 2018/62 calling a special election on Regional Measure 3, a measure proposed by the Bay Area Toll Authority to increase tolls on Bay Area bridges, and calling for the election to be consolidated with the statewide primary election on June 5, 2018, as recommended by the Conservation and Development Director.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 18** APPROVE Board meeting minutes for January 2018, as on file with the Office of the Clerk of the Board.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Honors & Proclamations**

**C. 19** ADOPT Resolution No. 2018/57 recognizing Robert Campbell, elected Auditor-Controller, for his 30 years of outstanding service to the citizens of Contra Costa County, as recommended by the County Administrator.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 20** ADOPT Resolution No. 2018/60 recognizing Susan & Sal Captain as Moraga Business persons of the year, as recommended by Supervisor Andersen.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 21** ADOPT Resolution No. 2018/63 to recognize the participation and generosity of County employees in the 2017 Counties Care Holiday Food Fight, as recommended by the County Administrator.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 22** ADOPT Resolution No. 2018/64 recognizing Ida Jean Seawright Kisack upon the occasion of her 100th Birthday, as recommended by Supervisor Andersen.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Ordinances**

**C. 23** ADOPT Ordinance No. 2018-03 amending the County Ordinance Code to exclude from the Merit System the new classification of Departmental Personnel Officer-Exempt. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Hearing Dates**

**C. 24** FIX public hearing for February 27, 2018, at 9:30 a.m., to receive public input regarding the adoption of an ordinance authorizing an increased special tax for police protection services in County Service Area (CSA) P-5 and a resolution directing the ordinance to be presented to the CSA P-5 voters for approval at the June 5, 2018, primary election and DIRECT the Clerk of the Board to give notice of the hearing pursuant to Government Code sections 50077, subdivision (a), and 6062a, as recommended by Supervisor Andersen. (100% CSA P-5 Ad Valorem Tax revenue)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Appointments & Resignations**

**C. 25** ACCEPT the resignation of Diane C. Riise, DECLARE a vacancy in the District II seat on the Contra Costa County Library Commission, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Andersen.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 26** APPOINT Sunita Frey to the District V-A seat on the Alcohol and Other Drugs Advisory Board, as recommended by Supervisor Glover.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 27** APPOINT Leslie May to the District V- Family seat on the Contra Costa County Mental Health Commission, as recommended by Supervisor Glover.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 28** APPOINT Saima Shah to the District V seat 1 on the Bay Point Municipal Advisory Council, as recommended by Supervisor Glover.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 29** APPOINT Marcia Lessley to the District V seat 4 on the Bay Point Municipal Advisory Council, as recommended by Supervisor Glover.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.30** REAPPOINT Leland Mlejnek Jr to the Appointee 2 seat, Mark Young to the Appointee 4 seat, Richard Kopf to the Appointee 8 seat and REASSIGN Linda Schultz to the Appointee 3 seat, Anthony Anastanio to the Round Hill County Club seat, DECLARE a vacancy in the 1st Alternate and 2nd Alternate seats on the County Service Area P-5 Citizen Advisory Committee, and DIRECT the Clerk of the Board to post the vacancies, as recommended by Supervisor Andersen.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.31** REAPPOINT Susan Heckly to the District II seat on the Fish and Wildlife Committee, as recommended by Supervisor Andersen.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.32** ACCEPT the resignation of Jessica Marantz, DECLARE a vacancy in the Appointee 1 seat on the Kensington Municipal Advisory Council, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Gioia.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.33** REAPPOINT Robert Combs to the District II seat on the Iron Horse Corridor Management Program Advisory Committee, as recommended by Supervisor Andersen.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Appropriation Adjustments**

**C.34** Acting as the Governing Board of the Contra Costa County Fire Protection District, APPROVE Appropriation and Revenue Adjustment No. 5055 authorizing new revenue in the amount of \$25,000 from the Andeavor Foundation and appropriating it in the Contra Costa County Fire Protection District (7300) for the purchase of hazardous multi-gas detection related equipment for use by the District. (100% Restricted Donation revenue)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Personnel Actions**

**C.35** ADOPT Position Adjustment Resolution No. 21815 to establish the class of Training and Staff Development Specialist (represented) and allocate it to the Salary Schedule; and reclassify one Senior Health Education Specialist (represented) position and one Administrative Services Assistant III (represented) position and its incumbents to Training and Staff Development Specialist (represented) in the Health Services Department. (100% Offset with Third Party Revenues)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.36** ADOPT Position Adjustment Resolution No. 22147 to reallocate the salary of Assistant Clinical Laboratory Manager (represented) classification on the salary schedule in the Health Services Department. (100% Hospital Enterprise Fund I)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.37** ADOPT Position Adjustment Resolution No. 22227 to establish the classification of Departmental Personnel Officer-Exempt (unrepresented) on the salary schedule in Contra Costa County; add one Departmental Personnel Officer-Exempt position and cancel one Administrative Services Officer position in the Public Works Department. (100% Various Public Works Funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.38** ADOPT Position Adjustment Resolution No. 22237 to add one Public Health Program Specialist I (represented) in Health Services Department. (100% Proposition 56 - Healthcare, Research and Prevention Tobacco Tax Act of 2016 funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.39** ADOPT Resolution No. 2018/59 reallocating the salary of specified classifications in the County Administrator's Office. (100% General Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Grants & Contracts**

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

**C.40** APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract containing modified indemnification language and accept reimbursement in an amount not to exceed \$5,000 from The Center for Natural Land Management for the provision of noxious weed control services in Windermere Preserve for the period January 10, 2018 through September 30, 2018. (No County match)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.41** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to accept increased grant funding from the California Governor's Office of Emergency Services in an amount not to exceed \$695,688 for a total contract amount of \$1,653,430, and extend the term from July 1, 2016 through June 30, 2018 to July 1, 2016 through December 31, 2019.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.42** Acting as the Governing Board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to accept grant funding from the Andeavor Foundation in an amount not to exceed \$25,000 for the purchase of hazardous multi-gas detection equipment. (100% Restricted Donation revenue)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C.43** ADOPT Resolution No. 2018/51 authorizing the Sheriff-Coroner, or designee, to apply for and accept a grant from the California Office of Traffic Safety in an initial amount of \$469,020 for the Sheriff's Forensic Services Unit to purchase forensics equipment for the period October 1, 2018 to the end of the grant period.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

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

C. 44 APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract amendment with Dudek, a corporation, to extend the term from February 18, 2018 through June 30, 2019 with no change to the payment limit of \$223,801, to provide continued service to complete the environmental impact report for the Byron Airport General Plan Amendment and Airport Land Use Compatibility Plan update. (100% Mariposa Energy Project Community Benefits Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

C. 45 APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Sure Fire Protection Company, Inc., in an amount not to exceed \$800,000 to provide fire system and fire sprinkler inspection, repair and certification services, for the period of March 1, 2018 through February 28, 2021, as recommended by the Public Works Director, Countywide. (100% General Fund)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

C. 46 APPROVE the Upper Sand Creek Basin Wetland Restoration Project contingency fund increase of \$25,000, for a new contingency fund total of \$80,804, and a new payment limit of \$218,846, effective February 13, 2018, as recommended by the Chief Engineer; Antioch area. (100% Drainage Area 130 Funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

C. 47 APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract with Community Housing Development Corporation in an amount not to exceed \$137,090 to administer and disburse funding to non-profit entities to complete community-based projects in the North Richmond area for the period February 1 through July 30, 2018. (100% North Richmond Mitigation Fee funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

C. 48 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with ABF Data Systems, Inc. (dba Direct Systems Support), in an amount not to exceed \$227,813 to provide support services for IBM and Lenovo servers, and a server support agreement for the period March 21, 2018 through March 20, 2019. (100% Hospital Enterprise Fund I)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

C. 49 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order amendment with Werfen USA, LLC., to increase the payment limit by \$100,000 to a new payment limit of \$513,275 for a blood analyzer, supplies, and reagents for the clinical laboratory at the Contra Costa Regional Medical Center, for the period May 1, 2013 through April 30, 2018. (100% Hospital Enterprise Fund I)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

C. 50 APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Boston Scientific Corporation in an amount not to exceed \$560,000 for the purchase of specialty medical supplies and equipment for the Contra Costa Regional Medical Center for the period January 1, 2018 through December 31, 2019. (100% Hospital Enterprise Fund I)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 51** APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Beckman Coulter, Inc., in the amount of \$253,395 to procure an analyzer of blood and body fluids for the clinical laboratory at the Contra Costa Regional Medical Center and Health Centers. (100% Hospital Enterprise Fund I)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 52** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a Services Agreement with Gemalto Cogent, Inc., in an amount not to exceed, \$120,000 for the services and maintenance enhancement of a dedicated on-site support engineer for the period February 20, 2018 through February 19, 2019. (100% CAL-ID Remote Access Network funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 53** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Martinez Early Childhood Center to increase the payment limit by \$15,000 to a new payment limit of \$251,000 to fund four additional childcare slots in Early Head Start and Head Start program enhancement services, with no change to the term of July 1, 2017 through June 30, 2018. (100% Federal)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 54** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Baby Yale Academy, Inc. to increase the payment limit by \$83,500 to a new payment limit of not to exceed \$168,500, to add 21 childcare slots and start-up funds for Early Head Start Childcare Partnership program services, with no change to the term of December 1, 2017 through June 30, 2018. (100% Federal)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

### **Other Actions**

**C. 55** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to enter into an Agreement with SightLife, for the release and removal of donor tissue by Sightlife, for the period of May 1, 2018 through April 30, 2020. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 56** ACCEPT the 2017 In-Home Supportive Services Public Authority Advisory Committee Annual Report, as recommended by the Employment and Human Services Department Director.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 57** ACCEPT the Contra Costa County Library Commission 2017 Annual Report and 2018 Work Plan, as recommended by the County Librarian.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover



**C. 58** APPROVE and AUTHORIZE the allocations of \$1,600,000 in HOME Investment Partnerships Act funds to SP Commons, L.P. for the St. Paul's Commons Project located in the City of Walnut Creek, as recommended by the Affordable Housing Finance Committee. (100% Federal funds)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 59** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Donor Network West, effective February 1, 2018, to add emergency preparedness obligations on both contracting parties related to organ and tissue donation, through October 31, 2019. (Non-financial agreement)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 60** APPROVE the list of providers recommended by the Contra Costa Health Plan's Peer Review and Credentialing Committee and 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 Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 61** ACKNOWLEDGE receipt of Administrative Bulletin No. 437 on Pre-Employment Screening Policy.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 62** APPROVE and ADOPT the attached organizational conflict-of-interest policy for Design-Build projects as required by Public Contract Code section 22162, as recommended by the County Administrator.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 63** APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a Memorandum of Understanding with the County of San Mateo's Northern California Regional Intelligence Center, including modified indemnification language, to share information as it relates to narcotics trafficking, organized crime, and terrorism related activities. (No fiscal impact)

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 64** ACCEPT quarterly report of the Post Retirement Health Benefits Trust Agreement Advisory Body, as recommended by the Post Retirement Health Benefits Trust Agreement Advisory Body.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 65** ADOPT Resolution No. 2018/54 authorizing appropriate County officials continued access to confidential County sales and use tax records, as recommended by the County Administrator.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

**C. 66** REFER to the Public Protection Committee consideration of producing a Multi-Agency Juvenile Justice Plan, as recommended by Supervisor Gioia.

AYE: District I Supervisor John Gioia, District II Supervisor Candace Andersen, District III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

## **GENERAL INFORMATION**

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

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to a majority of the members of the Board of Supervisors less than 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 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](http://www.co.contra-costa.ca.us)

## **STANDING COMMITTEES**

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

The **Family and Human Services Committee** (Supervisors Candace Andersen and John Gioia) meets on the fourth Monday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Finance Committee** (Supervisors Karen Mitchoff and John Gioia) meets on the fourth Monday of the month at 9:00 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Hiring Outreach Oversight Committee** (Supervisors Candace Andersen and Federal D. Glover) meets on the first Monday of every other month at 1:00 p.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Internal Operations Committee** (Supervisors Diane Burgis and Candace Andersen) meets on the second Monday of the month at 1:00 p.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Legislation Committee** (Supervisors Karen Mitchoff and Diane Burgis) meets on the second Monday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Public Protection Committee** (Supervisors John Gioia and Federal D. Glover) meets on the first Monday of the month at 10:30 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

The **Transportation, Water & Infrastructure Committee** (Supervisors Karen Mitchoff and Candace Andersen) meets on the second Monday of the month at 9:00 a.m. in Room 101, County Administration Building, 651 Pine Street, Martinez.

Airports Committee	March 14, 2018	11:00 a.m.	See above
Family & Human Services Committee	February 20, 2018 Special Meeting	9:00 a.m.	See above
Finance Committee	February 26, 2018 Canceled	9:00 a.m.	See above
Hiring Outreach Oversight Committee	April 2, 2018	1:00 p.m.	See above
Internal Operations Committee	March 12, 2018	1:00 p.m.	See above
Legislation Committee	March 12, 2018	10:30 a.m.	See above
Public Protection Committee	March 5, 2018	10:30 a.m.	See above
Transportation, Water & Infrastructure Committee	March 12, 2018	9:00 a.m.	See above

**PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH  
RESPECT TO AN ITEM THAT IS ON THE AGENDA, MAY BE LIMITED TO TWO (2) MINUTES**

**A LUNCH BREAK MAY BE CALLED AT THE DISCRETION OF THE BOARD CHAIR**

**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  
**CCCFPD (ConFire)** Contra Costa County Fire Protection District  
**CCHP** Contra Costa Health Plan  
**CCTA** Contra Costa Transportation Authority  
**CCRMC** Contra Costa Regional Medical Center  
**CCWD** Contra Costa Water District

**CDBG** Community Development Block Grant  
**CFDA** Catalog of Federal Domestic Assistance  
**CEQA** California Environmental Quality Act  
**CIO** Chief Information Officer  
**COLA** Cost of living adjustment  
**ConFire** (CCCFPD) Contra Costa County Fire Protection District  
**CPA** Certified Public Accountant  
**CPI** Consumer Price Index  
**CSA** County Service Area  
**CSAC** California State Association of Counties  
**CTC** California Transportation Commission  
**dba** doing business as  
**DSRIP** Delivery System Reform Incentive Program  
**EBMUD** East Bay Municipal Utility District  
**ECCFPD** East Contra Costa Fire Protection District  
**EIR** Environmental Impact Report  
**EIS** Environmental Impact Statement  
**EMCC** Emergency Medical Care Committee  
**EMS** Emergency Medical Services  
**EPSDT** Early State Periodic Screening, Diagnosis and Treatment Program (Mental Health)  
**et al.** et alii (and others)  
**FAA** Federal Aviation Administration  
**FEMA** Federal Emergency Management Agency  
**F&HS** Family and Human Services Committee  
**First 5** First Five Children and Families Commission (Proposition 10)  
**FTE** Full Time Equivalent  
**FY** Fiscal Year  
**GHAD** Geologic Hazard Abatement District  
**GIS** Geographic Information System  
**HCD** (State Dept of) Housing & Community Development  
**HHS** (State Dept of ) Health and Human Services  
**HIPAA** Health Insurance Portability and Accountability Act  
**HIV** Human Immunodeficiency 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  
**PEPRA** Public Employees Pension Reform Act  
**Psy.D.** Doctor of Psychology  
**RDA** Redevelopment Agency  
**RFI** Request For Information  
**RFP** Request For Proposal  
**RFQ** Request For Qualifications  
**RN** Registered Nurse  
**SB** Senate Bill  
**SBE** Small Business Enterprise  
**SEIU** Service Employees International Union  
**SUASI** Super Urban Area Security Initiative  
**SWAT** Southwest Area Transportation Committee  
**TRANSPAC** Transportation Partnership & Cooperation (Central)  
**TRANSPLAN** Transportation Planning Committee (East County)  
**TRE** or **TTE** Trustee  
**TWIC** Transportation, Water and Infrastructure Committee  
**UASI** Urban Area Security Initiative  
**VA** Department of Veterans Affairs  
**vs.** versus (against)  
**WAN** Wide Area Network  
**WBE** Women Business Enterprise  
**WCCTAC** West Contra Costa Transportation Advisory Committee



# Contra Costa County

To: Board of Supervisors  
 From: David Twa, County Administrator  
 Date: February 13, 2018

Subject: Presentation to recognize Robert Campbell, elected Auditor-Controller, for his 30 years of outstanding service to the citizens of Contra Costa County.

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☒ APPROVE
 ☐ OTHER  
☒ RECOMMENDATION OF CNTY ADMINISTRATOR
 ☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, 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: February 13, 2018

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

By: Stephanie Mello, Deputy

Contact: Elizabeth Verigin, (925) 646-2185

cc:



Contra  
Costa  
County

To: Contra Costa County Flood Control District Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: 2017 Annual Report on CCC Flood Control and Water Conservation District, Countywide.

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**RECOMMENDATION(S):**

ACCEPT the 2017 Annual Report from the Contra Costa County Flood Control and Water Conservation District (FC District), Project No.: 7505-6F8135, and;

DIRECT the Chief Engineer, FC District, or designee, to implement the Action Plans in the report, with a follow-up report to this Board annually and;

REFER the FC District's efforts to develop sustainable funding for flood protection to the Transportation, Water and Infrastructure Committee.

**FISCAL IMPACT:**

Preparation cost of this report was \$15,000, which was funded by FC District Funds. Implementation of the recommended action plans and assessment studies over the next eight years will cost approximately \$5,800,000 to be funded by FC District and Flood Control Zone Funds, with ongoing efforts to offset expenses with grant funds.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Tim Jensen, (925)  
313-2390

By: June McHuen, Deputy

## BACKGROUND:

On November 5, 2013, the FC District presented to the Board its first annual report on flood protection infrastructure in order to understand its history, condition, and future needs. Annually in February, starting in 2014, we presented the Board with the FC District's Annual Report for the previous year. The 2017 Annual Report is provided to update the Board on the FC District's accomplishments in 2017 as well as future challenges and next steps.

In summary, our community outreach events were successful, our capital programs made progress, and our studies of aging infrastructure and unsustainable service levels continued to highlight some major concerns, primarily regarding lack of funding.

Highlights of 2017 include:

- FC District staff visited Representatives at the State Capitol, talking about the need for stormwater funding.
- The Lower Walnut Creek Restoration Project wrapped up its community-based planning process and received over \$2M in new grant funding.
- Students at Walnut Creek Intermediate School held a "Stay Out, Stay Alive" assembly attended by both the County Fire District's Swift Water Rescue Team and FC District staff.
- The FC District completed a 5<sup>th</sup> annual "Giving the Natives a Chance" community planting day, with over 150 volunteers planting about 7,000 native grass plugs.
- The Wildcat/San Pablo Creeks levee remediation project was constructed, reducing flood risk in the North Richmond area. The State Department of Water Resources provided \$650,000 in additional grant funds on top of their original \$1.5M grant.
- The RainMap rainfall tracking and forecasting online tool received a California State Association of Counties Challenge Merit Award. The RainMap is available at [www.cccounty.us/RainMap](http://www.cccounty.us/RainMap).
- The FC District installed 11 new stream gauges funded by a \$205,000 Department of Water Resources Flood Emergency Response Grant.
- The Three Creeks Project is at the 90% design stage and expected to begin construction next year.
- Facility Condition Assessments for all FC District infrastructure are halfway complete through the ten-year program.

We continue working with the California State Association of Counties and the County Engineers Association of California after the passage of SB231, which could allow agencies to charge property owners for stormwater services, similar to the exemption that water and wastewater utility districts have under Proposition 218 voter requirements. We, like other agencies, are cautiously moving forward on determining how SB231 will assist in creating sustainable funding sources to meet the FC District's needs.

The FC District will continue implementation of the action plans outlined in the Annual Report. The key action for the next few years will be to focus on developing sustainable funding for regional flood protection and community drainage. For the full report and past reports, visit [www.cccounty.us/5815/Annual-Reports](http://www.cccounty.us/5815/Annual-Reports).

Staff recommends that the Board accept the 2017 Annual Report from the FC District, direct the Chief Engineer to continue with the action plans recommended in the Report, with a follow-up report to this Board annually, and refer the effort to develop sustainable funding for regional flood protection and community drainage to the Transportation, Water and Infrastructure Committee.

## CONSEQUENCE OF NEGATIVE ACTION:



If the Board does not accept this report, the County's flood protection and community drainage infrastructure issues will not be adequately addressed, which will lead to lower levels of flood protection for our communities in the future.



Contra  
Costa  
County

To: Board of Supervisors  
From: Diane Burgis, District III Supervisor  
Date: February 13, 2018

Subject: Modifying Ag Land Use Policy & Public Engagement

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**RECOMMENDATION(S):**

1. ACCEPT update from the Department of Conservation and Development (DCD) on work previously authorized by the Board to review existing land use regulations related to agriculture and to identify for future Board consideration specific actions the County could take to further promote and incentivize agricultural sustainability and economic vitality; and 2. AUTHORIZE DCD to convene a series of public meetings with people and parties interested in agricultural sustainability and economic vitality in Contra Costa County to review existing land use regulations and provide input on potential modifications to these policies, in lieu of coordinating with the Contra Costa County Agriculture Advisory Task Force (Ag Task Force) which is currently dormant.

**FISCAL IMPACT:**

None to the General Fund. Up to \$150,000 from the Livable Communities Trust (District III portion) has previously been allocated by the Board toward the effort.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Alicia Nuchols,  
925-252-4500

cc:

### BACKGROUND:

On December 20, 2016, at the recommendation of then Supervisor Piepho, the Board of Supervisors approved the expenditure of up to \$150,000 from the Livable Communities Trust (District III Portion) and authorized DCD, in consultation with the Ag Task Force and local agricultural stakeholders, to identify for future Board consideration specific actions the County could take to further promote and incentivize agricultural sustainability and economic vitality (see Attachment 1). As the new District III Supervisor, Supervisor Burgis has heard significant community interest in this topic and is very eager to facilitate an effective public engagement effort that results in meaningful policy modifications. To initiate the discussion on policy reform needs and ideas, Supervisor Burgis worked with DCD to convene a meeting of agricultural stakeholders on November 15, 2017. Participants generated a number of ideas (see Attachment 2) for policy reforms that provide a useful starting point for future discussions. To expeditiously generate policy reforms that reflect the needs of the community and further promote and incentive both agricultural sustainability and economic vitality, DCD needs a public engagement strategy that does not depend on the Ag Task Force. The Ag Task Force has not met in years, does not have any members with current appointments and is not anticipated to be in a position to start meeting again in the near future. Therefore, it is recommended that in lieu of relying on the Ag Task Force for input, DCD be authorized to convene a series of open, public meetings with persons and groups interested in the policy reform topic. DCD would generate a contact list of interested stakeholders based on its knowledge of the issue and in consultation with District Offices, publicize the effort on its website and continuously update the list to include anyone interested in the topic and send announcements of open, public meetings (perhaps four to eight in total) on this topic to everyone on the list inviting their participation. It is recommended that meetings be held in or near agricultural areas of the County, with a majority of the meetings being held in eastern Contra Costa County where the majority of agricultural lands are located, but with some meetings in other areas as well. Participants would be invited and encouraged to all meetings, or as many as they can, to stay engaged in the process and provide consistent input as the effort progresses. The results of these discussions and the staff work would be presented to the Board for review and direction and any modifications on General Plan policies or zoning provisions would need to be considered by the County Planning Commission and approved by the Board.

### CONSEQUENCE OF NEGATIVE ACTION:

If the Department of Conservation and Development is not authorized to convene a series of stakeholder meetings in lieu of coordinating with the Ag Task Force, then the process for developing policies to improve agricultural sustainability and vitality would be delayed

### CHILDREN'S IMPACT STATEMENT:

The recommended action will not affect children's programs in the County.

### CLERK'S ADDENDUM

*Speaker: Lisa Borba, Ron Nunn Farms.*

### ATTACHMENTS

12-20-16 Board Order

11-15-17 Meeting Notes



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Mary N. Piepho, District III Supervisor  
Date: December 20, 2016

Subject: Allocation of Funds from the Livable Communities Trust to Develop Recommendations on Agricultural Land Use Policy

**RECOMMENDATION(S):**

1. AUTHORIZE the Department of Conservation and Development (DCD), in consultation with the Contra Costa County Agriculture Advisory Task Force and local agricultural stakeholders, to review existing land use regulations (e.g., General Plan policies and zoning) and identify for future Board consideration specific actions the County could take to further promote and incentivize agricultural sustainability and economic vitality; and
2. APPROVE the expenditure of up to \$150,000 from the Livable Communities Trust (District III Portion) for this purpose, as recommended by Supervisor Mary Nejedly Piepho.

**FISCAL IMPACT:**

None to the General Fund. Up to \$150,000 from the Livable Communities Trust (District III portion) will be allocated toward the effort.

**BACKGROUND:**

Agriculture has historically been an important part of Contra Costa County's economy and culture, with agricultural

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: 12/20/2016 ☒ APPROVED AS  
RECOMMENDED

☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II  
Supervisor  
Mary N. Piepho, District III  
Supervisor  
Karen Mitchoff, District IV  
Supervisor

ABSENT: 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: December 20, 2016

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

By: Stephanie Mello, Deputy

Contact: TOMI RILEY,  
925-252-4500

cc:

## BACKGROUND: (CONT'D)

activities dating back to the Spanish colonial period. Good soils, a mild climate, and adequate water supplies allowed agriculture to become a principal element of the county's economy. However, the agricultural sector began a steady decline following World War II, as tens of thousands of acres of productive agricultural land were converted to accommodate urban and suburban growth.

Understanding the impact of development pressures on agricultural resources, in 1978 the Board of Supervisors established the Agricultural Core ("Ag Core") as part of the newly-adopted East County Area General Plan (see Note 1). The Ag Core included 14,600 acres of farmland that were the most capable of supporting and sustaining agricultural production because the soils were considered the best for farming a wide variety of plants or crops. These soils were rated as "Prime Farmland" through a soil survey conducted by the U.S. Department of Agriculture's Soil Conservation Service (now the Natural Resource Conservation Service). Additionally, the Ag Core is identified as Prime Farmland through the Farmland Monitoring and Mapping Program administered by the California Department of Conservation, Division of Land Resources Protection (see Attachment A, Contra Costa County Important Farmland Map 2014 and Note 2).

In 1990 Contra Costa voters approved Measure C, which among other things established the County's Urban Limit Line and resulted in the County rezoning the Ag Core to require 40-acre minimum parcel sizes where 10-acres had been the previous minimum. Unfortunately, the years immediately preceding Measure C's adoption saw a spike in subdivision applications within the Ag Core, which resulted in creation of numerous parcels that are undersized by today's zoning standards. These parcels are often developed as estate lots or other non-agricultural uses and may not easily lend themselves to economically-viable agricultural enterprises due to their size.

Despite public and private efforts to preserve the county's productive agricultural land over the past several decades, from 1984 through 2014 Prime Farmland decreased from 41,181 to 25,502 acres and Important Farmland decreased from 116,148 to 88,912 acres (see Note 3). Prime Farmland within the Ag Core itself has decreased from 14,600 acres to approximately 11,500 acres since the Ag Core's inception.

Despite the decrease in agricultural acreage, agriculture is still an important element of the Contra Costa County economy. In 2015 agriculture contributed \$225 million and provided 2,277 jobs (1,735 direct and 542 indirect/supporting) (see Note 4). The \$128.5 million gross value of the county's agricultural production ranked 38th out of the 56 California counties submitting crop reports in 2015 and 6th out of the 9 Bay Area counties (see Note 5).

While Contra Costa's agricultural production may be small compared to the \$3.23 billion production of San Joaquin County, it is nearly three times larger than the agricultural production of neighboring Alameda County. Local initiatives such as Buy Fresh, Buy Local and Harvest Time in Brentwood have increased awareness of Contra Costa's agricultural resources and products, but its agricultural tourism ("agritourism") industry lags behind Alameda County's relative to the size of its agricultural economy. In part this is because Alameda County has adopted a clear vision for its most prominent agricultural area, the South Livermore Valley, and successfully worked with the cities of Livermore and Pleasanton and local stakeholders, like the Livermore Valley Winegrowers Association, to leverage its agricultural resources. Contra Costa County can learn from and build upon Alameda County's experience.

Food production has also become an issue of intense public interest in recent years. Across the nation people have become increasingly aware of their food sources and production practices. Organically farmed and farm-to-table, concepts which were somewhat obscure a just decade ago, are now mainstream and commonly factor into consumer choices. Therefore, it is important that Contra Costa County farms remain an economically-viable local food source.

The District III Supervisor has consistently engaged with the agricultural community over the last twelve years to hear their thoughts on the future of agriculture, including convening town hall style meetings, participating in forums and conferences and engaging with individual farmers and other interested people at numerous other meetings and events. Farmers in Contra Costa County value our agricultural tradition and want to see it continue, but they also feel strongly that opportunities to promote economic vitality for agriculture need to be identified and pursued.

With these considerations in mind, the District III Supervisor recommends that the full Board authorize DCD, in



consultation with the Agricultural Advisory Task Force and stakeholders in the local agricultural community, to identify for future Board consideration specific actions the County could take to further promote and incentivize agricultural sustainability and economic vitality. These could include, but are not limited to:

- Researching on how programs to promote agricultural sustainability and economic vitality have been developed and funded throughout California, including agritourism, agricultural marketing opportunities and efforts to make agriculture more sustainable.
- Reviewing the County General Plan and zoning ordinance to identify changes necessary to promote the economic vitality and sustainability of agriculture.
- Reviewing current permitting procedures for agricultural projects to identify opportunities for streamlining and removing barriers in order to promote the economic sustainability of agricultural uses.
- Review policies and programs to identify opportunities for complementing improved economic vitality with retention of the agricultural land and productivity necessary to drive a sustainable and vital agricultural economy.

Completing the actions described above will require considerable staff resources. Extensive public outreach and engagement will be necessary. Amendments to the County General Plan and zoning ordinance are subject to review under the California Environmental Quality Act and must go through a series of public hearings. The District III Supervisor therefore recommends allocating \$150,000 from the District III portion of deposits into the Livable Communities Trust Fund to DCD to cover staff time and other costs.

The Livable Communities Trust Fund (Fund) was established to implement the County's Smart Growth Action Plan. Goals of the Action Plan relevant to this proposal are the following: 3) to promote innovative land use planning and design principles that encourage mixed use and infill development (this proposal is to study innovative land use planning and is intended to improve the sustainability of agricultural lands and reduce pressure to convert such lands to urban uses, thereby enabling a focus on mixed use and infill development in existing urban areas; and 4) promote economic revitalization and urban infill communities (this proposal is intended to promote the agricultural economy).

In reviewing the purpose of the Fund, the Board of Supervisors determined on December 3, 2013 that "the goal shall be to spend the money equally among supervisorial districts." At build-out of the development projects contributing revenue to the Fund, deposits to the Fund will total \$8,448,000. The interest-bearing trust account has earned over \$300,000 in interest to date. So far, one expenditure has been made from the Fund (a \$250,000 expenditure approved on October 22, 2013 for the Northern Waterfront Economic Development Initiative). Another expenditure was authorized on June 14, 2016, with \$1,432,830 from the District I portion providing matching funds for the development of the Heritage Point affordable housing project in North Richmond. An additional proposal to authorize expenditure of up to \$250,000 from the District III portion is on the December 20 agenda for a feasibility study for the Marsh Creek Corridor Multi-Use Trail.

#### CONSEQUENCE OF NEGATIVE ACTION:

If the funding is not allocated resources will not be available to the County to study and develop policies to improve agricultural sustainability and profitability.

#### CHILDREN'S IMPACT STATEMENT:

The recommended action will not affect children's programs in the County.



Notes from November 15, 2017 Meeting w/Agricultural Stakeholders

(Stakeholders were asked to feel free to share all ideas. Staff indicated there of course may be constraints on implementing some or all ideas, but the request was to brainstorm untethered from constraints)

Ag Reform Ideas	Other Ideas	Concerns Raised
<ul style="list-style-type: none"> <li>▪ Farm to Fork: growing crops for specific restaurants</li> <li>▪ Ag Tourism potential in the County <ul style="list-style-type: none"> <li>➤ Farm-to-Table (restaurant): must be supplying from farm</li> <li>➤ Bed and Breakfast</li> <li>➤ Farm Tours</li> <li>➤ Wineries</li> <li>➤ Distilleries</li> <li>➤ Cheese</li> <li>➤ Connecting with culinary institutes</li> <li>➤ Equestrian bike trail connecting farms</li> <li>➤ Farm to school</li> <li>➤ Vertical farming</li> </ul> </li> <li>▪ Tiny houses</li> <li>▪ Winery, distillery, brewery incubators</li> </ul>	<ul style="list-style-type: none"> <li>▪ Creative options for wastewater: composting toilets; grey water (see properties on coast for examples)</li> <li>▪ Be creative to address water and septic</li> <li>▪ Streamline the processing to allow value-added products <ul style="list-style-type: none"> <li>➤ What is the process, including cost? Prepare a How-To brochure</li> <li>➤ Business process to be user-friendly</li> </ul> </li> <li>▪ Farmbudsman/Ombudsman for County</li> <li>▪ Create a vision and look at how we define agtourism</li> <li>▪ Santa Cruz County certifies commercial kitchen facility, not state (*DCD needs to look into this)</li> <li>▪ Making Contra Costa County different – not like Napa, Livermore</li> <li>▪ Marketing: How and who?</li> </ul>	<ul style="list-style-type: none"> <li>▪ Farm to table is not an urban use based on Urban Limit Line</li> <li>▪ Farming labor is difficult to find</li> <li>▪ Allow more than 1 house on the property to help with farming</li> <li>▪ Conflicting uses (i.e. packaging vs. cold-storage)</li> <li>▪ Health permitting constraints (invite Environmental Health in future meetings)</li> <li>▪ Processing handled outside of Contra Costa County</li> <li>▪ Lands non-compliant with Ag Core (e.g. 19 acres instead of the required 40 acres), which causes restriction to uses on property</li> <li>▪ Having a buffer of land for farm-to table use and other agri-tourism use to avoid “tragedy of the commons” (i.e. big enough parcel or buy some buffer or offset land from another parcel)</li> <li>▪ Trails: concern is increase in vandalism and trespassing</li> </ul>



11.21.17



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Joseph E. Canciamilla, Clerk-Recorder  
Date: February 13, 2018

Subject: Voting System Upgrade

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Clerk-Recorder, or designee, County Clerk-Recorder or designee to execute a contract, subject to approval by the County Administrator and approval as to form by County Counsel, with Dominion Voting Systems, Inc., in an amount not to exceed \$6,750,000 for the purchase, licensing, storage, and six years of maintenance of Dominion's Democracy Suite voting system, for the period March 1, 2018 through December 31, 2023.

**FISCAL IMPACT:**

The County purchased its current voting system in 2005 for approximately \$8 million using a combination of Federal HAVA funds, State Prop 41 Funds and County matching funds. While the system has adequately met the County's needs, it is old technology and the equipment is failing. The lifespan of the equipment when purchased was 10 years.

In anticipation of the need to replace the voting system and the uncertainty of receiving State or federal aid to do so, the Board of Supervisors, in FY 16/17, authorized a special budgetary cost center (0043/2351) to begin accumulating funds to replace the voting system. The funds derive from a surcharge to all agencies conducting elections, including

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Scott Konopasek  
925-335-7808

### FISCAL IMPACT: (CONT'D)

the County. State subsidy of voting system replacement costs may also become available next fiscal year.

There is currently a balance of \$4.7 million available for the purchase of a new voting system and associated costs. The initial purchase cost, first year of maintenance, and first three years of offsite ballot box storage is estimated to cost \$4,496,500 including applicable taxes. Annual maintenance and storage costs are expected to range from \$400,000 to \$600,000, which will be mitigated by anticipated savings in operational costs and through elections fees.

### BACKGROUND:

Our current election system is still operating several years after its ten-year life expectancy. The system is nearing the end of its operational life. The department is experiencing a high failure rate of equipment and relies on staff to cannibalize parts from machines or to find obsolete parts online to keep the systems running. This has been going on for several years due to the State's slow time frame for approving and certifying new voting systems.

Elections Division staff kept abreast of potential new replacement systems. They attended voting system demonstrations of several Secretary of State certified voting systems, including ES&S, Clear Ballot, Hart, and Dominion. Dominion Systems offered a viable alternative that not only meets Contra Costa County's immediate needs, but is flexible enough to meet them into the foreseeable future. The proposed voting system improves the operational efficiency and security of our election processes. The Elections Division will be using the system as a test in the March Vote-by-Mail election.

Under the contract, the County is purchasing 300 ImageCast Evolution voting units, related hardware, embedded software, and related software and hardware support. On October 17, 2017, the California Secretary of State conditionally approved use of Dominion's Democracy Suite Version 5.2. This Board's approval of the Elections Department contract with Dominion is contingent on Dominion's compliance with all of the terms and conditions set forth in the Secretary of State's approval, which is attached to this board order.

The Elections Department has developed appropriate security procedures regarding the preparation and operation of the system, and confirms that the vendor has established a County user group and provided the Elections Department with the Democracy Suite Use Procedures, Version 5.2CA.11, all of which are required by the Secretary of State's conditional approval of the system.

Additional terms of the contract include: (1) the vendor leasing storage premises to store the 300 voting system units on behalf of the County, at a County cost of \$100,000 per year for the first three years of the contract, (2) County's right to terminate the contract with 30 days notice and a pro rata refund to County, and (3) vendor's obligation to upgrade the voting system and devices if they fail to comply with the Secretary of State's conditional approval or federal or state law

The proposal, staff analysis, and recommendations are attached

### CONSEQUENCE OF NEGATIVE ACTION:

The County would continue to "make-do" with its current failing voting system, which could result in delays providing election results and/or the inability to have sufficient working equipment available to conduct a large election.

### CLERK'S ADDENDUM

*Jan Warren, resident of Walnut Creek.*

ATTACHMENTS

Staff Report

CA Secretary of State Conditional Approval of Dominion Voting System Inc. Democracy Suite Version 5.2



**CONTRA COSTA COUNTY**  
**CLERK/RECORDER - ELECTIONS DIVISION**  
555 ESCOBAR STREET  
MARTINEZ, CALIFORNIA 94553  
925.335.7800 1.877.335.7802  
[www.cocovote.us](http://www.cocovote.us)

Joeseeph E. Canciamilla  
County Clerk-Recorder-Registrar

Scott O. Konopasek  
Assistant Registrar of Voters

December 8, 2017

Joe Canciamilla  
County Clerk-Recorder-Registrar

Subject: Staff Report on Voting Systems

Joe:

The elections staff has attended voting system demonstrations in Marin County (ES&S), Solano County (Clear Ballot) and attended a presentation (Hart) and a demonstration in this office (Dominion). Their purpose was to keep abreast of emerging voting technologies and not for the purpose of acquiring a new system. Our plans have all anticipated that we would use the existing voting system through the 2020 Presidential Election.

To the surprise of all, the Dominion demonstration was powerful and the staff could immediately see solutions to many of the challenges of our existing system and processes. Because of the potential benefits, the staff asked about the possibility of purchasing the system as early as 2018. In response to this question, the staff was asked to prepare a study/report comparing the available voting system options and to make a recommendation.

Below is their report.

Scott O. Konopasek  
Assistant Registrar of Voters

## **Staff Report on Voting Systems**

**Issue:** Which California certified voting system should Contra Costa County purchase and deploy for the June 2018 Primary Election, if any?

### **Background and Facts:**

The County purchased its current voting system in 2005 for approximately \$8 million. While the system has adequately met the County's needs, it is old technology and the equipment is failing. The lifespan of the equipment when purchased was 10 years.

In 2017, a year in which no elections were conducted, we spent approximately 3,200 person hours repairing and maintaining the system to extend its lifespan through the 2020 Presidential Election.

The current system is paper based and uses 50 year old scantron technology which requires tremendous space, time and manpower to handle, move, and process the millions of pieces of paper in a single election. The system requires that we still use track-feed paper in dot matrix printers and floppy disks.

The current canvass process—including adjudication, tabulation, and auditing—is time and labor intensive, requiring 3,000 person hours per election and requires up to 30 days to complete.

The election management software (EMS) for the present system, Unity, is anything but a unified system. There are five separate modules required to lay out ballots and program the voting equipment. Each module requires re-entry and proofing the same information. The EMS is complicated, inflexible, inefficient, and requires considerable effort to keep the modules in sync and to ensure no errors or omissions.

The Clerk-Recorder-Elections Department has committed to a building remodel in the next year which would require the current voting system server and central count equipment, or a future system with a similar footprint, to be relocated to the elections warehouse. The cost of that move and the construction of a secure area has been estimated to be approximately \$50,000.

Our existing accessible voting technology, the AutoMARK, is difficult for poll workers to put into operation on Election Day, voters have problems using it, and it fails at a high rate. We had two formal HAVA/ADA complaints filed with the Secretary of State in 2016 as a direct result of the unreliability of the AutoMARK.

## **Staff Report on Voting Systems**

In 2016 we created Regional Early Voting Centers (REVS) throughout the county and we plan to continue the program in the future. The main issue and bottleneck we encountered at the REVS was the need to have an extensive inventory of paper ballots and the need to replenish them.

Ballot on Demand printing is expensive, slow and fraught with over regulation by the state.

The cost of the existing system (consisting of central count, precinct count and ballot marking device) was over \$7 million up front with an additional annual license and maintenance cost of \$250K.

There are currently only two voting systems certified for use in California.

We have \$4.7 million in our voting system replacement account.

### **Assumptions:**

A new system would be comprised of a central count system, precinct count system and ballot marking devices.

A new central count system could fit into a reduced footprint at 555 Escobar.

It is possible to eliminate paper ballot inventories at Regional Early Voting Sites.

We could make a purchase using only existing funds.

Additional warehouse space may be needed.

### **Screening Criteria:**

The following are required:

Options to consider must be currently certified for use in CA.

System must accommodate Chinese in addition to Spanish and English.

System must be available for June 2018 implementation.

The voting process must be intuitive and easy for voters.

## **Staff Report on Voting Systems**

### **Evaluation Criteria:**

These criteria describe the desired functionality of a new voting system and by which they are evaluated.

#### **Central Count Equipment**

The equipment is well designed to reduce potential areas of jamming and limit parts that could fail due to wear/breakage; design features include a short paper path—accessible without disassembling the unit—and scanning process that does not pick ballot cards against gravity. The system equipment is easy to trade out and replace because it is not proprietary and uses commercial off the shelf units and consumables. Voting results are transmitted to the results database over a network connection with controls over which batches are applied and when. Digital sorting capabilities allow the system to scan each ballot card once, limiting the number of ballot cards that are physically outstacked.

#### **Ballot Marking Device (BMD)**

The system equipment is easy to trade out and replace because it is not proprietary and uses commercial off the shelf units and consumables; the system's paper records are durable and can last through the required retention period. All parts are easily accessible for field maintenance. The system permits any device to be deployed to any location because memory capability is sufficient to contain all ballot style information. Testing time is reduced because devices are generic.

#### **Precinct Count System**

The polling place tabulator is also capable of serving as a Ballot Marking Device should the system's main BMD go out of service during voting hours. The system equipment is easy to trade out and replace because it is not proprietary and uses commercial off the shelf units and consumables. All parts are easily accessible for field maintenance. Any device can be deployed to any location because memory capability is sufficient to contain all ballot style information. Testing time is reduced because devices are generic.

#### **Integrated Software**

The system logic is coherent, providing integrated end-to-end software and services. All system modules are linked with one data set and do not require transitioning to other software modules.



## **Staff Report on Voting Systems**

### Voting System Software

The system allows users to build templates with multiple options of template types in English, Spanish, and Chinese. Each ballot design element can be proofed individually because the system allows the export of elements as they appear on the ballot. The system produces a formatted composite ballot that contains all contests, contest details, and headers in the same order as they appear on their individual ballots. The user has flexibility to control reporting criteria and can create customizable election results reports.

### Digital Ballot Imaging and Retrieval

Ballots are imaged and retained digitally. Adjudication, including the recording of write-in votes can be done digitally. It is easy to retrieve and view system records of interpretations of voter marks on the ballots, how it recorded the results of the votes, and any manual adjustments.

### Tabulation

The scanners required to process at least 28,000 ballot cards per hour fit in the reduced footprint of 555 Escobar. (Throughput of 28,000 cards/hour allows processing of approx. 250,000 cards in 10 hours, the estimate of cards received before Election Day in a 50% turnout election.)

### Regional Early Voting (REVS) - No Ballot Stock

Voting equipment deployed to Regional Early Voting Centers does not require paper ballot inventory or Ballot on Demand printing.

### Storage Footprint

When stored, the voting system hardware fits in a 4,000 sq. ft. single level facility. This space requirement includes room to shift units to conduct testing and maintenance at the location where the devices are stored.

### Poll Worker Usability

The system is easy for poll workers to set up, place into and ensure its operation, and troubleshoot throughout the day. The system uses equipment that poll workers are familiar with in their daily lives (e.g. tablets, touch screens, printers).

## Staff Report on Voting Systems

### Staff Usability

All equipment pieces are easy and safe for one person to lift and/or handle. The system requires minimal training because it uses equipment that staff are already familiar using in the course of business (e.g. PCs, commercial scanners, printers, etc.). The vendor provides on-site staff support and training.

### **Weighting and Scoring:**

Each evaluation criterion is assigned a weight of 1-3 with 3 representing the most important criterion.

Each criterion is assigned a raw score using a comparative method in which the courses of action (COA) are compared to each other. The COA determined to most closely comply with the criterion is scored with a “2”. The other COA is scored with a “1” or “0”. A “0” is used when the criterion does not apply or when the COA fails to meet any aspect of the criterion being evaluated.

The raw score is multiplied by the assigned weight for the criterion result in a weighted score.

The weighted scores for each COA are summed and the two scores compared.

In the event of a tie, the number of possible points is divided between the tied COAs. Example: COA 1 and COA2 are tied using the 0,1,2 scale. The total number of point possible is 3. 3 is divided by 2 so each COA receives a raw score of 1.5.

**Course of Action 1:** *Dominion Voting's* Democracy Suite 5.2 is comprised of Image Cast Central System, Image Cast Evolution poll site scanners and Image Cast BMD units.

**Course of Action 2:** *Election Systems and Software's* EVS 5.2.1.0 is comprised of DS850 Central System, DS200 poll site scanners and ExpressVote BMD units.

## Staff Report on Voting Systems

### **Analysis and Scoring Matrix:**

Evaluation Criteria	Weight	Dominion	ES&S	Dominion Weighted Score	ES&S Weighted Score
Central Count Equipment	3	2	1	6	3
Ballot Marking Device	2	2	1	4	2
Precinct Count System	2	2	1	4	2
Integrated Software	3	2	0	6	0
Voting System Software	2	2	1	4	2
Digital Ballot Imaging/Retrieval	1	1.5	1.5	1.5	1.5
Tabulation	2	2	1	4	2
REVS - No Ballot Stock	3	1.5	1.5	4.5	4.5
Storage Footprint	1	1	2	1	2
Poll Worker Usability	1	2	1	2	1
Staff Usability	1	2	1	2	1
				<b>39</b>	<b>21</b>

### **Recommendation(s):**

Based upon this analysis, the staff recommendation is for the Clerk-Recorder to purchase the Dominion Democracy Suite 5.2 comprised of Image Cast Central System, Image Cast Evolution poll site scanners, and Image Cast BMD units for use in the June 2018 Primary Election.

The results of this assessment are consistent with the results of Sacramento County's RFP competitive evaluation of these two certified systems (and several uncertified systems).

Sacramento's evaluation scored the Dominion components under consideration the highest of all the evaluated systems. A copy of the Registrar's Board Report, purchase recommendation, and final scoring results are Attachment 1.

The specific Dominion proposal containing components, quantities and pricing is Attachment 2. A separate analysis and estimate of the potential savings associated with the acquisition is Attachment 3.

**APPROVED**

BOARD OF SUPERVISORS

by Res. No. 2017-0113

NOV 14 2017

BY

*Fluence Evans*  
Clerk of the Board

**COUNTY OF SACRAMENTO  
CALIFORNIA**

**10**

For the Agenda of:  
November 14, 2017

To: Board of Supervisors

From: Department of Voter Registration and Elections

Subject: Approve The Award Of Contracts For Specified Voting Systems And Authorize The County Purchasing Agent To Complete Negotiations And Execute The Contracts With Each Vendor For Specified Voting System Solutions

Supervisory Districts: All

Contact: Jill LaVine, Registrar of Voters, 875-6060  
Rami Zakaria, Chief Information Officer, 874-7825  
Craig Rader, County Purchasing Agent, 876-6362

**Overview**

The County's current voting system is 13-years old and needs to be replaced to provide for expanded access to balloting as a result of newly enacted state regulations. The new technology is needed to support the County's Vote Center model voting method to be implemented in the June 2018 Statewide Primary Election. Department of General Services released Request For Proposal (RFP) #8484 on July 14, 2017 to replace the system with newer technology and responses were received from twelve vendors, which were evaluated and rated by an evaluation team made up of staff from the Department of Voter Registration and Elections (VRE), Department of Technology (DTECH) and the Department of General Services (DGS). The RFP was divided into 10 Lots, each covering a specific component or technology needed to conduct an election. The evaluation team is recommending award of contracts for six of the 10 Lots, after identifying alternative solutions for three Lots and delaying selection of the final Lot, Automatic Signature Recognition Technology, pending updates to the elections code.

**Recommendation**

It is recommended that your Board adopt the attached resolution:

1. Approving the award of contracts with Democracy Live, Dominion Voting, Runbeck Election Services, and Tenex Software Solutions, Inc. for specified voting system solutions;
2. Authorizing the County Purchasing Agent or his designee to complete negotiations, execute, modify and terminate (if needed) contracts with (1) Democracy Live, (2) Dominion Voting, (3) Runbeck Election Services, (4) Tenex Software Solutions for specified voting system solutions; and,
3. Authorizing the County Purchasing Agent to negotiate execute, modify and terminate (if needed) a contract(s) with the next highest scorer of the specified Lot should negotiations with any of the recommended vendors be unsuccessful.

**Measures/Evaluation**

Awarding the voting system and services in Lots will provide for implementation of the Vote Center model in the most efficient and cost effective method. The resulting voting system

Approve The Award Of Contracts For Specified Voting Systems And Authorize The County Purchasing Agent To Complete Negotiations And Execute The Contracts With Each Vendor For Specified Voting System Solutions

Page 2

solution will allow the county to offer voters increased voting opportunities.

**Fiscal Impact**

The actual annual costs of the contracts will be determined following contract negotiation and development with each vendor. Responses received from the successful vendors indicate first year costs are approximately \$2.43 million to purchase the components necessary to support 80 Vote Centers. First year costs to lease the same components are approximately \$650,000. The Purchasing Agent, working in collaboration with the County Executive or his designee, the Registrar of Voters and the Chief Information Officer, will evaluate the best value for each contract, comparing purchase and lease options where appropriate. VRE's Fiscal Year 2017-18 budget includes \$1.1 million in HAVA funding that can be used to offset costs associated with the acquisition of a voting system.

**BACKGROUND**

On May 24, 2017, the Registrar of Voters presented the status of the County's voting system and the need for a replacement voting system. The current Optical Scan system, a fill-in-the-bubble ballot voting system, has been in use for more than 13 years and several components of the voting system need to be replaced. Both the M650 central count ballot scanners (used to count ballots at the Registrar's Office) and the M100 precinct count ballot scanners (used at each polling place on Election Day) experienced a high failure rate during the required November 2016 pre-election testing and also during use on Election Day.

On May 24, 2017, the Registrar of Voters recommended replacing the current voting system with one that would support a vote center model of elections authorized by the recently enacted Voter's Choice Act. The Act allows counties to mail all voters a vote-by-mail (VBM) ballot; replace polling places with accessible vote centers, at which any voter can cast their ballot starting 10 days before an election; and increase the number of VBM drop-off locations, open 28 days before an election. In order to gauge the level of support for voter centers and VBM voting, VRE also worked with an independent survey company to determine voter's interest in the Vote Center Model. When given information regarding cost savings for the Vote Center model, sixty-eight percent of respondents supported the new system.

On June 6, 2017, after further review and deliberation, the Board of Supervisors approved Vote Center model elections in Sacramento County and directed the County Purchasing Agent to perform all activities necessary for recommending a vendor the acquisition of a new voting system in Sacramento County.

**DISCUSSION**

RFP #8484 for voting systems and election technology systems was developed jointly by staff from VRE, DGS and DTECH. DGS released the RFP on July 14, 2017. The County posted the solicitation on the Public Purchase website and notified 61 vendors. Of the firms solicited, one was a State of California certified small business, none were State of California micro-businesses, and five were local Suppliers.

Approve The Award Of Contracts For Specified Voting Systems And Authorize The County Purchasing Agent To Complete Negotiations And Execute The Contracts With Each Vendor For Specified Voting System Solutions

Page 3

RFP #8484 contained 10 separate Lots, each covering a specific component or technology needed to conduct an election. Each proposer was required to include in their scope of service their response for system development, security, delivery, installation and staff training. Future software and hardware improvements, upgrades and modifications were required to be provided by the proposer through the term of the contract. The complete system will be tested during a comprehensive test election as part of the acceptance process.

All proposals were required to meet federal and state laws and regulations governing voting systems in California, and comply with voting accessibility requirements. The proposed systems were also required to meet the standards set forth in the Voter's Choice Act. Any system or technology proposed needed to have the ability to be certified by the State of California by October 6, 2017.

A pre-Proposal conference was conducted on July 26, 2017 to address any vendor questions, and provide clarification. On August 3, 2017, DGS published addendum #3 which provided answers to all the questions submitted by the July 27, 2017 questions deadline.

By the RFP closing date of August 28, 2017, twelve vendors had submitted proposals for one or more of the 10 Lots listed in the RFP. Proposals were received from the following vendors: (1) Democracy Live, (2) Dominion Voting, (3) Runbeck Election Services, (4) Tenex Software Solutions, Inc., (5) Ballot Trax, (6) Clear Ballot Group, Inc., (7) Demtech Voting Solutions, Inc., (8) Election Systems & Software, LLC, (9) Five Cedars Group, Inc., (10) knowINK, (11) Robis Election, Inc., and (12) VR Systems, Inc. None of the proposers qualify as a local Supplier or State Certified micro-business. The federal funding supporting this project prevents the application of the County's Procurement Opportunity Program's preferences, the County's local and micro-business vendor preferences program.

#### **Evaluation Criteria**

Vendors were asked to provide responses to each Lot for which they wanted to present their proposed solution. Each Lot contained evaluation criteria specific to the technology proposed by the vendor, including administration of the system, security, and technical functionality.

Four vendors that submitted proposals (BallotTrax, Clear Ballot Group, DemTech Voting Solutions, Inc, and VR Systems, Inc.) did not have systems that were certified or that would be certified for use in California by the time of contract signing and were eliminated from consideration.

The remaining vendors' proposals were reviewed by the evaluation team who concluded that it is in the County's best interest to award contracts to four vendors for voting system and election technology. The team's recommendations are based on a thorough review of each proposal in terms of system functionality, security, certification status and pricing.

The evaluation team, made up of staff from the three departments performed an in depth review of the written responses. All decision-makers, evaluation team members and the person signing the contracts have read, understand and documented that they will comply with the County procurement code of ethics and all required forms are in the RFP/contract file and/or personnel file. The vendors scoring the highest on the written responses were invited to demonstrate their

Approve The Award Of Contracts For Specified Voting Systems And Authorize The County Purchasing Agent To Complete Negotiations And Execute The Contracts With Each Vendor For Specified Voting System Solutions

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solutions. These demonstrations assisted the staff in fully understanding the operation of the proposed solution.

Each of the proposed systems were reviewed by multiple DTECH staff on an extensive list of security questions and requirements.

**Evaluation Results**

After conducting a comprehensive evaluation based on the criteria listed in the RFP, the County released the Notice of Intent To Award Contract letter listing each Lot to be awarded, pending Board approval. At that time, the Purchasing Agent began preliminary negotiations with each vendor on the terms and conditions of their proposal. The Purchasing Agent will complete negotiations with each vendor and execute the resulting contracts following approval of award from the County of Sacramento Board of Supervisors. If negotiations are not successful with any vendor, the County will begin negotiations with the next highest scorer of the specified Lot.

VRE is recommending four vendors be awarded contracts for six Lots, which are listed and described below. Vendor ratings for each Lot are shown in Attachment 1 - RFP #8484 Final Scores. VRE elected not to award four of the Lots due to alternative solutions or limited effectiveness of available solutions. These are also listed and described below.

Lot A – Democracy Live, Inc.

Lot F – No Award

Lot B – No Award

Lot G – Dominion Voting Systems Inc.

Lot C – Dominion Voting Systems Inc.

Lot H – No Award

Lot D – Runbeck Election Services, Inc.

Lot I – Tenex Software Solutions, Inc.

Lot E – Dominion Voting Systems Inc.

Lot J – No Award

**Lot A - Remote Accessible Vote By Mail Ballot Management (RAVBM) (Democracy Live) -**

RAVBM provides access to ballots and voting materials for voters with disabilities who need assistance to mark their ballot, and to military and overseas voters who cannot physically appear at a vote center to vote. This technology is required in all California elections. Democracy Live's solution is fully hosted and provides the on-line fillable ballot, and accessible candidate statements and measure text in all federally required languages.

**Lot C - Ballot Creation and Output Management (Dominion Voting) -** The solutions proposed by Dominion Voting for this and Lots E and G described below, provide for an integrated election experience for the voters and for election administrators. The ballot creation and output management technology is intuitive and produces ballot templates that will be used in each of the accessible marking devices, in the on-demand printers at Vote Centers and at the VRE office, and in the RAVBM solution provided by Democracy Live.

**Lot E - Vote Center Accessible Marking Device (Dominion Voting) -** The accessible marking devices, required by Election Code, will provide voters with disabilities the ability to mark their ballot independently.

Approve The Award Of Contracts For Specified Voting Systems And Authorize The County Purchasing Agent To Complete Negotiations And Execute The Contracts With Each Vendor For Specified Voting System Solutions

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**Lot D - Vote Center Ballot Printing On Demand (Runbeck Election Services, Inc.)** - Ballot printing on demand provides for all ballot types to be available, as needed, at each Vote Center. As each voter checks in, the printer will produce the specific ballot for that voter. This eliminates the need to supply each Vote Center with thousands of pre-printed paper ballots in all the types and parties for an election. This technology has been used successfully since 2008 to provide ballots for VBM voters who appear at VRE's central office.

**Lot G - Central Count Tabulation Dominion Voting (Dominion Voting)** - The central count tabulation system tallies the vote on each ballot while automatically imaging the ballot for a secondary validation of ballots cast and efficient duplication of ballots containing voter intent marks.

**Lot I - Help Desk Management (Tenex Software Solutions, Inc.)** - The help desk management solution provided by Tenex Software Solutions, Inc., will enable VRE's phone support staff to be more responsive to calls for support from the Vote Centers during the entire 11-day voting period. The solution will unify the three phone banks currently employed by the VRE, allowing the staff at any of the phone banks to immediately learn of calls received at any phone bank. The solution offers data analytic tools that VRE can use when preparing required election activity reports.

The remaining Lots (Lots B, F, H, and J) are not being awarded:

**Lot B - Vote Center Check-In Management (No Award)** - This solution is being dropped at this time pending final regulations for poll-books from the state. The current voter registration database vendor is developing a solution that will provide voter check-in functionality for the County's Vote Centers.

**Lot F - Vote Center Tabulation (No Award)** - The evaluation team reviewed the solutions presented and determined the tabulators at vote centers were not necessary and that the solution proposed for Lot G, Central Count Tabulator is sufficient. California has 26 counties that successfully conduct elections for more than 11 million of the state's voters using only central count tabulators. HAVA Section 301 provides that jurisdictions that do not use electronic equipment to assist voters with detecting errors establish a voter education program, specific to the voting system, to notify each voter of the effect of over-voting and provide instructions on how to correct the ballot before it is cast and counted. VRE has been providing this educational information to all VBM voters since 2003. The robust education program required in the Voter's Choice Act will include information on correcting an over-voted ballot.

**Lot H - Ballot Duplication (No Award)** - This technology is included as a basic functionality of the central count tabulation solution proposed by Dominion Voting and is an ancillary support solution provided by the Runbeck Election Services, Inc., ballot printing on demand proposal. A separate contract for this functionality is not needed.

**Lot J - Automatic Signature Recognition Technology (No Award)** - The available technology for electronic signature verification is promising; however, due to Elections Code limitations, it does not significantly improve VRE's current manual signature verification process. The Elections Code needs to be adjusted to allow signature matching against the most recent



Approve The Award Of Contracts For Specified Voting Systems And Authorize The County Purchasing Agent To Complete Negotiations And Execute The Contracts With Each Vendor For Specified Voting System Solutions

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signature on file. The number of ballot signatures that can be electronically verified against older signatures on file is low, resulting in the need for additional manual review. VRE is working with the state election association to explore modernizing this code.

**Legal Analysis**

County Counsel has reviewed the RFP process and will represent the county during contract development and negotiation with each vendor. County Counsel will sign the contracts with the Purchasing Agent when executed.

**MEASURES/EVALUATION**

Awarding the voting system and services in Lots will provide for implementation of the Vote Center model in the most efficient and cost effective method. The resulting voting system solution will allow the county to offer voters increased voting opportunities.

**FINANCIAL ANALYSIS**

The Registrar provided initial costs estimates at the Board's June 6, 2017 meeting. At that time, the cost for a Vote Center model solution was estimated to be \$4,425,000 for the first year of a purchase agreement and \$1,100,000 for the first year of a lease agreement. Responses received from the successful vendors included costs for the first year implementation and an additional four years of support. Below is a table showing the purchase and lease costs for these systems as proposed. First year costs are approximately \$2.43 million to purchase all the components necessary to replace the current voting system, meet current Election Code, and support 80 Vote Centers. First year costs to lease the same components are approximately \$650,000.

Comparison of Proposed Costs  
Purchase versus Lease

Years:	Purchase	Lease
1	\$2,432,000	\$646,000
2	384,000	629,000
3	384,000	629,000
4	384,000	629,000
5	384,000	629,000
Total:	\$3,968,000	\$3,162,000

The Purchasing Agent, working in collaboration with the County Executive or his designee, the Registrar of Voters and the Chief Information Officer, will evaluate the best value for each contract, comparing purchase and lease options where appropriate. The actual annual costs of the contracts will be determined following contract negotiation and development with each vendor.

VRE's Fiscal Year 2017-18 budget includes \$1.1 million in funding for acquisition of a voting system, which can be offset by using VRE's HAVA funds. With the proposed costs coming in

Approve The Award Of Contracts For Specified Voting Systems And Authorize The County Purchasing Agent To Complete Negotiations And Execute The Contracts With Each Vendor For Specified Voting System Solutions  
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lower than estimated in the June 6, 2017 board letter, the remaining HAVA funds and the County's technology reserves are sufficient to fund years two through five for these contracts.

Respectfully submitted,

APPROVED:  
NAVDEEP S. GILL  
County Executive

JILL LAVINE, Registrar of Voters  
Voter Registration and Elections

By: DAVID VILLANUEVA  
Deputy County Executive

CONCUR:

Concur as to purchasing procedures:

RAMI ZAKARIA, Chief Information Officer  
Department of Technology

MICHAEL M. MORSE, Director  
Department of General Services

Attachments:  
Resolution  
Attachment 1 - RFP #8484 Final Scores

**RESOLUTION NO. 2017-0773**

**APPROVING THE AWARD OF CONTRACTS FOR SPECIFIED VOTING  
SYSTEM SOLUTIONS AND DIRECTING THE PURCHASING AGENT  
OR HIS DESIGNEE(S) TO COMPLETE NEGOTIATIONS AND EXECUTE  
THE CONTRACTS WITH EACH VENDOR AND TO PERFORM ALL  
ACTIVITIES NECESSARY FOR THE ACQUISITION OF VOTING  
SYSTEM COMPONENTS FOR SACRAMENTO COUNTY**

**WHEREAS**, The Board of Supervisors on June 6, 2017, adopted the Vote Center model for conducting elections beginning with the June 2018 statewide election; and,

**WHEREAS**, Vote Centers are required to be equipped with secure, interactive registration files for immediate verification of voting activity; and,

**WHEREAS**, voters will be able to vote at any Vote Center, during the entire 11-day voting period, freeing voters from the restriction to vote at one specific location on one day; and,

**WHEREAS**, voters will be able to register to vote and receive a ballot at any Voter Center, increasing access to the electoral process; and,

**WHEREAS**, Voter Centers are required to offer multiple accessible voting units for use by any voter, over 11 days during each election; and,

**WHEREAS**, the voting system currently in use by the County has reached its end of life and needs replacing to provide voters increased opportunities to cast their ballot.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Supervisors approves the award of contracts with Democracy Live, Dominion Voting, Runbeck Election Services, and Tenex Software Solutions, Inc., for specified voting system solutions; and,

**BE IT FURTHER RESOLVED** that the Purchasing Agent, or his designee(s), be and is hereby authorized and directed to complete negotiations,

Approving The Award Of Contracts For Specified Voting System Solutions And Directing The Purchasing Agent Or His Designee(S) To Complete Negotiations And Execute The Contracts With Each Vendor And To Perform All Activities Necessary For The Acquisition Of Voting System Components For Sacramento County  
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execute, modify, and terminate (if needed), contracts with 1) Democracy Live, (2) Dominion Voting, (3) Runbeck Election Services, (4) Tenex Software Solutions, Inc., or with the next highest scorer of the specified Lot if negotiations with that Lot's vendor are not successful, and to perform all activities necessary to uphold the contracts.

On a motion by Supervisor Frost, seconded by Supervisor Nottoli, the forgoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento this 14<sup>th</sup> day of November, 2017, by the following vote, to wit:

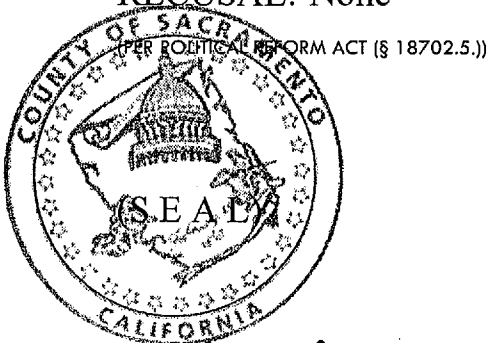
AYES: Supervisors Frost, Kennedy, Peters, Serna, Nottoli

NOES: None

ABSENT: None

ABSTAIN: None

RECUSAL: None



ATTEST:

Florence Evans  
Clerk, Board of Supervisors

Don Nottoli

Chair of the Board of Supervisors  
of Sacramento County, California

In accordance with Section 25103 of the Government Code of the State of California a copy of the document has been delivered to the Chair of the Board of Supervisors, County of Sacramento on 11.14.17

By:

J. Nottoli  
Deputy Clerk, Board of Supervisors

**FILED**  
BOARD OF SUPERVISORS

NOV 14 2017  
Florence Evans  
CLERK OF THE BOARD

## RFP #8484 Final Scores

<b>Lot A - Remote Ballot Management</b>	
Vendor	Score
Democracy Live	124
Five Cedars Group	38

<b>Lot C - Ballot Creation and Output Management</b>	
Vendor	Score
Dominion Voting	390
Election Systems & Software, LLC.	367

<b>Lot D - Ballot Printing On Demand</b>	
Vendor	Score
Runbeck Election Services	129
Election Systems and Software, LLC.	118
Dominion Voting	108

<b>Lot E - Accessible Ballot Marking Device</b>	
Vendor	Score
Dominion Voting	270
Election Systems and Software, LLC	259

<b>Lot G - Central Count Scanning and Tabulation</b>	
Vendor	Score
Dominion Voting	204
Election Systems and Software, LLC.	183

<b>Lot I - Help Desk Management</b>	
Vendor	Score
Tenex Software Solutions, Inc.	111
Robis Elections	94



## California Voting System Budgetary Proposal

Contra Costa County

Joe Canciamilla County Clerk, Recorder, Registrar of Voters

Registered Voters: 607,515 , Precincts: 656 , Polling Locations: 300

Date: November 28, 2017

Certified version: Democracy Suite # 5.2

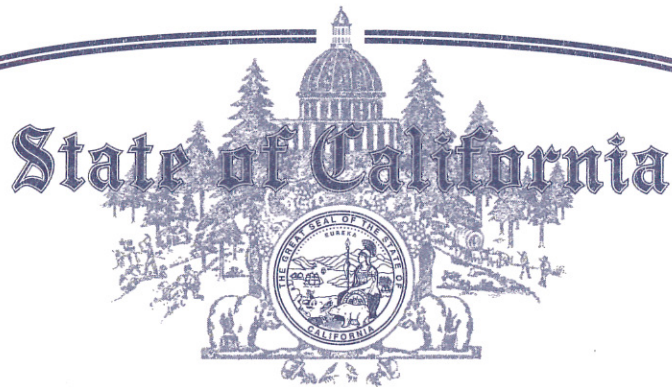
DESCRIPTION	QTY	UNIT PRICE	EXTENSION
<b>Central Scanning Solution: Absentee / Vote By Mail Hardware</b>			
<i>ImageCast Central Kit: Canon DR-G1130 high speed document scanner includes: ImageCast Central Software, Dell OptiPlex 7440 All-in-One, iButton programmer and key, cables</i>	11	\$25,000	\$ 275,000.00
<b>Sub-Total:</b>			\$ 275,000.00
<b>In-Person Voting Solution: Polling Location Hardware</b>			
<i>ImageCast Evolution (ICE): Internal Battery, Internal Modem, Printer w/Paper roll, 2x Flash Memory Cards, 2x iButton</i>	300	\$ 7,200.00	\$ 2,160,000.00
<i>ImageCast Evolution Plastic Ballot Box</i>	300	\$ 1,000.00	\$ 300,000.00
<i>ATI Accessible Voting Kit</i>	300	\$ 240.00	\$ 72,000.00
<i>ICE Tech Key (Yellow)</i>	25	\$ 25.00	\$ 625.00
<i>ICE Memory Cards 8GB</i>	700	\$ 100.00	\$ 70,000.00
<i>ImageCast X BMD (21 inch) Kit includes: ICX Firmware, Tablet, 5 voter activation cards, printer, cables, power cord</i>	310	\$ 2,750.00	\$ 852,500.00
<i>Audio Tactile Interface (ATI) Accessible Unit</i>	310	\$ 240.00	\$ 74,400.00
<i>ICX VA (Voter Activation Station) Kit includes: Dell Laptop, ICX Activation software, Smart Card Reader/Writer</i>	310	\$1,200.00	\$ 372,000.00
<i>ICX Transport Bag Set</i>	310	\$125.00	\$ 38,750.00
<i>8GB USB Flash Drive</i>	25	\$ 17.00	\$ 425.00
<i>Mobile Ballot Printing (MBP) Kit Oki Data C712 includes: printer, dell laptop, cables</i>	2	\$ 5,800.00	\$ 11,600.00
<b>Sub-Total:</b>			\$ 3,952,300.00
<b>Election Management Hardware</b>			
<i>Democracy Suite EMS Standard Server Configuration Kit - Up to 22 clients</i>	2	\$ 17,000.00	\$ 34,000.00
<i>EMS Client Workstation Configuration Kit</i>	2	\$1,400.00	\$ 2,800.00
<i>Adjudication Workstation Kit</i>	6	\$1,400.00	\$ 8,400.00
<i>EMS Report Printer - E310dw</i>	2	\$ 125.00	\$ 250.00
<b>Sub-Total:</b>			\$ 45,450.00
<b>Software</b>			
<i>Democracy Suite (EMS) Level 7 (400K - 600K)</i>	1	\$ 365,000.00	\$ 365,000.00
<i>ICC Adjudication Application - Level 7 (400K - 600K)</i>	1	\$ 75,000.00	\$ 75,000.00
<i>Automated Test Decks Level 7 (400K - 600K)</i>	1	\$ 27,000.00	\$ 27,000.00
<i>Mobile Ballot Printing Level 7 (400K - 600K)</i>	1	\$ 15,000.00	\$ 15,000.00
<i>ImageCast Remote UOCAVA / Accessible Ballot Delivery Level 7 (400K - 600K)</i>	0	\$ 30,000.00	\$ -
<b>Sub-Total:</b>			\$ 482,000.00
<b>Support Services</b>			
<b>Implementation</b>			
<i>Project Management</i>	30	\$ 2,000.00	\$ 60,000.00
<b>Training</b>			
<i>System Acceptance Testing Training</i>	2	\$ 2,000.00	\$ 4,000.00
<i>Democracy Suite Full System Training</i>	5	\$ 2,000.00	\$ 10,000.00
<i>ICE Operator Training</i>	1	\$ 2,000.00	\$ 2,000.00
<i>ICX Operator Training</i>	1	\$ 2,000.00	\$ 2,000.00
<i>ICC Operator Training</i>	1	\$ 2,000.00	\$ 2,000.00
<i>ICC Adjudication Training</i>	1	\$ 2,000.00	\$ 2,000.00
<i>Train The Trainer: Poll worker</i>	2	\$ 2,000.00	\$ 4,000.00
<b>Sub-Total:</b>	43		\$ 86,000.00
<b>Shipping <sup>1</sup></b>			
<i>Estimated Shipping</i>		\$ -	TBD
<b>Sub-Total:</b>			\$ -
<b>Discount</b>			
<i>Discount</i>	1	\$ (943,946.25)	\$ (943,946.25)
<b>Sub-Total:</b>			\$ (943,946.25)
<b>Purchase - Year 1 Total:</b>			<b>\$ 3,896,803.75</b>
<b>Annual Licenses</b>			
<i>Democracy Suite (EMS) Level 7 (400K - 600K)</i>	1	\$ 73,000.00	\$ 73,000.00
<i>ICC Adjudication Application - Level 7 (400K - 600K)</i>	1	\$ 15,000.00	\$ 15,000.00
<i>Automated Test Decks Level 7 (400K - 600K)</i>	1	\$ 5,400.00	\$ 5,400.00
<i>Mobile Ballot Printing Level 7 (400K - 600K)</i>	1	\$ 3,000.00	\$ 3,000.00
<i>ICC Annual Firmware License - G1130</i>	1	\$ 23,000.00	\$ 23,000.00
<i>ICE Annual Firmware License</i>	300	\$ 228.00	\$ 68,400.00
<i>ICX - BMD Accessible (21 inch) Annual Firmware License</i>	310	\$ 150.00	\$ 46,500.00
<b>Sub-Total:</b>			\$ 234,300.00
<b>Warranty and Maintenance</b>			
<i>ImageCast Central Kit: Canon DR-G1130</i>	1	\$ 14,500.00	\$ 14,500.00
<i>ImageCast Evolution (ICE)</i>	300	\$ 235.00	\$ 70,500.00
<i>ICX - BMD (21 inch)</i>	310	\$ 155.00	\$ 48,050.00
<b>Sub-Total:</b>			\$ 133,050.00
<b>Managed Service Program</b>			
	<b>Years</b>	<b>Payment</b>	
<b>Estimated MSA</b>	<b>8</b>	<b>\$ 897,470.21</b>	<b>\$7,179,761.68</b>

Cost of ownership

Outright purchase (8 years) \$ 6,468,253.75  
8 Year MSA \$7,179,761.68

## Estimated Savings with Democracy Suite

<b><i>Recurring Savings</i></b>							
	<b>Perm Labor (hrs)</b>		<b>Temp Labor (hrs)</b>	<b>Temp Expense</b>	<b>Supplies</b>	<b>Costs Avoided</b>	<b>Sub-Totals</b>
Ballot Layout	134	\$ 4,690.00	32	\$ 480.00			\$ 480.00
Testing							
Electro-Mechanical	416	\$ 14,560.00	800	\$ 12,000.00			\$ 12,000.00
Logic and Accuracy	80	\$ 2,800.00	120	\$ 1,800.00			\$ 1,800.00
Tally	144	\$ 5,040.00	190	\$ 2,850.00			\$ 2,850.00
Write ins	16	\$ 560.00	624	\$ 9,360.00			\$ 9,360.00
Duplication	64	\$ 2,240.00	752	\$ 11,280.00	\$ 22,951.66		\$ 34,231.66
One Percent	64	\$ 2,240.00	384	\$ 5,760.00			\$ 5,760.00
Early Voting			480	\$ 7,200.00	\$ 60,679.71		\$ 67,879.71
Gray Box Storage						\$ 12,000.00	\$ 12,000.00
		\$ 27,440.00		\$ 50,250.00	\$ 83,631.37	\$ 12,000.00	\$ 173,321.37
<b><i>One-time Savings</i></b>							
Maintenance	700	\$ 24,500.00	1220	\$ 18,300.00			
Building Redesign							
SCIF						\$ 24,000.00	
Electrical work						\$ 6,000.00	
Fencing/Racks						\$6,000	
Demolition						\$ 2,500.00	
<b>Grand Totals</b>	<b>1618</b>	<b>\$ 51,940.00</b>	<b>4602</b>	<b>\$ 68,550.00</b>	<b>\$ 167,262.74</b>	<b>\$ 48,000.00</b>	<b>\$ 335,752.74</b>



## SECRETARY OF STATE

### CONDITIONAL APPROVAL OF DOMINION VOTING SYSTEMS, INC. DEMOCRACY SUITE VERSION 5.2

*Whereas*, pursuant to Elections Code section 19201, no voting system, in whole or in part, may be used unless it has received the approval of the Secretary of State; and

*Whereas*, Dominion Voting Systems, Inc. submitted an application for the Democracy Suite 5.2 voting system, which is comprised of Election Management System Software version 5.2.18.2, ImageCast Evolution Software version 5.2.18, ImageCast Central Software version 5.2.0.707, ImageCast X Software version 5.2.6415.22930, Adjudication Software version 5.2.2.4, Accessible Tactile Interface Hardware version 1.10, Ballot Box version BOX-410A, and Mobile Ballot Printing Software version 5.2.18.2; and

*Whereas*, during a series of tests conducted by the Secretary of State's office, the voting system performed in a manner consistent with California Voting System Standards, and California law; and

*Whereas*, the voting system was able to successfully and accurately execute all test cases, scenarios, and scripts developed by the Secretary of State's office; and

*Whereas*, the request for approval of the voting system as described above was considered at a public hearing held September 27, 2017, at Sacramento, California.

***Therefore, I, Alex Padilla, Secretary of State for the State of California, find and determine, pursuant to Division 19 of the Elections Code, as follows:***

For the reasons set forth above, Dominion Voting Systems, Inc. Democracy Suite 5.2 is hereby approved.

Use of Dominion Voting Systems, Inc. Democracy Suite 5.2 voting system must comply with all California Elections Code and California Code of Regulation requirements and is also subject to the following terms and conditions:



1. Jurisdictions are prohibited from installing any software applications or utilities on any component of the voting system that have not been identified by the vendor and approved by the Secretary of State.
2. Prior to sale or use of the system in California, the vendor must provide to all jurisdictions its Use Procedures, entitled "Democracy Suite Use Procedures, Version 5.2CA.11, which the Secretary of State hereby approves. Compliance with the Use Procedures by the vendor and jurisdictions is a condition of the approval of this voting system. Compliance with all requirements set forth in the Use Procedures is mandatory, whether or not a particular requirement is identified in this approval document.
3. The system shall be utilized in a configuration of parallel central election management systems separated by an "air-gap" where (1) a permanent central system known to be running unaltered, certified software and firmware is used solely to define elections and program voting equipment and memory cards, (2) a physically-isolated duplicate system, reformatted after every election to guard against the possibility of infection, is used solely to read memory cards containing vote results, accumulate - and tabulate those results and produce reports, and (3) a separate computer dedicated solely to this purpose is used to reformat all memory devices before they are connected to the permanent system again.
4. No substitution or modification of the voting system shall be made with respect to any component of the voting system, including the Use Procedures, until the Secretary of State has been notified in writing and has determined that the proposed change or modification does not impair the accuracy or efficiency of the voting system sufficient to require a re-examination and approval.
5. Dominion Voting Systems, Inc. shall deposit an exact copy of the trusted build files to a State of California approved escrow facility within 10 business days. These build files along with the source code and all associated software and firmware shall be escrowed in a California approved source code escrow facility, pursuant to California Elections Code section 19212. Pursuant to California Code of Regulations section 20641, within five working days, the vendor shall certify to each affected election jurisdiction, with a copy to the Secretary of State, that it has placed the software in escrow.
6. Immediately after any repair or modification of any voting system component that requires opening the housing, the integrity of the firmware and/or software must be verified using an automated mechanism, or all software must be reinstalled by the jurisdiction from a read-only version of the approved firmware and/or software supplied directly by the federal testing laboratory or Secretary of State before the equipment can be put back into service.
7. No network connections to any device not directly used and necessary for voting system functions may be established. Communication by or with any component of the voting system by wireless or modem transmission is prohibited at any time. No component of the voting system, or any device with network connectivity to the voting system, may be connected to the Internet, directly or indirectly, at any time.



8. Upon request, members of the public must be permitted to observe and inspect, without physical contact, the integrity of all externally visible security seals used to secure voting equipment in a time and manner that does not interfere with the conduct of the election or the privacy of any voter.
9. Where voting equipment is used to record and tabulate vote results in a polling place, upon close of the polls, the poll workers are required to print two copies of the accumulated vote results and one audit log from each device. Each poll worker must sign every copy. One copy of the vote results from each device must be publicly posted outside the polling place. The second copy, along with the audit log, must be included with the official election material that is returned to the jurisdiction headquarters on election night.
10. Poll workers are not permitted to participate in any post-election manual count auditing of precinct results from a precinct in which they were a poll worker.
11. Elections officials must develop appropriate security procedures for use when representatives of qualified political parties and bona fide associations of citizens and media associations, pursuant to their rights under Elections Code section 15004, check and review the preparation and operation of vote tabulating devices and attend any or all phases of the election. The security procedures must permit representatives to observe at a legible distance the contents of the display on the vote tabulating computer or device. This requirement may be satisfied by positioning an additional display monitor or monitors in a manner that allows the representatives to read the contents.
12. With respect to any piece of voting equipment for which the chain of custody has been compromised or experiences a fatal error from which it cannot recover gracefully (i.e., the error is not handled through the device's internal error handling procedures with or without user input), such that the device must be rebooted or the device reboots itself to restore operation, the following actions must be taken:
  - The chief elections official of the jurisdiction must be notified immediately;
  - The equipment must be removed from service immediately and replaced if possible;
  - Any votes cast on the device prior to its removal from service must be subject to a 100% manual tally, by the process described in Elections Code section 15360, as part of the official canvass. Notice to the public of this manual tally may be combined with the notice required by any other manual tally required in this order or by Elections Code section 15360;
  - Any memory card containing data from that device must be secured and retained for the full election retention period;
  - An image of all device software and firmware must be stored on write-once media and retained securely for the full election retention period; and
  - All device software and firmware must be reinstalled from a read-only version of the approved firmware and software supplied directly by the federal testing laboratory or the Secretary of State before the equipment is placed back into service.



13. The Secretary of State reserves the right, with reasonable notice to the vendor and to the jurisdictions using the voting system, to modify the Use Procedures used with the voting system and to impose additional requirements with respect to the use of the system if the Secretary of State determines that such modifications or additions are necessary to enhance the accuracy, reliability or security of any of the voting system. Such modifications or additions shall be deemed to be incorporated herein as if set forth in full.
14. The Secretary of State reserves the right to monitor activities before, during and after the election at any precinct or registrar of voters' office, and may, at his or her discretion, test voting equipment.
15. Voting systems certified for use in California shall comply with all applicable state and federal requirements, including, but not limited to, those voting system requirements as set forth in the California Elections Code and the Help America Vote Act of 2002 and those requirements incorporated by reference in the Help America Vote Act of 2002. Further, voting systems shall also comply with all state and federal voting system guidelines, standards, regulations and requirements that derive authority from or are promulgated pursuant to and in furtherance of the California Elections Code and the Help America Vote Act of 2002 or other applicable state or federal law when appropriate.
16. Voting system manufacturers or their agents shall assume full responsibility for any representation they make that a voting system complies with all applicable state and federal requirements, including, but not limited to, those voting system requirements as set forth in the California Elections Code and the Help America Vote Act of 2002. In the event such representation is determined to be false or misleading, voting system manufacturers or their agents shall be responsible for the cost of any upgrade, retrofit or replacement of any voting system or its component parts found to be necessary for certification or otherwise not in compliance.
17. The vendor must establish a California County User Group and hold at least one annual meeting where all California users and Secretary of State staff are invited to attend and review the system.
18. Prior to the disposal or sale of this voting system or portion thereof, all equipment shall be cleared with a minimum of a two pass wipe so that no software, firmware or data remains on the equipment. At the time of disposal or sale, the equipment shall be returned solely to a non-functioning piece of hardware and the following documented for each:
  - Whether the machine is void of all software, firmware and data.
  - The hardware model name.
  - The hardware model number.
  - The hardware serial number.



IN WITNESS WHEREOF, I hereunto set my hand and  
affix the Great Seal of the State of California, this  
16th day of October, 2017.

ALEX PADILLA  
Secretary of State



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: TERMINATE the emergency action and ACCEPT contracted work as complete for the Morgan Territory Road Slide Repair Project, Clayton area.

**RECOMMENDATION(S):**

TERMINATE the emergency action originally taken by the Board of Supervisors on March 7, 2017, pursuant to Public Contract Code Sections 22035 and 22050, for the Morgan Territory Road Slide Repair Project, as recommended by the Public Works Director, Clayton area. Project No. 0672-6U6203 (District III)

ACCEPT as complete the contracted work performed by Flatiron West, Inc., for the Morgan Territory Road Slide Repair Project, as recommended by the Public Works Director, and DIRECT the Clerk to file a Notice of Completion for the repair contract.

**FISCAL IMPACT:**

The total cost of the project is not expected to exceed \$6,000,000. The project will be funded by Local Road Funds (100%). County staff is actively pursuing reimbursement through the Federal Emergency Management Agency (FEMA) as a result of the State and Federal emergency declarations.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Kevin Emigh,  
925.313.2233

cc:

## **BACKGROUND:**

On March 7, 2017, the Board of Supervisors, pursuant to Public Contract Code Section 22035 and 22050, declared an emergency and authorized the Public Works Director to proceed in the most expeditious manner to repair Morgan Territory Road approximately 1 mile south of Marsh Creek Road.

The repair work required the installation of two structural retaining wall systems, excavation and backfill of embankment between the wall systems, reconstruction of pavement, drainage improvements, and pavement striping.

Public Works Department used the professional firm of Quincy Engineering, Inc., to prepare the repair design. On April 18, 2017, Quincy Engineering, Inc. approved the repair plans, special provisions, and engineer's estimate. On April 20, 2017, the Public Works Department Deputy Public Works Director Mike Carlson, approved the plans for the project and requested prices for the necessary equipment, services, and supplies to perform the emergency repair project as expeditiously as possible. The resulting price quotes were received on May 23, 2017. On June 1, 2017, the Public Works Director signed a construction contract with Flatiron West, Inc. to perform the emergency repair work.

The emergency repairs began on July 17, 2017 and were substantially completed and Morgan Territory Road was opened to public traffic on November 18, 2017. During the construction period, Morgan Territory Road was closed at the slide site and local traffic used a temporary access on Leon Drive through the Marsh Creek Detention Facility driveway. The Public Works Director signed an agreement, "License Agreement for Temporary Use of Private Road (Leon Drive)", with each owner of Leon Drive for public use of the private road as needed for the duration of the construction phase of the emergency repairs. On November 18, 2017, the Leon Drive temporary access was closed to public traffic.

The temporary detour road on Leon Drive was repaved on December 1, 2017 in accordance with the signed License Agreement. The County utilized the existing contract with Granite Rock Company to repave Leon Drive. The existing bridge on Leon Drive was inspected on December 7, 2017 by County's Consultant to determine whether any damage occurred to it during its use by the County as a temporary detour and public access in accordance with the signed License Agreement.

As a result of the structural inspection and subsequent recommendations contained in report entitled "Bridge Inspection Memorandum" dated January 9, 2018 by Quincy Engineering, Inc., County Maintenance crews will install minor repairs to the structure including sealing hairline cracks in the support structure and installing minor repairs to the concrete deck.

The Public Works Director reports that the Morgan Territory Road slide repair work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of December 28, 2017.

## **CONSEQUENCE OF NEGATIVE ACTION:**

Contractor and sub-contractors will not receive full payment and project acceptance notification will not be recorded.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: Approve the conveyance of real property to the State of California, Dept. of Transportation, in connection to the SR4/I680 Widening Phase 3 project.

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the conveyance of Contra Costa County property rights located in Imhoff Road right of way in the vicinity of Highway 4 (SR4) and the I-680/SR4 Interchange in Martinez to the State of California, Department of Transportation (State), identified in Exhibit "A" of the Easement Deed (State Parcel No. 63157) attached hereto pursuant to Government Code Section 25526.6 (Project No. 0676-6P0040) and;

FIND that the Real Property transaction between Contra Costa County (County) and the State, under the threat of condemnation, are ministerial acts and are therefore statutorily exempt from CEQA, pursuant to the California Code of Regulations, Title 14, Chapter 3, Section 15268 and;

DETERMINE that the conveyance of said property rights are in the public interest and that the interest in the land conveyed

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Jessica Dillingham, 925.  
313-2224

cc:



RECOMMENDATION(S): (CONT'D)

will not substantially conflict or interfere with the use of the property by the county and;

AUTHORIZE the Public Works Director, or designee, to approve and execute the Right of Way Contract on behalf of the County and;

AUTHORIZE the Chair, Board of Supervisors, to execute the Easement Deed on behalf of the County in consideration for payment in the amount of \$3,000 and;

DIRECT the Real Estate Division of the Public Works Department to cause said Easement Deed to be delivered to the grantees for acceptance and recording in the Office of the County Clerk-Recorder.

FISCAL IMPACT:

\$3,000 to be deposited into the County Road Fund.

BACKGROUND:

The County acquired the real property in the 1960's in connection to an I-680/SR 4 Project. The State requires an easement over a portion of the property owned by the County for roadway purposes.

CONSEQUENCE OF NEGATIVE ACTION:

The project will not have sufficient land rights to allow construction in accordance with the approved plans and specifications.

AGENDA ATTACHMENTS

ROW - State Highway

Easement Deed & Exhibit A

MINUTES ATTACHMENTS

Signed: Easement Deed & Exhibit A



**RIGHT OF WAY CONTRACT - STATE HIGHWAY**

RW 8-3 (6/95)

\_\_\_\_\_, California

Dist.	Co.	Rte.	P.M.	Exp. Auth.	Project
4	CC	4	12.9	229119	0414000130

\_\_\_\_\_, 2018

**CONTRA COSTA COUNTY**, a PoliticalSubdivision of the State of California

Grantor

Document No. 63157 in the form of an EASEMENT DEED, covering the property particularly described in the above instruments, have been executed and delivered to JASPREET SINGH, Right of Way Agent for the State of California.

In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. (A) The parties have herein set forth the whole of their agreement. The performance of this agreement constitutes the entire consideration for said documents and shall relieve the State of California ("State" or "Grantee") of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed public improvement.

- (B) Grantee requires said property described in Document No. 63157 for State highway purposes, a public use for which Grantee has the authority to exercise the power of eminent domain. Grantor is compelled to sell, and Grantee is compelled to acquire the property.

Both Grantor and Grantee recognize the expense, time, effort, and risk to both parties in determining the compensation for the property by eminent domain litigation. The compensation set forth herein for the property is in compromise and settlement, in lieu of such litigation.

2. State shall:

- (A) Pay the Grantor the sum of \$3,000.00 for the property or interest conveyed by above documents when title to said property vests in State subject to all liens, encumbrances, assessments, easements and leases (recorded and/or unrecorded) and taxes.
- (B) Pay all escrow and recording fees incurred in this transaction, and, if title insurance is desired by State, the premium charged therefor. Said escrow and recording charges shall not, however, include documentary transfer tax.

3. This agreement shall be binding upon and inure to the benefit of the heirs, devisees, executors, administrators, legal representatives, successors and assigns of the Parties.

4. Included in Clause 2 (A) above is payment for the easements (63156-1 and 63156-2) that will be granted by the Grantor directly to Phillips 66 and Kinder Morgan, which are required for the project. Grantor shall provide the State with copies of the recorded easement.
5. The undersigned warrants that to the best of their knowledge that they are the owner in fee simple of the property as described in Clause 1 (B) above, and that they have the exclusive right to grant the so described property rights.
6. It is agreed and confirmed by the parties hereto that notwithstanding other provisions in this contract, the legal possession and use of the subject property by State, including the right to remove and dispose of improvements shall commence at close of escrow, and that the amount shown in Clause 2(A) herein includes, but is not limited to, full payment for such possession and use, including damages, if any, from said date.
7. Until such time as State takes actual physical possession of any or all of the property acquired herein, the Grantor shall have the use and enjoyment of its surface in the same manner as now used except that in no event shall any advertizing sign of any nature whatsoever be placed upon or allowed to remain on the property. Grantor agrees to keep the property in a neat and clean condition. Grantor agrees that no improvements other than those already on the property, shall be placed thereon; and the planting of any crops, trees, shrubs, or alterations, repairs, or additions to existing improvements which may hereafter be placed thereon are at Grantor's risk and without expectation of payment if removed by State.
8. In consideration of State's waiving the defects and imperfections in all matters of record title, the Grantor covenants and agrees to indemnify and hold the State of California harmless from any and all claims that other parties may make or assert on the title to the premises. The Grantor's obligation herein to indemnify State shall not exceed the amount paid to the Grantor under this contract.
9. State agrees to indemnify and hold harmless Grantor from any liability arising out of State's operations under this agreement. State further agrees to assume responsibility for any damages proximately caused by reason of State's operations under this agreement and State will, at its option, either repair or pay for such damage.
10. All work done under this agreement shall conform to all applicable building, fire and sanitary laws, ordinances, and regulations relating to such work, and shall be done in a good and workmanlike manner. All structures, improvements or other facilities, when removed, and relocated, or reconstructed by the State, shall be left in as good condition as found
11. Grantor warrants that to the best of its knowledge there are no oral or written leases on all or any portion of the property exceeding a period of one month, and the Grantor agrees to hold State harmless and reimburse State for any and all of its losses and expenses occasioned by reason of any lease of said property held by any tenant of Grantor for a period exceeding one month.
12. The undersigned hereby represents and warrants that to the best of its knowledge during the period of Grantor's ownership of the property, there have been no disposals, releases or threatened releases of hazardous substances or hazardous waste on, from, or under the property. The undersigned further represents and warrants that Grantor has no knowledge of any disposal, release, or threatened release

of hazardous substances or hazardous waste on, from, or under the property which may have occurred prior to Grantor taking title to the property.

The acquisition price of the property being acquired in this transaction reflects the fair market value of the property without the presence of contamination. If the property being acquired is found to be contaminated by the presence of hazardous waste which requires mitigation under Federal or State law, State may elect to recover its clean-up costs from those who caused or contributed to the contamination.

13. This Agreement and any subsequent amendments may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.
14. This transaction will be handled through an internal escrow by the State of California, Department of Transportation, District 4 Office, Post Office Box 23440, Oakland, CA 94623-0440.

In Witness Whereof, the Parties have executed this agreement the day and year first above written.

RECOMMENDED FOR APPROVAL:

RECOMMENDED FOR APPROVAL:

**CONTRA COSTA COUNTY**

\_\_\_\_\_  
JESSICA L. DILLINGHAM  
Supervising Real Property Agent

\_\_\_\_\_  
JASPREET SINGH  
District Branch Chief  
Acquisition Services

\_\_\_\_\_  
KAREN A. LAWS  
Principal Real Property Agent

**APPROVED:**

**APPROVED:**

**CONTRA COSTA COUNTY**

**STATE OF CALIFORNIA**  
**Department of Transportation**

By \_\_\_\_\_  
BRIAN M. BALBAS  
Interim Public Works Director

By \_\_\_\_\_  
MARK L. WEAVER  
Deputy District Director  
Right of Way and Land Surveys

No Obligation Other Than Those Set Forth Herein Will Be Recognized

**RECORDING REQUESTED BY**  
STATE OF CALIFORNIA

-----  
**WHEN RECORDED RETURN TO**  
DEPARTMENT OF TRANSPORTATION  
PO BOX 23440, MS-11A  
OAKLAND, CA 94623-0440  
Attn: Fiona Ho

Space above this line for Recorder's Use

## EASEMENT DEED

District	County	Route	Postmile	Number
04	CC	4	12.9	63157

Contra Costa County, a Political Subdivision of the State of California

hereinafter called GRANTOR, hereby grants to the State of California, Department of Transportation, hereinafter called STATE, an easement to install, maintain, repair, upgrade, reinstall electrical meter, utility boxes, cables and incidents thereto, upon, over, under and across that real property in the unincorporated area of County of Contra Costa, State of California, except that no above ground structures/improvements that would impede ingress and egress shall be constructed within the southerly 25 feet of said easement. Said easement being described as follows:

See Exhibit "A", attached.

Transfer Tax Not Applicable: R & T Code 11922

STATE BUSINESS: Free

This is to certify that this document is presented for recordation by the State of California under Government Code 27383 and is necessary to complete the chain of title of the State to property acquired by the State of California.

DISTRICT DIRECTOR

BY \_\_\_\_\_

MARK L. WEAVER  
Deputy District Director  
Right of Way and Land Surveys

Number
63157

Dated: \_\_\_\_\_

CONTRA COUNTY COSTA

By \_\_\_\_\_

Karen Mitchoff  
Chair, Board of Supervisors

---

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated \_\_\_\_\_

MALCOLM DOUGHERTY  
Director of Transportation

By \_\_\_\_\_

MARK L. WEAVER, Attorney in Fact  
Deputy District Director  
Right of Way and Land Surveys

Number
63157

## ACKNOWLEDGMENT

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

State of California }  
County of \_\_\_\_\_ } SS

On \_\_\_\_\_ before me, \_\_\_\_\_,  
*Here insert Name and Title of the Officer*  
personally appeared \_\_\_\_\_,

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

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

WITNESS my hand and official seal.

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

Number
63157

EXHIBIT "A"

All that real property situated in the unincorporated area of County of Contra Costa, State of California, being a portion of Parcel 1 of that Relinquishment from the State of California to the County of Contra Costa, recorded on September 4, 1963 in Book 4443 of Official Records, at Page 252, in the Office of the County Recorder of Contra Costa County, State of California, more particularly described as follows:

Commencing at the northerly terminus of that course described as "S. 19°17'47" E., 46.00 feet" of in said Parcel 1; thence along last said course, South 19°16'26" East, 38.86 feet; thence South 70°33'58" West, 160.86 feet to the POINT OF BEGINNING; thence South 70°33'58" West, 5.00 feet; thence North 21°28'02" West, 29.31 feet; thence North 19°34'10" West, 9.54 feet to the general northerly line of said Parcel 1; thence along the last said line, North 70°33'34" East, 34.96 feet; thence South 19°34'10" East, 10.00 feet; thence South 70°33'34" West, 29.94 feet to a line which bears North 21°28'02" West from the POINT OF BEGINNING; thence South 21°28'02" East, 28.86 feet to the POINT OF BEINNING.

CONTAINING 494 square feet, more or less.

The bearings and distances used in the above description are on the California Coordinate System of 1983, Zone 3, Epoch 1991.35. Multiply the above distances by 1.0000574 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: *Jonathon T. Murphey*  
Licensed Land Surveyor

Date: 5 July 2017



RECORDING REQUESTED BY  
STATE OF CALIFORNIA

C.2

-----  
**WHEN RECORDED RETURN TO**  
DEPARTMENT OF TRANSPORTATION  
PO BOX 23440, MS-11A  
OAKLAND, CA 94623-0440  
Attn: Fiona Ho

Space above this line for Recorder's Use

## EASEMENT DEED

District	County	Route	Postmile	Number
04	CC	4	12.9	63157

Contra Costa County, a Political Subdivision of the State of California

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See Exhibit "A", attached.

Transfer Tax Not Applicable: R & T Code 11922

STATE BUSINESS: Free

This is to certify that this document is presented for recordation by the State of California under Government Code 27383 and is necessary to complete the chain of title of the State to property acquired by the State of California.

DISTRICT DIRECTOR

BY

\_\_\_\_\_  
MARK L. WEAVER  
Deputy District Director  
Right of Way and Land Surveys



Number
63157

Dated: 2/13/2018

CONTRA COUNTY COSTA  
By Karen Mitchoff  
Karen Mitchoff  
Chair, Board of Supervisors

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated \_\_\_\_\_

MALCOLM DOUGHERTY  
Director of Transportation  
By \_\_\_\_\_  
MARK L. WEAVER, Attorney in Fact  
Deputy District Director  
Right of Way and Land Surveys

Number
63157

## ACKNOWLEDGMENT

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

State of California } SS  
County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_ ,  
*Here insert Name and Title of the Officer*  
personally appeared \_\_\_\_\_ ,

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

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

WITNESS my hand and official seal.

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

Number
63157

# EXHIBIT "A"

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Commencing at the northerly terminus of that course described as "S. 19°17'47" E., 46.00 feet" of in said Parcel 1; thence along last said course, South 19°16'26" East, 38.86 feet; thence South 70°33'58" West, 160.86 feet to the POINT OF BEGINNING; thence South 70°33'58" West, 5.00 feet; thence North 21°28'02" West, 29.31 feet; thence North 19°34'10" West, 9.54 feet to the general northerly line of said Parcel 1; thence along the last said line, North 70°33'34" East, 34.96 feet; thence South 19°34'10" East, 10.00 feet; thence South 70°33'34" West, 29.94 feet to a line which bears North 21°28'02" West from the POINT OF BEGINNING; thence South 21°28'02" East, 28.86 feet to the POINT OF BEINNING.

CONTAINING 494 square feet, more or less.

The bearings and distances used in the above description are on the California Coordinate System of 1983, Zone 3, Epoch 1991.35. Multiply the above distances by 1.0000574 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature:   
*Licensed Land Surveyor*

Date: 5 July 2017





Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: Accepting completion of improvements for road acceptance RA17-01252, Alamo area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2018/32 accepting completion of improvements for road acceptance RA17-01252 (cross-reference LP09-02026), for a project developed by Pacific-Mountain Contractors of California, Inc., as recommended by the Public Works Director, Alamo area. (District II)

**FISCAL IMPACT:**

No fiscal impact to County Funds. The funds to be released are developer fees that have been held on deposit.

**BACKGROUND:**

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

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Lori Leontini (925)  
313-2352

By: Stacey M. Boyd, Deputy

CONSEQUENCE OF NEGATIVE ACTION:

The completion of improvements will not be accepted and the warranty period will not begin.

AGENDA ATTACHMENTS

Resolution No. 2018/32

MINUTES ATTACHMENTS

Signed: Resolution No. 2018/32

Recorded at the request of: Lori Leontini (925) 313-2352

Return To: Simone Saleh (925)313-2170

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

**Adopted this Resolution on 02/13/2018 by the following vote:**

**AYE:** John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

**NO:** ☐

**ABSENT:** ☐

**ABSTAIN:** ☐

**RECUSE:** ☐

Resolution No. 2018/32

**IN THE MATTER OF:** Accepting completion of improvements for road acceptance RA17-01252 (cross-reference LP09-02026), for a project being developed by Pacific-Mountain Contractors of California, Inc., as recommended by the Public Works Director, Alamo area. (District II)

**WHEREAS**, these improvements are approximately located near Miranda Avenue and Stone Valley Road.

The Public Works Director having notified this Board that the improvements for road acceptance RA17-01252 (cross-reference LP09-02026) have been completed as provided in the Road Improvement Agreement with heretofore approved by this Board;

**NOW, THEREFORE, BE IT RESOLVED** that the improvements have been COMPLETED as of February 13, 2018 thereby establishing the six month terminal period for the filing of liens in case of action under said Road Improvement Agreement:

**DATE OF AGREEMENT:** October 17, 2017

**NAME OF SURETY:** Lexon Insurance Company

**BE IT FURTHER RESOLVED** that the \$1,000.00 cash security for labor and materials (Auditor's Deposit Permit No. DP745439, dated September 14, 2017) deposited by San Ramon Valley Fire Protection District be **RETAINED** for the six month lien guarantee period until August 13, 2018, at which time the Public Works Director is **AUTHORIZED** to refund the cash security less the amount of any claims on file.

**BE IT FURTHER RESOLVED** the payment (labor and materials) surety for \$45,000.00, Bond No. 1149397 issued by the above surety be **RETAINED** for the six month lien guarantee period until August 6, 2018, at which time the Board **AUTHORIZES** the release of said surety less the amount of any claims on file.

**BE IT FURTHER RESOLVED** that the pedestrian bridge improvements are **ACCEPTED** and **DECLARED** to be a County road.

**BE IT FURTHER RESOLVED** that the beginning of the warranty period is hereby established, and the \$1,000.00 cash deposit (Auditor's Deposit Permit No. DP745439, dated September 14, 2017) made by San Ramon Valley Fire Protection District and the performance / maintenance surety for \$89,000.00, Bond No. 1149397 issued by Lexon Insurance Company be **RETAINED** pursuant to the requirements of Section 94-4.406 of the Ordinance Code until released by this Board.

**Contact: Lori Leontini (925) 313-2352**

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: February 13, 2018**

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

By: Stacey M. Boyd, Deputy

**cc:** J. LaRocque, Michael Mann, Finance, Sherri Reed, Lynn Clark - Maintenance Clerk, Renee Hutchins, Records, Pacific- Mountain Contractors of California, Inc, Lexon Insurance Company, Lori Leontini, T-12/13/18

Recorded at the request of: Lori Leontini (925) 313-2352

Return To: Simone Saleh (925)313-2170

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

**Adopted this Resolution on 02/13/2018 by the following vote:**

<p>AYE: <input checked="" type="checkbox"/></p> <p>NO: <input type="checkbox"/></p> <p>ABSENT: <input type="checkbox"/></p> <p>ABSTAIN: <input type="checkbox"/></p> <p>RECUSE: <input type="checkbox"/></p>	<p>John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor</p>
--	---

Resolution No. 2018/32

**IN THE MATTER OF:** Accepting completion of improvements for road acceptance RA17-01252 (cross-reference LP09-02026), for a project being developed by Pacific-Mountain Contractors of California, Inc., as recommended by the Public Works Director, Alamo area. (District II)

**WHEREAS,** these improvements are approximately located near Miranda Avenue and Stone Valley Road.

The Public Works Director having notified this Board that the improvements for road acceptance RA17-01252 (cross-reference LP09-02026) have been completed as provided in the Road Improvement Agreement with heretofore approved by this Board;

**NOW, THEREFORE, BE IT RESOLVED** that the improvements have been COMPLETED as of February 13, 2018 thereby establishing the six month terminal period for the filing of liens in case of action under said Road Improvement Agreement:

DATE OF AGREEMENT: October 17, 2017

NAME OF SURETY: Lexon Insurance Company

**BE IT FURTHER RESOLVED** that the \$1,000.00 cash security for labor and materials (Auditor's Deposit Permit No. DP745439, dated September 14, 2017) deposited by San Ramon Valley Fire Protection District be **RETAINED** for the six month lien guarantee period until August 13, 2018, at which time the Public Works Director is **AUTHORIZED** to refund the cash security less the amount of any claims on file.

**BE IT FURTHER RESOLVED** the payment (labor and materials) surety for \$45,000.00, Bond No. 1149397 issued by the above surety be **RETAINED** for the six month lien guarantee period until August 6, 2018, at which time the Board **AUTHORIZES** the release of said surety less the amount of any claims on file.

**BE IT FURTHER RESOLVED** that the pedestrian bridge improvements are **ACCEPTED** and **DECLARED** to be a County road.

**BE IT FURTHER RESOLVED** that the beginning of the warranty period is hereby established, and the \$1,000.00 cash deposit (Auditor's Deposit Permit No. DP745439, dated September 14, 2017) made by San Ramon Valley Fire Protection District and the performance / maintenance surety for \$89,000.00, Bond No. 1149397 issued by Lexon Insurance Company be **RETAINED** pursuant to the requirements of Section 94-4.406 of the Ordinance Code until released by this Board.

Contact: Lori Leontini (925) 313-2352

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: February 13, 2018**

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

By: Stacey M. Boyd, Deputy





**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: Approving the tenth extension of the Drainage Improvement Agreement for drainage acceptance DA04-00035, Danville area.

**RECOMMENDATION(S):**

ADOPT Resolution No. 2018/35 approving the tenth extension of the Drainage Improvement Agreement for drainage acceptance DA04-00035 (cross-reference SD99-08381), for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, Danville area. (District III)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The terminal date of the Drainage Improvement Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Lori Leontini (925)  
313-2352

BACKGROUND: (CONT'D)

75% of the work has been completed to date.) By granting an extension, the County will give the developer more time to complete improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Drainage Improvement Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed, or revert the development to acreage

AGENDA ATTACHMENTS

Resolution No. 2018/35

Drainage Improvement Agreement Extension

MINUTES ATTACHMENTS

Signed: Resolution No. 2018/35

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

Adopted this Resolution on 02/13/2018 by the following vote:

AYE:	<input type="text" value="5"/>	John Gioia Candace Andersen Diane Burgis Karen Mitchoff Federal D. Glover
NO:	<input type="text"/>	
ABSENT:	<input type="text"/>	
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



**Resolution No. 2018/35**

IN THE MATTER OF approving the tenth extension of the Drainage Improvement Agreement for drainage acceptance DA04-00035 (cross-reference SD99-08381), for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, Danville area. (District III)

WHEREAS the Public Works Director having recommended that he be authorized to execute the tenth agreement extension which extends the Drainage Improvement Agreement between Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation and the County for construction of certain improvements in drainage acceptance DA04-00035 (cross-reference SD99-08381), Danville area, through January 9, 2019. APPROXIMATE PERCENTAGE OF WORK COMPLETE: 75%

ANTICIPATED DATE OF COMPLETION: September 2022

BOND NO.: 929412116 Date: October 25, 2006

REASON FOR EXTENSION: Sediment basin to be converted to bio-retention basin when house construction is completed.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

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: Lori Leontini (925) 313-2352**

**ATTESTED: February 13, 2018**

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

By: Stacey M. Boyd, Deputy

cc: J. LaRocque, Sherri Reed, Hiliana Li - DCD Secretary, Lori Leontini, T-11/09/18, Shapell Homes, National Fire Insurance Company of Hartford

# CONTRA COSTA COUNTY

## DRAINAGE IMPROVEMENT AGREEMENT EXTENSION

**Development Number:** DA04-00035

**Developer:** Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation

**Original Agreement Date:** January 9, 2007

**Tenth Extension New Termination Date:** January 9, 2019

### Improvement Security

**SURETY :** The National Fire Insurance Company of Hartford

**BOND No.** 929 412 116

**Date:** October 25, 2006

**Security Type**

**Security Amount**

**Cash:** \$ 2,400.00 (1% cash, \$1,000 Min.)

**SURETY BOND:** \$ 169,470.00 (Performance)

\$ 122,250.00 (Labor & Material)

The Developer and the Surety desire this Agreement to be extended through the above date; and Contra Costa County and said Surety hereby agree thereto and acknowledge same.

Dated: \_\_\_\_\_

Dated: December 5, 2017

FOR CONTRA COSTA COUNTY  
Brian M. Balbas, Public Works Director

[Signature]  
Developer's Signature(s)

By: \_\_\_\_\_

[Signature]  
Printed

RECOMMENDED FOR APPROVAL:

[Signature]  
Developer's Signature(s)

By: [Signature]  
(Engineering Services Division)

[Signature]  
Printed

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

\_\_\_\_\_  
Address

National Fire Insurance Company of Hartford

Surety or Financial Institution

100 Matsonford Road, Suite 200 Radnor, PA 19087

Address

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

[Signature]  
Attorney in Facts Signature

Daniel P. Dunigan, Attorney-in-Fact

Printed

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

Civil Code § 1189

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

State of PENNSYLVANIA  
County of CHESTER

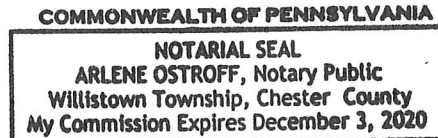
On December 5, 2017 before me, ARLENE OSTROFF, Notary Public  
Date Name and Title of Notary  
personally appeared DANIEL P. DUNIGAN  
Name and or Names of Signer(s)

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

Witness my hand and official seal.

Signature [Handwritten Signature]  
Notary Public Signature



Place Notary Public Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to the persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

## Description of Attached Document

Title or Type of Document \_\_\_\_\_

Document Date \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- ☐ Individual
- ☐ Corporate Officer – Title(s): \_\_\_\_\_
- ☐ Partner - ☐ Limited ☐ General
- ☐ Guardian or Conservator
- ☒ Attorney-in-Fact
- ☐ Trustee
- ☐ Other: \_\_\_\_\_

Signer is representing \_\_\_\_\_  
National Fire Insurance Company of Hartford



- ☐ Individual
- ☐ Corporate Officer – Title(s): \_\_\_\_\_
- ☐ Partner - ☐ Limited ☐ General
- ☐ Guardian or Conservator
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Other: \_\_\_\_\_

Signer is representing \_\_\_\_\_



## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company (herein called "the CNA Companies"), are duly organized and existing insurance companies having their principal offices in the City of Chicago, and State of Illinois, and that they do by virtue of the signatures and seals herein affixed hereby make, constitute and appoint

**William F Simkiss, Daniel P Dunigan, Richard J Decker, Joseph W Kolok, Jr, Brian C Block, James L Hahn, Individually**

of Paoli, PA, their true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on their behalf bonds, undertakings and other obligatory instruments of similar nature

### - In Unlimited Amounts -

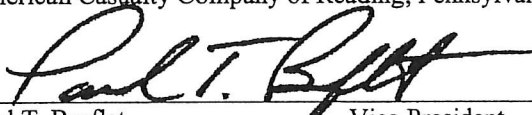
and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of their insurance companies and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Boards of Directors of the insurance companies.

In Witness Whereof, the CNA Companies have caused these presents to be signed by their Vice President and their corporate seals to be hereto affixed on this 15th day of June, 2015.

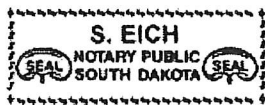


Continental Casualty Company  
National Fire Insurance Company of Hartford  
American Casualty Company of Reading, Pennsylvania


  
Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 15th day of June, 2015, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company described in and which executed the above instrument; that he knows the seals of said insurance companies; that the seals affixed to the said instrument are such corporate seals; that they were so affixed pursuant to authority given by the Boards of Directors of said insurance companies and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance companies.



My Commission Expires February 12, 2021


  
S. Eich Notary Public

### CERTIFICATE

I, D. Bult, Assistant Secretary of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance companies printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance companies this 5TH day of DECEMBER, 2017.



Continental Casualty Company  
National Fire Insurance Company of Hartford  
American Casualty Company of Reading, Pennsylvania

  
D. Bult Assistant Secretary



## Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF CONTINENTAL CASUALTY COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company at a meeting held on May 12, 1995:

"RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective."

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of Continental Casualty Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25<sup>th</sup> day of April, 2012:

"Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the "Authorized Officers") to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, "Electronic Signatures"); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company."

ADOPTED BY THE BOARD OF DIRECTORS OF NATIONAL FIRE INSURANCE COMPANY OF HARTFORD:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company by unanimous written consent dated May 10, 1995:

"RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective."

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of National fire Insurance Company of Hartford.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25<sup>th</sup> day of April, 2012:

"Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the "Authorized Officers") to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, "Electronic Signatures"); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company."

ADOPTED BY THE BOARD OF DIRECTORS OF AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company by unanimous written consent dated May 10, 1995:

"RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective."

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of American Casualty Company of Reading, Pennsylvania.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25<sup>th</sup> day of April, 2012:

"Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the "Authorized Officers") to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, "Electronic Signatures"); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company."

NATIONAL FIRE INSURANCE COMPANY OF HARTFORD  
Chicago, Illinois  
Statement of Net Admitted Assets and Liabilities  
December 31, 2016

ASSETS

Bonds	\$ 94,918,326
Cash and short-term investments	19,963,448
Investment income due and accrued	978,757
Net deferred tax asset	4,661,900
Other assets	7
Total Assets	<u>\$ 120,522,438</u>

LIABILITIES AND SURPLUS

Losses	\$ -
Loss adjustment expense	-
Other expense	62,593
Unearned premiums	-
Funds held by company under reinsurance treaties	5,000,000
Payable to parent, subsidiaries and affiliates	67,586
Total Liabilities	<u>\$ 5,130,179</u>

Surplus Account:

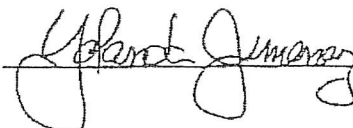
Capital paid up	\$ 5,000,000
Gross paid in and contributed surplus	47,200,000
Unassigned funds	<u>63,192,259</u>
Surplus as regards policyholders	<u>\$ 115,392,259</u>
Total Liabilities and Capital	<u>\$ 120,522,438</u>

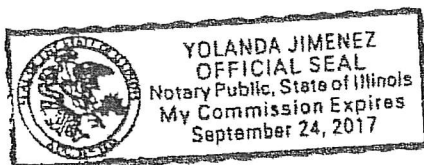
I, Troy Wray, Assistant Vice President of National Fire Insurance Company of Hartford hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2016, as filed with the various Insurance Departments and is a true and correct statement of the condition of National Fire Insurance Company of Hartford as of that date.

NATIONAL FIRE INSURANCE COMPANY OF HARTFORD

By   
Assistant Vice President

Subscribed and sworn to me this 14 day of March 2017  
My commission expires;

By   
Notary Public





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

STATE OF CALIFORNIA   )  
  )ss.  
COUNTY OF ALAMEDA   )

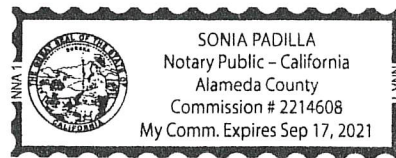
On December 8, 2017 before me Sonia Padilla, Notary Public personally appeared Robert D. Moore who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature 

(SEAL)



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

STATE OF CALIFORNIA   )  
  )ss.  
COUNTY OF ALAMEDA   )

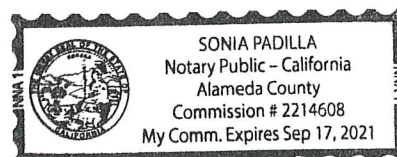
On December 8, 2017 before me Sonia Padilla, Notary Public personally appeared Steve Savage who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature 

(SEAL)



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

Adopted this Resolution on 02/13/2018 by the following vote:

	John Gioia
	Candace Andersen
AYE:	<input type="text" value="5"/> Diane Burgis
	Karen Mitchoff
	Federal D. Glover
NO:	<input type="checkbox"/>
ABSENT:	<input type="checkbox"/>
ABSTAIN:	<input type="checkbox"/>
RECUSE:	<input type="checkbox"/>



**Resolution No. 2018/35**

IN THE MATTER OF approving the tenth extension of the Drainage Improvement Agreement for drainage acceptance DA04-00035 (cross-reference SD99-08381), for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, Danville area. (District III)

WHEREAS the Public Works Director having recommended that he be authorized to execute the tenth agreement extension which extends the Drainage Improvement Agreement between Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation and the County for construction of certain improvements in drainage acceptance DA04-00035 (cross-reference SD99-08381), Danville area, through January 9, 2019. APPROXIMATE PERCENTAGE OF WORK COMPLETE: 75%

ANTICIPATED DATE OF COMPLETION: September 2022

BOND NO.: 929412116 Date: October 25, 2006

REASON FOR EXTENSION: Sediment basin to be converted to bio-retention basin when house construction is completed.

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

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: Lori Leontini (925) 313-2352

**ATTESTED: February 13, 2018**

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

By: *Stacey M. Boyd*  
 Stacey M. Boyd, Deputy

cc: J. LaRocque, Sherri Reed, Hiliana Li - DCD Secretary, Lori Leontini, T-11/09/18, Shapell Homes, National Fire Insurance Company of Hartford



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: Approving the fourth extension of the Subdivision Agreement for subdivision SD91-07553, Alamo area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2018/38 approving the fourth extension of the Subdivision Agreement for subdivision SD91-07553, for a project being developed by Alamo Land Investors, LLC and Alamo 37, LLC, as recommended by the Public Works Director, Alamo area. (District II)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The terminal date of the Subdivision Agreement needs to be extended. The developer has not completed the required improvements and has requested more time. (Approximately 0% of the work has been completed to date.) By granting

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Lori Leontini (925)  
313-2352

By: Stacey M. Boyd, Deputy

BACKGROUND: (CONT'D)

an extension, the County will give the developer more time to complete improvements and keeps the bond current.

CONSEQUENCE OF NEGATIVE ACTION:

The terminal date of the Subdivision Agreement will not be extended and the developer will be in default of the agreement, requiring the County to take legal action against the developer and surety to get the improvements installed, or revert the development to acreage.

AGENDA ATTACHMENTS

Resolution No. 2018/38

Subdivision Improvement Agreement Extension

MINUTES ATTACHMENTS

Signed: Resolution No. 2018/38

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

Adopted this Resolution on 02/13/2018 by the following vote:

AYE:	<input type="text" value="5"/>	John Gioia Candace Andersen Diane Burgis Karen Mitchoff Federal D. Glover
NO:	<input type="text"/>	
ABSENT:	<input type="text"/>	
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



**Resolution No. 2018/38**

IN THE MATTER OF approving the fourth extension of the Subdivision Agreement for subdivision SD91-07553, for a project being developed by Alamo Land Investors, LLC and Alamo 37, LLC, as recommended by the Public Works Director, Alamo area. (District II)

WHEREAS the Public Works Director having recommended that he be authorized to execute the fourth agreement extension which extends the subdivision agreement between Alamo Land Investors, LLC and Alamo 37, LLC and the County for construction of certain improvements in subdivision SD91-07553, Alamo area, through January 12, 2019.

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 0%

ANTICIPATED DATE OF COMPLETION: 2021

BOND NO.: 6653214 Date: December 16, 2009

REASON FOR EXTENSION: Construction delayed to accomodate demand for custom homes

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

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: Lori Leontini (925) 313-2352**

**ATTESTED: February 13, 2018**

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

By: Stacey M. Boyd, Deputy

cc: J. LaRocque, Sherri Reed, Hiliana Li - DCD Secretary, Lori Leontini, T- 11/20/18, Alamo Land Investors, LLC & Alamo 37, Safeco Insurance Company of America

**CONTRA COSTA COUNTY**  
**SUBDIVISION IMPROVEMENT AGREEMENT EXTENSION**

**Development Number:** SD91-07553

**Developer:** ALAMO LAND INVESTORS, LLC AND ALAMO 37 LLC

**Original Agreement Date:** January 12, 2010

**Fourth Extension New Termination Date:** January 12, 2019

**Improvement Security**

**SURETY :** Safeco Insurance Company of America

**BOND No.**      6653214

**Date:** December 16, 2009

**Security Type**

**Security Amount**

**Cash:**

**\$ 52,200.00 (1% cash, \$1,000 Min.)**

**SURETY BOND:**

**\$ 5,167,900.00 (Performance)**

**\$ 2,610,000.00 (Labor& Material)**

The Developer and the Surety desire this Agreement to be extended through the above date; and Contra Costa County and said Surety hereby agree thereto and acknowledge same.

Dated: \_\_\_\_\_

Dated: December 21, 2017

FOR CONTRA COSTA COUNTY  
Brian M. Balbas,              Public Works Director

By: \_\_\_\_\_  
Developer's Signature(s)

By: \_\_\_\_\_

Printed \_\_\_\_\_

By: \_\_\_\_\_  
Developer's Signature(s)

RECOMMENDED FOR APPROVAL:

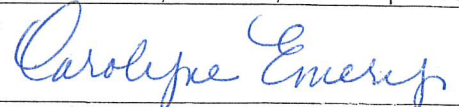
By:   
(Engineering Services Division)

  
Printed Albert D. Seeno, III

4061 Port Chicago Highway, Concord, CA 94520  
Address

Safeco Insurance Company of America  
Surety or Financial Institution

71 Stevenson Street, STE 600, San Francisco, CA 94105  
Address

By:   
Attorney in Facts Signature

Carolyn Emery  
Attorney-in-Fact

Printed \_\_\_\_\_

*(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)*

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board



## ACKNOWLEDGMENT

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

State of California  
County of Contra Costa

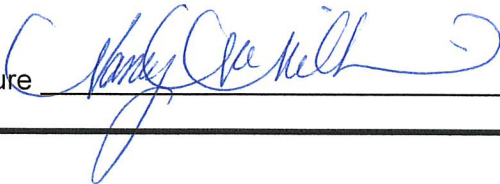
On December 26th, 2017 before me, Nancy McMillin, Notary Public  
(insert name and title of the officer)

personally appeared Albert D. Seeno, III,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

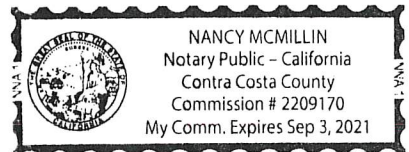
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



## ACKNOWLEDGMENT

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

State of California  
County of San Francisco )

On 12/21/2017 before me, S. Nicole Evans, Notary Public  
(insert name and title of the officer)

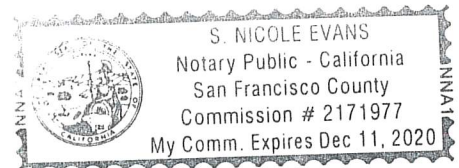
personally appeared Carolyn Emery-----,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their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

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

WITNESS my hand and official seal.

Signature

(Seal)





**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.**

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 7279436

First National Insurance Company of America  
General Insurance Company of America  
Safeco Insurance Company of America

**POWER OF ATTORNEY**

KNOWN ALL PERSONS BY THESE PRESENTS: That First National Insurance Company of America, General Insurance Company of America, and Safeco Insurance Company of America are corporations duly organized under the laws of the State of New Hampshire (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Bradley N. Wright; Carolyn Emery; Frances M. Murphy

all of the city of San Francisco, state of CA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 2nd day of March, 2016.



First National Insurance Company of America  
General Insurance Company of America  
Safeco Insurance Company of America

By: David M. Carey  
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 2nd day of March, 2016, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of First National Insurance Company of America, General Insurance Company of America, and Safeco Insurance Company of America, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Plymouth Twp., Montgomery County  
My Commission Expires March 28, 2017  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-law and Authorizations of First National Insurance Company of America, General Insurance Company of America, and Safeco Insurance Company of America, which are now in full force and effect reading as follows:

**ARTICLE IV – OFFICERS** – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

**Certificate of Designation** – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of First National Insurance Company of America, General Insurance Company of America, and Safeco Insurance Company of America do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 21<sup>ST</sup> day of DECEMBER, 2017.



By: Gregory W. Davenport  
Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

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

Adopted this Resolution on 02/13/2018 by the following vote:

	John Gioia
	Candace Andersen
AYE:	<input type="checkbox"/> 5 <input type="checkbox"/> Diane Burgis
	Karen Mitchoff
	Federal D. Glover
NO:	<input checked="" type="checkbox"/>
ABSENT:	<input checked="" type="checkbox"/>
ABSTAIN:	<input checked="" type="checkbox"/>
RECUSE:	<input checked="" type="checkbox"/>



**Resolution No. 2018/38**

IN THE MATTER OF approving the fourth extension of the Subdivision Agreement for subdivision SD91-07553, for a project being developed by Alamo Land Investors, LLC and Alamo 37, LLC, as recommended by the Public Works Director, Alamo area. (District II)

WHEREAS the Public Works Director having recommended that he be authorized to execute the fourth agreement extension which extends the subdivision agreement between Alamo Land Investors, LLC and Alamo 37, LLC and the County for construction of certain improvements in subdivision SD91-07553, Alamo area, through January 12, 2019.

APPROXIMATE PERCENTAGE OF WORK COMPLETE: 0%

ANTICIPATED DATE OF COMPLETION: 2021

BOND NO.: 6653214 Date: December 16, 2009

REASON FOR EXTENSION: Construction delayed to accommodate demand for custom homes

NOW, THEREFORE, BE IT RESOLVED that the recommendation of the Public Works Director is APPROVED.

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: Lori Leontini (925) 313-2352

**ATTESTED: February 13, 2018**

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

*Stacey M. Boyd*  
 By: Stacey M. Boyd, Deputy

cc: J. LaRocque, Sherri Reed, Hiliana Li - DCD Secretary, Lori Leontini, T-11/20/18, Alamo Land Investors, LLC & Alamo 37, Safeco Insurance Company of America



**Contra  
Costa  
County**

To: Board of Supervisors

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

Date: February 13, 2018

Subject: Accepting completion of warranty period for the Subdivision Agreement for subdivision SD13-09325, San Ramon (Dougherty Valley) area.

**RECOMMENDATION(S):**

ADOPT Resolution No. 2018/39 accepting completion of the warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, subdivision SD13-09325, for a project developed by Western Pacific Housing, Inc., as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

**FISCAL IMPACT:**

No fiscal impact to County Funds. The funds to be released are developer fees that have been held on deposit.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Lori Leontini (925)  
313-2352

By: Stacey M. Boyd, Deputy

**BACKGROUND:**

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

**CONSEQUENCE OF NEGATIVE ACTION:**

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

**AGENDA ATTACHMENTS**

Resolution No. 2018/39

**MINUTES ATTACHMENTS**

Signed: Resolution No. 2018/39

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

Adopted this Resolution on 02/13/2018 by the following vote:

AYE:	<input type="text" value="5"/>	John Gioia Candace Andersen Diane Burgis Karen Mitchoff Federal D. Glover
NO:	<input type="text"/>	
ABSENT:	<input type="text"/>	
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



**Resolution No. 2018/39**

IN THE MATTER OF: Accepting completion of warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, subdivision SD13-09325, for a project developed by Western Pacific Housing, Inc., as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

WHEREAS, on February 13, 2018, this Board resolved that the improvements in subdivision SD13-09325 were completed as provided in the Subdivision Agreement with Western Pacific Housing, Inc., and now on the recommendation of the Public Works Director;

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

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

REFUND the \$18,000.00 cash deposit (Auditor's Deposit Permit No.654114, dated March 13, 2014) plus interest to Shapell Homes, A Division of Shapell Industries, Inc. in accordance with Government Code Section 53079, if appropriate, Ordinance Code Section 94-4.406, and the subdivision agreement.

BE IT FURTHER RESOLVED that upon completion of the warranty and maintenance period, the San Ramon City Council shall accept the civil improvements for maintenance in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement and surety bond, Bond No. SU113522, dated August 6, 2015, issued by Arch Insurance Company, are EXONERATED.

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

**Contact: Lori Leontini (925) 313-2352**

**ATTESTED: February 13, 2018**

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

By: Stacey M. Boyd, Deputy

cc: J. LaRocque, Sherri Reed, Chris Hallford, Mapping, Ruben Hernandez - DCD, C. Low, City of San Ramon, Western Pacific Housing, Inc, Arch Insurance Company, Lori Leontini



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

Adopted this Resolution on 02/13/2018 by the following vote:

	John Gioia
	Candace Andersen
AYE:	<input type="checkbox"/> 5
	Diane Burgis
	Karen Mitchoff
	Federal D. Glover
NO:	<input type="checkbox"/>
ABSENT:	<input type="checkbox"/>
ABSTAIN:	<input type="checkbox"/>
RECUSE:	<input type="checkbox"/>



**Resolution No. 2018/39**

IN THE MATTER OF: Accepting completion of warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, subdivision SD13-09325, for a project developed by Western Pacific Housing, Inc., as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

WHEREAS, on February 13, 2018, this Board resolved that the improvements in subdivision SD13-09325 were completed as provided in the Subdivision Agreement with Western Pacific Housing, Inc., and now on the recommendation of the Public Works Director;

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

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

REFUND the \$18,000.00 cash deposit (Auditor's Deposit Permit No. 654114, dated March 13, 2014) plus interest to Shapell Homes, A Division of Shapell Industries, Inc. in accordance with Government Code Section 53079, if appropriate, Ordinance Code Section 94-4.406, and the subdivision agreement.

BE IT FURTHER RESOLVED that upon completion of the warranty and maintenance period, the San Ramon City Council shall accept the civil improvements for maintenance in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement and surety bond, Bond No. SU113522, dated August 6, 2015, issued by Arch Insurance Company, are EXONERATED.

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

**ATTESTED: February 13, 2018**

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

By: Stacey M. Boyd, Deputy

Contact: Lori Leontini (925) 313-2352

cc: J. LaRocque, Sherri Reed, Chris Hallford, Mapping, Ruben Hernandez - DCD, C. Low, City of San Ramon, Western Pacific Housing, Inc, Arch Insurance Company, Lori Leontini



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: Accepting completion of warranty period for the Subdivision Agreement for subdivision SD13-09303, San Ramon (Dougherty Valley) area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2018/40 accepting completion of the warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, subdivision SD13-09303, for a project developed by Western Pacific Housing, Inc., as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

**FISCAL IMPACT:**

No fiscal impact to County Funds. The funds to be released are developer fees that have been held on deposit.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Lori Leontini (925)  
313-2352

By: Stacey M. Boyd, Deputy

**BACKGROUND:**

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

**CONSEQUENCE OF NEGATIVE ACTION:**

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

**AGENDA ATTACHMENTS**

Resolution No. 2018/40

**MINUTES ATTACHMENTS**

Signed: Resolution No. 2018/40



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

Adopted this Resolution on 02/13/2018 by the following vote:

AYE:	<input type="text" value="5"/>	John Gioia Candace Andersen Diane Burgis Karen Mitchoff Federal D. Glover
NO:	<input type="text"/>	
ABSENT:	<input type="text"/>	
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



**Resolution No. 2018/40**

IN THE MATTER OF: Accepting completion of warranty period for the Subdivision Agreement, and release of cash deposit for faithful performance, subdivision SD13-09303, for a project developed by Western Pacific Housing, Inc., as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

WHEREAS, on February 13, 2018, this Board resolved that the improvements in subdivision SD13-09303 were completed as provided in the Subdivision Agreement with Western Pacific Housing, Inc., and now on the recommendation of the Public Works Director;

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

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

REFUND the \$7,000.00 cash deposit (Auditor's Deposit Permit No.647438, dated December 12, 2013) plus interest to Shapell Homes, A Division of Shapell Industries, Inc., in accordance with Government Code Section 53079, if appropriate, Ordinance Code Section 94-4.406, and the subdivision agreement.

BE IT FURTHER RESOLVED that upon completion of the warranty and maintenance period, the San Ramon City Council shall accept the civil improvements for maintenance in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement and surety bond, Bond No. SU113521, dated August 6, 2015, issued by Arch Insurance Company, are EXONERATED.

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

**Contact: Lori Leontini (925) 313-2352**

**ATTESTED: February 13, 2018**

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

By: Stacey M. Boyd, Deputy

cc: J. LaRocque, Lori Leontini, Chris Hallford, Mapping, Sherri Reed, Ruben Hernandez - DCD, C. Low, City of San Ramon, Western Pacific Housing, Inc., Arch Insurance Company

cc: J. LaRocque, Lori Leontini, Chris Hallford, Mapping, Sherri Reed, Ruben Hernandez - DCD, C. Low, City of San Ramon, Western Pacific Housing, Inc., Arch Insurance Company



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: Accepting completion of private improvements for Subdivision MS14-00013, Alamo area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2018/50 accepting completion of private improvements for subdivision MS14-00013 for a project developed by Pacific Union Property Developers, LLC, as recommended by the Public Works Director, Alamo area. (District II)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

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

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Lori Leontini (925)  
313-2352

By: Stacey M. Boyd, Deputy

CONSEQUENCE OF NEGATIVE ACTION:

The completion of private improvements will not be accepted.

AGENDA ATTACHMENTS

Resolution No. 2018/50

MINUTES ATTACHMENTS

Signed: Resolution No. 2018/50

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

Adopted this Resolution on 02/13/2018 by the following vote:

AYE:	<input type="text" value="5"/>	John Gioia Candace Andersen Diane Burgis Karen Mitchoff Federal D. Glover
NO:	<input type="text"/>	
ABSENT:	<input type="text"/>	
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



**Resolution No. 2018/50**

IN THE MATTER OF: Accepting completion of private improvements for subdivision MS14-00013 for a project developed by Pacific Union Property Developers, LLC, as recommended by the Public Works Director, Alamo area. (District II)

The Public Works Director has notified this Board that the private improvements in subdivision MS14-00013 have been completed as provided in the Subdivision Agreement with Pacific Union Property Developers, LLC, heretofore approved by this Board in conjunction with the filing of the Subdivision Map.

WHEREAS, these improvements are located on Crest Avenue.

NOW, THEREFORE, BE IT RESOLVED that the private improvements have been COMPLETED as of February 13, 2018, thereby establishing the six-month terminal period for the filing of liens in case of action under said Subdivision Agreement:

DATE OF AGREEMENT: June 13, 2017

NAME OF SURETY: International Fidelity Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$177,000.00, Bond No. 0715442 issued by the above surety be RETAINED for the six month lien guarantee period until August 13, 2018, at which time the Board AUTHORIZES the release of said surety less the amount of any claims on file.

**BE IT FURTHER RESOLVED** that the improvements on Crest Avenue is ACCEPTED and DECLARED to be a County road as shown and dedicated for public use on the map of subdivision MS14-00013 filed June 27, 2017, in Book 212 of Parcel Maps at page 31, Official Records of Contra Costa County, State of California.

**BE IT FURTHER RESOLVED** that there is no warranty period required, and the Public Works Director is AUTHORIZED to refund the \$3,540.00 cash security for performance (Auditor's Deposit Permit No. DP737369, dated May 24, 2017) plus interest in accordance with Government Code Section 53079, if appropriate, to Pacific Union Property Developers, LLC, pursuant to the requirements of the Ordinance Code; and the Subdivision Agreement and surety bond, Bond No. 0715442, dated March 9, 2017 are EXONERATED.

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

**Contact: Lori Leontini (925) 313-2352**

**ATTESTED: February 13, 2018**

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

By: Stacey M. Boyd, Deputy

cc: J. LaRocque, Lori Leontini, Renee Hutchins, Records, Sherri Reed, chris.lau, Maintenance, Chris Hallford, Mapping, Michael Mann, Finance, Pacific Union Property Developers, LLC, International Fidelity Insurance Company

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

Adopted this Resolution on 02/13/2018 by the following vote:

AYE:	<input type="checkbox"/>	John Gioia
	<input type="checkbox"/>	Candace Andersen
	<input type="checkbox"/>	Diane Burgis
	<input type="checkbox"/>	Karen Mitchoff
	<input type="checkbox"/>	Federal D. Glover
NO:	<input type="checkbox"/>	
ABSENT:	<input type="checkbox"/>	
ABSTAIN:	<input type="checkbox"/>	
RECUSE:	<input type="checkbox"/>	



**Resolution No. 2018/50**

IN THE MATTER OF: Accepting completion of private improvements for subdivision MS14-00013 for a project developed by Pacific Union Property Developers, LLC, as recommended by the Public Works Director, Alamo area. (District II)

The Public Works Director has notified this Board that the private improvements in subdivision MS14-00013 have been completed as provided in the Subdivision Agreement with Pacific Union Property Developers, LLC, heretofore approved by this Board in conjunction with the filing of the Subdivision Map.

WHEREAS, these improvements are located on Crest Avenue.

NOW, THEREFORE, BE IT RESOLVED that the private improvements have been COMPLETED as of February 13, 2018, thereby establishing the six-month terminal period for the filing of liens in case of action under said Subdivision Agreement:

DATE OF AGREEMENT: June 13, 2017

NAME OF SURETY: International Fidelity Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$177,000.00, Bond No. 0715442 issued by the above surety be RETAINED for the six month lien guarantee period until August 13, 2018, at which time the Board AUTHORIZES the release of said surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that the improvements on Crest Avenue is ACCEPTED and DECLARED to be a County road as shown and dedicated for public use on the map of subdivision MS14-00013 filed June 27, 2017, in Book 212 of Parcel Maps at page 31, Official Records of Contra Costa County, State of California.

BE IT FURTHER RESOLVED that there is no warranty period required, and the Public Works Director is AUTHORIZED to refund the \$3,540.00 cash security for performance (Auditor's Deposit Permit No. DP737369, dated May 24, 2017) plus interest in accordance with Government Code Section 53079, if appropriate, to Pacific Union Property Developers, LLC, pursuant to the requirements of the Ordinance Code; and the Subdivision Agreement and surety bond, Bond No. 0715442, dated March 9, 2017 are EXONERATED.

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

Contact: Lori Leontini (925) 313-2352

**ATTESTED: February 13, 2018**

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

By: *Stacey M. Boyd*  
 Stacey M. Boyd, Deputy

cc: J. LaRocque, Lori Leontini, Renee Hutchins, Records, Sherri Reed, chris.lau, Maintenance, Chris Hallford, Mapping, Michael Mann, Finance, Pacific Union Property Developers, LLC, International Fidelity Insurance Company



# Contra Costa County

To: Board of Supervisors  
From: Keith Freitas, Airports Director  
Date: February 13, 2018

Subject: APPROVE AND AUTHORIZE Consent to Lease Assignment, Amendment to Lease for Lease w/ West Coast Air Sports, Inc. for Property at 6901 Falcon Way, Byron

## **RECOMMENDATION(S):**

A. APPROVE and AUTHORIZE the Director of Airports, or his designee, to execute on behalf of the County, a consent to assignment of the lease between the County and the current tenant, Aerosports, Inc., dba Bay Area Skydiving, and the new tenant, West Coast Air Sports, Inc. to assign its lease of the County-owned property located at 6901 Falcon Way, Byron, to West Coast Air Sports, Inc..

B. APPROVE and AUTHORIZE the Director of Airports, or his designee, to EXECUTE, on behalf of the County, an amendment to the lease between the County, as landlord, and West Coast Air Sports, Inc., as tenant, that clarifies that the premises subject to the lease is located at 6901 Falcon Way, Byron.

## **FISCAL IMPACT:**

There is no negative impact on the General Fund. The Airport Enterprise Fund will continue to receive lease and other revenues provided for in the lease. The County General Fund will continue to receive property, sales and possessory interest tax revenues from the lease.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)  
681-4200

cc:

**BACKGROUND:**

The County entered into a lease with Aerosports, Inc., dba Bay Area Skydiving, in 2008 for property at Byron Airport that is currently known as 6901 Falcon Way, Byron (the Lease). Aerosports now desires to assign all of its interest in the Lease to West Coast Air Sports, Inc., which action requires the written consent of the County. Staff recommends (1) consent to the assignment, and (2) execution of an amendment to the Lease that clarifies the address of the property that is the subject of the Lease.

**CONSEQUENCE OF NEGATIVE ACTION:**

Aerosports will not be able to assign its interest in the Lease, the Lease will not be amended.

**ATTACHMENTS**

Skydiving - First Lease Amandment 2018

Exhibit A

Exhibit B



**FIRST AMENDMENT TO LEASE  
BETWEEN CONTRA COSTA COUNTY AND WEST COAST AIR SPORTS, INC**

This first amendment is dated \_\_\_\_\_, 2018 (the “**First Amendment**”), and is between the COUNTY OF CONTRA COSTA, a political subdivision of the State of California (“**Lessor**”), and West Coast Air Sports., a California corporation (“**Tenant**”).

**Recitals**

- A. Lessor owns and operates Byron Airport, a public airport located in Byron, California (the “**Airport**”), as shown on the Airport Layout Plan, which plan is on file in the office of the County Director of Airports (the “**Director of Airports**”).
- B. Under a lease dated November 4, 2008, the County leased approximately 0.86 acres of land and an approximately 5,000 square foot hangar located in the vicinity of the Airport to Aerosports, Inc., dba Bay Area Skydiving (“**Aerosports**”) (the “**Lease**”). The site that is the subject of the Lease is now commonly known as 6901 Falcon Way, Byron, California, and is more fully described in Exhibit A to the Lease (the “**Premises**”). A site plan of the Premises is shown on Exhibit B attached hereto.
- C. Under an Assignment of Lease Agreement dated \_\_\_\_\_, 2018, Aerosports assigned the Lease to Tenant.
- D. Lessor and Tenant desire to amend the Lease in order to update the address of the Premises and to incorporate Exhibit B into the Lease.

The parties therefore agree as follows:

**Agreement**

- 1. The Recitals set forth in this First Amendment are a part of the Lease.
- 2. Exhibit B is hereby incorporated into the Lease.
- 3. Section 3. Premises is deleted in its entirety and replaced with the following:

3. **PREMISES**

For and in consideration of the rent and faithful performance by Tenant of the terms and conditions and the mutual covenants hereof, County does hereby lease to Tenant and Tenant hereby leases from County, subject to all easements and encumbrances of record, and subject to certain restrictions described herein, the Premises. Tenant may access the Airport taxiways and runways through the west side gate shown on Exhibit B and Tenant shall utilize a “Drop Zone” specified by the Director of Airports. The “Drop Zone” may be modified from time to time by the Director of Airports in the interest of safety. If the Director of Airports determines that no safe “Drop Zone” can be located on Airport property, the Director of Airports may require the Tenant to establish a “Drop Zone” off of Airport property outside of the Airport air traffic area.

4. All other terms of the Lease remain unchanged.

The parties are signing this First Amendment as of the date and year first above written.

**LESSOR:**

**COUNTY OF CONTRA COSTA,**  
a political subdivision of the State of  
California

By: \_\_\_\_\_  
Name: Keith Freitas  
Title: Director of Airports

**TENANT:**

**WEST COAST AIR SPORTS, INC.,**  
a California corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**RECOMMENDED FOR APPROVAL:**

By: \_\_\_\_\_  
Name: Beth Lee  
Title: Assistant Director of Airports

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**RECOMMENDED FOR APPROVAL:**

By: \_\_\_\_\_  
Name: Karen Laws  
Title: Principal Real Property Agent

**APPROVED AS TO FORM:**

Sharon L. Anderson,  
County Counsel

By: \_\_\_\_\_  
Name: Kathleen M. Andrus  
Title: Deputy County Counsel

EXHIBIT "A"

Real property, being a portion of the North one-half of Section 22, Township 1 South, Range 3 East, Mount Diablo Meridian, situated in an unincorporated area of the County of Contra Costa, State of California, more particularly described as follows:

Commencing at the northeast corner of said Section 22 (T1S, R3E, MDB); thence along the north line of said Section 22, South 89°19'57" West, 2654.71 feet to the northeast corner of the northwest one-quarter of said section 22; thence leaving said north line, South 10°03'51" West, 1030.50 feet to the Point of Beginning of the herein described parcel of land; thence from said Point of Beginning, South 89°10'35" East, 17.00 feet; thence South 30°06'27" East, 108.22 feet; thence South 53°25'10" East, 70.00 feet; thence South 39°52'29" East, 122.50 feet; thence South 8°31'46" West, 60.05 feet; thence South 71°11'43" East, 39.44 feet; thence South 8°31'46" West, 16.26 feet; thence North 71°11'43" West, 81.75 feet; thence North 87°58'09" West, 158.87 feet; thence North 0°49'25" East, 285.82 feet to the Point of Beginning.

Containing an area of 0.86 acres of land, more or less.

Exhibit "B" attached and by this reference made a part hereof.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

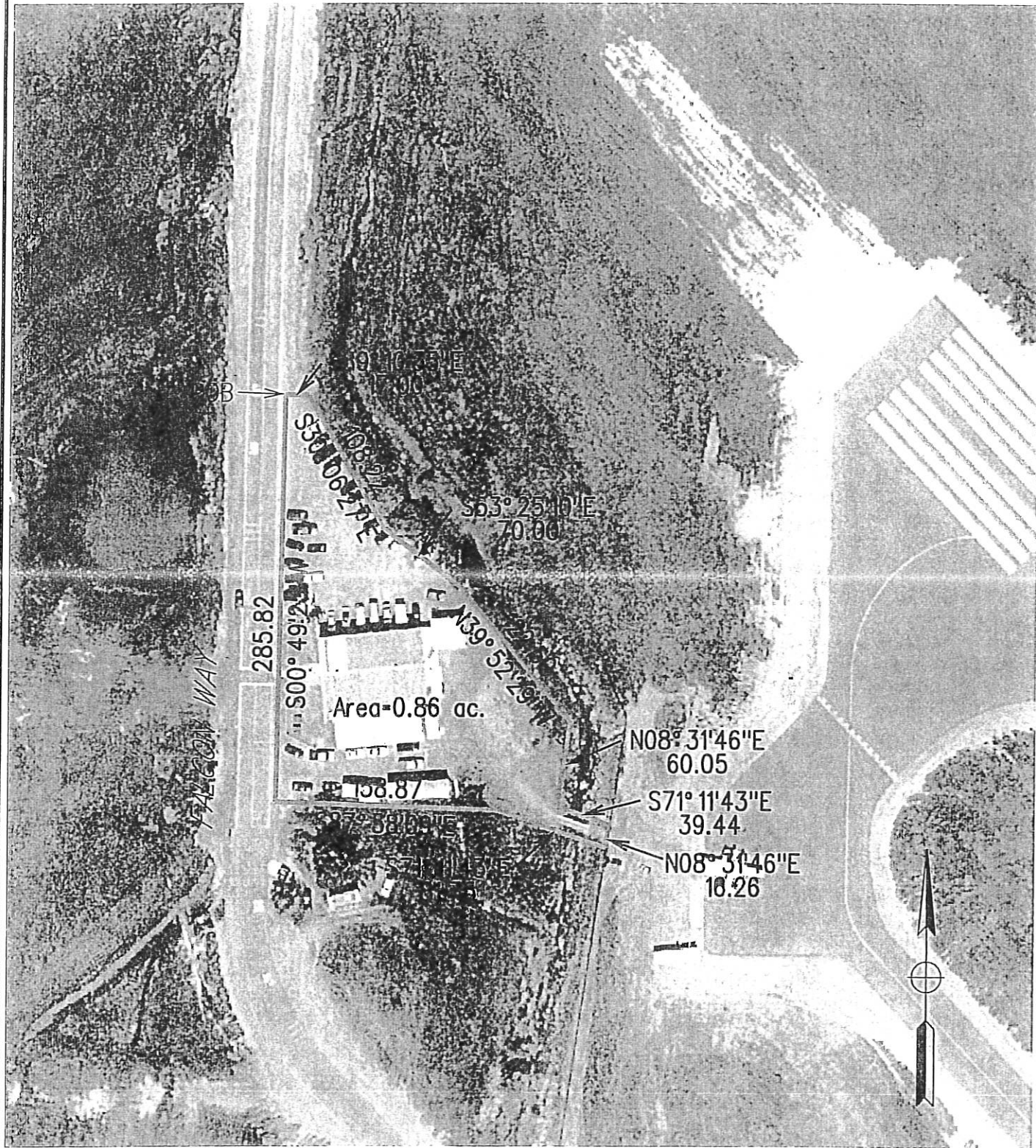
Signature:   
Licensed Land Surveyor  
Contra Costa County Public Works Department

Date: 4/3/2007



# EXHIBIT 'B'

PLAT TO ACCOMPANY EXHIBIT 'A'



# BYRON AIRPORT Property Lease

Instrument:		Scale: 1"=100'	Date: APRIL 07
Series No.:	Recorded:	Drawn By: AR/TL	File No.: 5320
		Checked By: JS	Cad File:SV532005Plat (rev2)



# Contra Costa County

To: Board of Supervisors  
From: Keith Freitas, Airports Director  
Date: February 13, 2018

Subject: APPROVE AND AUTHORIZE TERMINATION OF LEASE AGREEMENT AND LICENSE AGREEMENT WITH AEROSPORTS, INC. dba BAY AREA SKYDIVING

## **RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Director of Airports to terminate a lease Agreement and a license agreement that are in effect between the County and Aerosports, Inc. dba Bay Area Skydiving, for the use of two locations at Byron Airport. AUTHORIZE County Counsel to pursue legal action to regain possession of both premises. Byron Area.

## **FISCAL IMPACT:**

There is no negative impact on the General Fund. The Airport Enterprise Fund will cover the cost of any legal action.

## **BACKGROUND:**

There are two agreements in effect between the County and Aerosports, Inc., dba Bay Area Skydiving (Aerosports). One is a lease dated November 4, 2008, under which Aerosports occupies approximately 0.86 acres of land and an approximately 5,000 square foot hangar located at 6901 Falcon Way, Byron [\[1\]](#). Aerosports uses the leased premises to store aircraft and to operate a skydiving operation. The other is a license dated July 1, 2013, under which Aerosports is permitted to use a portion of an approximately 7,500 square foot hangar located at 505 Eagle Court in Byron for aircraft maintenance and storage.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)  
681-4200

cc:

Aerosports is currently in default of both the lease and the license for non-payment of rent. Airport staff has been working with the tenant for many months to bring the account current. Despite those efforts, Aerosports remains behind in making rent and concession payments.

Airport staff is requesting authority to terminate the lease and the license and to pursue legal action against Aerosports to regain possession of both premises. These actions are consistent with adopted Airport policies. In addition, by recovering possession of the properties, the Airport will be able to make both premises available to other interested tenants.

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BACKGROUND: (CONT'D)

[\[1\]](#) The lease incorrectly indicates the address of the hangar is 3000 Armstrong Road, Byron.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to terminate the agreements and regain possession of the properties could have a negative impact on the Airport Enterprise Fund.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: ACCEPT Assignment of Easement Deeds from Contra Costa County in connection with the Las Trampas Creek Project, Walnut Creek area.

**RECOMMENDATION(S):**

As the governing body of the Contra Costa County Flood Control and Water Conservation District:

ACCEPT the Assignment of Easement Deeds (Easements) dated January 16, 2018, from Contra Costa County (County) to Contra Costa County Flood Control and Water Conservation District (District), for interest in real property identified as a portion of Assessor's Parcel Numbers 184-070-011 and 184-070-027 in connection with the Las Trampas Creek Project (Project) in Walnut Creek.  
(Project No.: 7520-6B8315)

DIRECT the Real Estate Division of the Public Works Department to have the above referenced Easements recorded in the Office of the County Clerk-Recorder.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Angela Bell, 925.  
313-2337

cc:



**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

On January 16, 2018, this Board approved and executed two Easements from the County to the District. The Easements need to be accepted by the District to properly vest these interests with the District.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Easement rights within Las Trampas will continue to vest incorrectly with the County.

**ATTACHMENTS**

Assignment of Easement

Recorded at the request of:  
Contra Costa County

Return to:  
Contra Costa County  
Flood Control & Water Conservation District  
255 Glacier Drive  
Martinez, CA 94553

Attn: Angela Bell, Real Estate Division

Portion of Assessor's Parcel Nos.: 184-070-011

## ASSIGNMENT OF EASEMENT

For valuable consideration, receipt of which is hereby acknowledged,


CONTRA COSTA COUNTY, a political subdivision of the State of California ("Assignor"),

### Hereby assigns, transfers and conveys to

CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a flood control district, organized under the laws of the State of California ("Assignor"), all of Assignor's rights, title, interests and obligations under that certain easement recorded June 23, 1954 at the Contra Costa County Clerk-Recorder's Office and described in Book 2336 at Page 327 from Frank D. Parkinson, a single man to Contra Costa County, a political subdivision of the State of California, unincorporated area of the County of Contra Costa, State of California,

CONTRA COSTA COUNTY

Dated 1-16-18

By   
~~Karen Mitchoff~~ John Gioia  
Chair, Board of Supervisors

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


STATE OF CALIFORNIA )

COUNTY OF CONTRA COSTA ✓)

On January 16, 2018 before me, Stacey M. Boyd, Clerk of the Board of Supervisors, Contra Costa County, personally appeared John Gioia, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

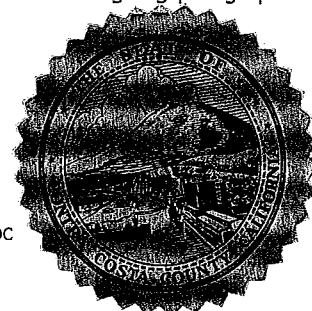
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:   
Deputy Clerk

AB:AL

G:\realprop\Bell\FCD-Las Trampas Assignment of Easement\EA.08 Assignment of Easement.doc  
Updated 08/18/15



Recorded at the request of:  
Contra Costa County

Return to:  
Contra Costa County  
Flood Control & Water Conservation District  
255 Glacier Drive  
Martinez, CA 94553

Attn: Angela Bell, Real Estate Division

Portion of Assessor's Parcel Nos.: 184-070-027

## ASSIGNMENT OF EASEMENT

For valuable consideration, receipt of which is hereby acknowledged,

CONTRA COSTA COUNTY, a political subdivision of the State of California ("Assignor"),

**Hereby assigns, transfers and conveys to**

CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a flood control district, organized under the laws of the State of California ("Assignor"), all of Assignor's rights, title, interests and obligations under that certain easement recorded February 28, 1955 at the Contra Costa County Clerk-Recorder's Office and described in Book 2484 at Page 187 from Virgil C. Boudreau and Lucy M. Boudreau, his wife to Contra Costa County, a political subdivision of the State of California, unincorporated area of the County of Contra Costa, State of California,

CONTRA COSTA COUNTY

Dated 1-16-18

By

  
~~Karen Mitchoff~~ John Gioia  
Chair, Board of Supervisors

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

STATE OF CALIFORNIA )

COUNTY OF CONTRA COSTA ✓

On January 16, 2018 before me, Stacey M. Boyd, Clerk of the Board of Supervisors, Contra Costa County, personally appeared John Gioia, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature: Stacey M. Boyd

Deputy Clerk



AB:AL

G:\realprop\Bell\FCD-Las Trampas Assignment of Easement\EA.08 Assignment of Easement.2.doc  
Updated 08/18/15



# Contra Costa County

To: Board of Supervisors  
From: Keith Freitas, Airports Director  
Date: February 13, 2018

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

## **RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Lorraine McPherson and Kevin Wheeler for a T-hangar at Buchanan Field Airport effective February 1, 2018 in the monthly amount of \$394.10, Pacheco area.

## **FISCAL IMPACT:**

The Airport Enterprise Fund will realize \$4,729.20 annually.

## **BACKGROUND:**

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)  
681-4200

cc:

## BACKGROUND: (CONT'D)

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

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

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

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

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

## CONSEQUENCE OF NEGATIVE ACTION:

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

## ATTACHMENTS

Hangar Rental Agmt - L McPherson and K Wheeler

## CONTRA COSTA COUNTY - BUCHANAN FIELD AIRPORT

### T-HANGAR AND SHADE HANGAR RENTAL AGREEMENT

1. **PARTIES:** February 1, 2018 ("Effective Date"), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California ("**Airport**"), Lorraine McPherson and Kevin Wheeler ("**Renter**"), hereby mutually agree and promise as follows:
2. **RENTER AND AIRCRAFT INFORMATION:** Simultaneous with the execution of this T-Hangar and Shade Hangar Rental Agreement ("**Rental Agreement**") by Renter, Renter shall complete the Renter and Aircraft Information Form. A completed copy of the Renter and Aircraft Information Form is attached hereto as Exhibit "A" and incorporated herein. Renter must also provide to Airport at that time, for inspection and copying, (1) the original current Aircraft Registration or, if the aircraft described in Exhibit A is under construction, the plans for and proof of ownership of such aircraft; and (2) the insurance information required by Section 16 below.
3. **PURPOSE:** The purpose of this Rental Agreement is to provide for the rental of a T-Hangar or Shade Hangar space at the Contra Costa County - Buchanan Field Airport for the storage of the aircraft described in the Renter and Aircraft Information Form ("**Renter's Aircraft**").
4. **PREMISES:** For and in consideration of the rents and faithful performance by Renter of the terms and conditions set forth herein, Airport hereby rents to Renter and Renter hereby rents from Airport that T-Hangar or Shade Hangar shown as # C-9 on the T-Hangar and Shade Hangar Site Plan, attached hereto as Exhibit B and incorporated herein. This T-Hangar or Shade Hangar is part of the T-Hangar and Shade Hangar Site ("**T-Hangar Site**") and shall hereinafter be described as the "**T-Hangar.**"

Renter has inspected the T-Hangar and hereby accepts the T-Hangar in its present condition, as is, without any obligation on the part of Airport to make any alterations, improvements, or repairs in or about the T-Hangar.
5. **USE:** The T-Hangar shall be exclusively by Renter for the storage of Renter's Aircraft. In addition to the storage of Renter's Aircraft, Renter may use the T-Hangar for (1) the homebuilding, restoration and/or maintenance of Renter's Aircraft, provided that such homebuilding, restoration and/or maintenance is performed by Renter only and in conformance with all applicable statutes, ordinances, resolutions, regulations, orders, circulars (including but not limited to FAA Advisory Circular 20-27) and policies now in existence or adopted from time to time by the United States, the State of California, the County of Contra Costa and other government agencies

with jurisdiction over Buchanan Field Airport; (2) the storage of and materials directly related to the storage, construction of homebuilt planes homebuilding, restoration, and/or maintenance of Renter's Aircraft; (3) the storage of one boat, or one recreational vehicle, or one motorcycle, or one automobile, provided that Renter first provides to Airport proof of Renter's ownership and original registration of any stored boat or vehicle, for inspection and copying; and/or (4) the storage of comfort items (such as a couch, small refrigerator, etc.) that the Director of Airports, in his sole discretion, determines will not impede the use of the hangar for the storage of Renter's Aircraft, and are not prohibited by applicable building and fire codes. The T-Hangar shall not be used for any purpose not expressly set forth in this Section 5. Use.

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

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

6. **TERM:** This Rental Agreement shall be from month to month commencing **February 1, 2018**, and shall continue until terminated. This Rental Agreement may be terminated by any party upon thirty (30) days written notice to the other party.

7. **RENT:**

- A. **Monthly Rent and Additional Rent.** Renter shall pay \$ **394.10** in rent per month ("**Monthly Rent**") due and payable in advance on the first day of each calendar month, beginning on the commencement date of this Rental Agreement. Unless directed to do otherwise by Airport, Renter shall pay rent only in cash or by personal check, certified check, or money order. If the term of this Rental Agreement begins on a day other than the first day of the month, the Monthly Rent stated above for the first month shall be prorated



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: Accept Notice of Completion of contracted work for Montalvin and MonTara Bay Parks Improvements, San Pablo area.

**RECOMMENDATION(S):**

ADOPT Resolution No. 2018/58 accepting as complete the contract work performed by Suarez & Munoz Construction, Inc., for the Montalvin and MonTara Bay Parks Improvements project, Denise Drive and 2250 Tara Hills Drive, San Pablo, as recommended by the Public Works Director. (District I)

**FISCAL IMPACT:**

100% County Service Area M-17.

**BACKGROUND:**

The project consists of renovation and replacement of the playground, asphalt paths, picnic tables and chairs, erosion control plantings, minor grading, a drainage swale, renovation of existing drainage system, and planting of three trees at Montalvin Park. The project also consists of rehabilitation of a trash enclosure adjacent to the community center, replacement of existing landscaping, replacement of concrete walkway from the parking lot to the park for Americans with Disabilities Act guideline access, storm drain lines, and baseball field drainage and irrigation at MonTara Bay Park.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Carl Roner (925)  
313-2213

By: Stacey M. Boyd, Deputy



#### CONSEQUENCE OF NEGATIVE ACTION:

Accepting a contract as complete is a standard procedure, is required by law, following substantial completion and public use of the project, and allows for proper closeout of the project. If the contract is not accepted as complete, the period for filing stop payment notices and bond claims on the contract may be extended.

#### AGENDA ATTACHMENTS

Resolution No. 2018/58

Notice of Completion

#### MINUTES ATTACHMENTS

Signed: Resolution No. 2018/58

Recorded at the request of: Carl Roner (925) 313-2213

Return To: Simone Saleh (925) 313-2170

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

**Adopted this Resolution on 02/13/2018 by the following vote:**

**AYE:** John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**

Resolution No. 2018/58

IN THE MATTER OF: Accepting and Given Notice of Completion of Contract with Suarez & Munoz Construction, Ind., for the Montalvin and MonTara Bay Parks Improvements project, Denise Drive and 2250 Tara Hills Drive, San Pablo, for the Public Works Department.

WHEREAS on November 28, 2016, the County (owner) contracted with Suarez & Munoz Construction, Inc., (General Contractor), for the Montalvin and MonTara Bay Parks Improvements project, with Developers Surety and Indemnity Company as surety, for work to be performed on County Property located at Denise Drive and 2250 Tara Hills Drive, San Pablo.

NOW, THEREFORE, BE IT RESOLVED the contract work for the Montalvin and MonTara Bay Parks Improvements project, Denise Drive and 2250 Tara Hills Drive, San Pablo, is accepted as recommended above.

**Contact: Carl Roner (925) 313-2213**

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: February 13, 2018**

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

By: Stacey M. Boyd, Deputy

**cc:** Warren Lai, Engineering Services, Carl Roner, Rochelle Johnson, Special District, Jen Quallick, Estevan Munoz, Suarez & Munoz Construction, Inc., Developers Surety and Indemnity Company

Recorded at the request of:

Contra Costa County Public Works Dept.  
Engineering Services Division

When recorded, return to:

Contra Costa County Public Works Dept.  
Capital Projects Management Div.  
255 Glacier Drive  
Martinez, CA 94553

### **NOTICE OF COMPLETION**

(Civil Code Section 9204)

NOTICE IS GIVEN of completion of the following public work of improvement:

- (1) Project name: Montalvin and Montarabay Parks Improvements, Denise Drive and 2250 Tara Hills Drive, San Pablo, California 94806
- (2) Date of completion: December 1, 2017
- (3) Name and address of Owner: Contra Costa County, c/o Contra Costa County Public Works Department, Engineering Services Division, 255 Glacier Drive, Martinez, CA 94553
- (4) Name and address of Direct Contractor: Suarez & Munoz Construction, Inc., 2490 American Avenue, Hayward, CA 94545
- (5) Name and address of Construction Lender: None
- (6) Description of site: Montalvin and Montarabay Parks Improvements, Denise Drive and 2250 Tara Hills Drive, San Pablo, California 94806

I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am the agent of the Owner named above, that I have read this Notice, that I know and understand the contents, and that the facts stated in the Notice are true and correct.

Dated: January 12, 2018



---

Warren Lai  
Contra Costa County Public Works Dept.  
Engineering Services Division

Recorded at the request of: Carl Roner (925) 313-2213

Return To: Simone Saleh (925) 313-2170

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

**Adopted this Resolution on 02/13/2018 by the following vote:**

**AYE:** John Gioia, District I Supervisor Candace Andersen, District II Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor

**NO:** ☒

**ABSENT:** ☒

**ABSTAIN:** ☒

**RECUSE:** ☒

Resolution No. 2018/58

IN THE MATTER OF: Accepting and Given Notice of Completion of Contract with Suarez & Munoz Construction, Ind., for the Montalvin and MonTara Bay Parks Improvements project, Denise Drive and 2250 Tara Hills Drive, San Pablo, for the Public Works Department.

WHEREAS on November 28, 2016, the County (owner) contracted with Suarez & Munoz Construction, Inc., (General Contractor), for the Montalvin and MonTara Bay Parks Improvements project, with Developers Surety and Indemnity Company as surety, for work to be performed on County Property located at Denise Drive and 2250 Tara Hills Drive, San Pablo.

NOW, THEREFORE, BE IT RESOLVED the contract work for the Montalvin and MonTara Bay Parks Improvements project, Denise Drive and 2250 Tara Hills Drive, San Pablo, is accepted as recommended above.

**Contact: Carl Roner (925) 313-2213**

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: February 13, 2018**

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

By: *Stacey M. Boyd*  
Stacey M. Boyd, Deputy

cc: Warren Lai, Engineering Services, Carl Roner, Rochelle Johnson, Special District, Jen Qualtek, Estevan Munoz, Suarez & Munoz Construction, Inc., Developers Surety and Indemnity Company



# Contra Costa County

To: Board of Supervisors  
From: Keith Freitas, Airports Director  
Date: February 13, 2018

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

## **RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Matt Giudice for a shade hangar at Buchanan Field Airport effective February 1, 2018 in the monthly amount of \$177.07, Pacheco area (District 4).

## **FISCAL IMPACT:**

The Airport Enterprise Fund will realize \$2,124.84 annually.

## **BACKGROUND:**

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)  
681-4200

cc:

BACKGROUND: (CONT'D)

of the property during the lease period.

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

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

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

On February 23, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar Rental Agreement for use with the large hangars at Buchanan Field Airport.

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

CONSEQUENCE OF NEGATIVE ACTION:

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

ATTACHMENTS

Hangar Rental Agmt - M Giudice

## CONTRA COSTA COUNTY - BUCHANAN FIELD AIRPORT

### T-HANGAR AND SHADE HANGAR RENTAL AGREEMENT

1. **PARTIES:** February 1, 2018 ("Effective Date"), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California ("**Airport**"), **Matt Giudice** ("**Renter**"), hereby mutually agree and promise as follows:
2. **RENTER AND AIRCRAFT INFORMATION:** Simultaneous with the execution of this T-Hangar and Shade Hangar Rental Agreement ("**Rental Agreement**") by Renter, Renter shall complete the Renter and Aircraft Information Form. A completed copy of the Renter and Aircraft Information Form is attached hereto as Exhibit "A" and incorporated herein. Renter must also provide to Airport at that time, for inspection and copying, (1) the original current Aircraft Registration or, if the aircraft described in Exhibit A is under construction, the plans for and proof of ownership of such aircraft; and (2) the insurance information required by Section 16 below.
3. **PURPOSE:** The purpose of this Rental Agreement is to provide for the rental of a T-Hangar or Shade Hangar space at the Contra Costa County - Buchanan Field Airport for the storage of the aircraft described in the Renter and Aircraft Information Form ("**Renter's Aircraft**").
4. **PREMISES:** For and in consideration of the rents and faithful performance by Renter of the terms and conditions set forth herein, Airport hereby rents to Renter and Renter hereby rents from Airport that T-Hangar or Shade Hangar shown as # **B-13** on the T-Hangar and Shade Hangar Site Plan, attached hereto as Exhibit B and incorporated herein. This T-Hangar or Shade Hangar is part of the T-Hangar and Shade Hangar Site ("**T-Hangar Site**") and shall hereinafter be described as the "**T-Hangar.**"

Renter has inspected the T-Hangar and hereby accepts the T-Hangar in its present condition, as is, without any obligation on the part of Airport to make any alterations, improvements, or repairs in or about the T-Hangar.
5. **USE:** The T-Hangar shall be exclusively by Renter for the storage of Renter's Aircraft. In addition to the storage of Renter's Aircraft, Renter may use the T-Hangar for (1) the homebuilding, restoration and/or maintenance of Renter's Aircraft, provided that such homebuilding, restoration and/or maintenance is performed by Renter only and in conformance with all applicable statutes, ordinances, resolutions, regulations, orders, circulars (including but not limited to FAA Advisory Circular 20-27) and policies now in existence or adopted from time to time by the United States, the State of California, the County of Contra Costa and other government agencies with jurisdiction over Buchanan Field Airport; (2) the storage of and materials directly

related to the storage, construction of homebuilt planes homebuilding, restoration, and/or maintenance of Renter's Aircraft; (3) the storage of one boat, or one recreational vehicle, or one motorcycle, or one automobile, provided that Renter first provides to Airport proof of Renter's ownership and original registration of any stored boat or vehicle, for inspection and copying; and/or (4) the storage of comfort items (such as a couch, small refrigerator, etc.) that the Director of Airports, in his sole discretion, determines will not impede the use of the hangar for the storage of Renter's Aircraft, and are not prohibited by applicable building and fire codes. The T-Hangar shall not be used for any purpose not expressly set forth in this Section 5. Use.

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

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

6. **TERM:** This Rental Agreement shall be from month to month commencing **February 1, 2018**, and shall continue until terminated. This Rental Agreement may be terminated by any party upon thirty (30) days written notice to the other party.

7. **RENT:**

- A. **Monthly Rent and Additional Rent.** Renter shall pay \$ **177.07** in rent per month ("**Monthly Rent**") due and payable in advance on the first day of each calendar month, beginning on the commencement date of this Rental Agreement. Unless directed to do otherwise by Airport, Renter shall pay rent only in cash or by personal check, certified check, or money order. If the term of this Rental Agreement begins on a day other than the first day of the month, the Monthly Rent stated above for the first month shall be prorated





# Contra Costa County

To: Board of Supervisors  
From: Keith Freitas, Airports Director  
Date: February 13, 2018

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

## **RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Robert Hawkins and Lisa Tyler for a T-hangar at Buchanan Field Airport effective February 15, 2018 in the monthly amount of \$394.10, Pacheco area (District IV).

## **FISCAL IMPACT:**

The Airport Enterprise Fund will realize \$4,729.20 annually.

## **BACKGROUND:**

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)  
681-4200

cc:

#### BACKGROUND: (CONT'D)

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

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

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

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

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

#### CONSEQUENCE OF NEGATIVE ACTION:

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

#### ATTACHMENTS

Hangar Rental Agmt - R Hawkins and L Tyler

## CONTRA COSTA COUNTY - BUCHANAN FIELD AIRPORT

### T-HANGAR AND SHADE HANGAR RENTAL AGREEMENT

1. **PARTIES:** February 15, 2018 ("Effective Date"), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California ("**Airport**"), **Robert Hawkins and Lisa Tyler** ("**Renter**"), hereby mutually agree and promise as follows:
  2. **RENTER AND AIRCRAFT INFORMATION:** Simultaneous with the execution of this T-Hangar and Shade Hangar Rental Agreement ("**Rental Agreement**") by Renter, Renter shall complete the Renter and Aircraft Information Form. A completed copy of the Renter and Aircraft Information Form is attached hereto as Exhibit "A" and incorporated herein. Renter must also provide to Airport at that time, for inspection and copying, (1) the original current Aircraft Registration or, if the aircraft described in Exhibit A is under construction, the plans for and proof of ownership of such aircraft; and (2) the insurance information required by Section 16 below.
  3. **PURPOSE:** The purpose of this Rental Agreement is to provide for the rental of a T-Hangar or Shade Hangar space at the Contra Costa County - Buchanan Field Airport for the storage of the aircraft described in the Renter and Aircraft Information Form ("**Renter's Aircraft**").
  4. **PREMISES:** For and in consideration of the rents and faithful performance by Renter of the terms and conditions set forth herein, Airport hereby rents to Renter and Renter hereby rents from Airport that T-Hangar or Shade Hangar shown as # **F-10** on the T-Hangar and Shade Hangar Site Plan, attached hereto as Exhibit B and incorporated herein. This T-Hangar or Shade Hangar is part of the T-Hangar and Shade Hangar Site ("**T-Hangar Site**") and shall hereinafter be described as the "**T-Hangar**."
- Renter has inspected the T-Hangar and hereby accepts the T-Hangar in its present condition, as is, without any obligation on the part of Airport to make any alterations, improvements, or repairs in or about the T-Hangar.
5. **USE:** The T-Hangar shall be exclusively by Renter for the storage of Renter's Aircraft. In addition to the storage of Renter's Aircraft, Renter may use the T-Hangar for (1) the homebuilding, restoration and/or maintenance of Renter's Aircraft, provided that such homebuilding, restoration and/or maintenance is performed by Renter only and in conformance with all applicable statutes, ordinances, resolutions, regulations, orders, circulars (including but not limited to FAA Advisory Circular 20-27) and policies now in existence or adopted from time to time by the United States, the State of California, the County of Contra Costa and other government agencies with jurisdiction over Buchanan Field Airport; (2) the storage of and materials directly

related to the storage, construction of homebuilt planes homebuilding, restoration, and/or maintenance of Renter's Aircraft; (3) the storage of one boat, or one recreational vehicle, or one motorcycle, or one automobile, provided that Renter first provides to Airport proof of Renter's ownership and original registration of any stored boat or vehicle, for inspection and copying; and/or (4) the storage of comfort items (such as a couch, small refrigerator, etc.) that the Director of Airports, in his sole discretion, determines will not impede the use of the hangar for the storage of Renter's Aircraft, and are not prohibited by applicable building and fire codes. The T-Hangar shall not be used for any purpose not expressly set forth in this Section 5. Use.

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

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

6. **TERM:** This Rental Agreement shall be from month to month commencing **February 15, 2018**, and shall continue until terminated. This Rental Agreement may be terminated by any party upon thirty (30) days written notice to the other party.

7. **RENT:**

A. **Monthly Rent and Additional Rent.** Renter shall pay \$ **394.10** in rent per month ("**Monthly Rent**") due and payable in advance on the first day of each calendar month, beginning on the commencement date of this Rental Agreement. Unless directed to do otherwise by Airport, Renter shall pay rent only in cash or by personal check, certified check, or money order. If the term of this Rental Agreement begins on a day other than the first day of the month, the Monthly Rent stated above for the first month shall be prorated



# Contra Costa County

To: Board of Supervisors  
 From: David Twa, County Administrator  
 Date: February 13, 2018

Subject: Claims

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## **RECOMMENDATION(S):**

DENY claims filed by Marta Chavalas, Doug MacMaster, Daneshece Montanocordoba, Dan O'Connor, and David Stack.

## **FISCAL IMPACT:**

No fiscal impact.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, 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: February 13, 2018

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

By: Stephanie Mello, Deputy

Contact: Scott Selby  
 925.335.1400

cc:

BACKGROUND: (CONT'D)

Marta Chavalas: Claim for damage to personal property and business loss in the amount of \$50,000 or more.

Doug MacMaster: Claim for failure to pay for working out of classification in the amount of approximately \$25,000.

Daneshece Montanocordoba: Personal injury claim regarding medical treatment and other matters in the County detention facilities in the amount of \$2,940,000.

Dan O'Connor: Claim for a variety of allegations in the amount of \$1,000,000.

David Stack: Personal injury claim for damage to legs and torso in an amount to exceed \$10,000.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: February 13, 2018

Subject: Call for a Special Election Regarding Regional Measure 3 (Bay Area Traffic Relief Plan) Asking Voters to Approve Bridge Toll Increases

**RECOMMENDATION(S):**

ADOPT Resolution No. 2018/62 calling a special election on Regional Measure 3, a measure to increase tolls on Bay Area bridges, and calling for the election to be consolidated with the statewide primary election on June 5, 2018.

**FISCAL IMPACT:**

Senate Bill 595 requires the Bay Area Toll Authority use toll revenues to reimburse Contra Costa County for the incremental cost of submitting Regional Measure 3 to the voters via a special election.

Reimbursement of only the incremental costs will not mitigate any fixed costs of conducting the election, such as equipping and staffing polling places, which are customarily charged to and shared by all agencies participating in an election.

If Regional Measure 3 is approved by the voters, the resulting revenues will provide benefit to Contra Costa County through transportation projects and programs defined in Senate Bill 595's Expenditure Plan.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stephanie Mello, Deputy

Contact: John Cunningham (925)  
674-7833

## **BACKGROUND:**

If approved by a majority of voters in the counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma as well as the City and County of San Francisco, Regional Measure 3 would raise tolls on the Antioch, Benicia-Martinez, Carquinez, Dumbarton, Richmond-San Rafael, San Francisco-Oakland Bay and San Mateo-Hayward bridges by \$1 on January 1, 2019, by an additional \$1 on January 1, 2022 and by an additional \$1 on January 1, 2025 to finance the transportation expenditure plan detailed in Senate Bill 595 (Beall, 2017), enacted in October 2017.

Regional Measure 3 (RM 3), authorized by SB 595 (Beall, 2017), is the third regional toll increase measure to be considered by San Francisco Bay Area voters. Pursuant to California Streets & Highways Code Section 30923, after the Bay Area Toll Authority selects a date to place RM 3 on the ballot, the board of supervisors in each county must call a special election to do so.

The deadline for action by the Board of Supervisors is March 9, 88 days prior to the election.

## **Bridge Toll History**

RM 1, approved by voters in 1988, established a uniform \$1 base toll on each of the region's seven state-owned toll bridges, with the proceeds used to fund a series of highway improvements in the bridge corridors. These include the new northbound Benicia-Martinez Bridge, new westbound Carquinez Bridge, widening of the San Mateo-Hayward Bridge and the Bayfront Expressway at the west end of the Dumbarton Bridge, reconfiguration of the I-880/State Route 92 interchange in Hayward and construction of the Richmond Parkway connecting I-80 with the Richmond-San Rafael Bridge. All RM 1 projects have now been completed.

RM 2, approved by voters in 2004, raised tolls by \$1 on the Bay Area's seven state-owned toll bridges, with the proceeds used to fund the Regional Traffic Relief Plan to finance highway, transit, bicycle and pedestrian projects in the bridge corridors and their approaches, and to provide operating funds for key transit services. Major investments include the Caldecott Tunnel Fourth Bore, I-80/I-680 interchange upgrades in Solano County, State Route 4 widening and e-BART extension in eastern Contra Costa County, BART extensions to Warm Springs/South Fremont and Oakland Airport, seismic retrofit of BART's Transbay Tube, and the Muni Central Subway and Transbay Transit Center projects in San Francisco, as well as operating support for Muni's T-Third light-rail line, AC Transit enhanced bus service, All-Nighter bus service along BART corridors, San Francisco Bay Ferry, Golden Gate Transit service over the Richmond-San Rafael Bridge, Napa VINE service to the Vallejo intermodal terminal and the Clipper® transit-fare payment card.

## **RM 3 Expenditure Plan Focused on Traffic Relief and Public Transit Improvements**

The \$4.45 billion RM 3 Expenditure Plan included in SB 595 aims to reduce traffic congestion and to improve transportation options throughout the San Francisco Bay Area. These investments include both highway and transit capital improvements as well as improved regional connectivity at the soon-to-open Transbay Transit Center in San Francisco and operating support for enhanced bus and ferry services in congested bridge corridors.

Major projects in the RM 3 expenditure plan include upgrading the I-680/State Route 4 interchange in Contra Costa County; improving the westbound approach to the Richmond-San Rafael Bridge and the I-580/ Richmond Parkway interchange in Contra Costa County; funding for transit improvements, including, but not limited to, bus capital projects, including vehicles, transit facilities, and access to transit facilities, benefiting the Counties of Marin, Sonoma, Napa, Solano, and Contra Costa, Interstate 80 Transit Improvements including improvements to support expanded bus service in the Interstate 80



corridor including, but not limited to, bus purchases, expansion of the WestCAT storage yard and maintenance facility, fund implementation of the San Pablo Avenue Multi-modal Corridor, fund construction of a new connector between Byron Highway and Vasco Road south of Camino Diablo Road as well as shoulder and other improvements to the Byron Highway, funding for Vasco Road safety improvements including the widening of lanes and construction of a concrete median barrier, fund the East Contra Costa County Transit Intermodal Center, Interstate 680 transit improvements including bus on shoulder, shared autonomous vehicles, expansion of BART's railcar fleet to accommodate record ridership and the system's pending extension to Milpitas and East San Jose; further extension of BART's Silicon Valley service to downtown San Jose and Santa Clara; extending Caltrain to downtown San Francisco; expanding transbay bus services and AC Transit's bus rapid transit lines; constructing a direct freeway connector from northbound U.S. 101 to eastbound Interstate 580 in Marin County, constructing a direct connector between Interstates 680 and 880 in Fremont; upgrading the I-680/State Route 84 interchange in Alameda County and the U.S. 101/State Route 92 interchange in San Mateo; various upgrades to relieve congestion in the Dumbarton Bridge corridor and improve State Route 37 in Marin, Sonoma, Napa and Solano counties; completing the widening of U.S. 101 to three lanes in each direction through the Marin-Sonoma Narrows; extending the new SMART rail system to Windsor and Healdsburg; expanding San Francisco's fleet of Muni Metro rail cars; and adding more vessels to the San Francisco Bay Ferry fleet.

The table below provides a summary and the detailed expenditure plan can be seen highlighted in yellow in the attached copy of Senate Bill 595 (SB595\_(RM3-BridgeToll)\_FullText)

**Senate Bill 595 (Beall) Final RM 3 EXPENDITURE PLAN (all amounts \$ millions)****OPERATING PROGRAM****All- Corridor Annual Operating Program****All Corridors**

Transbay Terminal	5
Ferries (Funding ramps up to \$35 million over five years)	35
Regional Express Bus	20
<i>Annual Operating Program Total</i>	<i>\$ 60</i>

**CAPITAL PROJECTS****Regional Programs**

BART Expansion Cars	500
Bay Area Corridor Express Lanes	300
Ferry Enhancement Program	300
Goods Movement and Mitigation	160
San Francisco Bay Trail / Safe Routes to Transit	150
Capitol Corridor	90
Next Generation Clipper Transit Fare Payment System	50
<i>Regional Programs Subtotal (35%)</i>	<i>\$ 1,550</i>

**Corridor-Specific Capital Projects****Central (San Francisco-Oakland Bay Bridge)**

Caltrain Downtown Extension	325
Muni Fleet Expansion and Facilities	140
Core Capacity Transit Improvements	140
AC Transit Rapid Bus Corridor Improvements	100
Transbay Rail Crossing	50
Interstate 80 Transit Improvements	25
<i>Central Subtotal (27%)</i>	<i>\$ 780</i>

**South (Dumbarton, San Mateo-Hayward)**

BART to San Jose Phase 2	375
Tri-Valley Transit Access Improvements	100
Eastridge to BART Regional Connector	130
San Jose Diridon Station	100
Dumbarton Corridor Improvements	130
Highway 101/State Route 92 Interchange	50
Interstate 680/SR 84 Interchange Reconstruction	85
Interstate 680/Interstate-880/Route 262 Freeway Connector	15
<i>South Subtotal (34%)</i>	<i>\$ 985</i>

**North (Richmond-San Rafael, Benicia-Martinez, Carquinez, Antioch)**

Contra Costa 680/State Route 4 Interchange Improvements	210
U.S. 101 Marin-Sonoma Narrows	120
Solano County Interstate 80/Interstate 680/State Route 12 Interchange Project	150
Interstate 80/Westbound Truck Scales	105
State Route 37 Improvements	100
Sonoma-Marin Area Rail Transit District (SMART) Extension to Windsor & Healdsburg	40
San Rafael Transit Center	30
Richmond-San Rafael Bridge Access Improvements	210
North Bay Transit Access Improvements	100
SR 29 Improvements	20
East Contra Costa County Transit Intermodal Station	15
Byron Highway-Vasco Road Airport Connector	10
Vasco Road Safety Improvements	15
Interstate 680 Transit Improvements	10
<i>North Subtotal (39%)</i>	<i>\$ 1,135</i>

<i>Corridor-Specific Capital Projects Subtotal (65%)</i>	<i>2,900</i>
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<i>Capital Projects Grand Total</i>	<i>4,450</i>
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RM 3 also would provide \$50 million for planning and preliminary engineering of a second rail tube connecting the East Bay and San Francisco; and fund a \$150 million grant program to improve bicycle and pedestrian access to regional transit hubs and to close gaps in the San Francisco Bay Trail. In addition, the measure includes a provision to establish an Inspector General position to oversee BART's capital investments.

## **Toll Discounts**

Voter approval of RM 3 would allow the Bay Area Toll Authority (BATA) to retain the current toll discount for high-occupancy vehicles, and to introduce new discounts for:

Vehicles that cross two or more toll bridges during commute hours, including carpoolers. Such vehicles would receive a 50 percent discount on the RM 3 increment of the second toll. For example, after tolls are raised by \$1 in 2019, a commuter would pay 50 cents on the second trip rather than \$1 for the RM 3 portion of the toll. To be eligible for this discount, tollpayers must use FasTrak® to pay their tolls.

## **Oversight**

RM 3 includes a number of oversight provisions:

### 1) A Citizen Oversight Committee

Modeled on the approach taken in local counties' dedicated transportation sales tax measures, RM 3 requires establishment of an independent oversight committee to ensure that all spending is consistent with the Expenditure Plan. County supervisors in each of the nine Bay Area counties would appoint two representatives to this committee.

### 2) Performance Measures

Prior to allocating funds to bus or ferry services, MTC will develop ridership targets or other performance measures to help ensure tolls are used cost-effectively and to highlight the need for service adjustments if operating performance falls short of these guidelines. A similar requirement existed for RM 2 and led to changes in service and the elimination of certain routes that did not attract sufficient riders to be cost-effective.

### 3) Office of BART Inspector General

Approval of RM 3 would establish an independent Office of the BART Inspector General to ensure BART uses bridge toll funds and other revenues efficiently and effectively.

## CONSEQUENCE OF NEGATIVE ACTION:

If the recommended action is not taken, 1) Regional Measure 3 will not appear on the ballot, 2) the Bay Area effort to bring a bridge toll increase to the June 2018 election will be compromised, and 3) the County may be in violation of Streets and Highways Code Section 30923 (c)(1)(b) which requires the special election.

## AGENDA ATTACHMENTS

Resolution No. 2018/62

SB595\_(RM3-BridgeToll)\_FullText

BATA Resolution No. 123

## MINUTES ATTACHMENTS



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

Adopted this Resolution on 02/13/2018 by the following vote:

AYE:	<input type="text" value="5"/>	John Gioia Candace Andersen Diane Burgis Karen Mitchoff Federal D. Glover
NO:	<input type="text"/>	
ABSENT:	<input type="text"/>	
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



**Resolution No. 2018/62**

In the Matter of the Contra Costa County Board of Supervisors calling for a special election on Regional Measure 3, the BAY AREA TRAFFIC RELIEF PLAN, to reduce auto and truck traffic, relieve crowding on BART, unclog freeway bottlenecks and improve bus, ferry, BART and commuter rail service with a \$1 toll increase effective in 2019, a \$1 increase in 2022, and a \$1 increase in 2025 on all Bay Area toll bridges except the Golden Gate Bridge.

WHEREAS, the California Legislature recently enacted Senate Bill 595 (Beall), and with the approval of the Governor, codified as Chapter 650, Statutes 2017, to fund a comprehensive expenditure plan to improve mobility and enhance travel options on the bridges and bridge corridors to be paid for by an increase in the tolls on the seven state-owned bridges within the nine-county San Francisco Bay Area jurisdiction of the Metropolitan Transportation Commission; and

WHEREAS, California Streets and Highways Code 30923 (c)(1) requires that the Contra Costa County Board of Supervisors call a special election which shall be consolidated with a statewide primary or general election on a date selected by the Bay Area Toll Authority (BATA); and

WHEREAS, pursuant to California Streets and Highways Code Section 30923 (a), BATA shall select an amount of the proposed increase in the toll rate, not to exceed three dollars (\$3); and

WHEREAS, on January 24, 2018, BATA adopted Resolution 123, resolving that June 5, 2018 shall be the date for the Regional Measure 3 election and setting forth the ballot question and toll increase amount as follows:

*BAY AREA TRAFFIC RELIEF PLAN. Shall voters authorize a plan to reduce auto and truck traffic, relieve crowding on BART, unclog freeway bottlenecks, and improve bus, ferry, BART and commuter rail service as specified in the plan in this voter pamphlet, with a \$1 toll increase effective in 2019, a \$1 increase in 2022, and a \$1 increase in 2025, on all Bay Area toll bridges except the Golden Gate Bridge, with independent oversight of all funds?*

And

WHEREAS California Streets and Highways Code Section 30923 (c)(2) requires that the ballot question shall be submitted to voters as "Regional Measure 3" and stated separately in the ballot from state and local measures; and

WHEREAS, pursuant to paragraph California Streets and Highways Code Section 30923 (g)(2), BATA is required to reimburse Contra Costa County for the incremental cost of submitting the measure to the voters and such costs shall be paid from bridge toll revenue administered BATA; and

WHEREAS, pursuant to California Streets and Highways Code Section 30923 (d), the ballot pamphlet for the special election shall include a summary of the Regional Measure 3 expenditure plan that shall be prepared by the Metropolitan Transportation Commission; and WHEREAS, pursuant to California Streets and Highways Code Section 30923 (g)(1), each county in the Bay Area and the City and County of San Francisco is required to share translation services for the ballot pamphlet and shall provide the Authority an invoice of the incremental costs of including the measure on the ballot as well as the total costs associated with the election; and

WHEREAS, the County of Santa Clara has agreed, on behalf of the nine Bay area counties, to translate Regional Measure 3 ballot materials and share such translations with the other counties.

Now, therefore, the Contra Costa County Board of Supervisors resolves as follows:

1. The Contra Costa County Board of Supervisors hereby calls a special election to be conducted on Regional Measure 3, a measure to ask voters to (1) approve a Bay Area Traffic Relief Plan and (2) to fund this plan with a \$1 toll increase on the region's seven state-owned bridges in 2019, a \$1 increase in 2022 and a \$1 increase in 2025;
2. Contra Costa County shall consolidate this election with the June 5, 2018 Consolidated Primary Election;
3. The Contra Costa County Clerk-Recorder-Elections Department is hereby instructed to print on the sample ballots and on the official ballots for the State of California Consolidated Primary Election to be held June 5, 2018 the following measure to be voted upon at said election in the following form:

**REGIONAL MEASURE 3**

**BAY AREA TRAFFIC RELIEF PLAN.** Shall voters authorize a plan to reduce auto and truck traffic, relieve crowding on BART, unclog freeway bottlenecks, and improve bus, ferry, BART and commuter rail service as specified in the plan in this voter pamphlet, with a \$1 toll increase effective in 2019, a \$1 increase in 2022, and a \$1 increase in 2025, on all Bay Area toll bridges except the Golden Gate Bridge, with independent oversight of all funds?

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: February 13, 2018**

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

**Contact: John Cunningham (925) 674-7833**

By: Stephanie Mello, Deputy

cc: Asst Co Registrar

# THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 02/13/2018 by the following vote:

AYE: ☒ 5  
 NO: ☐  
 ABSENT: ☐  
 ABSTAIN: ☐  
 RECUSE: ☐

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



## Resolution No. 2018/62

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WHEREAS, pursuant to paragraph California Streets and Highways Code Section 30923 (g)(2), BATA is required to reimburse Contra Costa County for the incremental cost of submitting the measure to the voters and such costs shall be paid from bridge toll revenue administered BATA; and

WHEREAS, pursuant to California Streets and Highways Code Section 30923 (d), the ballot pamphlet for the special election shall include a summary of the Regional Measure 3 expenditure plan that shall be prepared by the Metropolitan Transportation Commission; and WHEREAS, pursuant to California Streets and Highways Code Section 30923 (g)(1), each county in the Bay Area and the City and County of San Francisco is required to share translation services for the ballot pamphlet and shall provide the Authority an invoice of the incremental costs of including the measure on the ballot as well as the total costs associated with the election; and

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Contact: John Cunningham (925) 674-7833

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: February 13, 2018

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

*Stephanie Mello*  
 By: Stephanie Mello, Deputy



cc: Asst Co Registrar

## **Senate Bill No. 595**

### **CHAPTER 650**

An act to add Article 7 (commencing with Section 28840) to Chapter 3 of Part 2 of Division 10 of the Public Utilities Code, and to amend Sections 149.6, 30102.5, 30891, 30911, 30915, 30916, 30918, 30920, 30922, and 30950.3 of, and to add Sections 30914.7 and 30923 to, the Streets and Highways Code, relating to transportation.

[Approved by Governor October 10, 2017. Filed with  
Secretary of State October 10, 2017.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

SB 595, Beall. Metropolitan Transportation Commission: toll bridge revenues: BART Inspector General: Santa Clara Valley Transportation Authority: high-occupancy toll lanes.

(1) Existing law creates the Metropolitan Transportation Commission (MTC) as a regional agency in the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates the Bay Area Toll Authority (BATA) as a separate entity governed by the same governing board as MTC and makes BATA responsible for the programming, administration, and allocation of toll revenues from the state-owned toll bridges in the San Francisco Bay area. Existing law authorizes BATA to increase the toll rates for certain purposes, including to meet its bond obligations, provide funding for certain costs associated with the bay area state-owned toll bridges, including for the seismic retrofit of those bridges, and provide funding to meet the requirements of certain voter-approved regional measures. Existing law provided for submission of 2 regional measures to the voters of 7 bay area counties in 1988 and 2004 relative to specified increases in bridge auto tolls on the bay area state-owned toll bridges, subject to approval by a majority of the voters.

This bill would require the City and County of San Francisco and the other 8 counties in the San Francisco Bay area to conduct a special election, to be known as Regional Measure 3, on a proposed increase in the amount of the toll rate charged on the state-owned toll bridges in that area to be used for specified projects and programs. The bill would require BATA to select the amount of the proposed increase, not to exceed \$3, to be placed on the ballot for voter approval. If approved by the voters, the bill would authorize BATA, beginning 6 months after the election approving the toll increase, to phase in the toll increase over a period of time and to adjust the toll increase for inflation after the toll increase is phased in completely. The bill would specify that, except for the inflation adjustment, providing funding to meet the requirements of voter approved regional measures, and as



otherwise specified in statute, the toll increase adopted pursuant to the results of this election may not be changed without the statutory authorization of the Legislature. By requiring this election, the bill would impose a state-mandated local program. The bill would require BATA to reimburse from toll revenues, as specified, the counties and the City and County of San Francisco for the cost of submitting the measure to the voters.

This bill would require BATA to establish an independent oversight committee within 6 months of the effective date of the Regional Measure 3 toll increase with a specified membership, to ensure the toll revenues generated by the toll increase are expended consistent with a specified expenditure plan. The bill would require BATA to submit an annual report to the Legislature on the status of the projects and programs funded by the toll increase.

(2) Existing law authorizes BATA to vary the toll structure on each of the bay area state-owned toll bridges and to provide discounts for vehicles classified by BATA as high-occupancy vehicles.

This bill would additionally authorize BATA to provide discounts for vehicles that pay for tolls electronically or through other non-cash methods and to charge differential rates based on the chosen method.

This bill, with respect to the Regional Measure 3 toll increase, would require BATA to provide a 50% discount on the amount of that toll increase on the 2nd bridge crossing for those commuters using a two-axle vehicle, who pay tolls electronically or through other noncash methods and who cross 2 bridges during commute hours, as specified.

Existing law, if BATA establishes high-occupancy vehicle lane fee discounts or access for vehicles classified by BATA as high-occupancy vehicles for any bridge, requires BATA to collaborate with the Department of Transportation to reach agreement on how the occupancy requirements shall apply on each segment of highway that connects with that bridge.

This bill would instead require BATA to establish those occupancy requirements in consultation with the department.

(3) Existing law establishes the San Francisco Bay Area Rapid Transit District (BART), governed by a board of directors, with specified powers and duties relative to the construction and operation of a rapid transit system.

This bill would create the Independent Office of the BART Inspector General within BART. The bill would provide for the board of directors to nominate 3 persons to the Governor and for the Governor to appoint one of those nominees to serve as the Inspector General for a 4-year term. The bill would require the Inspector General to be removed from office by the board of directors, subject to the approval of the Governor, under certain circumstances. The bill would specify the duties and responsibilities of the Inspector General and would require the Inspector General to submit an annual report to the board of directors and the Legislature. The bill would provide for the office to receive \$1,000,000 from an allocation of bridge toll revenue from BATA and, in the second and subsequent years of operation of the office, would authorize BATA to increase that amount, as specified. The bill would make these provisions operative upon an

affirmative vote to increase tolls on the bay area state-owned toll bridges pursuant to Regional Measure 3 or related provisions.

(4) Existing law authorizes the Santa Clara Valley Transportation Authority (VTA) to conduct, administer, and operate a value pricing high-occupancy toll (HOT) lane program on 2 corridors included in the high-occupancy vehicle lane system in Santa Clara County. Existing law authorizes a HOT lane established as part of this program on State Highway Route 101 to extend into the County of San Mateo as far as the high-occupancy lane in the County of San Mateo existed as of January 1, 2011, subject to agreement of the City/County Association of Governments of San Mateo County.

This bill would delete the authorization for a HOT lane to extend into the specified portion of San Mateo County as part of a value pricing program established on 2 corridors in Santa Clara County. The bill would instead authorize VTA to specifically conduct, administer, and operate a value pricing high-occupancy toll lane program on State Highway Route 101 in San Mateo County in coordination with the City/County Association of Governments of San Mateo County and the San Mateo County Transportation Authority, as prescribed.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) The San Francisco Bay area's strong economy and growing population are placing a tremendous burden on its aging transportation infrastructure. Between 2010 and 2040, the population is forecasted to grow by 2.3 million, while the number of jobs are projected to grow by 1.3 million.

(b) Traffic congestion on the region's seven state-owned toll bridges degrades the bay area's quality of life, impairs its economy, and shows no signs of abating. Between 2010 and 2015, combined volumes on the region's seven state-owned toll bridges grew by 11 percent, while volumes on just the Dumbarton Bridge, the Richmond-San Rafael Bridge, and the San Mateo-Hayward Bridge grew by 20 percent.

(c) In 2015, five of the region's top 10 worst congested roadways were in the South Bay (San Mateo or Santa Clara Counties).

(d) In the San Francisco-Oakland Bay Bridge corridor from Hercules to San Francisco, weekday traffic speeds average less than 35 mph from 5:35 a.m. until 7:50 p.m.

(e) Weekday congestion on the west approach to the San Francisco-Oakland Bay Bridge in the eastbound direction typically begins before 1 p.m. and continues until 9:30 p.m.

(f) Weekday northbound traffic congestion on State Highway Route 101 from Novato to Petaluma begins by 3 p.m. and typically lasts over three hours.

(g) Daily peak-hour traffic on State Highway Route 37 between Marin and Solano Counties jumped over 40 percent from 2010 to 2015.

(h) The region's only rail link across San Francisco Bay, the Bay Area Rapid Transit District (BART), is 44 years old and faces multibillion-dollar capital funding shortfalls to accommodate growing ridership and achieve a state of good repair. Meanwhile, BART ridership is at record levels, exceeding 128 million in fiscal year 2016, a 27-percent increase from fiscal year 2010.

(i) Annual ridership on ferries from Alameda, Oakland, and Vallejo to San Francisco and South San Francisco more than doubled between 2010 and 2016, from 1.1 million to 2.5 million.

(j) Ridership on the weekday transbay bus service provided by the Alameda-Contra Costa Transit District rose 33 percent between 2012 and 2016.

(k) Truck traffic in and out of the Port of Oakland grew by 33 percent since 2000 and contributes to worsening congestion on the region's bridges and roadways. An estimated 99 percent of the containerized goods moving through northern California are loaded or discharged at the port.

(l) The last time bay area voters had the opportunity to approve new funding for improvements in the bridge corridors was in 2004, when voters approved Regional Measure 2, a \$1 toll increase.

(m) To improve the quality of life and sustain the economy of the San Francisco Bay area, it is the intent of the Legislature to require the Metropolitan Transportation Commission to place on the ballot a measure authorizing the voters to approve an expenditure plan to improve mobility and enhance travel options on the bridges and bridge corridors to be paid for by an increase in the toll rate on the seven state-owned bridges within its jurisdiction.

SEC. 2. Article 7 (commencing with Section 28840) is added to Chapter 3 of Part 2 of Division 10 of the Public Utilities Code, to read:

#### Article 7. The Office of the BART Inspector General

28840. (a) There is hereby created in the district an independent Office of the BART Inspector General to ensure that the district makes effective use of bridge toll revenue and other revenue and operates efficiently, effectively, and in compliance with applicable federal and state laws.

(b) (1) The board shall nominate three persons to the Governor who shall appoint one of the three persons nominated by the board to serve as the BART Inspector General for an initial four-year term. The board shall

have the option to renew the term at will. The BART Inspector General shall be removed from office by the board, subject to approval of the Governor, only if either of the following occur:

(A) A two-thirds majority of the members of the board votes for removal.

(B) The Inspector General violates a federal or state law or regulation, a local ordinance, or a policy or practice of the authority relative to ethical practices, including, but not limited to, the acceptance of gifts or contributions.

(2) The reasons for removal of the Inspector General shall be stated in writing and shall include the basis for removal. The document stating the reasons for dismissal shall be deemed a public document and posted on the district's Internet Web site.

(c) Within one year of the operative date of this article, the board shall nominate three persons to serve as the first BART Inspector General to be appointed pursuant to subdivision (b).

28841. The duties and responsibilities of the BART Inspector General shall include, but are not limited to, all of the following:

(a) To examine the operating practices of the district to identify fraud, waste, and opportunities for efficiencies in the administration of programs and operations.

(b) To ensure the BART administration, the board of directors, and the public are fully informed of his or her findings and recommendations.

(c) To identify opportunities to improve the data used to determine project resource allocations.

(d) To conduct, supervise, and coordinate audits and investigations relating to the district's programs and operations, including, but not limited to, toll-funded programs.

(e) To identify best practices in the delivery of capital projects and recommend policies to enable the district to adopt these practices when practicable.

(f) To recommend policies promoting efficiency in the administration of programs and operations.

(g) To review and recommend best practices that the district should follow to maintain positive and productive relations with its employees and the collective bargaining units representing those employees.

28842. The Office of the BART Inspector General shall receive one million dollars (\$1,000,000) from an allocation of bridge toll revenue from the Bay Area Toll Authority. In the second and subsequent years of operation of the office, the authority may increase the amount of funding allocated for this purpose to the extent funds are requested and justified by the office and can be accommodated in the authority's budget.

28843. The BART Inspector General shall report at least annually to the board of directors and the Legislature with a summary of his or her findings, investigations, and audits. The summary shall be posted on the district's Internet Web site and shall otherwise be made available to the public upon its release to the board. The summary shall include, but need not be limited to, significant problems discovered by the BART Inspector

General and whether recommendations of the BART Inspector General relative to investigations and audits have been implemented by the district.

28844. Any investigatory file compiled by the BART Inspector General is an investigatory file compiled by a local law enforcement agency subject to disclosure pursuant to subdivision (f) of Section 6254 of the Government Code.

28845. This article shall become operative upon an affirmative vote of the residents of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma to increase tolls pursuant to Section 30923 of the Streets and Highways Code on the bridges described in Section 30910 of the Streets and Highways Code.

SEC. 3. Section 149.6 of the Streets and Highways Code is amended to read:

149.6. (a) Notwithstanding Sections 149, 149.7, and 30800, and Section 21655.5 of the Vehicle Code, the Santa Clara Valley Transportation Authority (VTA) created by Part 12 (commencing with Section 100000) of Division 10 of the Public Utilities Code may conduct, administer, and operate a value pricing program on any two of the transportation corridors included in the high-occupancy vehicle lane system in Santa Clara County in coordination with the Metropolitan Transportation Commission and consistent with Section 21655.6 of the Vehicle Code.

(b) Notwithstanding Sections 149, 149.7 and 30800, and Section 21655.5 of the Vehicle Code, the VTA may conduct, administer, and operate a value pricing program on State Highway Route 101 in San Mateo County in coordination with the City/County Association of Governments of San Mateo County and with the San Mateo County Transportation Authority and consistent with Section 21655.6 of the Vehicle Code.

(c) (1) VTA, under the circumstances described in subdivisions (a) and (b), may direct and authorize the entry and use of those high-occupancy vehicle lanes by single-occupant vehicles for a fee. The fee structure shall be established from time to time by the authority. A high-occupancy vehicle lane may only be operated as a high-occupancy toll (HOT) lane during the hours that the lane is otherwise restricted to use by high-occupancy vehicles.

(2) VTA shall enter into a cooperative agreement with the Bay Area Toll Authority to operate and manage the electronic toll collection system.

(d) With the consent of the department, VTA shall establish appropriate performance measures, such as speed or travel times, for the purpose of ensuring optimal use of the HOT lanes by high-occupancy vehicles without adversely affecting other traffic on the state highway system. Unrestricted access to the lanes by high-occupancy vehicles shall be available at all times, except that those high-occupancy vehicles may be required to have an electronic transponder or other electronic device for enforcement purposes. At least annually, the department shall audit the performance during peak traffic hours and report the results of that audit at meetings of the program management team.

(e) Single-occupant vehicles that are certified or authorized by the authority for entry into, and use of, the high-occupancy vehicle lanes in Santa Clara County and San Mateo County are exempt from Section 21655.5 of the Vehicle Code, and the driver shall not be in violation of the Vehicle Code because of that entry and use.

(f) VTA shall carry out a value pricing program established pursuant to this section in cooperation with the department pursuant to an agreement that addresses all matters related to design, construction, maintenance, and operation of state highway system facilities in connection with the value pricing program. An agreement to carry out the program authorized pursuant to subdivision (b) shall be subject to the review and approval by the City/County Association of Governments of San Mateo County and the San Mateo County Transportation Authority.

(g) (1) Agreements between VTA, the department, and the Department of the California Highway Patrol shall identify the respective obligations and liabilities of those entities and assign them responsibilities relating to the program. The agreements entered into pursuant to this section shall be consistent with agreements between the department and the United States Department of Transportation relating to this program. The agreements shall include clear and concise procedures for enforcement by the Department of the California Highway Patrol of laws prohibiting the unauthorized use of the high-occupancy vehicle lanes, which may include the use of video enforcement. The agreements shall provide for reimbursement of state agencies, from revenues generated by the program, federal funds specifically allocated to the authority for the program by the federal government, or other funding sources that are not otherwise available to state agencies for transportation-related projects, for costs incurred in connection with the implementation or operation of the program.

(2) The revenues generated by the program shall be available to VTA for the direct expenses related to the operation (including collection and enforcement), maintenance, construction, and administration of the program. The VTA's administrative costs in the operation of the program shall not exceed 3 percent of the revenues.

(3) (A) For a value pricing program established pursuant to subdivision (a), all remaining revenue generated by the program after expenditures made pursuant to paragraph (2) shall be used in the corridor from which the revenues were generated exclusively for the preconstruction, construction, and other related costs of high-occupancy vehicle facilities, transportation corridor improvements, and the improvement of transit service, including, but not limited to, support for transit operations pursuant to an expenditure plan adopted by the VTA.

(B) For a value pricing program established pursuant to subdivision (b), all remaining revenue generated by the program after expenditures made pursuant to paragraph (2) shall be used in the corridor from which the revenues were generated exclusively for the preconstruction, construction, and other related costs of high-occupancy vehicle facilities, transportation corridor improvements, and the improvement of transit service, including,



but not limited to, support for transit operations pursuant to an expenditure plan adopted by the City/County Association of Governments of San Mateo County and the San Mateo County Transportation Authority.

(h) (1) The VTA may issue bonds, refunding bonds, or bond anticipation notes, at any time to finance construction and construction-related expenditures necessary to implement a value pricing program established pursuant to subdivision (a) or (b) and construction and construction-related expenditures that are provided for in an expenditure plan adopted pursuant to paragraph (3) of subdivision (e), payable from the revenues generated from the program.

(2) The maximum bonded indebtedness that may be outstanding at any one time shall not exceed an amount that may be serviced from the estimated revenues generated from the program.

(3) The bonds shall bear interest at a rate or rates not exceeding the maximum allowable by law, payable at intervals determined by the authority.

(4) Any bond issued pursuant to this subdivision shall contain on its face a statement to the following effect:

“Neither the full faith and credit nor the taxing power of the State of California is pledged to the payment of principal of, or the interest on, this bond.”

(5) Bonds shall be issued pursuant to a resolution of VTA adopted by a two-thirds vote of its governing board. The resolution shall state all of the following:

(A) The purposes for which the proposed debt is to be incurred.

(B) The estimated cost of accomplishing those purposes.

(C) The amount of the principal of the indebtedness.

(D) The maximum term of the bonds and the interest rate.

(E) The denomination or denominations of the bonds, which shall not be less than five thousand dollars (\$5,000).

(F) The form of the bonds, including, without limitation, registered bonds and coupon bonds, to the extent permitted by federal law, the registration, conversion, and exchange privileges, if applicable, and the time when all of, or any part of, the principal becomes due and payable.

(G) Any other matters authorized by law.

(6) The full amount of bonds may be divided into two or more series and different dates of payment fixed for the bonds of each series. A bond shall not be required to mature on its anniversary date.

(i) Not later than three years after VTA first collects revenues from any of the projects described in paragraph (1) of subdivision (c), VTA shall submit a report to the Legislature on its findings, conclusions, and recommendations concerning the demonstration program authorized by this section. The report shall include an analysis of the effect of the HOT lanes on adjacent mixed-flow lanes and any comments submitted by the department and the Department of the California Highway Patrol regarding operation of the lanes.

SEC. 4. Section 30102.5 of the Streets and Highways Code is amended to read:

30102.5. Consistent with Section 30918, the Bay Area Toll Authority shall fix the rates of the toll charge, except as provided in Sections 30921 and 30923, and may grant reduced-rate and toll-free passage on the state-owned toll bridges within the jurisdiction of the Metropolitan Transportation Commission.

SEC. 5. Section 30891 of the Streets and Highways Code is amended to read:

30891. The commission may retain, for its cost in administering this article, an amount not to exceed one-quarter of 1 percent of the revenues allocated by it pursuant to Section 30892 and of the revenues allocated by it pursuant to Sections 30913, 30914, and 30914.7.

SEC. 6. Section 30911 of the Streets and Highways Code is amended to read:

30911. (a) The authority shall control and maintain the Bay Area Toll Account and other subaccounts it deems necessary and appropriate to document toll revenue and operating expenditures in accordance with generally accepted accounting principles.

(b) (1) After providing for expenditures pursuant to subdivision (a) of Section 30912 and for operating assistance pursuant to subdivision (d) of Section 30914 and subdivision (c) of Section 30914.7 and after the requirements of any bond resolution or indenture of the authority for any outstanding revenue bonds have been met, the authority shall transfer on a regularly scheduled basis as set forth in the authority's annual budget resolution, the revenues defined in subdivision (b) of Sections 30913, 30914, and 30914.7 to the commission. The funds transferred to the commission shall be expended for the purposes specified in subdivision (b) of Section 30913 and Sections 30914 and 30914.7. After the commission makes a determination that the projects and programs funded by the commission have been completed, the revenues transferred to the commission shall be expended by the commission for supplemental funding for the projects and programs identified in subdivision (a) of Section 30914.7 if the voters approve a toll increase authorized pursuant to Section 30923.

(2) For the purposes of paragraph (1), the revenues defined in subdivision (b) of Section 30913 and subdivision (a) of Section 30914 include all revenues accruing since January 1, 1989.

SEC. 7. Section 30914.7 is added to the Streets and Highways Code, to read:

30914.7. (a) If the voters approve a toll increase pursuant to Section 30923, the authority shall, consistent with the provisions of this section fund the projects and programs described in this subdivision that shall collectively be known as the Regional Measure 3 expenditure plan by bonding or transfers to the Metropolitan Transportation Commission. These projects and programs have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, from toll revenues of all bridges:



(1) BART Expansion Cars. Purchase new railcars for the Bay Area Rapid Transit District (BART) to expand its fleet and improve reliability. The project sponsor is the BART. Five hundred million dollars (\$500,000,000).

(2) Bay Area Corridor Express Lanes. Fund the environmental review, design, and construction of express lanes to complete the Bay Area Express Lane Network, including supportive operational improvements to connecting transportation facilities. Eligible projects include, but are not limited to, express lanes on Interstate 80, Interstate 580, and Interstate 680 in the Counties of Alameda and Contra Costa, Interstate 880 in the County of Alameda, Interstate 280 in the City and County of San Francisco, Highway 101 in the City and County of San Francisco and the County of San Mateo, State Route 84 and State Route 92 in the Counties of Alameda and San Mateo, Interstate 80 from Red Top Road to the intersection with Interstate 505 in the County of Solano, and express lanes in the County of Santa Clara. Eligible project sponsors include the Bay Area Infrastructure Financing Authority, and any countywide or multicounty agency in a bay area county that is authorized to implement express lanes. The Metropolitan Transportation Commission shall make funds available based on performance criteria, including benefit-cost and project readiness. Three hundred million dollars (\$300,000,000).

(3) Goods Movement and Mitigation. Provide funding to reduce truck traffic congestion and mitigate its environmental effects. Eligible projects include, but are not limited to, improvements in the County of Alameda to enable more goods to be shipped by rail, access improvements on Interstate 580, Interstate 80, and Interstate 880, and improved access to the Port of Oakland. The Metropolitan Transportation Commission shall consult and coordinate with the Alameda County Transportation Commission to select projects for the program. Eligible applicants include cities, counties, countywide transportation agencies, rail operators, and the Port of Oakland. The project sponsor is the Metropolitan Transportation Commission and the Alameda County Transportation Commission. One hundred sixty million dollars (\$160,000,000).

(4) San Francisco Bay Trail/Safe Routes to Transit. Provide funding for a competitive grant program to fund bicycle and pedestrian access improvements on and in the vicinity of the state-owned toll bridges connecting to rail transit stations and ferry terminals. Eligible applicants include cities, counties, transit operators, school districts, community colleges, and universities. The project sponsor is the Metropolitan Transportation Commission. One hundred fifty million dollars (\$150,000,000).

(5) Ferry Enhancement Program. Provide funding to purchase new vessels, upgrade and rehabilitate existing vessels, build facilities and landside improvements, and upgrade existing facilities. The project sponsor is the San Francisco Bay Area Water Emergency Transportation Authority. Three hundred million dollars (\$300,000,000).

(6) BART to San Jose Phase 2. Extend BART from Berryessa Station to San Jose and Santa Clara. The project sponsor is the Santa Clara Valley

Transportation Authority. Three hundred seventy-five million dollars (\$375,000,000).

(7) Sonoma-Marín Area Rail Transit District (SMART). Provide funding to extend the rail system north of the Charles M. Schulz-Sonoma County Airport to the Cities of Windsor and Healdsburg. The project sponsor is the Sonoma-Marín Area Rail Transit District. Forty million dollars (\$40,000,000).

(8) Capitol Corridor. Provide funding for track infrastructure that will improve the performance of Capital Corridor passenger rail operations by reducing travel times, adding service frequencies, and improving system safety and reliability. The project sponsor is the Capital Corridor Joint Powers Authority. Ninety million dollars (\$90,000,000).

(9) Caltrain Downtown Extension. Extend Caltrain from its current terminus at Fourth Street and King Street to the Transbay Transit Center. The Metropolitan Transportation Commission shall allocate funding to the agency designated to build the project, which shall be the project sponsor. Three hundred twenty-five million dollars (\$325,000,000).

(10) MUNI Fleet Expansion and Facilities. Fund replacement and expansion of the San Francisco Municipal Transportation Agency's MUNI vehicle fleet and associated facilities. The project sponsor is the San Francisco Municipal Transportation Agency. One hundred forty million dollars (\$140,000,000).

(11) Core Capacity Transit Improvements. Implement recommendations from the Core Capacity Transit Study and other ideas to maximize person throughput in the transbay corridor. Eligible projects include, but are not limited to, transbay bus improvements and high-occupancy vehicle (HOV) lane access improvements. Priority funding shall be the Alameda-Contra Costa Transit District's (AC Transit) Tier 1 and Tier 2 projects identified in the study. The project sponsors are the Metropolitan Transportation Commission, Alameda County Transportation Commission, and AC Transit. One hundred forty million dollars (\$140,000,000).

(12) Alameda-Contra Costa Transit District (AC Transit) Rapid Bus Corridor Improvements. Fund bus purchases and capital improvements to reduce travel times and increase service frequency along key corridors. The project sponsors are AC Transit and Alameda County Transportation Commission. One hundred million dollars (\$100,000,000).

(13) Transbay Rail Crossing. Fund preliminary engineering, environmental review, and design of a second transbay rail crossing and its approaches to provide additional rail capacity, increased reliability, and improved resiliency to the corridor. Subject to approval by the Metropolitan Transportation Commission, funds may also be used for construction, and, if sufficient matching funds are secured, to fully fund a useable segment of the project. The project sponsor is the Bay Area Rapid Transit District. Fifty million dollars (\$50,000,000).

(14) Tri-Valley Transit Access Improvements. Provide interregional and last-mile transit connections on the Interstate 580 corridor in the County of Alameda within the Tri-Valley area of Dublin, Pleasanton, and Livermore.

The Metropolitan Transportation Commission shall consult with the Alameda County Transportation Commission, the Bay Area Rapid Transit District, and local jurisdictions to determine the project sponsor. One hundred million dollars (\$100,000,000).

(15) Eastridge to BART Regional Connector. Extend Santa Clara Valley Transportation Authority light rail from the Alum Rock station to the Eastridge Transit Center. The project sponsor is the Santa Clara Valley Transportation Authority. One hundred thirty million dollars (\$130,000,000).

(16) San Jose Diridon Station. Redesign, rebuild, and expand Diridon Station to more efficiently and effectively accommodate existing regional rail services, future BART and high-speed rail service, and Santa Clara Valley Transportation Authority light rail and buses. The project sponsor shall consider accommodating a future connection to Norman Y. Mineta San Jose International Airport and prioritizing non-auto access modes. The project sponsor is the Santa Clara Valley Transportation Authority. One hundred million dollars (\$100,000,000).

(17) Dumbarton Corridor Improvements. Fund planning, environmental review, design, and construction of capital improvements within Dumbarton Bridge and rail corridor in the Counties of Alameda and San Mateo to relieve congestion, increase person throughput, and offer reliable travel times. Eligible projects include, but are not limited to, the projects recommended in the Dumbarton Corridor Transportation Study and improvements to facilitate rail and transit connectivity among the Altamont Corridor Express, Capitol Corridor, and Bay Area Rapid Transit District, including a rail connection at Shinn Station. The project sponsors are the Bay Area Toll Authority, Alameda County Transportation Commission, the San Mateo County Transit District, and the San Mateo County Transportation Authority. One hundred thirty million dollars (\$130,000,000).

(18) Highway 101/State Route 92 Interchange. Fund improvements to the interchange of Highway 101 and State Route 92 in the County of San Mateo. The project is jointly sponsored by the City/County Association of Governments of San Mateo County and the San Mateo County Transportation Authority. Fifty million dollars (\$50,000,000).

(19) Contra Costa Interstate 680/State Route 4 Interchange Improvements. Fund improvements to the Interstate 680/State Route 4 interchange to improve safety and reduce congestion, including, but not limited to, a new direct connector between northbound Interstate 680 and westbound State Route 4, a new direct connector between eastbound State Route 4 and southbound Interstate 680, and widening of State Route 4 to add auxiliary lanes and high-occupancy vehicle lanes. The project sponsor is the Contra Costa Transportation Authority. Two hundred ten million dollars (\$210,000,000).

(20) Highway 101-Marin/Sonoma Narrows. Construct northbound and southbound high-occupancy vehicle lanes on Highway 101 between Petaluma Boulevard South in Petaluma and Atherton Avenue in Novato. The project sponsors are the Transportation Authority of Marin and the

Sonoma County Transportation Authority. One hundred twenty million dollars (\$120,000,000).

(21) Solano County Interstate 80/Interstate 680/State Route 12 Interchange Project. Construct Red Top Road interchange and westbound Interstate 80 to southbound Interstate 680 connector. The project sponsor is the Solano Transportation Authority. One hundred fifty million dollars (\$150,000,000).

(22) Interstate 80 Westbound Truck Scales. Improve freight mobility, reliability, and safety on the Interstate 80 corridor by funding improvements to the Interstate 80 Westbound Truck Scales in the County of Solano. The project sponsor is the Solano Transportation Authority. One hundred five million dollars (\$105,000,000).

(23) State Route 37 Improvements. Fund near-term and longer-term improvements to State Route 37 to improve the roadway's mobility, safety, and long-term resiliency to sea level rise and flooding. For the purposes of the environmental review and design, the project shall include the segment of State Route 37 from the intersection in Marin County with Highway 101 to the intersection with Interstate 80 in the County of Solano. Capital funds may be used on any segment along this corridor, as determined by the project sponsors. The project is jointly sponsored by the Transportation Authority of Marin, the Napa Valley Transportation Authority, the Solano Transportation Authority, and the Sonoma County Transportation Authority. Funds for this project may be allocated to any of the project sponsors. One hundred million dollars (\$100,000,000).

(24) San Rafael Transit Center. Construct a replacement to the San Rafael (Bettini) Transit Center on an existing or new site, or both, in downtown San Rafael. The selected alternative shall be approved by the City of San Rafael, the Golden Gate Bridge, Highway and Transportation District, the Transportation Authority of Marin, and Marin Transit. The project sponsor is the Golden Gate Bridge, Highway and Transportation District. Thirty million dollars (\$30,000,000).

(25) Richmond-San Rafael Bridge Access Improvements. Fund eastbound and westbound improvements in the Richmond-San Rafael Bridge corridor, including a direct connector from northbound Highway 101 to eastbound Interstate 580, westbound access and operational improvements in the vicinity of the toll plaza east of the bridge in Contra Costa County, and Richmond Parkway interchange improvements. Of the amount allocated to this project, one hundred thirty-five million dollars (\$135,000,000) shall be dedicated to the direct connector from northbound Highway 101 to eastbound Interstate 580 in Marin County and seventy-five million dollars (\$75,000,000) shall be dedicated to the projects in Contra Costa County. The project sponsors are the Bay Area Toll Authority, the Contra Costa Transportation Authority, and the Transportation Authority of Marin. Two hundred ten million dollars (\$210,000,000).

(26) North Bay Transit Access Improvements. Provide funding for transit improvements, including, but not limited to, bus capital projects, including vehicles, transit facilities, and access to transit facilities, benefiting the

Counties of Marin, Sonoma, Napa, Solano, and Contra Costa. Priority shall be given to projects that are fully funded, ready for construction, and serving rail transit or transit service that operates primarily on existing or fully funded high-occupancy vehicle lanes. The project sponsor is the Metropolitan Transportation Commission. Eligible applicants are any transit operator providing service in the Counties of Contra Costa, Marin, Napa, Solano, or Sonoma. One hundred million dollars (\$100,000,000).

(27) State Route 29. Eligible project expenses include State Route 29 major intersection improvements, including Soscol Junction, and signal and signage improvements, which may include multimodal infrastructure and safety improvements between Carneros Highway (State Route 12/121) and American Canyon Road. The project sponsor is the Napa Valley Transportation Authority. Twenty million dollars (\$20,000,000).

(28) Next-Generation Clipper Transit Fare Payment System. Provide funding to design, develop, test, implement, and transition to the next generation of Clipper, the bay area's transit fare payment system. The next-generation system will support a universal, consistent, and seamless transit fare payment system for the riders of transit agencies in the bay area. The project sponsor is the Metropolitan Transportation Commission. Fifty million dollars (\$50,000,000).

(29) Interstate 680/Interstate 880/Route 262 Freeway Connector. Connect Interstate 680 and Interstate 880 in southern Alameda County to improve traffic movement, reduce congestion, and improve operations and safety. The project sponsor is the Alameda County Transportation Commission. Fifteen million dollars (\$15,000,000).

(30) Interstate 680/State Route 84 Interchange Reconstruction Project. Improve safety and regional and interregional connectivity by conforming State Route 84 to expressway standards between south of Ruby Hill Drive and the Interstate 680 interchange in southern Alameda County and implementing additional improvements to reduce weaving and merging conflicts and help address the additional traffic demand between Interstate 680 and State Route 84. The project sponsor is Alameda County Transportation Commission. Eighty-five million dollars (\$85,000,000).

(31) Interstate 80 Transit Improvements. Fund improvements to support expanded bus service in the Interstate 80 corridor including, but not limited to, bus purchases, expansion of the WestCAT storage yard and maintenance facility. Fund implementation of the San Pablo Avenue Multi-modal Corridor (AC Transit). The project sponsor is Contra Costa Transportation Authority. Twenty-five million dollars (\$25,000,000).

(32) Byron Highway-Vasco Road Airport Connector. Fund construction of a new connector between Byron Highway and Vasco Road south of Camino Diablo Road as well as shoulder and other improvements to the Byron Highway, including a railroad grade separation, to improve safety and access to the Byron Airport and to facilitate economic development and access for goods movement in East Contra Costa County. The project sponsor is Contra Costa Transportation Authority. Ten million dollars (\$10,000,000).

(33) Vasco Road Safety Improvements. Fund the widening of lanes and construction of a concrete median barrier along 2.5 miles of Vasco Road beginning approximately three miles north of the Contra Costa/Alameda County Line. The project sponsor is Contra Costa Transportation Authority. Fifteen million dollars (\$15,000,000).

(34) East Contra Costa County Transit Intermodal Center. Fund the construction of a Transit Intermodal Center in Brentwood enhancing access to eBART and Mokelumne Bike Trail/Pedestrian Overcrossing at State Route 4. The project sponsor is Contra Costa Transportation Authority. Fifteen million dollars (\$15,000,000).

(35) Interstate 680 Transit Improvements. Fund improvements that will enhance transit service in the Interstate 680 corridor, including, but not limited to, implementing bus operations on shoulder (BOS), technology-based intermodal transit centers/managed parking lots and development of technology to enhance real-time travel information. Fund implementation of Shared Autonomous Vehicles (SAVs) to improve first and last mile transit connectivity. The project sponsor is Contra Costa Transportation Authority. Ten million dollars (\$10,000,000).

(b) Pursuant to subdivision (a) of Section 30923, if the authority selects a toll increase to be placed on the ballot in an amount less than three dollars (\$3), the funding assigned to the projects and programs identified in subdivision (a) shall be adjusted proportionately to account for reduced funding capacity. The authority shall adopt a resolution detailing the updated Regional Measure 3 capital and operating funding available and listing the revised funding amounts for each project within 90 days of the certification of the election by the last county to certify the election on the toll increase. The authority shall update this resolution as needed to reflect additional tolls approved in subsequent elections.

(c) (1) Not more than 16 percent, up to sixty million dollars (\$60,000,000), of the revenues generated each year from the toll increase approved by the voters pursuant to Section 30923 shall be made available annually for the purpose of providing operating assistance as set forth in the authority's annual budget resolution for the purposes listed in paragraph (2). The funds shall be made available to the provider of the transit services subject to the performance measures described in paragraph (3).

(2) The Metropolitan Transportation Commission shall annually fund the following operating programs from the revenue generated each year from the toll increase approved by the voters pursuant to Section 30923 as another component of the Regional Measure 3 expenditure plan:

(A) The San Francisco Transbay Terminal. Eight percent of the amount available for operating assistance pursuant to paragraph (1), not to exceed five million dollars (\$5,000,000). These funds are available for transportation-related costs associated with operating the terminal. The Transbay Joint Powers Authority shall pursue other long-term, dedicated operating revenue to fund its operating costs. To the extent that a portion or all of the toll revenue provided pursuant to this subparagraph is not needed



in a given fiscal year, the Metropolitan Transportation Commission shall reduce the allocation accordingly.

(B) (i) Expanded Ferry Service. Ten million dollars (\$10,000,000) in the first year of allocation, fifteen million dollars (\$15,000,000) in the second year of allocation, twenty million dollars (\$20,000,000) in the third year of allocation, and twenty-five million dollars (\$25,000,000) in the fourth year of allocation. These allocation amounts shall be subject to the adjustments in subdivision (b). In the fifth year of allocation and thereafter, 58 percent of the amount available for operating assistance pursuant to paragraph (1), not to exceed thirty-five million dollars (\$35,000,000). These funds shall be made available to the San Francisco Bay Area Water Emergency Transportation Authority (WETA) to support expanded ferry service, including increased frequencies of existing routes and the operation of new routes.

(ii) To the extent that funds provided pursuant to clause (i) are not requested for expenditure by WETA in a given year, the funds shall be held by the authority in a reserve account. Those funds shall be made available to WETA for any capital or operating purpose. Prior to receiving an allocation of those funds, WETA shall submit a request to the Metropolitan Transportation Commission detailing how the funds shall be used. An allocation of those funds shall constitute an augmentation of the funding provided in paragraph (5) of subdivision (a) and be treated as such in any reports by the authority regarding the Regional Measure 3 expenditure plan.

(C) Regional Express Bus. Thirty-four percent of the amount available for operating assistance pursuant to paragraph (1), not to exceed twenty million dollars (\$20,000,000), to be distributed for bus service in the bridge corridors, prioritizing bus routes that carry the greatest number of transit riders. To the extent that a portion or all of the toll revenue provided pursuant to this subparagraph is not needed in a given fiscal year, the Metropolitan Transportation Commission shall reduce the allocation accordingly.

(3) Prior to the allocation of revenue for transit operating assistance under subparagraphs (A) and (C) of paragraph (2), the Metropolitan Transportation Commission shall:

(A) Adopt performance measures related to fare-box recovery, ridership, or other indicators, as appropriate. The performance measures shall be developed in consultation with the affected project sponsors.

(B) Execute an operating agreement with the sponsor of the project. This agreement shall include, but is not limited to, an operating plan that is consistent with the adopted performance measures. The agreement shall include a schedule of projected fare revenues or other forecast revenue and any other operating funding that will be dedicated to the service or terminal. For any individual project sponsor, this operating agreement may include additional requirements, as determined by the commission.

(C) In an operating agreement executed pursuant to subparagraph (B), the Metropolitan Transportation Commission shall grant a project sponsor at least five years to achieve the adopted performance measures. The Metropolitan Transportation Commission shall use a ridership forecast as

the basis for performance measures adopted pursuant to subparagraph (A) and to establish performance measures in following years. If the transit service of a project sponsor does not achieve the performance measures within the timeframe granted to the project sponsor, the project sponsor shall notify the Metropolitan Transportation Commission. The Metropolitan Transportation Commission may revise the performance measures, extend the timeframe to achieve the performance measures, or take action to reduce the funding available for operations if the performance measures are not met within the new timeframe.

(4) Prior to Metropolitan Transportation Commission providing funding to the San Francisco Bay Area Water Emergency Transportation Authority (WETA) under subdivision (a) or this subdivision, WETA and the MTC shall do the following, as applicable:

(A) WETA shall adopt a plan that includes systemwide and route-specific performance measures related to fare-box recovery, ridership, and any other measures as deemed appropriate by WETA in consultation with MTC.

(B) WETA and MTC shall execute an operating agreement that establishes a five-year plan for new or enhanced services and outlines incremental steps needed to achieve a reasonable level of service productivity and cost-effectiveness as compared to similar ferry services provided across the bay area.

(C) Subsequent to the time period identified in subparagraph (B), and if reasonable, but incomplete progress has been achieved to meet the performance measures identified in subparagraph (A), WETA, in consultation with MTC, may propose a new timeframe, not longer than an additional five years, to achieve the performance measures and take needed steps to remedy the service to meet the measures. In the event that the performance measures are not met within the new timeframe, WETA may seek additional time to achieve the measures and MTC may determine whether services should continue and may establish other conditions to service in consultation with WETA. In all cases, funds not spent or made available to WETA shall be returned to the reserve account established pursuant to clause (ii) of subparagraph (B) of paragraph (2).

(D) WETA shall use the plan identified in subparagraph (A) to prioritize the use of capital funding made available by this section to support its mission as the operator of ferry services.

(E) Nothing in this section shall restrict WETA with respect to meeting its obligations as the coordinating agency for water transit response to regional emergencies.

(d) (1) For all projects authorized under subdivision (a), the project sponsor shall submit an initial project report to the Metropolitan Transportation Commission within six months of the election approving the toll increase. This report shall include all information required to describe the project in detail, including the status of any environmental documents relevant to the project, additional funds required to fully fund the project, the amount, if any, of funds expended to date, and a summary of any impediments to the completion of the project. This report, or an updated



report, shall include a detailed financial plan and shall notify the commission if the project sponsor will request toll revenue within the subsequent 12 months. The project sponsor shall update this report as needed or requested by the commission. No funds shall be allocated by the commission for any project authorized by subdivision (a) until the project sponsor submits the initial project report, and the report is reviewed and approved by the commission.

(2) If multiple project sponsors are listed for projects listed in subdivision (a), the commission shall identify a lead sponsor in coordination with all identified sponsors, for purposes of allocating funds. For any projects authorized under subdivision (a), the commission shall have the option of requiring a memorandum of understanding between itself and the project sponsor or sponsors that shall include any specific requirements that must be met prior to the allocation of funds provided under subdivision (a).

(e) If a program or project identified in subdivision (a) has cost savings after completion, taking into account construction costs and an estimate of future settlement claims, or cannot be completed or cannot continue due to delivery or financing obstacles making the completion or continuation of the program or project unrealistic, the commission shall consult with the program or project sponsor. After consulting with the sponsor, the commission shall hold a public hearing concerning the program or project. After the hearing, the commission may vote to modify the program or the project's scope, decrease its level of funding, or reassign some or all of the funds to another project within the same bridge corridor. If a program or project identified in subdivision (a) is to be implemented with other funds not derived from tolls, the commission shall follow the same consultation and hearing process described above and may vote thereafter to reassign the funds to another project consistent with the intent of this chapter.

(f) If the voters approve a toll increase pursuant to Section 30923, the authority shall within 24 months of the election date include the projects in a long-range bridge toll plan. The authority shall update its long-range plan as required to maintain its viability as a strategic plan for funding projects authorized by this section. The authority shall, by January 1, 2020, submit its updated long-range bridge toll plan to the transportation policy committee of each house of the Legislature for review. This subdivision, to the extent a plan is prepared under this section, supersedes the requirement to prepare and submit a 20-year toll bridge expenditure plan to the Legislature for adoption pursuant to subdivision (h) of Section 30914.

(g) This section does not alter the obligations of the Metropolitan Transportation Commission with respect to the requirements of Section 65080 of the Government Code.

SEC. 8. Section 30915 of the Streets and Highways Code is amended to read:

30915. (a) With respect to all construction and improvement projects specified in Sections 30913, 30914, and 30914.7, project sponsors and the department shall seek funding from all other potential sources, including, but not limited to, the State Highway Account and federal matching funds.

The project sponsors and department shall report to the authority concerning the funds obtained under this subdivision.

(b) Local funds that have previously been committed to projects and programs identified in subdivision (a) of Section 30914.7 shall not be supplanted by the funding assigned to projects and programs pursuant to Section 30914.7 unless the project sponsor has secured a full funding plan for the project, or the local funds are needed to maintain transit service levels or fund a critical safety or maintenance need.

SEC. 9. Section 30916 of the Streets and Highways Code is amended to read:

30916. (a) The base toll rate for vehicles crossing the state-owned toll bridges within the geographic jurisdiction of the commission as of January 1, 2003, is as follows:

Number of Axles	Toll
Two axles	\$ 1.00
Three axles	3.00
Four axles	5.25
Five axles	8.25
Six axles	9.00
Seven axles & more	10.50

(b) If the voters approve a toll increase, pursuant to Section 30921, commencing July 1, 2004, the base toll rate for vehicles crossing the bridges described in subdivision (a) is as follows:

Number of axles	Toll
Two axles	\$ 2.00
Three axles	4.00
Four axles	6.25
Five axles	9.25
Six axles	10.00
Seven axles & more	11.50

(c) (1) If the voters approve a toll increase, pursuant to Section 30923, the authority shall increase the base toll rate for vehicles crossing the bridges described in subdivision (a) from the toll rates then in effect by the amount approved by the voters pursuant to Section 30923. The authority may, beginning six months after the election approving the toll increase, phase in the toll increase over a period of time and may adjust the toll increase for inflation based on the California Consumer Price Index after the toll increase has been phased in completely.

(2) Revenue generated from the adjustment of the toll to account for inflation pursuant to paragraph (1) may be expended for the following purposes:

(A) Bridge maintenance and rehabilitation necessary to preserve, protect, and replace the bridge structures consistent with subdivision (b) of Section 30950.3.

(B) Supplemental funding for the projects and programs authorized pursuant to subdivision (a) of Section 30914.7.

(d) The authority shall increase the amount of the toll only if required to meet its obligations on any bonds or to satisfy its covenants under any bond resolution or indenture. The authority shall hold a public hearing before adopting a toll schedule reflecting the increased toll charge.

(e) Nothing in this section shall be construed to prohibit the adoption of either a discounted commute rate for two-axle vehicles or of special provisions for high-occupancy vehicles under terms and conditions prescribed by the authority in consultation with the department.

SEC. 10. Section 30918 of the Streets and Highways Code is amended to read:

30918. (a) It is the intent of the Legislature to maintain tolls on all of the bridges specified in Section 30910 at rates sufficient to meet any obligation to the holders of bonds secured by the bridge toll revenues. The authority shall retain authority to set the toll schedule as may be necessary to meet those bond obligations. The authority shall provide at least 30 days' notice to the transportation policy committee of each house of the Legislature and shall hold a public hearing before adopting a toll schedule reflecting the increased toll rate.

(b) The authority shall increase the toll rates specified in the adopted toll schedule in order to meet its obligations and covenants under any bond resolution or indenture of the authority for any outstanding toll bridge revenue bonds issued by the authority and the requirements of any constituent instruments defining the rights of holders of related obligations of the authority entered into pursuant to Section 5922 of the Government Code and, notwithstanding Section 30887 or subdivision (d) of Section 30916 of this code, or any other law, may increase the toll rates specified in the adopted toll schedule to provide funds for the planning, design, construction, operation, maintenance, repair, replacement, rehabilitation, and seismic retrofit of the state-owned toll bridges specified in Section 30910 of this code, to provide funding to meet the requirements of Sections 30884 and 30911 of this code, and to provide funding to meet the requirements of voter-approved regional measures pursuant to Sections 30914, 30921, and 30923 of this code.

(c) Notwithstanding any other law, the authority's toll structure for the state-owned toll bridges specified in Section 30910 may vary from bridge to bridge and may include discounts consistent with the following:

(1) The authority may include discounts for the following vehicles:

(A) Vehicles classified by the authority as high-occupancy vehicles.

(B) Vehicles that pay for tolls electronically or through other non-cash methods. The authority may charge differential rates based on the chosen method.

(2) The authority shall provide a 50-percent discount on the amount of the toll increase approved pursuant to Section 30923 on the second bridge crossing for those commuters using a two-axle vehicle who pay tolls electronically or through other noncash methods and who cross two bridges specified in Section 30910 during commute hours. The authority shall establish reasonable and practical operating rules to implement this paragraph.

(d) If the authority establishes high-occupancy vehicle lane fee discounts or access for vehicles classified by the authority as high-occupancy vehicles for any bridge or segments of a highway that connect to the bridge, the authority shall establish the occupancy requirements that shall apply on each segment of highway that connects with that bridge, in consultation with the department.

(e) All tolls referred to in this section and Sections 30916, 31010, and 31011 may be treated by the authority as a single revenue source for accounting and administrative purposes and for the purposes of any bond indenture or resolution and any agreement entered into pursuant to Section 5922 of the Government Code.

(f) It is the intent of the Legislature that the authority should consider the needs and requirements of both its electronic and cash-paying customers when it designates toll payment options at the toll plazas for the toll bridges under its jurisdiction.

SEC. 11. Section 30920 of the Streets and Highways Code is amended to read:

30920. The authority may issue toll bridge revenue bonds to finance any or all of the projects, including those specified in Sections 30913, 30914, and 30914.7, if the issuance of the bonds does not adversely affect the minimum amount of toll revenue proceeds designated in Section 30913 and in paragraph (4) of subdivision (a) of, and subdivision (b) of, Section 30914 for rail extension and improvement projects and transit projects to reduce vehicular traffic. A determination of the authority that a specific project or projects shall have no adverse effect will be binding and conclusive in all respects.

SEC. 12. Section 30922 of the Streets and Highways Code is amended to read:

30922. Any action or proceeding to contest, question, or deny the validity of a toll increase provided for in this chapter, the financing of the transportation program contemplated by this chapter, the issuance of any bonds secured by those tolls, or any of the proceedings in relation thereto, shall be commenced within 60 days from the date of the election at which the toll increase is approved. After that date, the financing of the program, the issuance of the bonds, and all proceedings in relation thereto, including the adoption, approval, and collection of the toll increase, shall be held valid and incontestable in every respect.

SEC. 13. Section 30923 is added to the Streets and Highways Code, to read:

30923. (a) For purposes of the special election to be conducted pursuant to this section, the authority shall select an amount of the proposed increase in the toll rate, not to exceed three dollars (\$3), for vehicles crossing the bridges described in Section 30910 to be placed on the ballot for approval by the voters.

(b) The toll rate for vehicles crossing the bridges described in Section 30910 shall not be increased by the rate selected by the authority pursuant to subdivision (a) prior to the availability of the results of a special election to be held in the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma to determine whether the residents of those counties and of the City and County of San Francisco approve the toll increase.

(c) (1) Notwithstanding any provision of the Elections Code, the Board of Supervisors of the City and County of San Francisco and of each of the counties described in subdivision (b) shall call a special election to be conducted in the City and County of San Francisco and in each of the counties that shall be consolidated with a statewide primary or general election, which shall be selected by the authority.

(2) The authority shall determine the ballot question, which shall include the amount of the proposed toll increase selected pursuant to subdivision (a) and a summary of the Regional Measure 3 expenditure plan. The ballot question shall be submitted to the voters as Regional Measure 3 and stated separately in the ballot from state and local measures.

(d) The ballot pamphlet for the special election shall include a summary of the Regional Measure 3 expenditure plan regarding the eligible projects and programs to be funded pursuant to Section 30914.7. The Metropolitan Transportation Commission shall prepare a summary of the Regional Measure 3 expenditure plan.

(e) The county clerks shall report the results of the special election to the authority. If a majority of all voters voting on the question at the special election vote affirmatively, the authority may phase in the increased toll schedule consistent with subdivision (c) of Section 30916.

(f) If a majority of all the voters voting on the question at the special election do not approve the toll increase, the authority may by resolution resubmit the measure to the voters at a subsequent statewide primary or general election. If a majority of all of the voters vote affirmatively on the measure, the authority may adopt the toll increase and establish its effective date and establish the completion dates for all reports and studies required by Sections 30914.7 and 30950.3.

(g) (1) Each county and city and county shall share translation services for the ballot pamphlet and shall provide the authority a certified invoice that details the incremental cost of including the measure on the ballot, as well as the total costs associated with the election.

(2) The authority shall reimburse each county and city and county participating in the election for the incremental cost of submitting the measure to the voters. These costs shall be reimbursed from revenues derived

from the tolls if the measure is approved by the voters, or, if the measure is not approved, from any bridge toll revenues administered by the authority.

(h) If the voters approve a toll increase pursuant to this section, the authority shall establish an independent oversight committee within six months of the effective date of the toll increase to ensure that any toll revenues generated pursuant to this section are expended consistent with the applicable requirements set forth in Section 30914.7. The oversight committee shall include two representatives from each county within the jurisdiction of the commission. Each representative shall be appointed by the applicable county board of supervisors and serve a four-year term and shall be limited to two terms. The oversight committee shall annually review the expenditure of funds by the authority for the projects and programs specified in Section 30914.7 and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings. The oversight committee may request any documents from the authority to assist the committee in performing its functions.

(i) If voters approve a toll increase pursuant to this section, the authority shall annually prepare a report to the Legislature, in conformance with Section 9795 of the Government Code, on the status of the projects and programs funded pursuant to Section 30914.7.

(j) Except as provided in subdivision (c) of Section 30916 and Section 30918, the toll increase adopted by the authority pursuant to this section shall not be changed without statutory authorization by the Legislature.

SEC. 14. Section 30950.3 of the Streets and Highways Code is amended to read:

30950.3. (a) The authority shall prepare, adopt, and from time to time revise, a long-range bridge toll plan for the completion of all projects within its jurisdiction, including those of the Regional Traffic Relief Plan described in subdivision (c) of Section 30914 and the Regional Measure 3 expenditure plan described in subdivision (a) of Section 30914.7.

(b) The authority shall give first priority to projects and expenditures that are deemed necessary by the department and the authority to preserve and protect the bridge structures.

SEC. 15. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.





cc. BOARD OF Supervisors  
BRIAN BALBAS, PW

**BAY AREA TOLL AUTHORITY**  
BAY AREA METRO CENTER  
375 BEALE STREET  
SAN FRANCISCO, CA 94105

TEL 415.778.6700  
WEB [www.mtc.ca.gov](http://www.mtc.ca.gov)

**JAKE MACKENZIE, CHAIR**  
*Sonoma County and Cities*

**SCOTT HAGGERTY, VICE CHAIR**  
*Alameda County*

**ALICIA C. AGUIRRE**  
*Cities of San Mateo County*

**TOM AZUMBRADO**  
*U.S. Department of Housing  
and Urban Development*

**JEANNIE BRUINS**  
*Cities of Santa Clara County*

**DAMON CONNOLLY**  
*Marin County and Cities*

**DAVE CORTESE**  
*Santa Clara County*

**CAROL DUTRA-VERNACI**  
*Cities of Alameda County*

**DORENE M. GIACOPINI**  
*U.S. Department of Transportation*

**FEDERAL D. GLOVER**  
*Contra Costa County*

**ANNE W. HALSTED**  
*San Francisco Bay Conservation  
and Development Commission*

**NICK JOSEFOWITZ**  
*San Francisco Mayor's Appointee*

**JANE KIM**  
*City and County of San Francisco*

**SAM LICCARDO**  
*San Jose Mayor's Appointee*

**ALFREDO PEDROZA**  
*Napa County and Cities*

**JULIE PIERCE**  
*Association of Bay Area Governments*

**BIJAN SARTIPI**  
*California State  
Transportation Agency*

**LIBBY SCHAAF**  
*Oakland Mayor's Appointee*

**WARREN SLOCUM**  
*San Mateo County*

**JAMES P. SPERING**  
*Salano County and Cities*

**AMY R. WORTH**  
*Cities of Contra Costa County*

**STEVE HEMINGER**  
*Executive Director*

**ANDREW B. FREMIER**  
*Deputy Executive Director*



January 29, 2018

To Whom it May Concern:

Please see attached certified true and correct copy of Bay Area Toll Authority Resolution No. 123 adopted by the Authority at a duly held regular meeting of the Authority on January 24, 2018 in San Francisco.

Sincerely,

Rosy Leyva  
Commission Secretary

Attachments

Date: January 24, 2018  
W.I.: 1254  
Referred by: BATA Oversight

ABSTRACT

BATA Resolution No. 123

This resolution calls for a ballot measure, known as Regional Measure 3 (RM3), to be placed on the ballot of an election to be held on June 5, 2018, concurrent and consolidated with the statewide election to be held on the same date, establishes the RM3 ballot language to be used in all nine counties of the Bay Area and directs staff to work with the registrars and county clerks in each of the nine counties to place RM3 on the ballot.

Further discussion of this resolution is contained in the Executive Director's memorandum to the BATA Oversight Committee dated January 3, 2018.



Date: January 24, 2018  
W.I.: 1254  
Referred by: BATA Oversight

Re: Calling Regional Measure 3 Election

BAY AREA TOLL AUTHORITY  
RESOLUTION NO. 123

WHEREAS, the Bay Area Toll Authority ("Authority") is established pursuant to Section 30950 of the California Streets and Highways Code ("Code") and is responsible for the administration of all toll revenues from state-owned toll bridges within the geographic jurisdiction of the Metropolitan Transportation Commission; the geographic jurisdiction being comprised of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma (individually, "County" and collectively, "Counties"), and the cities located in said Counties; and

WHEREAS, the Authority is authorized pursuant to subdivision (a) of Section 30923 of the Code to select a toll increase amount, of up to three dollars (\$3), to be placed on the ballot in the City and County of San Francisco and each of the Counties; and

WHEREAS, the Authority is authorized pursuant to paragraph (1) of subdivision (c) of Section 30923 of the Code to select the date of the election for voters to consider such toll increase, which shall be consolidated with a statewide primary or general election; and

WHEREAS, paragraph (2) of subdivision (c) of Section 30923 of the Code provides that the ballot question addressing such toll increase shall be submitted to voters as "Regional Measure 3" and shall be stated separately in the ballot from state and local measures; and

WHEREAS, paragraph (1) of subdivision (c) of Section 30916 of the Code provides that the Authority may phase in such toll increase over a period of time with the first rate increase to commence not sooner than six months after the election approving such toll increase; and

WHEREAS, pursuant to paragraph (1) of subdivision (g) of Section 30923 of the Code, each County and the City and County of San Francisco is required to share translation services

for the ballot pamphlet and shall provide the Authority a certified invoice that details the incremental cost of including the measure on the ballot as well as the total costs associated with the election; and

WHEREAS, pursuant to paragraph (2) of subdivision (g) of Section 30923 of the Code, the Authority is required to reimburse each County and the City and County of San Francisco participating in the election for the incremental cost of submitting the measure to the voters and such costs shall be paid from bridge toll revenue administered by the Authority; and

WHEREAS, pursuant to subdivision (d) of Section 30923 of the Code, the Metropolitan Transportation Commission shall prepare a summary of the Regional Measure 3 expenditure plan, now, therefore, be it

RESOLVED, that the Authority specifically finds and declares that the statements, findings and determinations of the Authority set forth in the preambles above are true and correct; and be it further

RESOLVED, that the Authority hereby calls upon each Board of Supervisors in the City and County of San Francisco and each of the Counties to call a special election on June 5, 2018 to be conducted in the City and County of San Francisco and each of the Counties and place on the ballot as a measure separate from state and local measures the following question as Regional Measure 3:

*BAY AREA TRAFFIC RELIEF PLAN. Shall voters authorize a plan to reduce auto and truck traffic, relieve crowding on BART, unclog freeway bottlenecks, and improve bus, ferry, BART and commuter rail service as specified in the plan in this voter pamphlet, with a \$1 toll increase effective in 2019, a \$1 increase in 2022, and a \$1 increase in 2025, on all Bay Area toll bridges except the Golden Gate Bridge, with independent oversight of all funds?*

and, be it further

RESOLVED, that the Registrars of Voters for the City and County of San Francisco and each of the Counties are hereby requested to reprint Regional Measure 3, together with the summary of the Regional Measure 3 expenditure plan to be prepared by the Metropolitan Transportation Commission regarding the eligible projects and programs to be funded pursuant to Section 30914.7 of the Code, in the voter information pamphlet to be distributed to voters pursuant applicable law; and be it further

RESOLVED, that Authority staff is directed to work with the City and County of San Francisco and each of the Counties, including their respective Registrars of Voters and County Clerks to facilitate the placing of Regional Measure 3 on the ballot; and be it further

RESOLVED, that the election shall be consolidated with the statewide direct primary election to be held on June 5, 2018, and pursuant to paragraph (1) of subdivision (c) of Section 30923 of the Code and all applicable law, the Boards of Supervisors in the City and County of San Francisco and in each of the Counties are hereby requested to direct the Registrar of Voters in the City and County of San Francisco and in each of the respective Counties and to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same. The Authority hereby acknowledges that the consolidated election will be held and conducted in the manner prescribed by all applicable law, including, where applicable, the California Elections Code; and be it further

RESOLVED, that pursuant to paragraph (2) of subdivision (g) of Section 30923 of the Code, the Authority shall reimburse the City and County of San Francisco and each of the Counties participating in the election for the incremental cost of submitting the measure to the voters, with such costs to be paid from bridge toll revenue administered by the Authority; and be it further

RESOLVED, that the Secretary of the Authority is hereby directed to cause to be filed as soon as practicable, and in any event no later than March 9, 2018 (which date is not fewer than 88 days prior to the date set for the election), one copy of this Resolution to each of the



Registrars of Voters, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the City and County of San Francisco and of each of the Counties; and be it further

RESOLVED, that the Commissioners of the Authority, the Executive Director, any officer and all other staff of the Authority, are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this Resolution in accordance with the terms hereof and of applicable provisions of law; and be it further

RESOLVED, that this Resolution shall take effect from and after its adoption.

BAY AREA TOLL AUTHORITY



Jake Mackenzie, Chair

The above resolution was first entered into by the Bay Area Toll Authority at a regular meeting of the Authority held in San Francisco, California, on January 24, 2018.

**CERTIFIED A TRUE COPY.**



Rosy Leyva  
Commission Secretary

1-29-2018

Date



# Contra Costa County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: February 13, 2018

Subject: APPROVE the Board meeting minutes for January 2018

---

## **RECOMMENDATION(S):**

APPROVE Board meeting minutes for January 2018, as on file with the Office of the Clerk of the Board.

## **FISCAL IMPACT:**

No fiscal impact.

## **BACKGROUND:**

Government Code Section 25101(b) requires the Clerk of the Board to keep and enter in the minute book of the Board a full and complete record of the proceedings of the Board at all regular and special meetings, including the entry in full of all resolutions and of all decisions on questions concerning the allowance of accounts. The vote of each member on every question shall be recorded.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stephanie Mello, Deputy

Contact: Joellen Bergamini  
925.335.1906

cc:



# Contra Costa County

To: Board of Supervisors  
 From: David Twa, County Administrator  
 Date: February 13, 2018

Subject: Presentation to recognize Robert Campbell, elected Auditor-Controller, for his 30 years of outstanding service to the citizens of Contra Costa County.

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☒ APPROVE
 ☐ OTHER  
☒ RECOMMENDATION OF CNTY ADMINISTRATOR
 ☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, 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: February 13, 2018

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

By: Stephanie Mello, Deputy

Contact: Elizabeth Verigin (925)  
 646-2185

cc:

AGENDA ATTACHMENTS

Resolution No. 2018/57

Resolution

MINUTES ATTACHMENTS

Signed Resolution No.

2018/57

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

In the matter of:

**Resolution No.**

**RECOGNIZING Robert R. Campbell FOR 30 YEARS OF PUBLIC SERVICE TO CONTRA COSTA COUNTY**

WHEREAS County Auditor-Controller Robert Campbell began his career with Contra Costa County as a Student Worker in the Office of the Auditor-Controller; and

WHEREAS on February 11, 1988, Robert was hired as a permanent employee in the classification of Account Clerk in the Office of the Auditor-Controller; and

WHEREAS through Robert's determination, dedication, and unyielding faith Robert acquired his college degree and was promoted through the job series of Accountant; and

WHEREAS Robert's passion for learning and tireless commitment to excellence provided him the opportunity to serve the County in a leadership role and promote to Supervising Accountant and ultimately Chief Accountant; and

WHEREAS in June 2010, Robert was elected by the citizens of Contra Costa County to serve a four-year term as Auditor-Controller and re-elected in June 2014 for another four-year term; and

WHEREAS most of his 30 years of employment with the County was spent in the Office of the Auditor-Controller; and

WHEREAS Robert's passion for the statutes and legal codes that govern public sector financial accounting and reporting enabled him to serve as Chair on numerous committees for the State Association of Auditor Controllers and received an appointment by the State Controller as the County Auditors' Association representative to the California Uniform Construction Cost Accounting Commission in 2011; and

WHEREAS the State Treasurer appointed Robert as a member of the State Task Force on Bond Accountability; and

WHEREAS Robert is a gregarious man with a sincere interest in the well-being of others and delights his colleagues and the Office staff with his sense of humor; and

WHEREAS Robert's integrity in his role as Auditor-Controller is well known by County Employees and the public in general; and

WHEREAS most essential to Robert is his role as a husband, father, son, brother, uncle, and friend, which he embraces with unfaltering devotion, love, and loyalty; and

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors congratulates Robert on his 30 years of dedicated, professional, and exemplary public service to Contra Costa County.

**KAREN MITCHOFF**  
Chair,  
District IV Supervisor

**JOHN M. GIOIA**  
District I Supervisor

**CANDACE ANDERSON**  
District II Supervisor

**DIANE BURGIS**  
District III Supervisor

**FEDERAL D. GLOVER**  
District V Supervisor



ATTESTED:

,

By:

, Deputy

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

PR.1, C.19

In the matter of recognizing Robert R. Campbell for 30  
Years of Public Service to Contra Costa County

Resolution No. 2018/57

WHEREAS, County Auditor- Controller Robert Campbell began his career with Contra Costa County as a Student Worker in the Office of the Auditor Controller; and

WHEREAS, on February 11, 1988, Robert was hired as a permanent employee in the classification of Account Clerk in the Office of the Auditor-Controller; and

WHEREAS, through Robert's determination, dedication, and unyielding faith Robert acquired his college degree and was promoted through the job series of Accountant; and

WHEREAS, Robert's passion for learning and tireless commitment to excellence provided him the opportunity to serve the County in a leadership role and promote to Supervising Accountant and ultimately Chief Accountant; and

WHEREAS, in June 2010, Robert was elected by the citizens of Contra Costa County to serve a four-year term as Auditor-Controller and re-elected in June 2014 for another four-year term; and

WHEREAS, most of his 30 years of employment with the County was spent in the Office of the Auditor-Controller; and

WHEREAS, Robert's passion for the statutes and legal codes that govern public sector financial accounting and reporting enabled him to serve as Chair on numerous committees for the State Association of Auditor Controllers and received an appointment by the State Controller as the County Auditors' Association representative to the California Uniform Construction Cost Accounting Commission in 2011; and

WHEREAS, the State Treasurer appointed Robert as a member of the State Task Force on Bond Accountability; and

WHEREAS, Robert is a gregarious man with a sincere interest in the well-being of others and delights his colleagues and the Office staff with his sense of humor; and

WHEREAS, Robert's integrity in his role as Auditor-Controller is well known by County Employees and the public in general; and

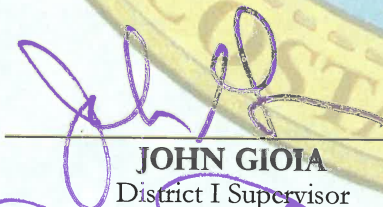
WHEREAS, most essential to Robert is his role as a husband, father, son, brother, uncle, and friend, which he embraces with unfaltering devotion, love, and loyalty.

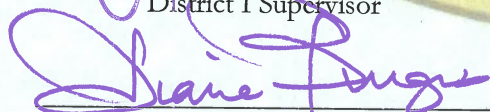
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Contra Costa County does hereby congratulate Robert on his 30 years of dedicated, professional, and exemplary public service to Contra Costa County.

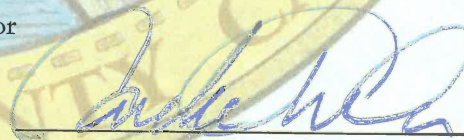
*PASSED by a unanimous vote of the Board of Supervisors members present this 13<sup>th</sup> day of February, 2018.*

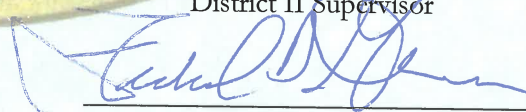
  
KAREN MITCHOFF

Chair,  
District IV Supervisor

  
JOHN GIOIA  
District I Supervisor

  
DIANE BURGIS  
District III Supervisor

  
CANDACE ANDERSEN  
District II Supervisor

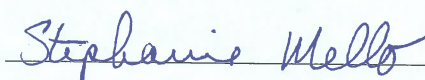
  
FEDERAL D. GLOVER  
District V Supervisor



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: February 13, 2018

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

By , Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: February 13, 2018

Subject: Resolution recognizing Susan & Sal Captain as Moraga Business Persons of the year

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stephanie Mello, Deputy

Contact: Lauri Byers, (925)  
957-8860

cc:

AGENDA ATTACHMENTS

Resolution No. 2018/60

MINUTES ATTACHMENTS

Signed Resolution No.  
2018/60



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

In the matter of:

**Resolution No. 2018/60**

recognizing Susan & Sal Captain as Moraga Business Persons of the Year.

Whereas, Captain Vineyards is a family-owned and operated business, and Susan and Sal Captain strive to produce the best grapes and most exceptional wines. As the first, and only, local green vineyard and winery in Contra Costa County, Captain Vineyards received the small business CoolCAL award and are committed to continuous innovation, community education, and environmental consciousness; and

Whereas, Susan and Sal take pride in every step of their production process: energy conservation, dry farming, zero waste, and a reduced carbon footprint. Their goal is to grow with their grapes and show that quality wine does not need to cause environmental damage or exacerbate a drought; and

Whereas, the newly formed [Lamorinda American Viticulture Area \(AVA\)](#) shows that this region is exceptional in its ability to produce unique grapes, and Captain Vineyards is at the vanguard of producing the very best wines; and

Whereas, Sal's philosophy is to bring the very best practices to the production of their wines. His passion and focus is on getting every last grape to become the very best product; and

Whereas, Susan and Sal are founding members of the Lamorinda Wine Growers Association (LWGA). Susan has been on the board since inception in 2005 and President from 2012-2014.

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County does hereby honor Susan & Sal Captain as Moraga's 2018 Business Persons of the Year.

---

**KAREN MITCHOFF**  
Chair, District IV Supervisor

---

**JOHN GIOIA**  
District I Supervisor

---

**CANDACE ANDERSEN**  
District II Supervisor

---

**DIANE BURGIS**  
District III Supervisor

---

**FEDERAL D. GLOVER**  
District V Supervisor

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

ATTESTED: February 13, 2018

David J. Twa,

By: \_\_\_\_\_, Deputy

# The Board of Supervisors of Contra Costa County, California

In the matter of recognizing Susan & Sal Captain as  
Moraga Business Persons of the Year

Resolution No. 2018/60

WHEREAS, Captain Vineyards is a family-owned and operated business, and Susan and Sal Captain strive to produce the best grapes and most exceptional wines. As the first, and only, local green vineyard and winery in Contra Costa County, Captain Vineyards received the small business CoolCAL award and are committed to continuous innovation, community education, and environmental consciousness; and

WHEREAS, Susan and Sal take pride in every step of their production process: energy conservation, dry farming, zero waste, and a reduced carbon footprint. Their goal is to grow with their grapes and show that quality wine does not need to cause environmental damage or exacerbate a drought; and

WHEREAS, the newly formed Lamorinda American Viticulture Area (AVA) shows that this region is exceptional in its ability to produce unique grapes, and Captain Vineyards is at the vanguard of producing the very best wines; and

WHEREAS, Sal's philosophy is to bring the very best practices to the production of their wines. His passion and focus is on getting every last grape to become the very best product; and

WHEREAS, Susan and Sal are founding members of the Lamorinda Wine Growers Association (LWGA). Susan has been on the board since inception in 2005 and President from 2012-2014.


NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Contra Costa County does hereby honor Susan & Sal Captain as Moraga's 2018 Business Persons of the Year.


*PASSED by a unanimous vote of the Board of Supervisors members present this 13<sup>th</sup> day of February, 2018.*

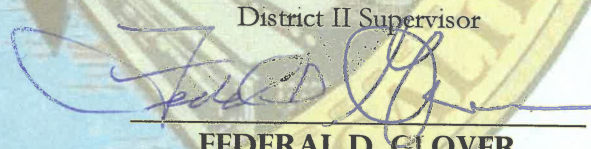
  
**KAREN MITCHOFF**

Chair,  
District IV Supervisor

  
**JOHN GIOIA**  
District I Supervisor

  
**CANDACE ANDERSEN**  
District II Supervisor

  
**DIANE BURGIS**  
District III Supervisor

  
**FEDERAL D. GLOVER**  
District V Supervisor



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

ATTESTED: February 13, 2018

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

By Stephanie Mello, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: February 13, 2018

Subject: RESULTS OF THE 2017 COUNTIES CARE HOLIDAY FOOD FIGHT

---



---

☒ APPROVE
 ☐ OTHER  
☒ RECOMMENDATION OF CNTY ADMINISTRATOR
 ☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

### VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, 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: February 13, 2018

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

By: Stephanie Mello, Deputy

Contact: Kate Sibley, (925)  
335-1032

cc:



AGENDA ATTACHMENTS

Resolution No. 2018/63

MINUTES ATTACHMENTS

Signed Resolution No.  
2018/63

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

In the matter of:

**Resolution No. 2018/63**

**RECOGNIZING THE EMPLOYEES OF CONTRA COSTA COUNTY AND THE 2017 COUNTIES CARE HOLIDAY FOOD FIGHT**

WHEREAS, Contra Costa County departments and employees again demonstrated just how much public servants care and rose to the annual challenge to raise funds for the Food Bank of Contra Costa and Solano during the 2017 holiday season; and

WHEREAS, this 14th Annual Counties Care Challenge has been an important part of the Food Bank of Contra Costa and Solano's holiday fundraising program; and

WHEREAS, in the 2017 drive Contra Costa County employees raised \$102,884.78, bringing their cumulative total raised in 15 years to over \$1.3 million; and

WHEREAS, with the 2017 Counties Care Holiday Food Fight, Contra Costa County employees must congratulate Solano County employees for once again winning the Big Apple and bragging rights for the year to come; and

WHEREAS, because departments and team leaders entered the annual competition with enthusiasm despite any personal or departmental challenges and stress, we salute the following stellar standouts in their leagues:

**MINI DEPARTMENTS: AGRICULTURE, STEPHANNA HIDALGO, ROXANN CROSBY, TEAM LEADERS;  
SMALL DEPARTMENTS: COUNTY COUNSEL, MICHIELLE MAURER, WANDA MCADOO, TEAM LEADERS;  
MIDSIZED DEPARTMENTS: ASSESSOR, ELLIE RIDOLFI, DIANE RAMIREZ, TEAM LEADERS;  
LARGE DEPARTMENTS: HEALTH SERVICES, TEAM LEADERS TOO NUMEROUS TO NAME;  
SUPERVISORS' OFFICES: DISTRICT III, DIANE BURGIS, SUPERVISOR AND MARK GOODWIN, TEAM LEADER; and**

WHEREAS, all County departments and team leaders showed special ingenuity and energy by raising copious funds and earning kudos and various special awards as determined by Food Fight organizers, including:

**GAYLE B. UILKEMA GOOD EGG: DAVID TWA, COUNTY ADMINISTRATOR  
24 CARROT SALUTE: BRICE BINS, TREASURER-TAX COLLECTOR  
MOST IMPROVED: COUNTY AIRPORTS, NATALIE OLESEN, LEADER  
ADDITIONAL RECOGNITION: KRISTIE HIRSCHENBERGER HEART AND SOUL,  
CHIEF MECHANIC'S COMMENDATIONS, 100% (& Plus) CLUB, Etc.; and**

**WHEREAS**, the combined efforts of employees of Contra Costa and Solano counties netted the Food Bank of Contra Costa and Solano a grand total of \$148,137.98 in 2017, providing close to 300,000 meals to approximately 180,000 "food-insecure" residents of both counties; and

**WHEREAS**, this annual effort has now raised over **\$1.7 MILLION** for the Food Bank since beginning in 2003.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Contra Costa County hereby applauds all of the tireless department team leaders and congratulates all participating Contra Costa County departments, department heads, and employees for their inspired and inspiring efforts on behalf of their community and those in need; and **BE IT FURTHER RESOLVED** that the Board of Supervisors of Contra Costa County thanks all County employees and residents who participated in the 2017 Counties Care Holiday Food Fight and urges all citizens of Contra Costa County and their communities to recognize and match the generosity and public spirit of County employees by giving generously to the Food Bank of Contra Costa and Solano regularly and often, through all of the Food Bank's programs.

**KAREN MITCHOFF**  
Chair, District IV Supervisor

\_\_\_\_\_  
**JOHN GIOIA**  
District I Supervisor

\_\_\_\_\_  
**CANDACE ANDERSEN**  
District II Supervisor

\_\_\_\_\_  
**DIANE BURGIS**  
District III Supervisor

\_\_\_\_\_  
**FEDERAL D. GLOVER**  
District V Supervisor

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

ATTESTED: February 13, 2018

David J. Twa,

By: \_\_\_\_\_, Deputy

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

PR.2, C.21

In the matter of recognizing the employees of Contra Costa County and the 2017 Counties Care Holiday Food Fight

Resolution No. 2018/63

WHEREAS, Contra Costa County departments and employees again demonstrated just how much public servants care and rose to the annual challenge to raise funds for the Food Bank of Contra Costa and Solano during the 2017 holiday season; and

WHEREAS, this 14th Annual Counties Care Challenge has been an important part of the Food Bank of Contra Costa and Solano's holiday fundraising program; and

WHEREAS, in the 2017 drive Contra Costa County employees raised \$102,884.78, bringing their cumulative total raised in 15 years to over \$1.3 million; and

WHEREAS, with the 2017 Counties Care Holiday Food Fight, Contra Costa County employees must congratulate Solano County employees for once again winning the Big Apple and bragging rights for the year to come; and

WHEREAS, because departments and team leaders entered the annual competition with enthusiasm despite any personal or departmental challenges and stress, we salute the following stellar standouts in their leagues:

MINI DEPARTMENTS: AGRICULTURE, STEPHANNA HIDALGO, ROXANN CROSBY, TEAM LEADERS;  
SMALL DEPARTMENTS: COUNTY COUNSEL, MICHIELLE MAURER, WANDA MCADOO, TEAM LEADERS;  
MIDSIZED DEPARTMENTS: ASSESSOR, ELLIE RIDOLFI, DIANE RAMIREZ, TEAM LEADERS;  
LARGE DEPARTMENTS: HEALTH SERVICES, TEAM LEADERS TOO NUMEROUS TO NAME;  
SUPERVISORS' OFFICES: DISTRICT III, DIANE BURGIS, SUPERVISOR AND MARK GOODWIN, TEAM LEADER; and

WHEREAS, all County departments and team leaders showed special ingenuity and energy by raising copious funds and earning kudos and various special awards as determined by Food Fight organizers, including:

GAYLE B. UILKEMA GOOD EGG: DAVID TWA, COUNTY ADMINISTRATOR

24 CARROT SALUTE: BRICE BINS, TREASURER-TAX COLLECTOR

MOST IMPROVED: COUNTY AIRPORTS, NATALIE OLESEN, LEADER

ADDITIONAL RECOGNITION: KRISTIE HIRSCHENBERGER HEART AND SOUL,

CHIEF MECHANIC'S COMMENDATIONS, 100% (& Plus) CLUB, Etc.; and

WHEREAS, the combined efforts of employees of Contra Costa and Solano counties netted the Food Bank of Contra Costa and Solano a grand total of \$148,137.98 in 2017, providing close to 300,000 meals to approximately 180,000 "food-insecure" residents of both counties; and

WHEREAS, this annual effort has now raised over \$1.7 MILLION for the Food Bank since beginning in 2003.

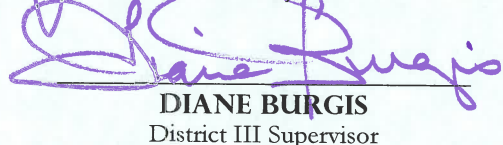
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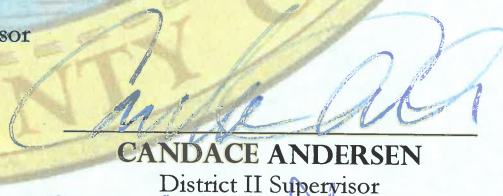
*PASSED by a unanimous vote of the Board of Supervisors members present this 13<sup>th</sup> day of February, 2018.*

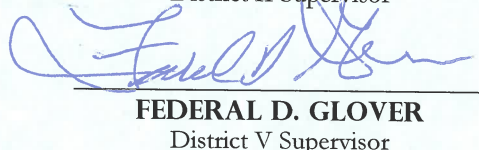
  
KAREN MITCHOFF

Chair,  
District IV Supervisor

  
JOHN GIOIA  
District I Supervisor

  
DIANE BURGIS  
District III Supervisor

  
CANDACE ANDERSEN  
District II Supervisor

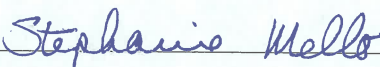
  
FEDERAL D. GLOVER  
District V Supervisor



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: February 13, 2018

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

By , Deputy





Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: February 13, 2018

Subject: Resolution recognizing Ida Jean Seawright Kisack

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

### VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stephanie Mello, Deputy

Contact: Lauri Byers, (925)  
957-8860

cc:

AGENDA ATTACHMENTS

Resolution No. 2018/64

MINUTES ATTACHMENTS

Signed Resolution No.  
2018/64

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

In the matter of:

**Resolution No. 2018/64**

recognizing Ida Jean Seawright Kisack upon the occasion of her 100th Birthday.

Whereas, Ida Jean Seawright Kisack, “Mama Jean,” was born February 21, 1918; and

Whereas, Mama Jean married Walter J. Kisack in June of 1942, and they were married for 54 years until Walter’s passing in May of 1996; and

Whereas, Mama Jean and Walter raised one daughter, born in 1952, passed away in 2017, Jenelle Diane Kisack Lovest; and

Whereas, Mama Jean and Walter were living in Hayward in 1973 when Walter was passing through the beautiful Danville countryside and noticed a property for sale; and

Whereas, Mama Jean and Walter bought the Danville property from a minister for \$10,000 and built their home; and

Whereas, the Kisacks were pleased and proud to be among the first African-American families in the area; and

Whereas, Mama Jean still lives in the same house, she loves the community, and her kind and beautiful neighbors; and

Whereas, Mama Jean has many fond memories of living in Danville, she remembers the gentleman that lived in the house where the Danville Town Offices and Police Station are located and recalls that he drove a hearse. When she moved to Danville, there were only a few stores, now she loves all the shopping options it has to offer.

Now, Therefore, Be It Resolved that the Board of Supervisors of Contra Costa County does hereby wish IDA JEAN SEAWRIGHT KISACK "MAMA JEAN" a very happy 100th birthday!

\_\_\_\_\_  
**KAREN MITCHOFF**  
Chair, District IV Supervisor

\_\_\_\_\_  
**JOHN GIOIA**  
District I Supervisor

\_\_\_\_\_  
**CANDACE ANDERSEN**  
District II Supervisor

\_\_\_\_\_  
**DIANE BURGIS**  
District III Supervisor

\_\_\_\_\_  
**FEDERAL D. GLOVER**  
District V Supervisor

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



ATTESTED: February 13, 2018

David J. Twa,

By: \_\_\_\_\_, Deputy

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

C.22

In the matter of recognizing Ida Jean Seawright Kisack  
upon the occasion of her 100th Birthday

Resolution No. 2018/64

WHEREAS, Ida Jean Seawright Kisack, "Mama Jean," was born February 21, 1918; and

WHEREAS, Mama Jean married Walter J. Kisack in June of 1942, and they were married for 54 years until Walter's passing in May of 1996; and

WHEREAS, Mama Jean and Walter raised one daughter, born in 1952, passed away in 2017, Jenelle Diane Kisack Lovest; and

WHEREAS, Mama Jean and Walter were living in Hayward in 1973 when Walter was passing through the beautiful Danville countryside and noticed a property for sale; and

WHEREAS, Mama Jean and Walter bought the Danville property from a minister for \$10,000 and built their home; and

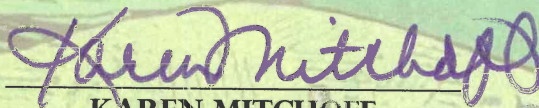
WHEREAS, the Kisacks were pleased and proud to be among the first African-American families in the area; and

WHEREAS, Mama Jean still lives in the same house, she loves the community, and her kind and beautiful neighbors; and

WHEREAS, Mama Jean has many fond memories of living in Danville, she remembers the gentleman that lived in the house where the Danville Town Offices and Police Station are located and recalls that he drove a hearse. When she moved to Danville, there were only a few stores, now she loves all the shopping options it has to offer.

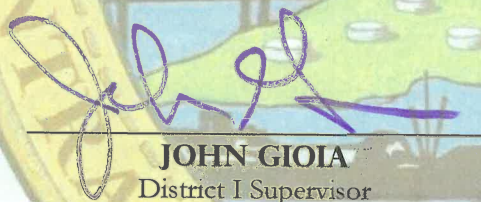
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Contra Costa County does hereby wish Ida Jean Seawright Kisack "Mama Jean" a very happy 100th birthday!

*PASSED by a unanimous vote of the Board of Supervisors members present this 13<sup>th</sup> day of February, 2018.*

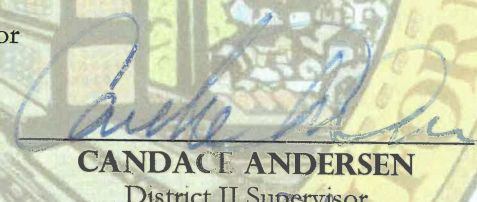


**KAREN MITCHOFF**

Chair,  
District IV Supervisor



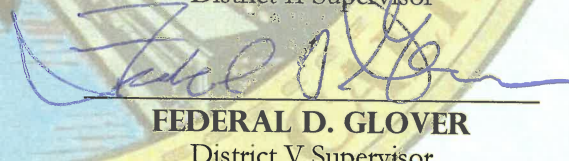
**JOHN GIOIA**  
District I Supervisor



**CANDACE ANDERSEN**  
District II Supervisor



**DIANE BURGIS**  
District III Supervisor



**FEDERAL D. GLOVER**  
District V Supervisor



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

ATTESTED: February 13, 2018

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

By Stephanie Mello, Deputy



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Dianne Dinsmore, Human Resources Director  
Date: February 13, 2018

Subject: Adopt Ordinance 2018-03 to Exempt Departmental Personnel Officer-Exempt from Merit System

---

**RECOMMENDATION(S):**

ADOPT Ordinance No. 2018-03 amending the County Ordinance Code to exclude from the Merit System the new classification of Departmental Personnel Officer-Exempt.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The new county classification, Departmental Personnel Officer-Exempt, was established on February 6, 2018. The Departmental Personnel Officer-Exempt is a single high level personnel management position and will provide a large diverse county department the oversight and management of the personnel program and personnel staff responsible for employee relations, recruitment; selection; classification; compensation; safety; executive,

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stephanie Mello, Deputy

Contact: D. Dinsmore (925)  
335-1766

cc: Eric Suitos, Gladys Scott Reid

## BACKGROUND: (CONT'D)

>

managerial, supervisory and organization development. Also, the Departmental Personnel Officer-Exempt will serve as a member of the Department's Executive Team, and will consult with Department Directors, Deputy Directors, and Managers on full range of personnel, labor relations, staff development and training related issues. The Departmental Personnel Officer-Exempt will report to a Department's Deputy Director or the Department Head.

## CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, there will not be a county-wide departmental high-level personnel management classification to oversee, direct and manage department personnel staff. This classification will be a member of the department executive management team on issues pertaining to department personnel, labor relations, and staff development.

## AGENDA ATTACHMENTS

Ordinance 2018-03

## MINUTES ATTACHMENTS

Signed Ordinance No. 2018-03

**ORDINANCE NO. 2018-03**

**(Exclude from the Merit System the new classification of  
Departmental Personnel Officer-Exempt)**

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

**SECTION I:** Section 33-5.375 of the County Ordinance Code is added to exclude from the merit system the new classification of Departmental Personnel Officer-Exempt:

**33-5.375 – Departmental personnel officer-exempt.**

The departmental personnel officer-exempt is excluded and is appointed by any department head as may be authorized by the board.

(Ord. Nos. 2018-03 § 1, 02-06-18; Editor's note: Ord. No. 2014-01, § II, adopted January 14, 2014, repealed § 33-5.375 in its entirety. Former § 33-5.375 pertained to general services and was derived from Ord. No. 85-54 § 2; Ord. No. 85-79 § 2; Ord. No. 2000-34; Ord. No. 2000-42; Ord. No. 2002-51 § 1; Ord. No. 2005-30 § 1; Ord. No. 2009-22, § I, adopted October 20, 2009 and Ord. No. 2010-06, § I, adopted June 22, 2010.)

**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 the supervisors voting for and against it in the \_\_\_\_\_, a newspaper published in this County.

PASSED ON \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: DAVID J. TWA, Clerk of the

Board of Supervisors and County Administrator

By: \_\_\_\_\_  
Deputy

\_\_\_\_\_  
Board Chair

[SEAL]



**ORDINANCE NO. 2018-03****(Exclude from the Merit System the new classification of  
Departmental Personnel Officer-Exempt)**

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

**SECTION I:** Section 33-5.375 of the County Ordinance Code is added to exclude from the merit system the new classification of Departmental Personnel Officer-Exempt:

**33-5.375 – Departmental personnel officer-exempt.**

The departmental personnel officer-exempt is excluded and is appointed by any department head as may be authorized by the board.

(Ord. Nos. 2018-03 § 1, 02-06-18; Editor's note: Ord. No. 2014-01, § II, adopted January 14, 2014, repealed § 33-5.375 in its entirety. Former § 33-5.375 pertained to general services and was derived from Ord. No. 85-54 § 2; Ord. No. 85-79 § 2; Ord. No. 2000-34; Ord. No. 2000-42; Ord. No. 2002-51 § 1; Ord. No. 2005-30 § 1; Ord. No. 2009-22, § I, adopted October 20, 2009 and Ord. No. 2010-06, § I, adopted June 22 2010.)

**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 the supervisors voting for and against it in the Contra Costa Times a newspaper published in this County

PASSED ON February 13, 2018 by the following vote

AYES: Gioia, Andersen, Burgis, Mitchoff, Glover

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: DAVID J. TWA, Clerk of the Board of Supervisors and County Administrator

By: Stephanie Mello  
Deputy

Ken Mitchoff  
Board Chair



ORDINANCE NO 2018-03





**Contra  
Costa  
County**

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: February 13, 2018

Subject: FIX PUBLIC HEARING RELATED TO A SPECIAL TAX ORDINANCE FOR CSA P-5 ROUND HILL

---

**RECOMMENDATION(S):**

1. FIX public hearing for February 27, 2018, at 9:30 a.m., to receive public input regarding the adoption of an ordinance authorizing an increased special tax for police protection services in County Service Area (CSA) P-5 and a resolution directing the ordinance to be presented to the CSA P-5 voters for approval at the June 5, 2018, primary election.

2. DIRECT the Clerk of the Board to give notice of the hearing pursuant to Government Code sections 50077, subdivision (a), and 6062a.

**FISCAL IMPACT:**

No impact to the General Fund. The cost of publication will be paid with CSA P-5 funds.

**BACKGROUND:**

The CSA P-5 Citizens Advisory Committee is proposing a special tax increase

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Timothy Ewell, (925)  
335-1036

cc:

BACKGROUND: (CONT'D)

measure for the June 5, 2018, ballot. If passed by two-thirds of the CSA P-5 voters voting on the measure, the measure would provide additional funding for extended police protection services within the boundaries of this county service area, located in the Round Hill area. Under the proposal, revenues from the increased taxes would be used to preserve current service levels, including two resident deputy sheriffs and maintenance of a patrol vehicle.

CONSEQUENCE OF NEGATIVE ACTION:

The public hearing date would not be fixed or noticed. Without a noticed public hearing, the proposed tax measure could not be presented to the voters.

CHILDREN'S IMPACT STATEMENT:

No impact.



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: February 13, 2018

Subject: RESIGNATION FROM THE CONTRA COSTA COUNTY LIBRARY COMMISSION

---

**RECOMMENDATION(S):**

ACCEPT the resignation of Diane C. Riise, DECLARE a vacancy in the District II seat on the Contra Costa County Library Commission, effective immediately, and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Andersen.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Contra Costa County Library Commission was established by the Contra Costa County Board of Supervisors in March 1991. The Commission was created to serve in an advisory capacity to the Board of Supervisors and the County Librarian. The Library Commission is comprised of 29 members:

- 18 members representing the cities/towns in Contra Costa County - these Commissioners are appointed by the city/town councils

---

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Jill Ray,  
925-957-8860

BACKGROUND: (CONT'D)

- 5 members represent Contra Costa County - each member of the Board of Supervisors appoints one Commissioner and one Alternate Commissioner
- 5 members represent the Central Labor Council, the Contra Costa Council, the Contra Costa Youth Commission, the Superintendent of Schools, and the Friends Council.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain filled without the benefit of the appointee able to attend meetings.

AGENDA ATTACHMENTS

MINUTES ATTACHMENTS

Vacancy Notice

# 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

### Advisory Body and Seat Title

Contra Costa County Library Commission  
*Seat: District II Appointee*

### Appointments will be made after

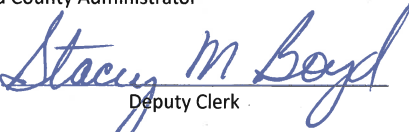
February 27, 2018

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 will be posted on February 13, 2018.

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 February 13, 2018:

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

By:   
Deputy Clerk



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: February 13, 2018

Subject: APPOINT Sunita Frey to the Alcohol and Other Drugs Advisory Board - District V-A Seat

---

**RECOMMENDATION(S):**

APPOINT the following individual to the District V-A seat on the Contra Costa County Alcohol and Other Drugs Advisory Board, with a term expiring December 31, 2019, as recommended by Supervisor Federal D. Glover.

Sunita Frey

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Alcohol and Other Drugs Advisory Board provides input and recommendations to the Board of Supervisors and the Health Services Department concerning family and community needs regarding prevention and treatment of alcohol and drug related problems.

The mission of the Contra Costa County Alcohol and Other Drugs Advisory Board is to assess family and community needs regarding treatment and prevention of alcohol and drug abuse problems. The board reports their findings and recommendations to the Contra Costa Health Services Department, the Board of Supervisors and the communities they serve.

The Alcohol and Other Drugs Advisory Board works in collaboration with the Alcohol and Other Drugs

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Vincent Manuel (925)  
335-8200

cc:

Services of Contra Costa Health Services. The board provides input and recommendations as they pertain to alcohol and other drugs prevention, intervention, and treatment services.

**CONSEQUENCE OF NEGATIVE ACTION:**

The seat would remain vacant.





**Contra  
Costa  
County**

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: February 13, 2018

Subject: APPOINT Leslie May to the Contra Costa County Mental Health Commission - Family Seat

---

**RECOMMENDATION(S):**

APPOINT the following individual to the District V - Family Seat on the Contra Costa County Mental Health Commission with a term expiring December 31, 2019, as recommended by Supervisor Federal D. Glover.

Leslie May

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Contra Costa County Mental Health Commission was established by order of the Contra Costa County Board of Supervisors on June 22, 1993, pursuant to the Welfare & Institutions Code 5604, also known as the Bronzan-McCorquodale Act, Stats. 1992, c. 1374 (A.B. 14). The primary purpose of the Commission is to serve in an advisory capacity to the Board of Supervisors and to the Mental Health Division and its staff. Commissioners are appointed by members of the County Board of Supervisors from each of the five districts for a term of three years. Each district has a consumer of mental health services, family member and an at-large representative on the Commission, for a total of 15 members plus a representative from the Board of Supervisors.

**CONSEQUENCE OF NEGATIVE ACTION:**

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Vincent Manuel (925)  
335-8200

cc:

The seat would remain vacant.



Contra  
Costa  
County

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: February 13, 2018

Subject: APPOINT Saima Shah to the Bay Point Municipal Advisory Council - Seat 1

---

**RECOMMENDATION(S):**

APPOINT the following individual to the District V seat 1 on the Bay Point Municipal Advisory Council with a term to expiring December 31, 2020 as recommended by Supervisor Federal D. Glover.

Saima Shah

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Bay Point Municipal Advisory Council serves to advise the Board of Supervisors or other local government agencies on issues and concerns related to the unincorporated area of Bay Point.

The Bay Point MAC meets the 1st Tuesday of every month at 7pm. The Location is: Ambrose Recreation and Park District, 3105 Willow Pass Rd. at Bay Point Ca 94565.

**CONSEQUENCE OF NEGATIVE ACTION:**

The seat would remain vacant.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Vincent Manuel (925)  
335-8200

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: February 13, 2018

Subject: Appoint Marcia Lessley to the Bay Point Municipal Advisory Council - Seat 4

---

**RECOMMENDATION(S):**

APPOINT the following individual to the District V seat 4 on the Bay Point Municipal Advisory Council with a term expiring December 31, 2020, as recommended by Supervisor Federal D. Glover.

Marcia Lessley

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Bay Point Municipal Advisory Council serves to advise the Board of Supervisors or other local government agencies on issues and concerns related to the unincorporated area of Bay Point.

The Bay Point MAC meets the 1st Tuesday of every month at 7pm. The Location is: Ambrose Recreation and Park District, 3105 Willow Pass Rd. at Bay Point Ca 94565.

**CONSEQUENCE OF NEGATIVE ACTION:**

The seat would remain vacant.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Vincent Manuel (925)  
335-8200

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: February 13, 2018

Subject: Appointment to the County Service Area P-5 Citizens Advisory Committee

---

**RECOMMENDATION(S):**

REAPPOINT the following individuals to the indicated seats for a two-year term with an expiration date of December 31, 2019, as recommended by Supervisor Candace Andersen:

Appointee 2  
Leland Mlejnek, Jr.  
Alamo, CA 94507

Appointee 4  
Mark Young  
Alamo, CA 94507

Appointee 8  
Richard Kopf  
Alamo, CA 94507

Reassign the following individuals from their current seats, to the indicated seats:

1st Alternate to Appointee 3  
Expiration date: December 31, 2019  
Linda Schultz

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

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ATTESTED: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Jill Ray,  
925-957-8860

Alamo, CA 94507

2nd Alternate to Round Hill Country Club

No Expiration Date

Anthony Anastanio

Alamo, CA 94507

DECLARE a vacancy in the 1st Alternate and 2nd Alternate seats of the County Service Area P-5 Citizen Advisory Committee effective immediately, and DIRECT the Clerk of the Board to post the vacancy.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

Established on April 18, 1972, by Resolution Number 72/257, the purpose of the County Service Area P-5 Citizen Advisory Committee is to act as a liaison between the citizens of the P-5 Police District and the Office of the Sheriff of Contra Costa County by: Advising the Board of Supervisors and the Office of the Sheriff of the community's needs and desires regarding police protection; Promoting public safety in the areas of home safety, traffic safety, vacation security and crime prevention through the neighborhood watch program; and maintaining oversight of expenditures of the public funds accruing in the P-5 Police District.

**CONSEQUENCE OF NEGATIVE ACTION:**

The County Service Area P-5 Citizen Advisory Committee could have quorum issues.

**AGENDA ATTACHMENTS**

**MINUTES ATTACHMENTS**

**Vacancy Notice**



# 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

### Advisory Body and Seat Title

County Service Area P-5 (Roundhill)

*Two (2) Vacant Seats: 1<sup>st</sup> Alternate & 2<sup>nd</sup> Alternate*

### Appointments will be made after

February 27, 2018

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 will be posted on February 13, 2018.

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 February 13, 2018:

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

By:

*Stacy M. Boyd*  
Deputy Clerk



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: February 13, 2018

Subject: Appointment to the Fish & Wildlife Committee

---

**RECOMMENDATION(S):**

REAPPOINT Susan Heckly to the District II seat on the Fish & Wildlife Committee for a four-year term with an expiration date of February 28, 2022, as recommended by Supervisor Andersen,

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Fish and Wildlife Committee advises the Contra Costa County Board of Supervisors on fish and wildlife issues that may affect the County. It makes recommendations to the Board for the expenditure of funds from the Fish and Wildlife Propagation Fund pursuant to Fish and Game Code Section 13103. It addresses issues surrounding the enforcement of fish and game laws and regulations in the County.

The Fish and Wildlife Committee has ten regular positions, five nominated by individual members of the Board of Supervisors, four "At-Large" positions and one "Alternate to At-Large" position nominated by the Internal Operations Committee of the Board of Supervisors. The Internal Operations Committee considers applications from all interested individuals even when an existing At-Large member or an existing Alternate to At-Large member seeks reappointment. The Internal Operations Committee requests recommendations from the Fish and Wildlife Committee on appointments to At-Large and Alternate to At-Large positions.

---

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Jill Ray,  
925-957-8860

Supervisor Andersen is pleased with the work that Ms. Heckly has been doing on the Fish & Wildlife Committee and would like her to continue for another term.

**CONSEQUENCE OF NEGATIVE ACTION:**

The District II seat will become vacant.



Contra  
Costa  
County

To: Board of Supervisors  
From: John Gioia, District I Supervisor  
Date: February 13, 2018

Subject: Accept resignation of Jessica Marantz from the Kensington Municipal Advisory Council

---

**RECOMMENDATION(S):**

ACCEPT the resignation of Jessica Marantz, DECLARE a vacancy in the Appointee 1 seat on the Kensington Municipal Advisory Council (KMAC), and DIRECT the Clerk of the Board to post the vacancy, as recommended by Supervisor Gioia.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

Jessica Marantz has informed Supervisor Gioia that she can no longer serve on the KMAC. Supervisor Gioia wants to move alternate KMAC member LLoyd Cowell to regular seat 1, and declare his alternate seat 2 open.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Kate Rauch  
510-231-8691

cc:

AGENDA

ATTACHMENTS

MINUTES

ATTACHMENTS

Vacancy Notice

# 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

### Advisory Body and Seat Title

Kensington Municipal Advisory Council (MAC)

*Seat: Appointee Seat 1*

### Appointments will be made after

February 27, 2018

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 will be posted on February 13, 2018.

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 February 13, 2018:

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

By:

*Stacy M. Boyd*  
Deputy Clerk



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: February 13, 2018

Subject: Appointment to the Iron Horse Corridor Management Program Advisory Committee

---

**RECOMMENDATION(S):**

REAPPOINT the following individual to the District II Seat on the Iron Horse Corridor Management Program Advisory Committee for a two-year term with an expiration date of January 1, 2020, as recommended by Supervisor Andersen:

Robert Combs  
Danville, CA 94506

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Iron Horse Corridor Management Advisory Committee was authorized by the Board of Supervisors on July 22, 1997. It was established to assist Contra Costa County in developing a management program for the Iron Horse Corridor. In October of 2000 the Board expanded the Advisory Committee's role to continue implementation and monitoring of the Landscape Element of the Management Program and to assist in completion of the Joint Use Criteria and Standards, Public Information, and Finance elements of the Management Program.

Advisory Committee seats include one representative from each jurisdiction or unincorporated community

---

☒ APPROVE

☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

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ATTESTED: February 13, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Jill Ray,  
925-957-8860



along the corridor, a District II seat, a District IV seat and a seat for the East Bay Regional Park District.

**CONSEQUENCE OF NEGATIVE ACTION:**

The seat will become vacant.



Contra  
Costa  
County

To: Board of Supervisors  
From: Jeff Carman, Chief, Contra Costa County Fire Protection District  
Date: February 13, 2018

Subject: Appropriation and Revenue Adjustment – Andeavor Foundation Grant for Hazardous Gas Detectors

---

**RECOMMENDATION(S):**

Acting as the Governing Board of the Contra Costa County Fire Protection District, APPROVE Appropriation and Revenue Adjustment No. 5055 authorizing new revenue in the amount of \$25,000 from the Andeavor Foundation and appropriating it in the Contra Costa County Fire Protection District (7300) for the purchase of hazardous multi-gas detection related equipment for use by the District.

**FISCAL IMPACT:**

100% Andeavor Foundation Grant. No local agency matching funds required.

**BACKGROUND:**

This revenue and appropriation adjustment authorizes new revenue from the Andeavor Foundation and appropriates it for the purchase of hazardous gas detection equipment for Contra Costa County Fire Protection District's suppression personnel.

**CONSEQUENCE OF NEGATIVE ACTION:**

Restricted donation revenue will not be appropriated for expenditure by the District.

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Jackie Lorrekovich, Chief Admin  
Svcs (925) 941-3300 ext 1300

By: Stacey M. Boyd, Deputy

cc:

CHILDREN'S IMPACT STATEMENT:

No impact.

AGENDA ATTACHMENTS

Appropriations and Revenue Adjustment No. 5055


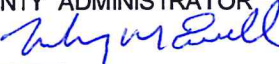

MINUTES ATTACHMENTS

Signed: Appropriations and Revenue Adjustment No. 5055

**CONTRA COSTA COUNTY  
APPROPRIATION ADJUSTMENT/  
ALLOCATION ADJUSTMENT  
T/C-27**

AUDITOR-CONTROLLER USE ONLY:	
FINAL APPROVAL NEEDED BY:	
<input checked="" type="checkbox"/>	BOARD OF SUPERVISORS
<input checked="" type="checkbox"/>	COUNTY ADMINISTRATOR
<input checked="" type="checkbox"/>	AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: Contra Costa County Fire Protection District		
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
7300	2474	Firefighting Supplies		25,000
			0	25,000


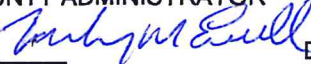
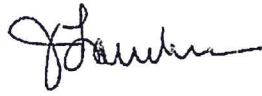
<p align="center"><b>APPROVED</b></p> <p>AUDITOR – CONTROLLER By: <u></u> Date <u>2/7/18</u></p> <p>COUNTY ADMINISTRATOR By: <u></u> Date <u>2/8/18</u></p> <p>BOARD OF SUPERVISORS YES: NO:</p> <p>By: _____ Date _____</p>	<p><b>EXPLANATION OF REQUEST</b></p> <p>To appropriate funds for the acquisition of hazardous gas detectors.</p>          <p align="right"></p> <p>PREPARED BY: <u>Jackie Lorrekovich</u> TITLE: <u>Chief of Administrative Services</u> DATE: <u>1/25/18</u></p> <p align="right">APPROPRIATION <u>AP00 5055</u> ADJ. JOURNAL NO.</p>
--	---

**CONTRA COSTA COUNTY  
ESTIMATED REVENUE ADJUSTMENT/  
ALLOCATION ADJUSTMENT  
TC/24**

<b>AUDITOR-CONTROLLER USE ONLY:</b>	
FINAL APPROVAL NEEDED BY:	
<input checked="" type="checkbox"/>	BOARD OF SUPERVISORS
<input checked="" type="checkbox"/>	COUNTY ADMINISTRATOR
<input checked="" type="checkbox"/>	AUDITOR-CONTROLLER

ACCOUNT CODING		DEPARTMENT: Contra Costa County Fire Protection District		
ORGANIZATION	REVENUE ACCOUNT	REVENUE ACCOUNT DESCRIPTION	INCREASE	<DECREASE>
7300	9965	Restricted Donations	25,000.	
TOTALS			25,000	

<p style="text-align: center;"><b>APPROVED</b></p> <p><b>AUDITOR - CONTROLLER</b> By: <u></u> Date <u>2/7/18</u></p> <p><b>COUNTY ADMINISTRATOR</b> By: <u></u> Date <u>2/8/18</u></p> <p><b>BOARD OF SUPERVISORS</b></p> <p>YES:</p> <p>NO:</p> <p>By: _____ Date _____</p>	<p><b>EXPLANATION OF REQUEST</b></p> <p>To accept funding from the Andeavor Foundation for the Contra Costa County Fire Protection District's Hazardous Gas Monitor Project.</p>          <p>PREPARED BY: <u>Jackie Lorrekovich</u> TITLE: <u>Chief of Administrative Services</u> DATE: <u>2/7/2018</u></p> <p style="text-align: right;"></p> <p>REVENUE ADJ. JOURNAL NO.      RAOO <u>5055</u></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: Contra Costa County Fire Protection District		
ORGANIZATION	EXPENDITURE SUB-ACCOUNT	EXPENDITURE ACCOUNT DESCRIPTION	<DECREASE>	INCREASE
7300	2474	Firefighting Supplies		25,000
			0	25,000

**APPROVED****AUDITOR - CONTROLLER**By:  Date 2/7/18**COUNTY ADMINISTRATOR**By:  Date 2/8/18**BOARD OF SUPERVISORS**YES: Gioia, Andersen, Burgis, Mitchoff, Glover  
NO: NoneBy:  Date 2/13/2018**EXPLANATION OF REQUEST**

To appropriate funds for the acquisition of hazardous gas detectors.

  
PREPARED BY: Jackie Lorrekovich  
TITLE: Chief of Administrative Services  
DATE: 1/25/18

APPROPRIATION AP00 5055  
ADJ. JOURNAL NO.





**Contra  
Costa  
County**

To: Board of Supervisors  
From: Dianne Dinsmore, Human Resources Director  
Date: February 13, 2018

Subject: Establish the classification of Training and Staff Development Specialist and reclassify two (2) positions in the Health Services Department

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 21815 to establish the classification of Training and Staff Development Specialist (APSG) (represented) at salary plan and grade level ZB5 1001 (\$6,059 - \$7,365) and reclassify one (1) Senior Health Education Specialist (VMWE) (represented) position #10080 at salary plan and grade level TC5 1543 (\$5,494 - \$6,678) and its incumbent to the Training and Staff Development Specialist (APSG) salary plan and grade ZB5 1001 (\$6,059 - \$7,365) and one (1) Administrative Services Assistant III (APTA) (represented) position #13926 at salary plan and grade level ZB5 1631 (\$5,994 - \$7,286) and its incumbent to the Training and Staff Development Specialist (APSG) ZB5 1001 (\$6,059 - \$7,365) in the Health Services Department.

**FISCAL IMPACT:**

Upon approval, this action has an annual cost of approximately \$10,107 with \$2,440 in pension costs already included. This cost is entirely offset with Third Party Revenues.

**BACKGROUND:**

The Health Services Department is requesting to establish the classification

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Jo-Anne Linares, (925)  
957-5240



BACKGROUND: (CONT'D)

of Training and Staff Development Specialist assigned to its Personnel Office. Positions in this class are primarily responsible for the design, assessment and implementation of training programs related to employee development and organizational productivity. Duties and responsibilities include planning, developing, organizing, evaluating and conducting training courses in a variety of subject matter areas for groups and individualized plans to improve employee effectiveness. Incumbents assigned to the positions are privy to highly sensitive and confidential personnel matters.

The Department has relied on two employees to deliver department-wide training that is outside the scope of their classifications. Therefore, it is recommended to reclassify Senior Health Education Specialist position #10080 and Administrative Services Assistant III position #13926 in order to classify and compensate them appropriately.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Department will continue to rely on staff who are not appropriately classified.

AGENDA ATTACHMENTS

P300 21815 Est Training and Staff Development Specialist Class and Reclass 2 Positions in HSD

MINUTES ATTACHMENTS

Signed P300 21815

# POSITION ADJUSTMENT REQUEST

NO. 21815  
DATE 12/18/2015

Department Health Services

Department No./  
Budget Unit No. 0540 Org No. 6547 Agency No. A18

Action Requested: Establish the classification of Staff Development and Training Specialist and reclassify position #10080 (VMWE) and position #13926 (APTA) in the Health Services Department

Proposed Effective Date: \_\_\_\_\_

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☒ No ☐

Total One-Time Costs (non-salary) associated with request: \_\_\_\_\_

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$13,534.29

Net County Cost \$0.00

Total this FY \$5,639.28

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT ADOPT Position Adjustment 100% offset by Third Party revenue

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Jo-Anne Linares

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

## HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/25/2018

Establish the classification of Training and Staff Development Specialist (APSG) at salary plan and grade level ZB5 1001 (\$6059 - \$7365) and reclassify the Senior Health Education Specialist (VMWE) position #10080 at salary plan and grade level TC5 1543 (\$5,494 - \$6,678) and the Administrative Services Assistant III (APTA) position #13926 at salary plan and grade level ZB5-1631 (\$5994 - \$7286)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

Marta Goc

1/25/2018

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

## COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 2/7/2018

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

/s/ Julie DiMaggio Enea

\_\_\_\_\_  
(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 2/7/2018

No. xxxxxx

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

C.35

NO. 21815  
DATE 12/18/2015Department Health ServicesDepartment No./  
Budget Unit No. 0540 Org No. 6547 Agency No. A18

Action Requested: Establish the classification of Staff Development and Training Specialist and reclassify position #10080 (VMWE) and position #13926 (APTA) in the Health Services Department

Proposed Effective Date: \_\_\_\_\_

Classification Questionnaire attached: Yes ☐ No ☒ / Cost is within Department's budget: Yes ☒ No ☐

Total One-Time Costs (non-salary) associated with request: \_\_\_\_\_

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$13,534.29Net County Cost \$0.00Total this FY \$5,639.28N.C.C. this FY \$0.00SOURCE OF FUNDING TO OFFSET ADJUSTMENT ADOPT Position Adjustment 100% offset by Third Party revenueDepartment must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Jo-Anne Linares

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Deputy County Administrator

Date

## HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/25/2018

Establish the classification of Training and Staff Development Specialist (APSG) at salary plan and grade level ZB5 1001 (\$6059 - \$7365) and reclassify the Senior Health Education Specialist (VMWE) position #10080 at salary plan and grade level TC5 1543 (\$5,494 - \$6,678) and the Administrative Services Assistant III (APTA) position #13926 at salary plan and grade level ZB5-1631 (\$5994 - \$7286)

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.☐ \_\_\_\_\_ (Date)

Marta Goc

1/25/2018

(for) Director of Human Resources

Date

## COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 2/7/2018☒ Approve Recommendation of Director of Human Resources☐ Disapprove Recommendation of Director of Human Resources☐ Other: \_\_\_\_\_

/s/ Julie DiMaggio Enea

(for) County Administrator

## BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☒ ~~DISAPPROVED~~ ☐David J. Twa, Clerk of the Board of Supervisors  
and County AdministratorDATE 02-13-18BY 

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: Anna Roth, Health Services Director  
Date: February 13, 2018

Subject: Reallocate the Salary of Assistant Clinical Laboratory Manager in the Health Services Department

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**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 22147 to reallocate the salary of Assistant Clinical Laboratory Manager (VHGF) (represented) from salary plan and grade ZA5 1829 (\$7,292 - \$8,864) to salary plan and grade ZA5-1828 (\$8,821-\$10,722) on the salary schedule in the Health Services Department.

**FISCAL IMPACT:**

Upon approval, this request has an annual cost of approximately \$65,671 with \$15,859 in pension costs. This cost is entirely offset by 100% Hospital Enterprise Fund I.

**BACKGROUND:**

The Assistant Clinical Laboratory Manager classification has not been utilized in several years and as a result, this class has fallen behind in salary adjustments. Currently, the salary of Supervising Clinical Laboratory Scientist is 15% above the Assistant Clinical Laboratory Manager. A five percent increase above the Supervising Clinical Laboratory Scientist is essential in order to maintain appropriate internal salary relations between the two

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Jo-Anne Linares, (925)  
957-5240

BACKGROUND: (CONT'D)

classifications as the Supervising Clinical Laboratory Scientist reports directly to the Assistant Clinical Laboratory Manager.

Moreover, as part of the Joint Commission's plan of correction in the hospital, the Health Services Department added two Assistant Clinical Laboratory Manager positions in November 2016. Since then, Health Services recruitment efforts have not been successful and it has become necessary to adjust the salary in order to attract and retain highly qualified candidates.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Health Services Department's Clinical Laboratory will not be able to recruit and fill the two Assistant Clinical Laboratory Manager positions and will not meet the plan of correction submitted to the Joint Commission.

AGENDA ATTACHMENTS

P300 #22147 - Salary Reallocation of Asst Clinical Lab Manager

MINUTES ATTACHMENTS

Signed P300 22147

# POSITION ADJUSTMENT REQUEST

NO. 22147  
DATE 8/2/2017

Department Health Services

Department No./  
Budget Unit No. 0540 Org No. 6544 Agency No. A18

Action Requested: Reallocate the classification of Assistant Clinical Laboratory Manager (VHGF) on the salary schedule at salary plan and grade level ZA5 1828 (\$8,821 - \$10,722) in the Health Services Department.

Proposed Effective Date: 2/14/2018

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 \$65,671.60

Net County Cost \_\_\_\_\_

Total this FY \$27,363.17

N.C.C. this FY \_\_\_\_\_

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Hospital Enterprise Fund I

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Jo-Anne Linares

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Enid Mendoza

9/15/2017

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/23/2018

Reallocate the classification of Assistant Clinical Laboratory Manager (VHGF) (represented) from salary plan and grade level ZA5 1829 (\$7,292-\$8,864) to salary plan and grade ZA5 1828 (\$8,821-\$10,722) on the salary schedule in the Health Services Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

LaShonda Smith, HR Consultant

1/23/2018

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE \_\_\_\_\_

☐ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

\_\_\_\_\_  
(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date 2/7/2018

No. xxxxx

1. Project Positions Requested:
2. Explain Specific Duties of Position(s)
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
4. Duration of the Project: Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
9. How will the project position(s) be filled?
  - ☐ a. Competitive examination(s)
  - ☐ b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - ☐ c. Direct appointment of:
    - ☐ 1. Merit System employee who will be placed on leave from current job
    - ☐ 2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY



## C.36

P300 (M347) Rev 3/15/01

P300 (M347) Rev 3/15/01



**Contra  
Costa  
County**

To: Board of Supervisors

From: Dianne Dinsmore, Human Resources Director

Date: February 13, 2018

Subject: Establish Departmental Personnel Office-Exempt (APG1) in Contra Costa County, and add one position in Public Works Department

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 22227 to establish the classification of Departmental Personnel Officer-Exempt (APG1) (unrepresented) at Salary Plan and Grade B85 1876 (\$8,017 - \$9,745) in Contra Costa County; add one (1) position and cancel one (1) Administrative Services Officer position (no. 12744) in the Public Works Department .

**FISCAL IMPACT:**

Upon approval, this action will result in increased annual salary and benefits costs of \$30,524, including pension cost of \$4,921. The Departmental Personnel Officer-Exempt position in Public Works is funded by administrative overhead costs and charged out to various Public Works Funds.

**BACKGROUND:**

The Administrative Services Officer in the Public Works Department recently accepted a promotion in the Department of Conservation and Development. Faced with this vacancy, the Department requested review of the personnel division structure. The Human Resources Department

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: D.Dinsmore (925)  
335-1766

cc:

#### BACKGROUND: (CONT'D)

reviewed the existing department-specific personnel officer classifications currently created and designated to Health Services and Employment and Human Services departments. Given the commonality of the duties across department, Human Resources recommends that a county-wide classification be established to replace the department-specific classifications. This action consolidates like classifications into one county-wide classification.

The Departmental Personnel Officer will provide large diverse county departments a single high level personnel management position to oversee, plan, direct and manage the personnel program and personnel staff responsible for employee relations, recruitment; selection; classification; compensation; safety; executive, managerial, supervisory and organization development in their department. The position will report to the department's deputy director or department head and serve as a member of the department's executive team, and will provide advice to Department Directors, Deputy Directors, and Managers on a full range of personnel, labor relations, staff development and training related issues.

#### CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the County will continue to unnecessarily expand the number of classifications and will not have a county-wide high level personnel management classification to oversee, direct and manage the variety and magnitude of personnel services and personnel staff, and to provide advice to the Department's executive management personnel on issues pertaining to personnel, labor relations, and staff development.

#### CHILDREN'S IMPACT STATEMENT:

No impact.

#### AGENDA ATTACHMENTS

P300 22227

#### MINUTES ATTACHMENTS

Signed P300 22227

# POSITION ADJUSTMENT REQUEST

NO. 22227  
DATE 1/1/2018

Department Public Works

Department No./  
Budget Unit No. 0650 Org No. 4504 Agency No. 65

Action Requested: ADOPT Position Adjustment Resolution No. 22227 to establish Departmental Personnel Officer-Exempt (APG1) (unrepresented) at Salary Plan and Grade B85 1876 (\$8,017 - \$9,745) in Contra Costa County, add one (1) position and cancel one (1) Administrative Services Officer position (no. 12744) in the Public Works Department

Proposed Effective Date: 1/23/2018

Classification Questionnaire attached: Yes ☐ No ☐ / Cost is within Department's budget: Yes ☐ No ☐

Total One-Time Costs (non-salary) associated with request: \_\_\_\_\_

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$30,524.00

Net County Cost \$0.00

Total this FY \$15,262.00

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Overhead - Various Public Works Funds

Department must initiate necessary adjustment and submit to CAO.

Use additional sheet for further explanations or comments.

B.Balbas

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L.Strobel

1/10/2018

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/10/2018

Establish Departmental Personnel Officer-Exempt (APG1)(unrepresented) at Salary Plan and Grade B85 1876 (\$8,017 - \$9,745), add one position and cancel pos # 12744 Administrative Services Officer in the Public Works Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.

☐ \_\_\_\_\_(Date)

OParra

1/10/2018

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 1/11/2018

☒ Approve Recommendation of Director of Human Resources

☐ Disapprove Recommendation of Director of Human Resources

☐ Other: \_\_\_\_\_

L.Strobel

\_\_\_\_\_  
(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 2/7/2018

No. xxxxxx

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

C.37

NO. 22227  
DATE 1/1/2018Department Public Works

Department No./

Budget Unit No. 0650 Org No. 4504 Agency No. 65

Action Requested: ADOPT Position Adjustment Resolution No. 22227 to establish Departmental Personnel Officer-Exempt (APG1) (unrepresented) at Salary Plan and Grade B85 1876 (\$8,017 - \$9,745) in Contra Costa County, add one (1) position and cancel one (1) Administrative Services Officer position (no. 12744) in the Public Works Department.

Proposed Effective Date: 1/23/2018Classification Questionnaire attached: Yes ☐ No ☐ / Cost is within Department's budget: Yes ☐ No ☐

Total One-Time Costs (non-salary) associated with request: \_\_\_\_\_

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$30,524.00Net County Cost \$0.00Total this FY \$15,262.00N.C.C. this FY \$0.00SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Overhead - Various Public Works Funds

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

B.Balbas

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

L.Strobel

1/10/2018

Deputy County Administrator

Date

## HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 1/10/2018

Establish Departmental Personnel Officer-Exempt (APG1)(unrepresented) at Salary Plan and Grade B85 1876 (\$8,017 - \$9,745), add one position and cancel pos # 12744 Administrative Services Officer in the Public Works Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.☐ \_\_\_\_\_(Date)

OParra

1/10/2018

(for) Director of Human Resources

Date

## COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 1/11/2018☒ Approve Recommendation of Director of Human Resources☐ Disapprove Recommendation of Director of Human Resources☐ Other: \_\_\_\_\_

L.Strobel

(for) County Administrator

## BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☒ ~~DISAPPROVED~~ ☐David J. Twa, Clerk of the Board of Supervisors  
and County AdministratorDATE 02-13-18BY 

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: Anna Roth, Health Services  
Date: February 13, 2018

Subject: Add One Public Health Program Specialist I position in the Health Services Department

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 22237 to add one Public Health Program Specialist I (VBSD) position at salary plan and grade ZA5 1602 (\$69,895-\$84,958) in the Health Services Department.  
(Represented)

**FISCAL IMPACT:**

Upon approval, this action will have an annual cost of approximately \$139,823, with estimated pension costs of \$30,160 already included. These costs will be 100% offset by Proposition 56 funds.

**BACKGROUND:**

The Public Health Division has been granted Proposition 56 (Healthcare, Research and Prevention Tobacco Tax Act of 2016) funding for five years to provide local oral health program services for the California Oral Health Plan (COHP). The program is aimed to improve the oral health of all Californians through prevention, education and organized community efforts. Activities include convening, coordinating, and collaborating to support planning, disease prevention, surveillance, education and linkage to treatment programs.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Mary Dunn,  
925-957-5267

cc:

BACKGROUND: (CONT'D)

The program also serves as the road map to identify priorities, short-term, intermediate and long-term goals as well as objectives with recommendations to address the burden of disease and to increase access to oral care health. The requested position will have the responsibilities of executing the oral health program and providing the planning and coordination to provide services and outcome measures.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Health Services Public Health Division will not have adequate staff for the California Oral Health Plan program.

AGENDA ATTACHMENTS

P300 22237 \_Add Public Health Program Specialist in Health Services

MINUTES ATTACHMENTS

Signed P300 22237



# POSITION ADJUSTMENT REQUEST

NO. 22237  
DATE 1/29/2018

Department HEALTH SVCS - Public Health Dept Department No./  
Budget Unit No. 0540 Org No. 5849 Agency No. A18

Action Requested: Add one permanent full-time Public Health Program Specialist I (VBSD) at salary plan and grade ZA5-1602 (\$5,825.66 - \$7,079.91) in the Health Services Department. (Represented)

Proposed Effective Date: 1/1/2018

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	<u>\$139,823.00</u>	Net County Cost	<u>\$0.00</u>
Total this FY	<u>\$35,399.00</u>	N.C.C. this FY	<u>\$0.00</u>

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Proposition 56 funds

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Mary Dunn

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Susan Smith

2/6/2018

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE \_\_\_\_\_

Exempt from Human Resources review under delegated authority.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.  
☐ \_\_\_\_\_(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE 2/6/18

- ☐ Approve Recommendation of Director of Human Resources  
☐ Disapprove Recommendation of Director of Human Resources  
☒ Other: Approve as recommended by the Department.

/s/ Julie DiMaggio Enea

(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 2/6/2018

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

C.38

NO. 22237  
DATE 1/29/2018

Department HEALTH SVCS - Public Health Dept Department No./  
Budget Unit No. 0540 Org No. 5849 Agency No. A18  
Action Requested: Add one permanent full-time Public Health Program Specialist I (VBSD) at salary plan and grade ZA5-1602 (\$5,825.66 - \$7,079.91) in the Health Services Department. (Represented)

Proposed Effective Date: 1/1/2018Classification 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 \$139,823.00Net County Cost \$0.00Total this FY \$35,399.00N.C.C. this FY \$0.00SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% Proposition 56 funds

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Mary Dunn

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Susan Smith

2/6/2018

(for) Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE \_\_\_\_\_

Exempt from Human Resources review under delegated authority.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.☐ \_\_\_\_\_ (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

2/6/18☐ Approve Recommendation of Director of Human Resources☐ Disapprove Recommendation of Director of Human Resources

/s/ Julie DiMaggio Enea

☒ Other: Approve as recommended by the Department.

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED ☒ ~~DISAPPROVED~~ ☐David J. Twa, Clerk of the Board of Supervisors  
and County AdministratorDATE 02-13-18BY 

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: David Twa, County Administrator  
Date: February 13, 2018

Subject: Resolution Reallocating the Salary of Specified Classifications in the Office of the County Administrator

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**RECOMMENDATION(S):**

ADOPT Resolution No. 2018/59 reallocating the salary of specified exempt classifications of Chief Assistant County Administrator (ADB1), County Finance Director (ADB6), and Executive Assistant II to the County Administrator (J3H2). The reallocation is effective February 1, 2018.

**FISCAL IMPACT:**

This action has a current year fiscal impact of approximately \$45,000. The maximum annual potential cost of this action would be approximately \$108,000, including \$31,000 in pension cost.

**BACKGROUND:**

The attached resolution reallocates the salary of the classification of Chief Assistant County Administrator by removing the first two steps and adding two steps to the top of the range at five percent (5%) each; reallocates the classification of County Finance Director by

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Dianne Dinsmore, Human  
Resources Director 335-1766

By: June McHuen, Deputy

cc: Dianne Dinsmore, Human Resources Director

BACKGROUND: (CONT'D)

adding two five percent (5%) steps to the top of the range; and increases the existing pay steps of the Executive Assistant II to the County Administrator by five percent (5%) each. The action also provides for movement of employees to the next higher step in their range (5% increase) effective February 1, 2018.

CONSEQUENCE OF NEGATIVE ACTION:

Without this modification, the County would continue to experience difficulty attracting and retaining candidates and may be detrimentally impacted by the loss of highly-trained personnel.

AGENDA ATTACHMENTS

Resolution No. 2018/59

MINUTES ATTACHMENTS

Signed Resolution No. 2018/59

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

Adopted this Resolution on 02/13/2018 by the following vote:

	John Gioia
	Candace Andersen
AYE:	<input type="checkbox"/> 5 <input type="checkbox"/> Diane Burgis
	Karen Mitchoff
	Federal D. Glover
NO:	<input type="checkbox"/> / <input type="checkbox"/>
ABSENT:	<input type="checkbox"/> / <input type="checkbox"/>
ABSTAIN:	<input type="checkbox"/> / <input type="checkbox"/>
RECUSE:	<input type="checkbox"/> / <input type="checkbox"/>



**Resolution No. 2018/59**

**In The Matter Of:** Reallocating the salary of the classifications of Chief Assistant County Administrator (ADB1), County Finance Director (ADB6), and Executive Assistant II to the County Administrator (J3H2)

**WHEREAS**, the County Administrator's Office recognized a need to reallocate the salary of the classifications of Chief Assistant County Administrator, County Finance Director, and Executive Assistant II to the County Administrator; and

**WHEREAS**, by reallocating salary ranges of specific classifications within the Office of the County Administrator, to eliminate steps, add steps, and or increase salaries, the classes become more marketable and support succession planning;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Contra Costa County, effective February 1, 2018:

1. REALLOCATE the exempt classification of Chief Assistant County Administrator (ADB1) from salary level BD5-2565 (\$14,749.84-\$18,377.85) to salary level BD5-2565 (\$16,668.24-\$20,261.58), and place employee 83265 at new Step 4, and employee 72678 at new Step 1;
2. REALLOCATE the exempt classification of County Finance Director (ADB6) from salary level BD5-2566 (\$16,668.24-\$20,261.58) to BD5-2566 (\$16,668.24-\$22,338.39), and place employee #40206 at new Step 6;
3. REALLOCATE the exempt classification of Executive Assistant II to the County Administrator (J3H2) from salary level B85-1459 (\$5,057.62-\$6,777.70) to salary level B85-1459 (\$5,310.50-\$7,116.59), employee 62852 remains at Step 7; and
4. Incumbents in the aforementioned classifications will be eligible for review for within-range step adjustments on their next anniversary date.

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: Dianne Dinsmore, Human Resources Director**  
**335-1766**

**ATTESTED: February 13, 2018**

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

By: June McHuen, Deputy

cc: Dianne Dinsmore, Human Resources Director

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

Adopted this Resolution on 02/13/2018 by the following vote:

AYE:	<input type="text" value="5"/>	John Gioia Candace Andersen Diane Burgis Karen Mitchoff Federal D. Glover
NO:	<input type="text"/>	
ABSENT:	<input type="text"/>	
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



**Resolution No. 2018/59**

**In The Matter Of:** Reallocating the salary of the classifications of Chief Assistant County Administrator (ADB1), County Finance Director (ADB6), and Executive Assistant II to the County Administrator (J3H2)

**WHEREAS**, the County Administrator's Office recognized a need to reallocate the salary of the classifications of Chief Assistant County Administrator, County Finance Director, and Executive Assistant II to the County Administrator; and

**WHEREAS**, by reallocating salary ranges of specific classifications within the Office of the County Administrator, to eliminate steps, add steps, and or increase salaries, the classes become more marketable and support succession planning;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Contra Costa County, effective February 1, 2018:

1. REALLOCATE the exempt classification of Chief Assistant County Administrator (ADB1) from salary level BD5-2565 (\$14,749.84-\$18,377.85) to salary level BD5-2565 (\$16,668.24-\$20,261.58), and place employee 83265 at new Step 4, and employee 72678 at new Step 1;
2. REALLOCATE the exempt classification of County Finance Director (ADB6) from salary level BD5-2566 (\$16,668.24-\$20,261.58) to BD5-2566 (\$16,668.24-\$22,338.39), and place employee #40206 at new Step 6;
3. REALLOCATE the exempt classification of Executive Assistant II to the County Administrator (J3H2) from salary level B85-1459 (\$5,057.62-\$6,777.70) to salary level B85-1459 (\$5,310.50-\$7,116.59), employee 62852 remains at Step 7; and
4. Incumbents in the aforementioned classifications will be eligible for review for within-range step adjustments on their next anniversary date.

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: Dianne Dinsmore, Human Resources Director**  
**335-1766**

**ATTESTED: February 13, 2018**

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

By: June McHuen, Deputy

cc: Dianne Dinsmore, Human Resources Director



# Contra Costa County

To: Board of Supervisors  
From: Matt Slattengren  
Date: February 13, 2018

Subject: Invasive Plant Management - Windemere Ranch Preserve

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## **RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract containing modified indemnification language and accept reimbursement in an amount not to exceed \$5,000 from The Center for Natural Land Management for the provision of noxious weed control services in Windemere Preserve for the period January 10, 2018 through September 30, 2018.

## **FISCAL IMPACT:**

This agreement will reimburse the Agriculture Department in an amount not to exceed \$5,000 for noxious weed control services in Windemere Preserve. There is no county match of funds, nor grant money involved.

## **BACKGROUND:**

The Agriculture Department shall supply appropriate product to spray noxious weeds (artichoke thistle and purple-star thistle) with the use of backpack sprayers and all-terrain

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Matt Slattengren,  
646-5250



BACKGROUND: (CONT'D)

>

vehicles. The noxious weed control services are limited to those locations where noxious weeds have been located, identified and pose a public, economic, environmental or recreational nuisance.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the Department would have a loss in revenue and the County may face the spread of noxious weeds.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: February 13, 2018

Subject: California Governor's Office of Emergency Services Grant Funding Increase

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to accept increased grant funding from the California Governor's Office of Emergency Services in an amount not to exceed \$695,688 for a new total grant amount of \$1,653,430 for the Elder Abuse Prevention Project, and extend the term from July 1, 2016 through June 30, 2018 to July 1, 2016 through December 31, 2019.

**FISCAL IMPACT:**

The County will receive additional grant funds of \$695,688 for a new total grant amount of \$1,653,430. The total County Project Match is 25%, or \$413,358, which will be funded by Adult Protective Services Case Management funding. (100% Federal)

**BACKGROUND:**

Contra Costa County has designed and implemented an Elder Abuse Prevention Project (EAPP) to bridge the gap in services addressing elder abuse. EAPP is designed to provide direct services to seniors in a coordinated manner. The program design takes into account the 2000-3000 annual County Adult Protective Services caseload,

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Elaine Burres,  
608-4960

cc:

#### BACKGROUND: (CONT'D)

and focuses on the areas where direct service is most required: financial abuse, case management, and counseling. The focus will increase justice for and safety of senior County residents. EAPP will also allow the County to put in place a common data collection tool to insure that abuse or suspected abuse allegations are handled in a more coordinated fashion. EAPP will provide a platform to raise awareness in the community, helping all service providers to better identify and respond to cases of elder abuse. Program objectives include: an increase in identification and resolution of elder financial abuse; an increase in the safety of elder victims of abuse; an increased provider understanding of forms of elder abuse; and an increase in community awareness and understanding of elder abuse.

Additional grant funding has been made available by the California Governor's Office of Emergency Services for the continuation of EAPP services to the elder population in Contra Costa County.

#### CONSEQUENCE OF NEGATIVE ACTION:

Without funding, programs designed to bridge the gap in services addressing elder abuse could be hindered.



Contra  
Costa  
County

To: Board of Supervisors  
From: Jeff Carman, Chief, Contra Costa County Fire Protection District  
Date: February 13, 2018

Subject: Andeavor Foundation Grant for Hazardous Gas Monitor Project

---

**RECOMMENDATION(S):**

Acting as the Governing Board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to accept grant funding from the Andeavor Foundation in an amount not to exceed \$25,000 for the purchase of hazardous multi-gas detection equipment.

**FISCAL IMPACT:**

100% Andeavor Foundation Grant. No local agency matching funds required.

**BACKGROUND:**

In recent years, the fire service has recognized the need for engine company carbon monoxide (CO) detection. CO, a by-product of incomplete combustion, has always existed. However, as energy efficiency has become more important, houses and offices have become tighter and the potential for CO build-up has increased. The number of CO calls has outstripped the ability of our Hazardous Materials teams to respond to each call, so fire engine companies have often been tasked with and given the assets to do CO detection. Additionally, the equipment can detect flammable atmospheres, lower explosive limits, oxygen deficient or enriched atmospheres, as well as hydrogen sulfide or sewer gas. All of which can pose serious hazards to first responders.

With the support from Andeavor Refinery's community service grant, the Contra Costa County Fire Protection District can purchase the following equipment to help support the air monitoring program.

- 4 Gas sampling kits: Sampling kits remotely sample toxic and combustible gases in the

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Eddie Gonzales, Asst Fire Chief  
(925) 941-3300 ext 1102

By: June McHuen, Deputy

cc:

field using QRAE3 4 gas monitors. Kits include probe, tubing, filters and aspirator options.

- Bump gas with trigger: QRAE 3 4 gas monitors shall be calibrated monthly and bump tested prior to use. The purpose of a bump test is to ensure that the instrument's sensors respond to gas and all the alarms are enabled and functional.
- ConneXt confined space pack – Rescue 69: The ConneXt Pack is a combination of leading wireless gas monitors combined with an EchoView Host portable controller. It can provide real-time, man down alarms and alert site safety managers, site operators, or confined space attendants to atmospheric contaminants.
- Truck mounted chargers: The truck mounted chargers will be mounted in all apparatus and will mount the QRAE 3 securely inside the cab. This will ensure a fully charged 4 gas air monitor, secured from damage, and securely located in a common place.

**CONSEQUENCE OF NEGATIVE ACTION:**

The District will not be able to take advantage of this generous funding opportunity to provide each of the District's fire companies with multi-gas detection equipment to identify hazardous conditions.

**CHILDREN'S IMPACT STATEMENT:**

No impact.



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: February 13, 2018

Subject: State of California Office of Traffic Safety Grant

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2018/51 authorizing the Sheriff-Coroner, or designee, to apply for and accept a grant from the California Office of Traffic Safety in an initial amount of \$469,020 for the Sheriff's Forensic Services Unit to purchase forensics equipment for the period October 1, 2018 to the end of the grant period.

**FISCAL IMPACT:**

Initial revenue of \$469,020.00, 100% State funds.

**BACKGROUND:**

The Contra Costa County Office of the Sheriff-Forensic Services Division (FSD) will use monies from the Office of Traffic Safety Grant FFY2019 to purchase a liquid chromatography-tandem mass spectrometry (LC-MS/MS) instrument. The FSD is an accredited crime laboratory providing forensic services to more than 20 law enforcement agencies in the County. The LC-MS/MS instrument will enable the laboratory to provide more meaningful information on driving under the influence of drugs (DUID) and drug facilitated sexual assault (DFSA) cases without the need for outside testing. Currently, the toxicology unit does not have the equipment to keep pace with current and future legislation and drug trends. On January 1, 2014, changes to driving under the influence laws

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Sandra Brown  
925-335-1553

cc:

### BACKGROUND: (CONT'D)

(Sections 23152 and 23153 of the Vehicle Code) went into effect. With the prevalence of drivers driving under the influence on California roads and highways rising, these changes were implemented in efforts for law enforcement to identify and ultimately increase the prosecution of drug impaired driving cases. The section (e) that became operative on January 1, 2014 makes it unlawful for a person who is under the influence of any drug to drive a motor vehicle; this not only includes illegal narcotics and stimulants, but also even legal prescriptions, herbs, and over-the-counter drugs. In November 2016, California passed Proposition 64 (Adult Use of Marijuana Act) that allows adults age 21 and over to possess, transport, purchase, consume and share up to one ounce of marijuana and eight grams of marijuana concentrates. It is anticipated there will be an influx of marijuana analysis requests for "DUID" cases. Recently there has been increased forensic and public safety interest in newer or "emerging drugs" inclusive of "bath salts", synthetic cannabinoids and fentanyl analogs; a LC-MS/MS would enable the crime laboratory to increase the variety of drugs that can be tested. This information will provide a comprehensive report to police agencies and the District Attorney's Office for prosecution purposes. The project objectives include: (1) purchase and installation of new LC-MS/MS instrument hardware and software which will be supported by the manufacturer (2) installation of a Nitrogen generator to be used with the LC-MS/MS instrument. The anticipated outcomes of the LC-MS/MS instrumentation include: (1) providing more meaningful information on driving under the influence of drugs (DUID) and drug facilitated sexual assault (DFSA) cases to law enforcement (2) increasing the variety of drugs tested at the crime laboratory.

### CONSEQUENCE OF NEGATIVE ACTION:

The crime laboratory currently provides limited toxicology analysis which does not meet the needs of client agencies. The current instrumentation is not adequate for current legislation related to driving under the influence of drugs or potential per se drug laws in the future. The unit is limited in the scope of drugs that can be tested due to inadequate instrumentation. To meet the needs of law enforcement agencies, many requests for analysis must be sent to an accredited outside laboratory. Any analysis performed by an outside laboratory creates an increased burden and cost to Contra Costa County law enforcement agencies and the District Attorney's Office if the case is prosecuted.

### CHILDREN'S IMPACT STATEMENT:

None.

### AGENDA ATTACHMENTS

Resolution No. 2018/51

### MINUTES ATTACHMENTS

Signed Resolution No. 2018/51



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

Adopted this Resolution on 02/13/2018 by the following vote:

AYE:	<input type="text" value="5"/>	John Gioia Candace Andersen Diane Burgis Karen Mitchoff Federal D. Glover
NO:	<input type="text"/>	
ABSENT:	<input type="text"/>	
ABSTAIN:	<input type="text"/>	
RECUSE:	<input type="text"/>	



**Resolution No. 2018/51**

IN THE MATTER OF: Applying for and Accepting a grant from the California Office of Traffic Safety.

WHEREAS the County of Contra Costa is seeking funds available through the State of California Office of Traffic Safety.

NOW, THEREFORE IT BE RESOLVED that the Board of Supervisors: Authorizes the Sheriff-Coroner, Undersheriff or the Sheriff's Chief of Management Services, to execute for and on behalf of the County of Contra Costa, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining State financial assistance provided by the State of California.

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: February 13, 2018**

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

**Contact: Sandra Brown 925-335-1553**

By: June McHuen, Deputy

cc:

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

Adopted this Resolution on 02/13/2018 by the following vote:

		John Gioia
		Candace Andersen
AYE:	<input type="text" value="5"/>	Diane Burgis
		Karen Mitchoff
		Federal D. Glover
NO:	<input type="text" value="/"/>	
ABSENT:	<input type="text" value="/"/>	
ABSTAIN:	<input type="text" value="/"/>	
RECUSE:	<input type="text" value="/"/>	



**Resolution No. 2018/51**

IN THE MATTER OF: Applying for and Accepting a grant from the California Office of Traffic Safety.

WHEREAS the County of Contra Costa is seeking funds available through the State of California Office of Traffic Safety.

NOW, THEREFORE IT BE RESOLVED that the Board of Supervisors: Authorizes the Sheriff-Coroner, Undersheriff or the Sheriff's Chief of Management Services, to execute for and on behalf of the County of Contra Costa, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining State financial assistance provided by the State of California.

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Contact: Sandra Brown 925-335-1553

**ATTESTED: February 13, 2018**

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

By: June McHuen, Deputy

cc:



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: February 13, 2018

Subject: Byron Airport General Plan Amendment Contract Modification

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract amendment with Dudek, a corporation, to extend the term from February 18, 2018 through June 30, 2019, to provide continued service to complete the environmental impact report (EIR) for the Byron Airport General Plan Amendment (GPA) and Airport Land Use Compatibility Plan (ALUCP) update, with no change to the payment limit of \$223,801.

**FISCAL IMPACT:**

The environmental review for the Byron Airport GPA and ALUCP update is 100% funded from the Mariposa Energy Project Community Benefits Fund.

**BACKGROUND:**

The Department of Conservation and Development has contracted with Dudek, a corporation, to prepare the EIR for the Byron Airport GPA and ALUCP update. Dudek produced three potential airport development scenarios as part of the EIR process. Over the past several months, County Airports Division staff has been in consultation with

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Will Nelson, (925)  
674-7791

cc:

BACKGROUND: (CONT'D)

the Caltrans Aeronautics Division regarding the feasibility of these scenarios. While this proactive consultation has been valuable, it was not anticipated in the EIR contract schedule. Thus, staff recommends that the contract be extended to June 30, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If the contract with Dudek is not amended, then it will expire and the EIR for the Byron Airport GPA and ALUCP update will not be completed.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Interim Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: Approve a contract with Sure Fire Protection Company, Inc., Countywide.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Sure Fire Protection Company, Inc., in an amount not to exceed \$800,000 to provide fire system and fire sprinkler inspection, repair and certification services, for the period March 1, 2018 through February 28, 2021, Countywide.

**FISCAL IMPACT:**

This cost is to be funded through Facilities Services maintenance budget. (100% General Fund)

**BACKGROUND:**

Public Works Facilities Management is responsible for maintaining and certifying fire sprinkler systems at all County facilities. Facilities staff are not certified to repair

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

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ATTESTED: February 13, 2018

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

By: June McHuen, Deputy

Contact: Stan Burton 925.  
313-7078

cc:

**BACKGROUND: (CONT'D)**

or replace sprinkler systems or conduct five (5) year fire sprinkler certifications. As these certifications are required, we historically sublet them to outside vendors. There are also several large scale fire system and sprinkler upgrade projects that Facilities expects to complete this year. Health Services is requiring an additional level of service at their facilities. As bid on Bidsync # 1609-198, Sure Fire Protection Company, Inc., was one of several vendors to bid this work. Facilities Services is awarding this commodity to Sure Fire Protection Company, Inc. This request is for a three (3) year contract.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this contract is not approved, fire sprinkler repair and certification services with Sure Fire Protection Company, Inc., will be discontinued.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 13, 2018

Subject: Approve the contingency fund increase of \$25,000 for the Upper Sand Creek Basin Wetland Restoration Project, Antioch area.

**RECOMMENDATION(S):**

APPROVE the Upper Sand Creek Basin Wetland Restoration Project contingency fund increase of \$25,000 for a new contingency fund total of \$80,804.19, and a new payment limit of \$218,846.09, effective February 13, 2018, as recommended by the Chief Engineer, Antioch area. County Project No. 7562-6D8518-13 (District III)

**FISCAL IMPACT:**

Project is being funded by 100% Drainage Area 130 Funds.

**BACKGROUND:**

Additional funds are necessary to pay the contractor, SMP Services, Inc., for the additional cost to be incurred as a result of willow mattress installation and berm repair work as a result of winter 2016-17 storm damage and for additional storm repair needs from potential future storm damage. These repairs are necessary to support success of the restoration area to

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

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ATTESTED: February 13, 2018

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

By: June McHuen, Deputy

Contact: Kevin Emigh,  
925.313.2233

cc:

**BACKGROUND: (CONT'D)**

comply with mitigation requirement by the East Contra Costa County Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP), U.S. Army Corps of Engineers-Sacramento District, Regional Water Quality Control Board-Central Valley, and California Department of Fish and Wildlife-Region 3.

**CONSEQUENCE OF NEGATIVE ACTION:**

The lack of approval would prevent the contractor from supporting successful completion of the restoration area and prevent the contractor from being compensated for additional work performed by the contractor.





**Contra  
Costa  
County**

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: February 13, 2018

Subject: Contract with Community Housing & Development Corporation to Administer and Disburse Funding Awarded to Selected Non-profits

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract with Community Housing Development Corporation (CHDC), in an amount not to exceed \$137,090 to administer and disburse funding to non-profit entities to complete community-based projects in the North Richmond area, for the period February 1, 2018 through July 30, 2018.

**FISCAL IMPACT:**

There will be no impact to the General Fund. The work performed under this contract is funded using North Richmond Mitigation Fee (NRMF) funding that is jointly administered by both the City of Richmond and County for the purpose of mitigating designated impacts resulting from the County and City approved land use permits for the expended Bulk Material Processing Center (BMPC) located in North Richmond. Both the County Board of Supervisors and Richmond City Council approved an Amended NRMF Expenditure Plan for fiscal year 2017-18 that allocates funding for this contract.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Demian Hardman, (925) 674-7826

cc:

#### BACKGROUND:

On June 20, 2017, The County Board of Supervisors approved a 2017/2018 North Richmond Mitigation Fee (NRMF) Expenditure Plan, which was subsequently approved by the Richmond City Council in early July 2017. On September 26, 2017, an Amended 2017/2018 NRMF Expenditure Plan was approved by both the Richmond City Council and County Board of Supervisors. The Amended Expenditure Plan allocates a total of \$143,089.34 within Strategy 9 for the administration and disbursement of funding to five (5) non-profit entities to complete six (6) Community-Based Projects. The non-profit organizations awarded funding are based on a Request for Proposals (RFP) solicitation process conducted in early 2016.

The Amended 2017/2018 NRMF Expenditure Plan allocates up to \$109,671.47 for disbursement to five (5) non-profit entities for six (6) projects, up to \$6,000 for County administration (County staff time not part of this contract), and up to \$27,417.87 for CHDC to assist the County with the administration and disbursement of funds to selected non-profit entities. This contract would authorize CHDC to be paid up to \$27,417.87 to assist the County with the administration and disbursement of up to \$109,671.47 to five (5) non-profit organizations awarded funding for a total of six (6) projects within Strategy 9 for a total contract amount not to exceed \$137,089.34.

#### CONSEQUENCE OF NEGATIVE ACTION:

The five (5) non-profits entities awarded funding for their selected projects and CHDC would not receive NRMF funding to address illegal dumping and blight in the North Richmond community.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: February 13, 2018

Subject: Purchase Order with ABF Data Systems, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Health Services Director, to execute (1) a Purchase Order with ABF Data Systems, Inc. (dba Direct Systems Support) in an amount not to exceed \$227,813, for support services for IBM and Lenovo servers, and (2) IBM Change Authorization, for Lenovo and IBM server support for the period of March 21, 2018 through March 20, 2019.

**FISCAL IMPACT:**

100% funding is included in the Hospital Enterprise Fund I Budget.

**BACKGROUND:**

The Health Services Department (HSD) Information Technology Unit (IT) extensively uses Lenovo/IBM server hardware for the IT data center. Direct Systems Support manages HSD IT server hardware and support with IBM and Lenovo to ensure that there isn't a lapse in support services. This purchase will provide the HSD IT Unit with support for servers

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

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ATTESTED: February 13, 2018

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

By: June McHuen, Deputy

Contact: Jaspreet Benepal,  
925-370-5101

cc: Tasha Scott, Marcy Wilhelm, Allyson Eggert

**BACKGROUND: (CONT'D)**

that support the Epic Electronic Health Records (EHR) and other healthcare related software for the entire HSD. IBM and Lenovo provide support for Health Services servers to correct defects and functionality issues pursuant to the IBM Master Services Attachment and related Statements of Work.

**CONSEQUENCE OF NEGATIVE ACTION:**

If the Purchase Order and agreements are not approved, HSD will not have the necessary support in place. The servers contain Epic EHR data, and could result in the inability to access and possible loss of patient information for the entire Health Services department; causing patient care issues and emergencies.



# Contra Costa County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: February 13, 2018

Subject: Amendment to Purchase Order with Werfen USA, LLC

---

## **RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, an amendment to Purchase Order #F47494 with Werfen USA, LLC., to increase the payment limit by \$100,000 for a new payment limit of \$513,275 for purchase of the ACL TOP 500 analyzer and supplies and reagents for the clinical laboratory at the Contra Costa Regional Medical Center (CCRMC), with no change in the original term of May 1, 2013 through April 30, 2018.

## **FISCAL IMPACT:**

100% funding is included in the Hospital Enterprise Fund I budget.

## **BACKGROUND:**

The CCRMC Clinical Laboratory needs to upgrade the ACL TOP analyzer and also needs to purchase supplies and reagents for the analyzer. The Health Services Department uses the analyzer to perform various tests for CCRMC patients. The current analyzer was purchased back in 2006 and is now past its useful life.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

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ATTESTED: February 13, 2018

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

By: June McHuen, Deputy

Contact: Anna Roth,  
925-370-5101

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the CCRMC Clinical Laboratory will have to continue to use the existing analyzer. This analyzer was purchased back in 2006, which puts the laboratory at risk for increased downtime due to its age. The new analyzer requires less intervention by the Clinical Laboratory Scientist.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: February 13, 2018

Subject: Purchase Order for Boston Scientific Corporation

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Boston Scientific Corporation, in an amount not to exceed \$560,000 for the purchase of specialty medical supplies and equipment for the Contra Costa Regional Medical Center (CCRMC), for the period of January 1, 2018 through December 31, 2019.

**FISCAL IMPACT:**

100% funding is included in the Hospital Enterprise Fund I budget.

**BACKGROUND:**

Boston Scientific Corporation manufactures and distributes specialty medical and surgical supplies that CCRMC uses to treat patients with various medical conditions.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this purchase order is not approved, it will impact patient care.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

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ATTESTED: February 13, 2018

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

By: June McHuen, Deputy

Contact: Jaspreet Benepal,  
925-370-5101



# Contra Costa County

To: Board of Supervisors  
 From: Anna Roth, Health Services Director  
 Date: February 13, 2018

Subject: Purchase Order with Beckman Coulter, Inc.

---

## **RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Health Services Director, a purchase order with Beckman Coulter, Inc., in the amount of \$253,395 to procure the CellaVision DM9600 for the clinical laboratory at the Contra Costa Regional Medical Center (CCRMC) and Health Centers.

## **FISCAL IMPACT:**

100% funding is included in the Hospital Enterprise Fund I budget.

## **BACKGROUND:**

The clinical laboratory needs to purchase the CellaVision DM9600 in order to process blood smears and body fluids. This analyzer helps automate the digital workflow for cell morphology for increased efficiency. The current machine is out-of-date and needs to be upgraded. It was decided to purchase rather than lease the equipment because the vendor is also providing three more analyzers at no cost, resulting in a savings of approximately \$250,000, and providing reagents at a discounted price.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
 Candace Andersen, District II Supervisor  
 Diane Burgis, District III Supervisor  
 Karen Mitchoff, District IV Supervisor  
 Federal D. Glover, District V Supervisor

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ATTESTED: February 13, 2018

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

By: June McHuen, Deputy

Contact: Jaspreet Benepal,  
 925-370-5101



CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, the CCRMC Clinical Laboratory will not be able to perform patient testing.



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: February 13, 2018

Subject: Gemalto Cogent Inc.

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a Services Agreement with Gemalto Cogent, Inc., in an amount not to exceed, \$120,000 for the services and maintenance enhancement of a dedicated on-site support engineer for the period February 20, 2018 through February 19, 2019.

**FISCAL IMPACT:**

No County Cost. \$120,000.00 from CAL ID Funds.

**BACKGROUND:**

The California Identification System (Cal-ID) is the automated system maintained by the California Department of Justice (DOJ) for retaining fingerprint files and identifying latent fingerprints. Cal-ID monies are collected from the fees from each vehicle registered, two dollars for non-commercial vehicles and four dollars from commercial vehicles, and are used to fund programs that enhance the capacity of the state and local law enforcement to provide automated mobile, fixed Livescan fingerprint capture stations and Cogent Automated Biometric Identification System (CABIS), formerly known as Cogent Automated Fingerprint Identification System (CAFIS), that allow identification of individuals involved in motor vehicle crimes. The California Department of Justice

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

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ATTESTED: February 13, 2018

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

By: June McHuen, Deputy

Contact: Sandra Brown  
925-335-1553

cc:

#### BACKGROUND: (CONT'D)

has established the Remote Access Network (RAN), which is a uniform statewide network of equipment and procedures allowing local law enforcement agencies direct access to the Cal-ID System. The Contra Costa County local RAN board determines the placement of RAN equipment within the County, and coordinates the acceptance, delivery, and installation of RAN equipment. Acting as the local RAN board, mobile fingerprint identification hardware has been distributed to local law enforcement agencies within the County pursuant to the criteria specified in the Penal Code. Under the proposed contract, a dedicated support engineer will provide to Contra Costa County Sheriff's Office and its client agencies high availability of support for the Cogent Automated Fingerprint Identification System (CAFIS), the mugshot server, Latent Gateway, WebID, 31 Livescans, and the 350 Mobile ID devices throughout the county. A dedicated support engineer will provide continuity to the support needs, develop more personalized technical support relationships with users, perform proactive maintenance to reduce technical problems and downtimes minimizing disruption to the daily business for the law enforcement officer.

#### CONSEQUENCE OF NEGATIVE ACTION:

If the Office of the Sheriff is not allowed to contract with Gemalto Cogent for the dedicated support engineer, Contra Costa County Sheriff's Office and its client agencies will experience support engineers that are not familiar with the configurations and components of our systems which slows the support response. In addition, Contra Costa County and its agencies vie for support time with the Gemalto Cogent support engineers with many other counties and police departments throughout Northern California. Delayed support response can translate into the inability to identify unknown subjects on the street with Mobile ID or the inability to capture fingerprints at booking facilities with a Livescan for mandated reporting to the California Department of Justice and the Federal Bureau of Investigations. The delay to fix failures of the aforementioned systems could lead to the release of subjects on the street or from booking facilities because they have not been identified and may be wanted for a more serious offense under another name. In addition, the lack of ability to identify an arrested subject may detain an individual that is not the person sought in a warrant or an investigation.

#### CHILDREN'S IMPACT STATEMENT:

N/A



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: February 13, 2018

Subject: 2017-18 Martinez Early Childhood Center Childcare Services Contract, Amendment 2

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Martinez Early Childhood Center to increase the payment limit by \$15,000 to a new payment limit of not to exceed \$251,000, to fund four additional childcare slots in Early Head Start and Head Start Program Enhancement services, with no change to the term of July 1, 2017 through June 30, 2018.

**FISCAL IMPACT:**

The increase in payment limit of \$15,000 is covered 100% by Federal grant funds from the Administration for Children and Families (Head Start Program). There is no County match requirement.  
[CFDA 93.600]

**BACKGROUND:**

Contra Costa County receives funds from the U.S. Department of Health and Human Services, Administration for Children and Families (ACF) to provide Head Start program services

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: CSB (925) 681-6346

cc: Nasim Eghlima, Haydee Ilan

**BACKGROUND: (CONT'D)**

to program eligible County residents. The Employment and Human Services Department, in turn, contracts with a number of community-based organizations to provide a wider distribution of services. The original contract was to provide Early Head Start and Head Start program enhancement services to 56 children through this partnership. The Board approved the original contract on July 18, 2017 (C.58). The board approved an amendment to the contract to add four childcare slots, cover loss of subsidy from enrollment transition, and to increase program start-up funding, on November 7, 2017 (C.62). This board order seeks to further amend the contract to add another four childcare slots.

**CONSEQUENCE OF NEGATIVE ACTION:**

If not approved, the County will not be able to fund an additional four childcare slots at the Martinez Early Childhood center.

**CHILDREN'S IMPACT STATEMENT:**

The Employment and 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.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: February 13, 2018

Subject: 2017-18 Baby Yale Academy, Inc. Childcare Services Contract, Amendment 1

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Baby Yale Academy, Inc. to increase the payment limit by \$83,500 to a new payment limit of not to exceed \$168,500, to add 21 childcare slots and start-up funds for Early Head Start Childcare Partnership program services, with no change to the term of December 1, 2017 through June 30, 2018.

**FISCAL IMPACT:**

This contract is 100% funded by federal grant funds from the Administration for Children and Families (Head Start Program). There is no County match requirement.  
[CFDA 93.600]

**BACKGROUND:**

Contra Costa County receives funds from the U.S. Department of Health and Human Services, Administration for Children and Families (ACF) to provide Head Start and Early Head Start program services to program eligible County residents. The Employment and Human Services Department, in turn, contracts with a number of community-based

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: CSB (925) 681-6334

cc: Nelly Ige, Haydee Ilan

**BACKGROUND: (CONT'D)**

organizations to provide a wider distribution of services. The original contract with Baby Yale Academy, Inc. was to provide Early Head Start Childcare Partnership program services by funding 20 childcare program slots for children ages 0 to 3 years. The original contract was for \$85,000 and did not require a board order. This board order is to approve adding \$83,500 to the contract for 21 additional childcare slots and start up funding.

**CONSEQUENCE OF NEGATIVE ACTION:**

If not approved, the County will not be able to fund additional childcare slots and start up funds for it's community based agency partner, Baby Yale Academy, Inc.

**CHILDREN'S IMPACT STATEMENT:**

The Employment and 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.



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: February 13, 2018

Subject: SightLife

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee to enter into an Agreement with SightLife, for the release and removal of donor tissue by Sightlife, for the period of May 1, 2018 through April 30, 2020.

**FISCAL IMPACT:**

No impact.

**BACKGROUND:**

The Office of the Sheriff-Coroner is authorized by law under the California "Uniform Anatomical Gift Act" (Health and Safety Code Section 7150 et seq.) to release and permit the removal of various part or parts of a decedent's body within the Coroner's custody for transplantation. During the normal course of the Office of the Sheriff-Coroner's business, County has access to potential eye and tissue donors that could potentially be used for transplantation. County and SightLife seek to continue to work in a cooperative relationship to ensure the timely retrieval, processing, preservation, storage, and distribution of various eye and tissue donations.

**CONSEQUENCE OF NEGATIVE ACTION:**

The consequence of a negative action would not allow us to have an Agreement in place and to not be in compliance with the Uniform Anatomical Gift Act (Health and Safety Code Section 7150 et seq.)

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Sandra Brown  
925-335-1553

cc:





CHILDREN'S IMPACT STATEMENT:

No impact.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: February 13, 2018

Subject: 2017 In-Home Supportive Services Public Authority Advisory Committee Annual Report

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**RECOMMENDATION(S):**

ACCEPT the 2017 In-Home Supportive Services Public Authority Advisory Committee Annual Report, as recommended by the Employment and Human Services Department Director.

**FISCAL IMPACT:**

None

**BACKGROUND:**

On June 18, 2002, the Contra Costa County Board of Supervisors accepted Resolution No. 2002/377 requiring each regular ongoing board, commission, and/or committee shall annually report to the Board of Supervisors on its activities, accomplishments, membership, attendance, required training and certification programs, and proposed work activities for the following year. The requirement is addressed by the In-Home Supportive Services Public Authority Advisory Committee in the attached report.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Elaine Buures,  
608-4960

cc:

CONSEQUENCE OF NEGATIVE ACTION:

The In-Home Supportive Services Public Authority Advisory Committee Annual Report will not be accepted.

ATTACHMENTS

2017 Public Authority Advisory Committee Report

## **Annual Report to the Contra Costa County Board of Supervisors**

**Name:** Contra Costa County In-Home Supportive Services Public Authority  
Advisory Committee

**Meeting:** 1:00 to 3:00 on the third Tuesday of every month (except August & December)  
500 Ellinwood Way, Pleasant Hill

**Chair:** Sydney Anderson

**Staff:** Elizabeth Dondi – Executive Director  
Beatriz Salgado, Secretary – Advanced Level

**Report Period:** January 2017 – December 2017

**Prepared by:** Sydney Anderson, Chair  
Elizabeth Dondi, Executive Director

### **I. ACTIVITIES**

#### **Provider and Consumer Training**

Through collaboration with the Health, Safety and Education Sub-Committee, consumer and provider educational and training sessions were conducted by Public Authority Registry/Training Specialists throughout the year in East, Central and West County.

Topics presented included:

- Alzheimer's and Dementia
- Grief and Mental Health
- CPR/First Aid

#### **Rapid Response Program**

This program refers providers to IHSS consumers that are unexpectedly without their regular provider. In 2017, with support from Rapid Response Sub-Committee, the Public Authority conducted an RFI and identified a home care agency to fulfill requests for emergency services from consumers. The Program, through the home care agency, has been serving consumers since July 2017 allowing those most in need to obtain the assistance they need and remain safely in their homes. The number of service requests has steadily increased from 4 requests in July, 2018 to 33 requests in December 2017.

### **II. ACCOMPLISHMENTS**

#### **Communication and Networking/Community Involvement**

The Advisory Committee Chair Sydney Anderson facilitates the East County Resource and Networking Group where speakers present program information and various topics regarding older adults. She also is an active member of the East County Senior Coalition who puts on events to inform and educate older adults. Ms. Anderson attended the Senior Injury Prevention Conference in June. She also attended the Contra Costa County Senior Transportation Forum in September.

Member Gary Gray regularly attends East Bay Paratransit Advisory Committee meetings to advocate removing barriers for persons with disabilities at bus and BART stations. Mr. Gray writes articles having to do with sports and issues affecting disabled individuals on the Internet. Mr. Gray also produces his own weekly radio show which focuses on sports, disability, race and economics. This year he wrote his 600<sup>th</sup> article and recorded his 500<sup>th</sup> radio show.

The Advisory Committee, through the Nominating Sub-Committee, interviewed, approved and recommended for appointment to the Board of Supervisors three candidates for vacancies on the Advisory Committee. All three candidates were appointed to fill the vacancies.

### **III. ATTENDANCE/REPRESENTATION**

State Law, regulations and County Ordinance specify an eleven member Advisory Committee appointed by the Board of Supervisors. No fewer than fifty percent of the members shall be individuals who are current or past users of personal assistance services paid for through public or private funds or are consumers of In-Home Supportive Services. As of December 2017 four of the members meet these criteria. We are actively recruiting to fill two vacancies in this category. This year we added three members as follows:

1. Community-Based Organization Representative
2. Senior Advocate
3. IHSS Family Provider

Attendance at general meetings and sub-committees has been good. One member resigned due to transportation challenges. Currently there are two vacancies on the Committee: consumer seats 60 years or older.

### **IV. TRAINING/CERTIFICATION**

This year Advisory Committee members received training or attended presentations on the following topics:

- Ethics
- AB 1234 Mandatory Advisory Body Requirement (every two years)
- Caregiving Support
- Dementia
- CPR/First Aid

### **V. PROPOSED WORK PLAN**

- Recruit for and fill the vacancies on the Advisory Committee
- Continue to work with staff on trainings for providers and consumers
- Participate in monthly CICA meetings
- Reach out to other IHSS Public Authority advisory committees for best practices
- Continue to monitor East Bay transit agencies and advocate when necessary for improvement to ridership experience for persons with disabilities
- Continue to monitor state and federal legislation and grants which impact IHSS



Contra  
Costa  
County

To: Board of Supervisors  
From: Melinda Cervantes, County Librarian  
Date: February 13, 2018

Subject: Contra Costa County Library Commission 2017 Annual Report and 2018 Work Plan

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**RECOMMENDATION(S):**

ACCEPT the Contra Costa County Library Commission 2017 Annual Report and 2018 Work Plan.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

On June 18, 2002, the Board of Supervisors adopted Resolution No. 2002/377, which requires that each regular and ongoing board, commission or committee shall annually report to the Board on its activities, accomplishments, membership attendance, required training/certification (if any), and proposed work plan or objectives for the following year on the second Tuesday in December. The attached report fulfills this requirement for the Library Commission.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Walt Beveridge

cc:

## ATTACHMENTS

CCCLC Annual  
Report



## Library Commission 2017 Annual Report and 2018 Work Plan

Library Commission meets 4th Thursday of alternating months

At Library Administration, 777 Arnold Drive, Suite 210, Martinez, CA 94553

Alan B. Smith, Chair; Kathleen Gilcrest, Vice Chair

Staff: Melinda Cervantes, County Librarian

### 2017 Annual Report

- I. **2017 Activities and Accomplishments:** Over the course of the year, commissioners pursued several objectives to meet annual goals set in alignment with purposes and duties proscribed by Commission bylaws. Toward the goal to ***(1) assist in the provision of library services based on assessed public need***, many commissioners drafted letters of support for mayors' and supervisors' submission to state and federal representatives, advocating for literacy funding augmentation, IMLS preservation, and for the reduction in the majority requirement for library-only ballot measures (SCA-3 Dodd).

Commissioner Alan Smith (District 4) continued to spearhead these activities by meeting with numerous legislators on library funding matters, keeping commissioners informed, and testifying at two Senate hearings on SCA-3.

Many commissioners participated in "Day in the District" meetings with six out of seven local county legislators.

Many commissioners regularly reported to their appointing body.

Commissioners Smith and Peter Wilson (District 5) closely tracked the Concord Naval Weapons station and advocated for inclusion of a new library campus.

Commissioners expressed a desire to contribute at an appropriate time to budget development, in advance of approval.

Commissioners also voiced concern for staff retention issues due to non-competitive wages, and the resulting impact of recurrent high costs of recruitment and training, as well the drain that staff turn-over imposes on management and service delivery. Commissioner Margie Valdez (Contra Costa Central Labor Council) noted that increasing numbers of library users are aware of the empty positions and difficulty retaining staff, and pressure is developing to find a solution.

Commissioners met the goal to ***(2) provide a link between the community and Contra Costa County Library*** by participating broadly in friends of the library and foundation groups, as well as on city library advisory committees and other civic and community groups.

Commissioners identified need for revitalization of the Friends Council, an independent leadership consortium representing all friends and foundation support groups of the county's community libraries, to bolster private fundraising at the community level. Commissioner Katherine Bracken (Pleasant Hill) recruited the president of the Friends of the Pleasant Hill Library to reestablish the Friends Council.

New commissioner Don McCormick (District 3) has proposed and received support for the formation of a new library foundation to raise support for all east county community libraries. Commissioner Smith was re-elected as vice chair of the Braille and Talking Book Library User Advisory Council, and spent a day in Sacramento demonstrating Braille Talking Books Library equipment to state legislators and staff to raise



### ***Contra Costa County Library Commission***

awareness of the Library. He also conducted a "Library Friends Efficacy Training" in Hollister for the San Benito County Library.

Together commissioners participated in the successful "Annual Library Friends, Foundations and Commission Forum" convened by County Librarian Melinda Cervantes.

Finally, commissioners were successful in the goal to ***(3) revitalize functions and operation of the Commission*** with development of a productive and cordial relationship with County Librarian Cervantes, who has pursued the Commission's objectives for the filling of vacant commission positions, and new member training.

The Commission was unable to fulfill its 2017 goals ***(4) to monitoring the 2014-17 strategic plan***, and ***(5) to recommend ways to ensure stable and adequate funding***, except for participation in library friends and foundation activities as noted above. These two goals and related activities, as well as securing final approval of proposed bylaws revisions stemming from the 2016 reauthorization effort, will carry over into the 2018 work plan.

II. **Attendance/Representation (Attachment 1)**

III. **Training/certification (Attachment 1)**



## 2018 Work Plan

### Goal 1: Monitor outcomes of existing strategic plan and advise on new plan development

- Obj. 1: Review final report on outcomes of 2014-17 strategic plan and identify areas of success and continuing need (Mar)
- Obj. 2: Identify areas of success and need for further work in subsequent efforts (May)

### Goal 2: Advocate for public library funding required to meet assessed county needs

- Obj. 1: With the approval of the County Board of Supervisors, provide letters of support for public funding initiatives to city/town mayors and county supervisors for submission to state and federal representatives (Mar—May)
- Obj. 2: Continue to advocate for reduction in majority requirement for library-only bond measures, from two-thirds to 55% at the state level (Mar—May)
- Obj. 3: Advise the County Librarian on priorities for spending based on the mission statement, strategic plan and operational necessities (Mar)

### Goal 3: Identify ways to ensure stable and adequate funding for county libraries

- Obj. 1: Seek collaboration with Friends of the Library, Library Foundation and Friends Council organizations of Contra Costa County Library to study methods, structures, source types, and results of private fundraising for county libraries (Jan – May)
- Obj. 2: Increase the Commission's understanding of the basis for current county funding for Contra Costa Library (Jan), and explore opportunities for increased funding from public sources (Mar)

### Goal 4: Provide a link between the community and Contra Costa County Library

- Obj. 1: Represent commission with "friends of the library," library foundations, community advisory groups, other civic/community groups (Ongoing)
- Obj. 2: Brief City Councils, County Supervisors, and other appointing bodies on library matters and work of Commission (Ongoing).
- Obj. 3: Participate in "Annual Library Friends, Foundations and Commission Forum" organized by County Librarian (May)

### Goal 5: Provide a forum for the public to express views regarding Contra Costa County Library

- Obj. 1: Review and respond to communications received by the Commission through the Library website or other means, and during public comment at meetings (Ongoing)
- Obj. 2: Present feedback to the County Librarian and the Board of Supervisors regarding concerns expressed by members of the community concerning CCCL, as appropriate (Ongoing)

### Goal 6: Ensure the continued effectiveness of the Contra Costa County Library Commission

- Obj. 1: Commissioners (a) attend meetings; (b) maintain certification of Brown Act/Better Governance Ordinance training; (c) pursue activities adhering to purposes and duties of the Commission (see Bylaws); (d) continue to develop knowledge of county library services and communities it serves; (e) submit an annual report and work plan to the board of supervisors
- Obj. 2: Form committees for nomination of officers (Jul—Sep) and special projects, as needed.
- Obj. 3: Obtain final approval of revisions to Commission bylaws as proposed in the 2016 revitalization effort.



Attachment 1: Attendance/Representation, Training/Certification



## Library Commission Attendance: January 2017 – December 2017

Library Commission Attendance January 2017 – December 2017		Total	Total	Total	Total	signed BROWN ACT & Ethics Orientation video viewing certification
COMMISSIONERS	REPRESENTING	Meetings	Absent	Present	Excused	Received
Huh, John M., Ph.D.	City of Antioch	6	1	5	0	x
Vacant	City of Antioch (Alternate)					
Faye, Vivian	City of Brentwood	6	1	4	1	x
Vacant	City of Brentwood (Alternate)					
Atkinson, Joyce	City of Clayton	6	0	3	3	x
Boyd, Jeanne	City of Clayton (Alternate)	6	6	0	0	x
Smith, Tommy	City of Concord	3	0	3	0	x
Vacant	City of Concord (Alternate)					
Menichelli, Sandra	Town of Danville	5	0	2	3	x
Vacant	Town of Danville (Alternate)					
Fischer, Michael	City of El Cerrito	5	0	5	0	x
Vacant	City of El Cerrito (Alternate)					
Miller, Brian	City of Hercules	6	1	5	0	x
Gabriel, Andrew	City of Hercules (Alternate)	6	6	0	0	x
Hoisington, Mary Ann	City of Lafayette	6	0	5	1	x
Phillips, Laurie	City of Lafayette (Alternate)	6	3	2	1	x
Rennie, Donna	City of Martinez	3	0	3	0	x
Vacant	City of Martinez (Alternate)					
Wernet, Patty	Town of Moraga	6	2	1	3	x
Vacant	Town of Moraga (Alternate)					
Pena-Mendrek, Yolanda	City of Oakley	3	0	3	0	x
Fitzpatrick, Arnold	City of Oakley (Alternate)	6	0	6	0	x
Kelly, Juan	City of Orinda	6	0	5	1	x
Conescu, Jeremy	City of Orinda (Alternate)	5	4	1	0	
Pursley, George	City of Pinole	3	0	3	0	
Vacant	City of Pinole (Alternate)					
Canciamilla, Laura	City of Pittsburg	6	1	3	2	x
Herrick, Leanne	City of Pittsburg (Alternate)	6	5	0	1	x
Bracken, Katherine	City of Pleasant Hill	6	0	5	1	x
Vacant	City of Pleasant Hill (Alternate)					
Vacant	City of San Pablo					
Vacant	City of San Pablo (Alternate)					
Kathy Gilcrest	City of San Ramon	6	0	4	2	x
Vacant	City of San Ramon (Alternate)					
Meisch, Lynn A. (Ret'd Oct '17)	City of Walnut Creek	5	1	2	2	x
LaLanne, Yvonne	City of Walnut Creek (Alternate)	6	1	5	0	x
Woodrow, Don	District 1	6	3	2	1	x
Vacant	District 1 (Alternate)					
Riise, Diane	District 2	6	1	5	0	x
Wright, Cindy A.	District 2 (Alternate)	5	2	1	2	x
McCormick, Don	District 3	3	0	3	0	x
Crowder, John	District 3 (Alternate)	2	1	1	0	x
Smith, Alan B.	District 4	6	0	6	0	x
Vacant	District 4 (Alternate)					
Wilson, Peter	District 5	5	0	5	0	x
Vacant	District 5 (Alternate)					
Sakata, Karen	Office of Education	6	5	0	1	x
Valdez, Margie	Contra Costa Central Labor Council	6	0	6	0	x
Vacant	Contra Costa Council					
Vacant	Friends Council					
Vacant	Contra Costa Community College District					



**Contra  
Costa  
County**

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: February 13, 2018

Subject: Allocation of \$1,600,000 in FY 2018/19 HOME Funds as Recommended by the Affordable Housing Finance Committee

**RECOMMENDATION(S):**

APPROVE the Affordable Housing Finance Committee recommendation for the allocation of \$1,600,000 in FY 2018/19 HOME Investment Partnerships Act funds (HOME) to support the St. Paul's Commons affordable housing project in Walnut Creek.

**FISCAL IMPACT:**

No General Fund impact. HOME Investment Partnerships Act funds are provided to the County on a formula allocation basis through the U.S. Department of Housing and Urban Development (CFDA number 14.239).

**BACKGROUND:**

The Affordable Housing Finance Committee (AHFC) is a Board of Supervisors-appointed committee that develops funding recommendations for the Board concerning the allocation of federal funds for affordable housing development. This current funding recommendation is the result of a competitive application process initiated in October of 2017. A Notice of Funding Availability was sent to over 100 jurisdictions, public agencies, affordable housing developers and interest groups active in the Urban County (the unincorporated County and

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☒ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Kara Douglas,  
925-674-7880

cc:

## **BACKGROUND: (CONT'D)**

all cities except for Antioch, Concord, Pittsburg, and Walnut Creek) and the HOME Consortium area (the Urban County and all cities). The Department of Conservation and Development received 13 applications requesting approximately \$11.8 million (\$3.0 million in Community Development Block Grant funds and \$8.8 million in HOME Investment Partnerships Act funds).

The AHFC met on January 29, 2018, to consider staff's recommendation for the St. Paul's Commons project. The meeting was attended by approximately ten people representing various non-profit agencies, including applicant's staff and the general public. After questions and discussion, the AHFC recommended \$1,600,000 in FY 2018/19 HOME funds to the St. Paul's Commons project. This project has an allocation of nine percent low income housing tax credits (LIHTC) and is required to close all financing and start construction by April 2, 2018. Due to the urgency of the application, it was considered separately from the remaining applications. Funding recommendations for the remaining applications will be discussed at a future AHFC meeting and forwarded to the Board on May 8, 2018, along with the other non-housing Community Development Block Grant (CDBG) recommendations as part of the FY 2018/19 CDBG/HOME Annual Action Plan.

### **St. Paul's Commons**

Resources for Community Development (RCD), in partnership with St. Paul's Episcopal Church, is proposing to develop St Paul's Commons, which involves the new construction of a 45-unit affordable housing development on a 0.64-acre site in Walnut Creek. St Paul's Commons will target households with incomes ranging from 30 percent to 60 percent of the Area Median Income (AMI). The development will include 30 studios, 14 one-bedroom units, and a two-bedroom unit for the resident property manager. The development will also include a property management office, a community center, resident roof deck, services office, shared computer terminals for residents, bike parking, and a laundry room.

The community center will comprise approximately 7,000 square feet of the total development and will function primarily as a public facility that will house the Trinity Center to provide a non-residential and non-sectarian day program serving homeless and working poor men and women in Walnut Creek and Central Contra Costa County. The Trinity Center will occupy approximately 72 percent of the community center's floor area. The project site is near to Walnut Creek's downtown and within walking distance of the Walnut Creek BART Station.

The property is owned by St Paul's Episcopal Church and it intends to lease the site to RCD after construction at a below market rate. RCD will then lease back the community center space to St. Paul's Church at a nominal, triple net rent amount. In turn, St. Paul's Church will lease approximately 4,990 square feet to Trinity Center for its operations of the day services to homeless persons. Trinity Center currently operates a day services program to homeless individuals on Church property and will continue its programs in the new community center.

RCD was previously awarded \$800,000 in FY 2016/17 CDBG funds and \$200,000 in FY 2017/18 CDBG funds for the tenant improvements of the community center/public facility. RCD was also previously awarded \$1,042,319 in FY 2017/18 HOME funds and \$232,681 in Housing Opportunities for Persons With AIDS (HOPWA) funds. The financing plan for the entire development includes Affordable Housing Program (AHP) funds, City of Walnut Creek funds, and LIHTC. RCD was awarded LIHTC in the Special Needs and/or Homeless set aside. Therefore 50 percent of the units will be reserved to individuals and small families who are disabled, have a developmental or mental health disability, are survivors of physical abuse, or are homeless or at risk of homelessness.



RCD put the St. Paul's Commons project out to bid with the bids due on November 15, 2017. Unfortunately, while some inflation was anticipated, the bids came at \$3.4 million higher than RCD's Spring 2017 development estimate. In order to close the resulting budget gap, RCD pursued approximately \$1.0 million in construction scope reductions ("value engineering") and additional funding from the City of Walnut Creek, County, and private donations. With savings from value engineering, the remaining gap is approximately \$2.4 million. RCD has requested an additional \$1.6 million in CDBG/HOME funds from the County to assist in filling the budget gap.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve the AHFC funding recommendation, the St. Paul's Commons project will not be able to move forward and meet the tax credit allocation requirement of closing financing and starting construction by April 2, 2018.





Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: February 13, 2018

Subject: Amendment #26-358-7 with Donor Network West

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute County Contract Amendment Agreement #26-358-7 with Donor Network West, a non-profit corporation, effective February 1, 2018, to amend Contract #26-358-6 to add emergency preparedness obligations for both contracting parties, with no change in the original term of November 1, 2014 through October 31, 2019.

**FISCAL IMPACT:**

This is a non-financial agreement.

**BACKGROUND:**

Under the National Organ and Tissue Donation initiative, hospitals must notify an organ procurement organization of all deaths that occur in the hospital. In addition, hospitals must have agreements with organ transplant centers, and tissue and eye banks to cooperate in the retrieval, processing, preservation, storage and distribution of organ and tissue donations, to ensure that all usable organs, tissues and corneas are procured from donors.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Jaspreet Benepal,  
925-370-5101

BACKGROUND: (CONT'D)

The California Transplant Donor Network provides 24-hour organ procurement services which include: on-site assessment and evaluation of each potential organ donor for medical suitability; a skilled and sensitive approach to each family regarding the option to consider donation; appropriate clinical management of the potential donor to ensure optimum organ viability; and organ allocation in accordance with national policy.

On February 10, 2015, the Board of Supervisors approved Contract #26-358-6 with the Donor Network West to provide services including participation in Medicare and Medicaid programs, participation in obtaining broader access to various organs and tissues needed by surgeons and patients, and streamline the donation process for the period from November 1, 2014 through October 31, 2019.

Approval of Contract Amendment Agreement #26-358-7 will add emergency preparedness obligations on both contracting parties through October 31, 2019.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the County will not be able to receive additional organ procurement services from this contractor.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: February 13, 2018

Subject: Approve New and Recredentialing Providers in Contra Costa Health Plan's Community Provider Network

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**RECOMMENDATION(S):**

APPROVE the list of providers recommended by Contra Costa Health Plan's Peer Review and Credentialing Committee on January 9, 2018, 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:**

Not applicable.

**BACKGROUND:**

The National Committee on Quality Assurance (NCQA) requires that evidence of Board of Supervisors' approval must be contained within each CCHP provider's credentials file. Approval of this list of providers as recommended by the CCHP's Peer Review and Credentialing Committee will enable the Contra Costa Health Plan to comply with this requirement.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Patricia Tanquary,  
925-313-6004

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, Contra Costa Health Plan's Providers would not be appropriately credentialed and in compliance with the NCQA.

ATTACHMENTS

Attachment

**Contra Costa Health Plan**  
**Providers Approved by Peer Review and Credentialing Committee**  
**January 9, 2018**

<b>CREDENTIALING PROVIDERS JANUARY 2018</b>	
<b>Name</b>	<b>Specialty</b>
Chavez, Luis, RBT	Behavior Analysis
Chichili, Sudhathi, MD	Hematology/ Oncology
McClintock Greenberg, Andrew, MD	Pulmonary Disease
	Sleep Medicine
Ryan, Alison, PA	Mid-Level Oncology
Sison, Margarita, BA	Behavior Analysis
Wong, Adriel, BCBA	Behavior Analysis

<b>RECREREDENTIALING PROVIDERS JANUARY 2018</b>	
<b>Name</b>	<b>Specialty</b>
Bhattacharyya, Alok, MD	Neurology
Block, Alison, MD	Family Planning
Bunzel, Mary M., NP	Primary Care
	Family Medicine
Chen, Jeff S., MD	Pain Management
Chow, Ames, DC	Chiropractic Medicine
Cloutier, Steven, PhD	Mental Health Services
Crumpler, Faith, MD	Primary Care
	Family Medicine
Dudler, Jack, MD	Primary Care
	Family Medicine
Ferguson, Susan, MD	Primary Care
	Internal Medicine
Kassels, Michael, DO	Primary Care
	Internal Medicine
Kim, Euna, NP	Primary Care
	Internal Medicine
McAlear, Matthew, BCBA	Behavior Analysis
Morrissey, Ellen, MD	Nephrology
Nelson, Butler, PhD	Mental Health Services
Ong, Frances, OD	Optometry
Raffety, Kimika, PT	Physical Therapy
Rana, Zohaib, BCBA	Behavior Analysis
Saldivar, Nancy, NP	Primary Care
	Internal Medicine
Sharma, Rohit, MD	Nephrology
Siu, Arthur, OD	Optometry
Stapleton, Stacy, BCBA	Behavior Analysis

<b>RECREDENTIALING PROVIDERS JANUARY 2018</b>	
<b>Name</b>	<b>Specialty</b>
Takao, Kevin, PT	Physical Therapy
Tam, David, OD	Optometry
Tarder, Gerald L., MD	Gastroenterology
Upshaw, Bradley, OD	Optometry
Warner, Sarah E., PhD	Mental Health Services
Widroe, Harvey, MD	Psychiatry
Zylker, Kenneth, DC	Chiropractic Medicine

<b>RECREDENTIALING ORGANIZATIONAL PROVIDERS JANUARY 2018</b>		
<b>Provider Name</b>	<b>Provide the Following Services</b>	<b>Location</b>
Ace Home Health Care and Hospice, Inc. dba: Ace Home Health Care and Hospice, Inc.	Home Health and Hospice	Orinda
Dolly Thomas dba: Nova Care Home Health Services, Inc.	Home Health	Brentwood

**Contra  
Costa  
County**



To: Board of Supervisors  
From: Dianne Dinsmore, Human Resources Director  
Date: February 13, 2018

Subject: Acknowledgement of receipt of Administrative Bulletin No. 437 on Pre-Employment Screening Policy

---

**RECOMMENDATION(S):**

ACKNOWLEDGE receipt of Administrative Bulletin No. 437 on Pre-Employment Screening Policy

**FISCAL IMPACT:**

This item is informational only. The cost of pre-employment screening will continue to be covered by the hiring department.

**BACKGROUND:**

On November 7, 2017, the Board of Supervisors accepted the report on Administrative Bulletin No 437 on Pre-Employment Screening Policy and requested that staff return to the Board with a revised Administrative Bulletin that incorporates civil background checks, in particular for those positions that work with children. The attached revised Administrative

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Dianne Dinsmore, (925)  
335-1766

cc:

## BACKGROUND: (CONT'D)

>

Bulletin includes the following addition under Section V. Pre-Employment Background Investigations:

"Positions engaged in direct services to protect children from abuse and neglect will include broader screening, such as inquiries regarding whether they are or have been the subject of a restraining order."

The master list of background screening requirements for each active County classification has been revised to include this requirement. All candidates for positions requiring civil background screening will, as part of the post-offer screening process, be asked the following question:

"At any time during the past 10 years, has a court issued a temporary, preliminary, or permanent injunction or restraining order under Code of Civil Procedure 527 et seq., to restrain you from harassing, intimidating, threatening, or injuring another person? If yes, please explain."

Human Resources staff have been meeting with County departments to finalize the master list and establish standards and procedures to meet the requirements of Administrative Bulletin 437.

## CONSEQUENCE OF NEGATIVE ACTION:

The Administrative Bulletin will not include a civil background check requirement for positions that work with children.

## CHILDREN'S IMPACT STATEMENT:

The revised policy includes a civil background check requirement for positions that work with children in assist the County in evaluating finalists' suitability for such positions.

## ATTACHMENTS

Administrative Bulletin 437 Employment Screening





# **Contra Costa County Office of the County Administrator Administrative Bulletin**

## **EMPLOYMENT SCREENING POLICY**

Number: 437

Date:                      Section: Personnel

Subject: Pre-Employment Screening

### **I. PURPOSE**

It is the purpose of this policy to promote consistency in hiring practices and appropriate, job-related screening of finalists for County positions. Effective pre-employment screening is intended to evaluate a finalist's suitability for the particular position for which s/he is being considered and to protect the safety and security of employees, clients, residents and the public, and County assets.

### **II. AUTHORITY**

In accordance with the provisions of Contra Costa County Ordinance Code Section 24-4.008, the County Administrator has the authority and the responsibility to establish and enforce personnel policies in County departments and agencies, including pre-employment screening.

### **III. POLICY**

It is the policy of Contra Costa County to consider all applicants for employment without regard to race, color, religion, sex, national origin, ethnicity, age, disability, sexual orientation, gender, gender identify, gender expression, marital status, ancestry, medical condition, genetic information, military or veteran status, or other protected category under the law.

As a condition of employment, finalists for full-time, part-time, extra help, contingent workers (i.e. agency temporary employees), and temporary positions will be required to successfully pass pre-employment background investigation, medical examinations, drug screening, Department of Motor Vehicles (DMV) license check/pull notice, or other requirements that have been identified as appropriate for the position. Screening requirements may vary by department and this policy does not supersede more specific department pre-employment screening policies such as may exist in law enforcement, public protection and health departments.

### **IV. RESPONSIBILITIES**

The Human Resources Department is responsible for maintaining a master list of background screening requirements for each active County classification. Human Resources shall provide oversight, training and support to Department Heads and Human Resource Liaisons about the County's pre-employment screening policies and procedures and appropriate standards to meet policy requirements.

Department Heads are responsible for ensuring compliance with all rules, laws, standards, and policies applicable to their department. Department Heads shall inform Human Resources of any new or revised legal mandates related to positions in their departments

so that these mandates may be incorporated into the master list maintained by Human Resources. Departments with department-specific pre-employment screening policies will ensure they are consistent with this Administrative Bulletin and will provide a current copy to the Director of Human Resources.

## **V. PRE-EMPLOYMENT BACKGROUND INVESTIGATIONS**

After receiving a conditional offer of employment, finalists for County employment will undergo a fingerprint check and may be subject to a background investigation depending on the job type. The specific components of the background investigation will be limited to job-related and/or legally mandated investigations based on the nature and duties of the position(s) sought. Post-offer, pre-employment background investigations may include: criminal conviction history, verification of current and prior employment, verification of academic credentials, verification of licenses and certifications, credit history, driving history, and other inquiries that are determined to be relevant for the job. Positions engaged in direct services to protect children from abuse and neglect will include broader screening, such as inquiries regarding whether they are or have been the subject of a restraining order.

Background investigations are conducted with the full knowledge and consent of the finalist. Finalists will be provided with all rights afforded by, and all notifications required under applicable State and Federal law, including the Fair Credit Reporting Act (FCRA) (15 U.S.C. § 1681.), California Investigative Consumer Reporting Agencies Act ("ICRAA") (CA Civil Code §§ 1786 et seq.), and the California Consumer Credit Reporting Agencies Act ("CCRAA") (CA Civil Code §§ 1785.1 et seq.), and will be required to sign releases authorizing the background investigations. A refusal to sign a release form will constitute a rejection of the conditional offer and will eliminate the finalist from further consideration for employment.

Unless otherwise provided by law, having a criminal conviction history or negative result from another component of the Pre-Employment Screening such as Department of Motor Vehicles check, reference checks, public records search, on-line/social media search, or civil case record search are not an automatic bar to employment. The nature and date of any criminal conviction or negative result of the pre-employment screening and its relevance to the finalist's suitability for the particular position, and whether the finalist's employment by the County poses an unacceptable risk will be considered on a case-by-case basis. The Human Resources Department and appointing authority will evaluate whether a sufficient job-related connection exists between the conviction or other negative result, and the specific duties of the position in question. In making the decision, the appointing authority will carefully consider the potential impact of the adverse information on the safety and security of employees, clients, residents and the public, and the security of County assets. Similarly, in those instances where a credit check is performed for a position specified in California Labor Code Section 1024.5, having a poor credit history may not necessarily preclude employment in and of itself, but will be evaluated on a case-by-case basis.

## **VI. COST OF TESTING**

The County shall bear the cost of all initial pre-employment screening.

## **VII. PRIVACY RIGHTS**

Privacy and confidentiality of all information obtained in the pre-employment screening process will be adhered to in accordance with applicable state and federal regulations.



# Contra Costa County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: February 13, 2018

Subject: Approve and Adopt Organizational Conflict -of-Interest Policy for Design -Build Projects

---

## **RECOMMENDATION(S):**

APPROVE and ADOPT the attached organizational conflict-of-interest policy for Design-Build projects as required by Public Contract Code section 22162.

## **FISCAL IMPACT:**

No fiscal impact.

## **BACKGROUND:**

As required by Public Contract Code section 22162, the purpose of the proposed policy is to set forth the County's, organizational conflict-of-interest guidelines applicable to design-build projects procured pursuant to Public Contract Code section 22160 et seq.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Eric Angstadt  
925.335.1009

cc:

## BACKGROUND: (CONT'D)

>

Organizational conflicts of interest can occur when, because of existing or planned activities or because of relationships with other persons, a design-build project proposer is unable or potentially unable to render impartial assistance or advice to the County, the proposer's objectivity in performing the contract work is or might be otherwise impaired, or the proposer has an unfair competitive advantage.

The proposed policy provides that contractors and consultants participating as proposers to a design-build project solicitation or joining a design-build team ("Proposers") may not have organizational conflicts of interest.

Organizational conflicts of interest are circumstances arising out of a consultant's or contractor's existing or past activities, business or financial interests, familial relationships, contractual relationships, and/or organizational structure (e.g., parent entities, subsidiaries, affiliates) that results in (i) impairment or potential impairment of a consultant's or contractor's ability to render impartial assistance or advice to the County or of its objectivity in performing work for the County, (ii) an unfair competitive advantage for any bidder or proposer with respect to a County procurement; or (iii) a perception or appearance of impropriety with respect to any of the County's procurements or contracts or a perception or appearance of unfair competitive advantage with respect to a procurement by the County (regardless of whether any such perception is accurate).

The attached proposed policy sets forth situations under which an organizational conflict of interest exists for the purposes of responding to a design-build project.

Under the conflict-of-interest policy, design-build project proposers must make a full written disclosure to the County and have a continuing obligation to do so until they are no longer proposers.

If a Proposer determines that a conflict of interest or potential conflict of interest exists, it must disclose the conflict or potential conflict of interest to the County. Such disclosure will not necessarily disqualify a Proposer from being awarded a design-build contract, however. The Proposer shall propose measures to avoid, neutralize, or mitigate all potential or actual conflicts. The County, in its sole discretion, shall determine whether the proposed measures are sufficient to overcome the conflict or potential conflict and whether the Proposer may continue with the procurement process.

The proposed policy further provides that a successful Proposer to whom a contract is awarded has an ongoing obligation to monitor and disclose its conflicts or potential conflicts of interest. The County has the right to enforce the policy on an ongoing basis. If a new conflict of interest arises after contract award, and Contractor's proposed measures to avoid or mitigate the conflict are determined by the County to be inadequate to protect the County, the County may terminate the contract. If the contract is terminated, the County assumes no obligations, responsibilities and liabilities to reimburse all or part of the costs incurred or alleged to have been incurred by Contractor and is entitled to pursue any available legal remedies.

### Incorporation by Reference

The policy provides that it shall be incorporated by reference into and included as part of all County Design-Build project Requests for Qualifications, Requests for Proposals, and the County's Design-Build contracts between the County and the successful Design-Build proposer.

## CONSEQUENCE OF NEGATIVE ACTION:

Not approving these actions could make the County ineligible to use the design-build procurement method for projects.

## ATTACHMENTS

Conflict of Interest Policy for Design-Build Projects

# CONTRA COSTA COUNTY

## ORGANIZATIONAL CONFLICT-OF-INTEREST POLICY FOR DESIGN-BUILD PROJECTS

### PURPOSE

Public Contract Code section 22162 requires local agencies to establish an organizational conflict-of-interest policy that applies to design-build projects procured pursuant to Public Contract Code section 22160 et seq. Organizational conflicts of interest can occur in the design-build procurement process when a person or entity that performs services for a local agency relating to the solicitation of a design-build project seeks to submit a proposal to the County as a design-build entity or join a design-build team, thereby making that person or entity unable or potentially unable to render impartial assistance or advice to the County, impairing the objectivity of that person or entity in performing the contract work, or giving that person or entity an unfair competitive advantage.

### POLICY

#### A. Defined Terms.

1. "Design-Build" means a project delivery process in which both the design and construction of a project are procured from a single entity.
2. "Design-Build Entity" means a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a Design-Build contract.
3. "Design-Build Team" means a Design-Build Entity and the individuals and other entities identified by the Design-Build Entity as members of its team. Members of a Design-Build Team include the general contractor and, if utilized in the design of the project, all electrical, mechanical, and plumbing contractors.
4. "Proposer" means any consultant or contractor that seeks to submit a proposal to the County as a Design-Build Entity or to join a Design-Build Team.

#### B. Organizational Conflicts of Interest.

1. A Proposer may not have any organizational conflicts of interest.
2. "Organizational conflicts of interest" are circumstances arising out of a consultant's or contractor's existing or past activities, business or financial

interests, familial relationships, contractual relationships, and/or organizational structure (e.g., parent entities and their subsidiaries and affiliates) that results in: (i) the impairment or potential impairment of a consultant's or contractor's ability to render impartial assistance or advice to the County or of its objectivity in performing work for the County; (ii) an unfair competitive advantage for any bidder or Proposer with respect to a County procurement; or (iii) a perception or appearance of impropriety with respect to any of the County's procurements or contracts or a perception or appearance of unfair competitive advantage with respect to a procurement by the County (regardless of whether any such perception is accurate).

3. An organizational conflict of interest exists in the following instances:
  - a. A Proposer is the County's general engineering or architectural consultant to the Design-Build project, except that a subconsultant to the general engineering or architectural consultant that has not yet performed work on the contract to provide services for the design-build project may participate as a proposer or join a Design-Build Team if it terminates the agreement to provide work and provides no work for the County's general engineering or architectural consultant on the Design-Build project.
  - b. A Proposer has assisted or is assisting the County in the management of the Design-Build project, including the preparation of the request for proposals, evaluation criteria, or any other aspect of the procurement.
  - c. A Proposer has conducted preliminary design services for the Design-Build project, such as conceptual layouts, preliminary design, or preparation of bridging documents.
  - d. A Proposer performed design work related to the Design-Build project for other stakeholders in the Design-Build project.
  - e. A Proposer performed design work on a previous contract that specifically excludes it from participating as a proposer or joining a Design-Build Team for the Design-Build project.
  - f. A Proposer is under contract with any other entity or stakeholder to perform oversight of the Design-Build project.
  - g. A Proposer has obtained advice from, or discussed any aspect relating to the Design-Build project or procurement of the Design-Build project with, any person or entity with an organizational conflict of interest, including, but not limited to, the consultants of any entity that have provided technical support on the Design-Build project.

- h. Any circumstances that would violate California Government Code section 1090, et seq.

C. Obligations of Proposers.

1. Proposers shall make a full written disclosure to the County of the facts and circumstances regarding an organizational conflict of interest or a potential organizational conflict of interest, and shall have a continuing obligation to do so until they are no longer Proposers.
2. Proposers shall disclose all relevant facts relating to past, present or planned interests of the Proposer's Design-Build Team (including the Proposer, Proposer's proposed consultants and subconsultants and subcontractors and their respective directors and key personnel) that may result in, or could be viewed as, an organizational conflict of interest in connection with any Design-Build project procurement, including present or planned contractual or employment relationships with any current County employee.
3. Proposers shall disclose in the response documents to a Design-Build request for qualifications and request for proposals, all the work performed in relation to the particular proposed Design-Build project.
4. If a Proposer determines that a conflict of interest or potential conflict of interest exists, it must disclose the conflict or potential conflict of interest to the County. The disclosure may not necessarily disqualify a Proposer from being awarded a contract. The Proposer shall propose measures to avoid, neutralize, or mitigate all conflicts or potential conflicts. The County, in its sole discretion, shall determine whether the proposed measures are sufficient to overcome the conflict or potential conflict and whether the Proposer may continue with the procurement process. The County has the right to cancel or amend a resulting Design-Build project contract if the successful Proposer failed to disclose a conflict or potential conflict that it knew or should have known about, or if the Proposer provided information in its disclosure that is false or misleading.
5. For other conflicts or potential conflicts not mentioned specifically above, such as conflicts involving employees changing companies, mergers and acquisitions of firms, property ownership, business arrangements, and financial interests, a Proposer shall disclose and address any organizational conflicts of interest or potential organizational conflicts of interest when participating in or joining a Design-Build Team. The County will determine if a conflict of interest exists.

- D. Obligations After Contract Award. The successful Proposer to whom a contract is awarded ("Contractor") has an ongoing obligation to monitor and disclose its conflicts or potential conflicts of interest. The County has the right to ongoing enforcement of this policy. If an organizational conflict of interest is discovered after contract award, the Contractor must make an immediate and full written disclosure



to the County that includes a description of the action that the Contractor has taken or proposes to take to avoid or mitigate the conflict. If an organizational conflict of interest is determined to exist and the Contractor was aware of an organizational conflict of interest prior to award of the contract and did not disclose the conflict, the County may terminate the contract. If a new conflict of interest arises after contract award, and Contractor's proposed measures to avoid or mitigate the conflict are determined by the County to be inadequate to protect the County, the County may terminate the contract. If the contract is terminated, the County assumes no obligations, responsibilities and liabilities to reimburse all or part of the costs incurred or alleged to have been incurred by Contractor and is entitled to pursue any available legal remedies

- E. Incorporation by Reference. This policy shall be incorporated by reference into and included as part of all County Design-Build project requests for qualifications and requests for proposals, and all County Design-Build contracts.

APPROVED BY THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS ON  
FEBRUARY 13, 2018.



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: February 13, 2018

Subject: Interagency Agreement with San Mateo County

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a Memorandum of Understanding with the County of San Mateo's Northern California Regional Intelligence Center, including modified indemnification language, to share information as it relates to narcotics trafficking, organized crime, and terrorism related activities for the term of January 1, 2018 through December 31, 2018.

**FISCAL IMPACT:**

The total cost associated with this agreement is already within the operational budget of the Office of the Sheriff's employee salary and benefits. No additional funds are needed.

**BACKGROUND:**

The Sheriff of the County of San Mateo is requesting Contra Costa County Office of the Sheriff's participation in supporting the Northern California Regional Intelligence Center (NCRIC). NCRIC is a multi-jurisdictional public safety information fusion center compromised on the Northern California High Intensity Drug Trafficking Area. NCRIC was created to assist local, state, federal and tribal public safety agencies and critical infrastructure locations with the collection,

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Sandra Brown,  
925-335-1553

cc:

**BACKGROUND: (CONT'D)**

analysis and dissemination of all crime threat information. It is the mission of the NCRIC to protect the citizens of the counties within its area of responsibility from the threat of narcotics trafficking; organized crime; international, domestic and street terrorism related activities through information sharing and technical operation support to public safety agencies.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this action is not approved, the Northern California Regional Intelligence Center (NCRIC) will remain unsupported and the County's information sharing partnership with local state and federal agencies, which is paramount in identifying, preventing and responding to all regional hazards will be diminished.

**CHILDREN'S IMPACT STATEMENT:**

No impact.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: February 13, 2018

Subject: Quarterly Report of the Post Retirement Health Benefits Trust Agreement Advisory Body

---

**RECOMMENDATION(S):**

ACCEPT quarterly report of the Post Retirement Health Benefits Trust Agreement Advisory Body.

**FISCAL IMPACT:**

No specific fiscal impact. This is a quarterly report of the County's assets in the Public Agency Retirement Services (PARS) Public Agencies Post-Retirement Health Care Plan Trust.

**BACKGROUND:**

On December 14, 2010, the Board of Supervisors directed the formation of a Post Retirement Health Benefits Trust Agreement Advisory Body (consisting of the County Administrator, County Finance Director, Treasurer-Tax Collector, Auditor-Controller, and Health Services Finance Director).

---

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

Contact: Lisa Driscoll, County Finance  
Director (925) 335-1023

By: June McHuen, Deputy

## BACKGROUND: (CONT'D)

>

The Advisory Body meets quarterly. At its meeting of August 4, 2011, the body discussed and reviewed final report formats with HighMark Capital Management and made recommendations regarding a final standardized quarterly report. The attached report is in the standardized format.

The following is the investment summary presented at the February 1, 2018 quarterly meeting for the period ending December 31, 2017:

<b>Investment Summary</b>	<b>Fourth Quarter 2017</b>
<b>Beginning Value</b>	<b>\$242,319,209.06</b>
Net Contributions/Withdrawals	5,008,886.29
Fees Deducted	-47,932.44
Income Received	4,459,903.12
Market Appreciation	2,815,653.67
Net Change in Accrued Income	109,066.42
<b>Ending Market Value</b>	<b>\$254,664,786.12</b>

### **Additional Materials -**

A Post Retirement Health Benefits Trust Agreement Advisory Body web-page can be found at the following address: <http://ca-contracostacounty.civicplus.com/index.aspx?NID=2915>. The page describes the function of the body, posts quarterly meeting materials, and all pertinent trust and plan documents.

### ATTACHMENTS

Quarterly Report (Q4, 2017)

# **PARS: County of Contra Costa**

**Fourth Quarter 2017**

**Presented by  
Andrew Brown, CFA**

**This presentation has been prepared for the sole use of the intended recipient. While the information contained herein has been obtained from sources believed to be accurate and reliable, any other reproduction or use of this information may necessitate further disclosures in order to ensure that the presentation is accurate, balanced, and conforms to all applicable regulatory requirements.**

# DISCUSSION HIGHLIGHTS

## U.S. Economic and Market Overview

The S&P 500 broke records regularly in 2017 by a number of measures: the index posted a positive return for all twelve months of the year; the number of consecutive days without a 3% drawdown reached a high of 289 trading days at year-end; and historically low readings on expected volatility with the VIX-Index dropping to a record low of 8.56 on November 24, 2017. After climbing 21.8% last year, the S&P 500's return, including dividends, has delivered an annualized rate of 7.8% since the pre-crisis peak of October 9, 2007.

A host of positive circumstances fed bullish sentiment steadily throughout the year. The carrot that led the way came from tax reform legislation, which finally came to fruition as the year closed out. The GOP's determined efforts to rollback regulations also kept equity investors optimistic. A friendly political climate for business, coinciding with a corporate earnings recovery, low interest rates and strengthening global economic growth, helped to sustain enthusiasm. This put concerns that more typically would have dampened market appetite -- climbing equity valuations, a hawkish central bank and geopolitical tensions -- on the back burner.

International equity markets, both developed and emerging, also enjoyed healthy returns as political stability prevailed and economic activity ramped up overseas. Aggressive quantitative easing has been bearing fruit in Europe and Japan, where concerns about deflation are beginning to subside and economic growth has surpassed expectations. A recovery in the demand for natural resources, partially driven by renewed growth prospects in China, led emerging market stocks to their highest return since 2009.

U.S. investors in foreign equities also benefited from a weakening dollar with the Bloomberg Dollar Index declining 10.4% in 2017. Despite last year's strong performance, foreign stock indices in U.S. dollar terms have yet to best pre-crisis peaks. Much of the relative underperformance versus U.S. stocks over the past decade stems from an expansionary economic cycle that has been far more robust domestically compared to elsewhere in the global economy. 2017 was the first year since 2012 that the MSCI EAFE or MSCI Emerging Markets indices outperformed the S&P 500. This may indicate a change in narrative as renewed growth prospects overseas and cheaper valuations are attracting investor attention.

At its core, the tranquility and prosperity of financial markets in 2017 was a manifestation of market friendly policies acting as a tailwind to building momentum in the global economy. Entering 2018, the impact of outgoing monetary stimulus and incoming fiscal stimulus will remain in focus domestically. While no equivalent historical comparisons exist for this type of environment, we expect that a slow moving Fed combined with tax cuts, will further extend what is already one of the longest expansion cycles in modern economic history. Meanwhile, many foreign economies find themselves in less mature stages of an expansion cycle, leaving even more room to grow, as accommodative monetary policy is perpetuated.



# Market Overview/Performance Discussion

## Total Plan

The County of Contra Costa OPEB Plan returned 2.98% net of investment fees, in the fourth quarter, which slightly exceeded the County's Plan benchmark target of 2.90%. It was a disappointing quarter for the managers in the equity and fixed income segments as only seven of seventeen managers outperformed their investment benchmark target. The strongest segment of relative outperformance came from the small cap equity segment where the Undiscovered Managers Behavioral Value Fund (+5.55%) and the T. Rowe Price New Horizon Fund (4.66%) both bested the Russell 2000 Index return (+3.34%). Another area of relative outperformance was the alternative manager segment, led by the AQR Managed Futures. Both fixed income and the mid cap equity portions of the Plan matched benchmark returns, while international equity, global equity, REIT Equity, and large cap domestic equity all lagged benchmark targets. In the face of disappointing managers performance, the very slight outperformance at the Plan level can be attributed to an underweight allocation to fixed income, our modest allocation to emerging market equity (MSCI-Emerging Market Index +7.44%), and positive contributions from the small cap equity and alternative manager segments.

## Domestic Equity

Fueled by tax reform expectations and improved growth prospects, US equities climbed higher in the quarter. Growth outperformed Value for the fourth quarter in a row as investors continued to be attracted to Growth's more historically consistent earnings growth. After lagging slightly in the third quarter, Large cap (Russell 1000 Index) outperformed small cap (Russell 2000 Index) by over 300 basis points. Consumer Discretionary led the way up 9.7% as the tax plan would be more beneficial to full-U.S. tax paying companies as well as the U.S. consumer. Technology was up a strong 9.0% given its superior growth expectations. Health Care and Utilities lagged but were still positive up 1.5% and 1.6% respectively. Health Care performance was impacted by Pharmaceutical and Biotechnology companies due to a few select drug disappointments and modest growth expectations. Higher interest rates were a drag on Utilities as bond yields began to be more competitive to dividend-yielding stocks.

Tax reform bolstered sentiment throughout the quarter with the lower rates providing an immediate earnings acceleration for U.S. companies with the possible benefit to investors from share buybacks and dividend raises. Investors were also encouraged by the potential for increased investment, consumption, and wage acceleration. With the market having continued to rise, investors have so far assumed that tax reform as well as cross border flows from Europe and Japan monetary policies will offset the modest monetary tightening the Fed has planned.

- **The Plan's large cap equity segment returned 6.29% in the quarter, which underperformed the Russell 1000 Index return of 6.59%.**
  - The iShares Russell 1000 ETF 6.55% in the fourth quarter.
  - The Columbia Contrarian Core Fund returned 5.36% in the quarter, which underperformed the benchmark. The Fund ranked in the 83<sup>rd</sup> percentile of the Morningstar Large Cap Blend Universe.
  - The Harbor Capital Appreciation Fund returned 7.24% in the quarter, which lagged the Russell 1000 Growth Index's return of 7.86%. The Fund ranked in the 24<sup>th</sup> percentile of the Morningstar Large Cap Growth Universe.
  - The T. Rowe Price Growth Stock Fund returned 6.10% in the quarter, which underperformed the Russell 1000 Growth Index. The Fund ranked in the 62<sup>nd</sup> percentile of the Morningstar Large Cap Growth Universe.
  - The Dodge and Cox Stock Fund returned 5.75% in the quarter, and outperformed the Russell 1000 Value Index's return of 5.33%. The Fund ranked in the 56<sup>th</sup> percentile of the Morningstar Large Cap Value Universe.
  - The Vanguard Growth and Income Fund registered a 6.70% return in the quarter, which exceeded the Russell 1000 Index. The Fund ranked in the 39<sup>th</sup> percentile of the Morningstar Large Cap Blend Universe.
- **The mid cap equity segment returned 6.03% in the quarter, which slightly lagged the Russell Mid Cap Index return of 6.07%.**
  - The iShares Russell Mid Cap ETF returned 6.02% in the fourth quarter.
- **The small cap equity segment returned 4.28% in the quarter, which exceeded the Russell 2000 Index return of 3.34%.**
  - The iShares Russell 2000 ETF returned 3.33% in the fourth quarter.
  - The T. Rowe Price New Horizons Fund returned 4.66% in the quarter, and outperformed the Russell 2000 Growth Index return of 4.59%. The Fund ranked in the 50<sup>th</sup> percentile of Morningstar's Small Cap Growth Universe.
  - The Undiscovered Managers Behavioral Value Fund returned 5.55% in the quarter, and outperformed the Russell 2000 Value Index's return of 2.05%. The Fund ranked in the 10<sup>th</sup> percentile of Morningstar's Small Cap Value Universe.

## Real Estate

For the sixth consecutive quarter, REIT equity was the weakest performing equity segment in the Plan, with the Wilshire REIT Index returning 1.70%. Net operating Income for REITs has steadily declined since 2Q2016. Industrial REITs and Data centers have shown strength, but healthcare REITs, Malls, Strip Centers and Storage sectors have maintained declining growth trends, and the 2018 outlook does not look to be any different. The low absolute level of unemployment should provide some support for REIT valuations. Employment trends are useful indicators for Apartment, Hotel, and Storage REITs. Current estimates from Highmark call for 2-3 rate hikes from the Federal Reserve in 2018. This will put additional headwinds on the REIT sector by increasing the financing costs, and by making fixed income investments more attractive for income oriented investors.

**The Vanguard REIT ETF returned 1.38% which ranked in the 70<sup>th</sup> percentile.**

## International/Global Equity

International equity markets, both developed and emerging, also enjoyed healthy returns as political stability prevailed and economic activity ramped up overseas. Aggressive quantitative easing has been bearing fruit in Europe and Japan, where concerns about deflation are beginning to subside and economic growth has surpassed expectations. A recovery in the demand for natural resources, partially driven by renewed growth prospects in China, led emerging market stocks to their highest return since 2009. The MSCI-EAFE Developed market index was higher by 4.2% for the quarter. Japan outperformed materially up over 12% as monetary stimulus continued to contribute to growth. Commodity producer Australia was up almost 8% as commodities continued to rebound. The emerging market MSCI-EM index was higher by 5.6%. The top performers for the quarter included Argentina (+15%), Turkey (+12%), South Africa (+11%), and India (9%).

Synchronized global economic growth drove equity markets for the quarter. Purchasing Managers' Indices (PMI) across nearly all regions reached new market cycle highs. Japan's easy monetary policy led to continued improvement in the economy. Despite still low inflation readings, price growth has slowly risen over the past few quarters. Economic growth held steady for the quarter while both manufacturing and retail sales improved throughout the quarter.

Europe GDP, inflation, and retail sales data maintained their recent levels. The Markit Eurozone Composite Purchasing Managers' Index (PMI), however, rose dramatically over the quarter and ended at 58.1 in December. The European labor market continued to tighten with the unemployment rate at 8.7% for November 2017. We expect corporate profit growth to perform well given the constructive economic and monetary policy backdrop.

China growth moderated modestly for the quarter. While PMI data improved slightly, Retail Sales growth hit the lowest levels in a decade. Other metrics including electricity consumption and new credit were subdued. Nevertheless, GDP growth maintained its recent growth pace. Overall, international markets remain attractive. Monetary stimulus and the economic improvement should lead to healthy corporate earnings growth. With equity market valuations relatively more attractive than both the historical trend and in comparison to domestic markets, we continue to overweight the asset class.

- **The Plan's international/global equity segment returned 4.55% in the quarter. This return exceeded the MSCI EAFE Index 4.23%, and underperformed the MSCI ACWI Index return of 5.73%.**
  - The iShares MSCI EAFE Index ETF returned 4.17% in the quarter.
  - The Nationwide Bailard International Equity Fund returned 3.77% in the quarter, which underperformed the MSCI EAFE Index. The Fund ranked in the 58<sup>th</sup> percentile of the Morningstar Foreign Large Blend Universe.
  - The Dodge & Cox International Stock Fund returned 1.21% in the quarter and underperformed the MSCI EAFE Index. The Fund ranked in the 98<sup>th</sup> percentile of the Foreign Large Blend Universe as measured by Morningstar.
  - The MFS International Fund returned 5.89% in the quarter and outperformed the MSCI EAFE Index. The Fund ranked in the 10<sup>th</sup> percentile for foreign large cap growth managers as measured by Morningstar.
  - The iShares MSCI ACWI Index ETF returned 5.88% in the quarter.
  - The American Funds New Perspective Fund recorded a 4.68% return in the fourth quarter, which underperformed the MSCI ACWI Index and ranked in the 63<sup>rd</sup> percentile within the Morningstar World Stock Universe
  - The MFS Global Equity R6 Fund returned 4.41%, which underperformed the benchmark and ranked in the 69<sup>th</sup> percentile of the Morningstar World Stock Universe.
  - The Hartford Schroders Emerging Market Equity Fund returned 6.97% during the quarter and underperformed the MSCI Emerging Market benchmark return of 7.44%. The Fund ranked in the 37<sup>th</sup> percentile of the Morningstar Emerging Market Universe.

## Fixed Income

The Bloomberg Barclays U.S. Aggregate Index gained 0.39% for the fourth quarter and 3.54% for the year as the US Treasury curve continued to flatten and risk assets outperformed. For the first time since 2006, the Federal Reserve raised the fed funds rate three times in one year for a total of 75 basis points, and short term Treasury yields followed the funds rate higher. Short term T-Bill yields finished the year 90 basis points higher and the two-year added 70 basis points, but, oddly, the thirty-year bond yield *declined* by 33 basis points. As a result, the Treasury yield curve flattened last year by more than 100 basis points from the 2-year to the 30-year. Since The County's fixed income segment had a shorter duration than the benchmark, this had a slightly negative impact on performance. In an environment in which the Federal Reserve raised interest rates by the most in more than ten years and also began to reduce the size of its balance sheet, the best performance among Treasury securities came from the longest maturity. As a result, the 30-year Treasury bond returned 3.0% for the quarter, while returns for all maturities shorter than that were *negative*. For the full year, the 30-year bond gained 9.1%, more than quadruple the 2.1% return from the 10-year Treasury.

## Fixed Income (Cont.)

On the positive side, the Plan benefitted from an overweight to corporate bonds, which outperformed Treasuries by +99 basis points in the fourth quarter, the ninth consecutive quarter of positive excess returns. At year-end, investment-grade corporate bond spreads averaged only +98 basis points more than comparable Treasury securities, the tightest spread since July 2007, and well below the long term average of +160. When comparing spreads over time it's important to recognize the deterioration in credit quality, complicating the comparison. In July 2007, when spreads were similar to today, 35% of the corporate index was rated BBB, while today the BBB portion is 47%, resulting in an average quality rating of A3 now versus A2 ten years ago.

Lower quality bonds outperformed for the year as BBB rated bonds returned 7.1% while AA rated issues returned 4.6%. Farther down the quality spectrum, High Yield bonds returned only 0.5% for the quarter, but 7.5% for the year. Mortgage-Backed securities also contributed positively to performance, outperforming comparable Treasuries by +52 basis points for the year. Among investment-grade corporates, the best performing industries this quarter were Basic Industry, Energy, Transportation, and Utilities. Industries lagging included Consumer Non-Cyclical, Technology, Capital Goods, and Banking.

As the new year begins, mild upward pressure on interest rates continues from both the monetary and fiscal policy fronts, resulting in the Plan maintaining a slightly shorter duration than the benchmark. The Federal Reserve is planning to raise the fed funds rate at least three more times this year, to a range of 2%-2¼%, while at the same time continuing to shrink their securities portfolio, currently running off at the rate of \$20

- **The Plan's fixed income segment returned 0.39% in the quarter, which matched the Bloomberg Barclays Aggregate Index return of 0.39%.**
  - The separately managed fixed income portfolio returned 0.31% which was below the benchmark. The portfolio would have ranked approximately in the 51<sup>st</sup> percentile of the Morningstar Intermediate Term Bond Universe.
  - The PIMCO Total Return Bond Fund posted a 0.11% gain in the quarter, which placed it in the 74<sup>th</sup> percentile of Morningstar's Intermediate-Term Bond Universe. The Fund underperformed the Index.
  - The Prudential Total Return Bond Fund returned 1.11% in the quarter. This ranked in the 2<sup>nd</sup> percentile of Morningstar's Intermediate-Term Bond Universe and outperformed the benchmark.
  - The Eaton Vance Floating Rate High Income Fund returned 0.93% in the quarter.

## Alternative Investments

The alternative investment segment of the Plan returned 2.30% in the fourth quarter, which exceeded the Wilshire Liquid Alternatives Index 1.51%. The AQR Managed Futures Fund (+4.89%) was entirely responsible for the outperformance. Equity and commodity trends were the drivers of the strong performance. Currency and fixed income investments were essentially flat in the quarter. Sustained trends in global equity markets, as well as bullish trends in energy and base metals supported returns. Bullish energy trends were sustained throughout the quarter as WTI crude oil inventories declined and as OPEC non-member partners agreed to extend supply cuts through the end of 2018. Base metal prices also rose, spurred by strength in global growth data and Chinese supply curtailment due to environmental concerns. The Eaton Vance Global Macro Fund (+1.08%) was aided by currency, sovereign credit and corporate credit investments. From a geographic perspective, Eastern Europe and Asia were the Funds' best performing regions. Long positions in the Serbian Dinar and the Czech Koruna were additive to performance. A short investment in the New Zealand Dollar was also beneficial. Detractors to performance included long interest rate exposure to Mexico, a short to the South Korean Won, and a short position in oil futures. The AQR Equity Market Neutral Fund returned +0.87% in the quarter, aided by long positions in financial and consumer discretionary stocks. The U.S. and the Netherlands were geographic strong points for the Fund. A net short position in energy detracted slightly from returns, as the energy markets rallied in the quarter.

- **The alternative investment segment returned 2.30% in the fourth quarter, which exceeded the Wilshire Liquid Alternatives Index return of 1.51%.**
  - The AQR Managed Futures Fund returned 4.89%, and ranked in the 41<sup>st</sup> percentile of the Morningstar Managed Futures Universe.
  - The Eaton Vance Global Macro Absolute Return Fund posted a 1.08% return, which placed in the 17<sup>th</sup> percentile of the Morningstar Non-Traditional Bond Universe.
  - The AQR Equity Market Neutral Fund return of 0.87% ranked in the 42<sup>nd</sup> percentile of Morningstar's Market Neutral Universe.

## Asset Allocation/Portfolio Transitions

There were no changes to managers or asset allocation positioning in the quarter.

# Manager Watch List

<i>Name of Fund</i>	<i>Date on watch list</i>	<i>Date exiting watch list</i>	<i>Recommendation</i>	<i>Rationale</i>
<i>AQR Managed Futures Fund</i>	2Q 2017		Maintain on watch	The Fund ranks in the 78 <sup>th</sup> percentile of the managed futures managers within Morningstar.



## Asset Allocation

### Period Ending December 31, 2017

Asset Allocation	9/30/2017 Market Value	9/30/2017 % of Total	12/31/2017 Market Value	12/31/2017 % of Total	Target Allocation
<b>Large Cap Equities</b>					
Columbia Contrarian Core Z	7,277,343	3.0%	7,809,662	3.1%	--
iShares Russell 1000 ETF	14,586,547	6.0%	15,496,902	6.1%	--
Vanguard Growth & Income Adm	7,344,827	3.0%	7,878,436	3.1%	--
Dodge & Cox Stock Fund	7,505,501	3.1%	7,557,913	3.0%	--
Harbor Capital Appreciation Retirement	2,448,078	1.0%	2,516,722	1.0%	--
T. Rowe Price Growth Stock Fund	2,422,674	1.0%	2,517,380	1.0%	--
<b>Total Large Cap Equities</b>	<b>\$ 41,584,970</b>	<b>17.2%</b>	<b>\$ 43,777,014</b>	<b>17.2%</b>	<b>17.0%</b>
		<i>Range</i>		<i>Range</i>	13-32%
<b>Mid Cap Equities</b>					
iShares Russell Mid-Cap ETF	10,945,571	4.5%	11,411,352	4.5%	--
<b>Total Mid Cap Equities</b>	<b>\$ 10,945,571</b>	<b>4.5%</b>	<b>\$ 11,411,352</b>	<b>4.5%</b>	<b>6.0%</b>
		<i>Range</i>		<i>Range</i>	2-10%
<b>Small Cap Equities</b>					
iShares Russell 2000 ETF	9,798,847	4.1%	10,084,009	4.0%	--
Undiscovered Mgrs Behavioral Value Inst	4,881,916	2.0%	6,308,240	2.5%	--
T. Rowe Price New Horizons Fund	4,882,734	2.0%	3,844,829	1.5%	--
<b>Total Small Cap Equities</b>	<b>\$ 19,563,497</b>	<b>8.1%</b>	<b>\$ 20,237,079</b>	<b>8.0%</b>	<b>8.0%</b>
		<i>Range</i>		<i>Range</i>	4-12%
<b>International Equities</b>					
Nationwide Bailard Intl Equities I	7,342,592	3.0%	7,677,851	3.0%	--
iShares MSCI EAFE Index Fund	12,174,443	5.0%	12,698,056	5.0%	--
Dodge & Cox International Stock Fund	3,714,748	1.5%	3,759,547	1.5%	--
MFS® International Growth R6	3,595,895	1.5%	3,807,825	1.5%	--
Hartford Schroders Emerging Mkts Eq Y	4,830,390	2.0%	5,167,233	2.0%	--
<b>Total International Equities</b>	<b>31,658,066</b>	<b>13.1%</b>	<b>\$ 33,110,512</b>	<b>13.0%</b>	<b>9.0%</b>
		<i>Range</i>		<i>Range</i>	4-16%
<b>Global Equities</b>					
MSCI iShares ACWI Index ETF	9,723,371	4.0%	10,157,553	4.0%	--
American Funds New Perspective R6	3,719,336	1.5%	4,088,322	1.6%	--
MFS Global Equity FD CL R5 #4818	3,623,974	1.5%	3,804,668	1.5%	--
<b>Total Global Equities</b>	<b>\$ 17,066,681</b>	<b>7.1%</b>	<b>\$ 18,050,543</b>	<b>7.1%</b>	<b>7.0%</b>
		<i>Range</i>		<i>Range</i>	4-12%

## Asset Allocation Period Ending December 31, 2017

Asset Allocation	9/30/2017 Market Value	9/30/2017 % of Total	12/31/2017 Market Value	12/31/2017 % of Total	Target Allocation
<b>Real Estate</b>					
Vanguard REIT ETF	7,225,008	3.0%	7,712,493	3.0%	
	<b>\$ 7,225,008</b>	<b>3.0%</b>	<b>\$ 7,712,493</b>	<b>3.0%</b>	<b>4.0%</b>
		<i>Range</i>		<i>Range</i>	<i>0-8%</i>
<b>Fixed Income</b>					
Core Fixed Income Holdings	65,915,120	27.3%	69,046,713	27.2%	--
PIMCO Total Return Instl Fund	10,223,749	4.2%	10,738,516	4.2%	--
Prudential Total Return Bond Q	10,237,814	4.2%	10,777,640	4.2%	--
Eaton Vance Floating-Rate High Inc	2,416,810	1.0%	2,450,000	1.0%	--
<b>Total Fixed Income</b>	<b>\$ 88,793,493</b>	<b>36.7%</b>	<b>\$ 93,012,869</b>	<b>36.6%</b>	<b>38.0%</b>
		<i>Range</i>		<i>Range</i>	<i>30-50%</i>
<b>Alternatives</b>					
AQR Managed Futures I	8,230,683	3.4%	8,904,222	3.5%	--
Eaton Vance GIBI Macro Abs Ret I	8,275,149	3.4%	8,255,896	3.2%	--
AQR Equity Market Neutral I	7,311,230	3.0%	8,397,706	3.3%	--
<b>Total Alternatives</b>	<b>\$ 23,817,061</b>	<b>9.8%</b>	<b>\$ 25,557,825</b>	<b>10.1%</b>	<b>10.0%</b>
		<i>Range</i>		<i>Range</i>	<i>5-20%</i>
<b>Cash</b>					
Money Market	1,219,149	0.5%	1,240,320	0.5%	--
<b>Total Cash</b>	<b>\$ 1,219,149</b>	<b>0.5%</b>	<b>\$ 1,240,320</b>	<b>0.5%</b>	<b>1.0%</b>
		<i>Range</i>		<i>Range</i>	<i>0-5%</i>
<b>TOTAL</b>	<b>\$ 241,873,496</b>	<b>100.0%</b>	<b>\$ 254,110,007</b>	<b>100.0%</b>	<b>100.0%</b>

## Investment Summary

### Period Ending December 31, 2017

Investment Summary	Fourth Quarter 2017	Year to Date 2017
<b>Beginning Value</b>	<b>\$ 242,319,209.06</b>	<b>\$ 206,343,794.94</b>
Net Contributions/Withdrawals	5,008,886.29	20,352,188.04
Fees Deducted	-47,932.44	-187,946.90
Income Received	4,459,903.12	7,663,145.17
Market Appreciation	2,815,653.67	20,386,797.05
Net Change in Accrued Income	109,066.42	106,807.82
<b>Ending Market Value*</b>	<b>\$ 254,664,786.12</b>	<b>\$ 254,664,786.12</b>

Investment Summary	Fourth Quarter 2016	Year to Date 2016
<b>Beginning Value</b>	<b>\$ 201,614,321.96</b>	<b>\$ 175,078,576.28</b>
Net Contributions/Withdrawals	5,010,333.02	19,973,032.54
Fees Deducted	-45,654.56	-178,396.01
Income Received	3,328,195.75	6,279,302.15
Market Appreciation	-3,650,715.12	5,175,510.75
Net Change in Accrued Income	87,313.89	15,769.23
<b>Ending Market Value*</b>	<b>\$ 206,343,794.94</b>	<b>\$ 206,343,794.94</b>

\*Ending Market Value differs from total market value on the previous page due to differences in reporting methodology. The above ending market value is reported as of trade date and includes accruals. The Asset Allocation total market value is reported as of settlement date.

# Investment Strategy

## As of December 31, 2017

## Tactical Asset Allocation

Asset Class	% Portfolio Weighting			Rationale
	Target	Current Portfolio	Over/Under Weighting	
Cash	1.0%	0.5%	-0.5%	
Fixed Income	38.0%	36.75%	-1.25%	<ul style="list-style-type: none"> <li>We forecast the Federal Reserve will raise the Fed Funds rate between two to three times in calendar year 2018. If the Tax Reform Act spurs both economic growth and robust inflationary readings, the Fed may raise short-term rates even more. Our year-end 10-year Treasury forecast calls for a range between 2.75% - 3.25% at year-end, with inflation being the wildcard influencing the range. Fixed income expected returns would be modest in this environment.</li> </ul>
Alternatives	10.0%	10.0%	-	<ul style="list-style-type: none"> <li>A gradual withdrawal of monetary stimulus and improving economic conditions have led to a higher likelihood of rising interest rates, thereby creating downside for bond prices. Alternative investments provide superior risk/reward opportunities relative to cash and fixed income given the current low interest rate environment.</li> </ul>
Real Estate (REITS)	4.0%	3.0%	-1.0%	<ul style="list-style-type: none"> <li>While the backdrop for the REIT sector remain encouraging (low unemployment, GDP, positive consumer/business confidence), a more aggressive Federal Reserve could put pressure on the relative attractiveness of the sector. REITs are currently undergoing a downward revision in earnings for next year, due primarily to muted expectations in regional malls and shopping centers.</li> </ul>
Global Equity	7.0%	7.0%	-	<ul style="list-style-type: none"> <li>Global equities are supported by improving global economies, strong global PMI readings, and strong corporate earnings. Issues surrounding trade barriers, mainly from actions involving the U.S., and global tensions in Korea will be watched closely.</li> </ul>
International (Developed)	9.0%	11.0%	+2.0%	<ul style="list-style-type: none"> <li>Multi-year outperformance of domestic equities this cycle has led to an above average valuation premium compared to international equities. The overweight to international equity markets is based on the attractive relative valuations compared to the U.S. equity market and superior earnings growth potential driven by accelerating economic activity. Ongoing ECB and BOJ QE programs are expected to support financial prices.</li> </ul>
International (Emerging)	0.0%	2.0%	+2.0%	<ul style="list-style-type: none"> <li>Emerging markets have performed well from a pick up in global trade and U.S. Dollar weakness. While these factors may soften near-term, valuations are roughly within their long-term average levels which is attractive in comparison to high U.S. market valuations. China is expected to hit their growth targets and the economies of many other countries have stabilized. With valuation support and earnings growth potential, the allocation remains overweight.</li> </ul>
Total Domestic Equity	31.0%	29.75%	-1.25%	
Large Cap	17.0%	17.25%	+0.25	<ul style="list-style-type: none"> <li>The strong performance of U.S. growth equities relative to domestic value equities has driven valuation spreads to well above average levels. Signs of building economic momentum combined with the expected benefits from tax reform should hopefully support lofty valuation levels. We expect 2018 S&amp;P500 earnings to register between \$150 - \$155/share</li> </ul>
Mid Cap	6.0%	4.5%	-1.50%	<ul style="list-style-type: none"> <li>We continue to remain underweight based on valuation concerns, with the Russell Mid-Cap Index trading at a 18.5X forward PE ratio.</li> </ul>
Small Cap	8.0%	8.0%	-	<ul style="list-style-type: none"> <li>Valuations are at the upper-end of the long-term range. Tax legislation, should benefit small cap companies, offsetting the higher valuation.</li> </ul>

**Selected Period Performance**  
**PARS/COUNTY OF CONTRA COSTA PRHCP**  
**Account 6746038001**  
**Period Ending: 12/31/2017**

Sector	3 Months	Year to Date (1 Year)	1 Year	3 Years	5 Years	Inception to Date (83 Months)
Cash Equivalents	.24	.75	.75	.36	.22	.17
<i>Citigroup 3 Month T-Bill Index</i>	.28	.84	.84	.38	.24	.20
Fixed Income ex Funds	.31	3.49	3.49	2.63	2.22	3.58
Total Fixed Income	.39	4.04	4.04	2.75	2.33	3.70
<i>BC US Aggregate Bd Index</i>	.39	3.54	3.54	2.24	2.10	3.22
Total Equities	5.02	22.09	22.09	9.97	12.23	10.16
Large Cap Funds	6.29	22.98	22.98	11.64	15.58	12.60
<i>Russell 1000 Index</i>	6.59	21.69	21.69	11.23	15.71	13.45
Mid Cap Funds	6.03	18.26	18.26	8.72	13.18	10.75
<i>Russell Midcap Index</i>	6.07	18.52	18.52	9.58	14.96	12.58
Small Cap Funds	4.28	18.21	18.21	11.42	16.02	13.04
<i>Russell 2000 Index</i>	3.34	14.65	14.65	9.96	14.12	11.81
International Equities	4.55	27.18	27.18	8.76	8.19	6.36
<i>MSCI AC World Index</i>	5.73	23.97	23.97	9.30	10.80	8.60
<i>MSCI EAFE Index</i>	4.23	25.03	25.03	7.80	7.90	5.76
<i>MSCI EM Free Index</i>	7.44	37.28	37.28	9.10	4.35	3.00
REIT Funds	1.39	5.09	5.09	5.23	9.15	9.53
<i>Wilshire REIT Index</i>	1.70	4.18	4.18	5.21	9.35	10.05
Alternatives	2.30	2.82	2.82	1.00		
<i>Dynamic Alternatives Index</i>	1.51	5.07	5.07	.63	1.74	.10
Total Managed Portfolio	3.00	12.96	12.96	6.25	7.26	6.68
Total Account Net of Fees	2.98	12.87	12.87	6.15	7.15	6.56
<i>County of Contra Costa</i>	2.90	11.75	11.75	6.03	7.48	7.09

Inception Date: 02/01/2011

\* Benchmark from February 1, 2011 to June 30, 2013: 18% Russell 1000 Index, 6% Russell Midcap Index, 8% Russell 2000 Index, 8% MSCI ACWI Index, 10% MSCI EAFE Index, 45% Barclays Aggregate Index, 4% DJ Wilshire REIT Index, 1% Citigroup 3 Month T-Bill Index. From July 1, 2013 to June 30, 2015: 17% Russell 1000 Index, 6% Russell Midcap Index, 8% Russell 2000 Index, 7% MSCI AC World US Index, 9% MSCI EAFE Index, 38% Barclays Aggregate Index, 4% DJ Wilshire REIT Index, 10% HFRI FOF Market Defensive Index, 1% Citigroup 3 Month T-Bill Index. From July 1, 2015: 17% Russell 1000 Index, 6% Russell Midcap Index, 8% Russell 2000 Index, 7% MSCI AC World Index, 9% MSCI EAFE Index, 38% Barclays Aggregate Index, 4% DJ Wilshire REIT Index, 10% Wilshire Liquid Alternative Index, 1% Citigroup 3 Month T-Bill Index

\*\* Dynamic Alternatives Index represents the HFRI FOF Market Defensive Index from 07/01/2013 until 06/30/2015, and then the Wilshire Liquid Alternatives Index from 07/01/2015 forwards.

Returns are gross-of-fees unless otherwise noted. Returns for periods over one year are annualized. The information presented has been obtained from sources believed to be accurate and reliable. Past performance is not indicative of future returns. Securities are not FDIC insured, have no bank guarantee, and may lose value.

# COUNTY OF CONTRA COSTA

For Period Ending December 31, 2017

LARGE CAP EQUITY FUNDS											
Fund Name	Inception	3-Month Return	Rank	YTD Return	Rank	1-Year Return	Rank	3-Year Return	Rank	5-Year Return	Rank
Columbia Contrarian Core Inst	(7/13)	5.36	83	21.70	32	21.70	32	10.85	32	15.86	11
T. Rowe Price Growth Stock I		6.10	62	33.84	15	33.84	15	14.68	7	17.97	10
Harbor Capital Appreciation Retirement		7.24	24	36.68	5	36.68	5	14.50	9	17.84	11
Dodge & Cox Stock	(10/14)	5.75	56	18.33	24	18.33	24	11.08	6	16.29	2
Vanguard Growth & Income Adm	(12/16)	6.70	39	20.80	54	20.80	54	11.38	14	15.93	10
iShares Russell 1000 ETF	(3/15)	6.55	49	21.53	37	21.53	37	11.10	24	15.57	21
<b>Russell 1000 TR USD</b>		<b>6.59</b>	<b>--</b>	<b>21.69</b>	<b>--</b>	<b>21.69</b>	<b>--</b>	<b>11.23</b>	<b>--</b>	<b>15.71</b>	<b>--</b>
MID CAP EQUITY FUNDS											
iShares Russell Mid-Cap ETF	(3/15)	6.02	43	18.32	27	18.32	27	9.40	42	14.76	25
<b>Russell Mid Cap TR USD</b>		<b>6.07</b>	<b>--</b>	<b>18.52</b>	<b>--</b>	<b>18.52</b>	<b>--</b>	<b>9.58</b>	<b>--</b>	<b>14.96</b>	<b>--</b>
SMALL CAP EQUITY FUNDS											
Undiscovered Managers Behavioral Val L	(9/16)	5.55	10	13.43	11	13.43	11	12.34	7	15.58	4
<b>Russell 2000 Value TR USD</b>		<b>2.05</b>	<b>--</b>	<b>7.84</b>	<b>--</b>	<b>7.84</b>	<b>--</b>	<b>9.55</b>	<b>--</b>	<b>13.01</b>	<b>--</b>
T. Rowe Price New Horizons I		4.66	50	31.67	9	31.67	9	14.11	8	18.64	2
<b>Russell 2000 Growth TR USD</b>		<b>4.59</b>	<b>--</b>	<b>22.17</b>	<b>--</b>	<b>22.17</b>	<b>--</b>	<b>10.28</b>	<b>--</b>	<b>15.21</b>	<b>--</b>
iShares Russell 2000 ETF	(3/15)	3.33	56	14.66	24	14.66	24	10.01	32	14.17	34
INTERNATIONAL EQUITY FUNDS											
Dodge & Cox International Stock		1.21	98	23.94	72	23.94	72	5.96	86	8.50	17
Nationwide Bailard Intl Eqs R6		3.77	58	24.68	62	24.68	62	7.19	67	8.04	27
MFS® International Growth R6		5.89	10	32.58	31	32.58	31	11.02	15	8.17	49
MFS® Global Equity R6	(3/15)	4.41	69	24.04	41	24.04	41	9.55	34	11.85	32
iShares MSCI EAFE ETF	(3/15)	4.17	38	24.94	58	24.94	58	7.72	54	7.80	33
iShares MSCI ACWI ETF	(3/15)	5.88	27	24.35	39	24.35	39	9.52	36	11.06	49
American Funds New Perspective R6	(3/15)	4.68	63	29.30	16	29.30	16	11.76	12	12.96	12
<b>MSCI EAFE NR USD</b>		<b>4.23</b>	<b>--</b>	<b>25.03</b>	<b>--</b>	<b>25.03</b>	<b>--</b>	<b>7.80</b>	<b>--</b>	<b>7.90</b>	<b>--</b>
<b>MSCI ACWI NR USD</b>		<b>5.73</b>	<b>--</b>	<b>23.97</b>	<b>--</b>	<b>23.97</b>	<b>--</b>	<b>9.30</b>	<b>--</b>	<b>10.80</b>	<b>--</b>
Hartford Schroders Emerging Mkts Eq Y	(11/12)	6.97	37	41.10	18	41.10	18	10.84	13	4.89	33
<b>MSCI EM Free</b>		<b>7.44</b>	<b>--</b>	<b>37.28</b>	<b>--</b>	<b>37.28</b>	<b>--</b>	<b>9.10</b>	<b>--</b>	<b>4.35</b>	<b>--</b>

Data Source: Morningstar, SEI Investments

Returns less than one year are not annualized. Past performance is not indicative of future returns. The information presented has been obtained from sources believed accurate and reliable. Securities are not FDIC insured, have no bank guarantee and may lose value.

# COUNTY OF CONTRA COSTA

For Period Ending December 31, 2017

REIT EQUITY FUNDS											
Fund Name	Inception	3-Month Return	Rank	YTD Return	Rank	1-Year Return	Rank	3-Year Return	Rank	5-Year Return	Rank
Vanguard REIT ETF	(6/17)	1.38	76	4.95	57	4.95	57	5.25	46	9.24	27
<b>Wilshire REIT Index</b>		<b>1.70</b>	--	<b>4.18</b>	--	<b>4.18</b>	--	<b>5.21</b>	--	<b>9.35</b>	--
BOND FUNDS											
Core Fixed Income Portfolio		0.31	51	3.49	59	3.49	59	2.63	27	2.22	41
PIMCO Total Return Instl		0.11	74	5.13	10	5.13	10	2.80	21	2.21	39
Prudential Total Return Bond Q	(5/16)	1.11	2	6.71	2	6.71	2	3.84	3	3.54	3
<b>BBgBarc US Agg Bond TR USD</b>		<b>0.39</b>	--	<b>3.54</b>	--	<b>3.54</b>	--	<b>2.24</b>	--	<b>2.10</b>	--
Eaton Vance Floating-Rate & Hi Inc Inst	(12/16)	0.93	51	4.63	9	4.63	9	4.76	8	4.07	14
ALTERNATIVE FUNDS											
AQR Managed Futures	(7/13)	4.89	41	-0.97	74	-0.97	74	-2.57	78	2.11	48
AQR Equity Market Neutral I	(2/16)	0.87	42	5.84	24	5.84	24	9.63	1	--	--
Eaton Vance Gbl Macro Abs Ret	(7/13)	1.08	17	4.29	47	4.29	47	3.63	28	2.73	31
<b>Idx: Dynamic Alternatives</b>		<b>1.51</b>	--	<b>5.07</b>	--	<b>5.07</b>	--	<b>0.63</b>	--	<b>1.74</b>	--

Data Source: Morningstar, SEI Investments

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# COUNTY OF CONTRA COSTA

For Period Ending December 31, 2017

## LARGE CAP EQUITY FUNDS

Fund Name	Inception	2017 Return	2017 Rank	2016 Return	2016 Rank	2015 Return	2015 Rank	2014 Return	2014 Rank	2013 Return	2013 Rank	2012 Return	2012 Rank
Columbia Contrarian Core Inst	(7/13)	21.70	32	8.64	74	3.02	9	12.92	31	35.73	17	18.67	10
T. Rowe Price Growth Stock I (PRUFX)		33.84	15	1.58	63	10.93	--	8.83	--	39.20	--	18.92	--
Harbor Capital Appreciation Retirement (HNACX)		36.68	5	-1.04	--	10.99	--	9.93	--	37.66	--	15.69	--
Dodge & Cox Stock	(10/14)	18.33	24	21.28	6	-4.49	62	10.40	54	40.55	2	22.01	2
Vanguard Growth & Income Adm	(12/16)	20.80	54	12.12	24	2.03	16	14.16	13	32.74	37	17.05	19
iShares Russell 1000 ETF	(3/15)	21.53	37	11.91	27	0.82	30	13.08	28	32.93	35	16.27	29
<b>Russell 1000 TR USD</b>		<b>21.69</b>	<b>--</b>	<b>12.05</b>	<b>--</b>	<b>0.92</b>	<b>--</b>	<b>13.24</b>	<b>--</b>	<b>33.11</b>	<b>--</b>	<b>16.42</b>	<b>--</b>

## MID CAP EQUITY FUNDS

iShares Russell Mid-Cap ETF	(3/15)	18.32	27	13.58	61	-2.57	30	13.03	8	34.50	46	17.13	43
<b>Mid Cap TR USD</b>		<b>18.52</b>	<b>--</b>	<b>13.80</b>	<b>--</b>	<b>-2.44</b>	<b>--</b>	<b>13.22</b>	<b>--</b>	<b>34.76</b>	<b>--</b>	<b>17.28</b>	<b>--</b>

## SMALL CAP EQUITY FUNDS

Undiscovered Managers Behavioral Val L	(9/16)	13.43	11	20.84	81	3.43	1	5.70	26	37.64	38	23.55	4
<b>Russell 2000 Value TR USD</b>		<b>7.84</b>	<b>--</b>	<b>31.74</b>	<b>--</b>	<b>-7.47</b>	<b>--</b>	<b>4.22</b>	<b>--</b>	<b>34.52</b>	<b>--</b>	<b>18.05</b>	<b>--</b>
T. Rowe Price New Horizons I (PRJIX)		31.67	9	7.95	69	4.54	--	6.10	--	49.11	--	16.20	--
<b>Russell 2000 Growth TR USD</b>		<b>22.17</b>	<b>--</b>	<b>11.32</b>	<b>--</b>	<b>-1.38</b>	<b>--</b>	<b>5.60</b>	<b>--</b>	<b>43.30</b>	<b>--</b>	<b>14.59</b>	<b>--</b>
iShares Russell 2000 ETF	(3/15)	14.66	24	21.36	43	-4.33	44	4.94	44	38.85	35	16.39	34

## INTERNATIONAL EQUITY FUNDS

Dodge & Cox International Stock		23.94	72	8.26	2	-11.35	98	0.08	9	26.31	8	21.03	16
Nationwide Baidard Intl Eqs R6 (NWHMX)		24.68	62	-2.13	83	0.93	23	-1.90	15	21.84	--	21.07	--
MFS® International Growth R6 (MGRDX)		32.58	31	2.79	6	0.40	52	-5.01	57	13.94	78	19.77	29
MFS® Global Equity R6	(3/15)	24.04	41	7.43	27	-1.34	48	4.08	33	27.93	34	23.14	--
iShares MSCI EAFE ETF	(3/15)	24.94	58	0.96	47	-0.90	46	-5.04	46	22.62	18	17.22	66
<b>iShares MSCI ACWI ETF</b>	(3/15)	<b>24.35</b>	<b>39</b>	<b>8.22</b>	<b>21</b>	<b>-2.39</b>	<b>62</b>	<b>4.64</b>	<b>28</b>	<b>22.91</b>	<b>63</b>	<b>15.99</b>	<b>51</b>
American Funds New Perspective Fund® Class R-6	(3/15)	29.30	16	2.19	77	5.63	6	3.56	40	27.23	38	21.19	14
<b>MSCI EAFE NR USD</b>		<b>25.03</b>	<b>--</b>	<b>1.00</b>	<b>--</b>	<b>-0.81</b>	<b>--</b>	<b>-4.90</b>	<b>--</b>	<b>22.78</b>	<b>--</b>	<b>17.32</b>	<b>--</b>
<b>MSCI ACWI NR USD</b>		<b>23.97</b>	<b>--</b>	<b>7.86</b>	<b>--</b>	<b>-2.36</b>	<b>--</b>	<b>4.16</b>	<b>--</b>	<b>22.80</b>	<b>--</b>	<b>16.13</b>	<b>--</b>
Hartford Schroders Emerging Mkts Eq Y (HHHYX)	(11/12)	41.10	18	10.53	--	-12.68	--	-4.61	--	-2.28	--	21.73	--
<b>MSCI EM Free Index</b>		<b>37.28</b>	<b>--</b>	<b>11.19</b>	<b>--</b>	<b>-14.92</b>	<b>--</b>	<b>-2.19</b>	<b>--</b>	<b>-2.60</b>	<b>--</b>	<b>18.22</b>	<b>--</b>

Data Source: Morningstar, SEI Investments

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# COUNTY OF CONTRA COSTA

For Period Ending December 31, 2017

REIT EQUITY FUNDS													
Fund Name	Inception	2017 Return	Rank	2016 Return	Rank	2015 Return	Rank	2014 Return	Rank	2013 Return	Rank	2012 Return	Rank
Vanguard REIT ETF	(6/17)	4.95	57	8.53	17	2.37	65	30.29	33	2.42	27	17.67	30
<b>Wilshire REIT Index</b>		<b>4.18</b>	--	<b>7.24</b>	--	<b>4.23</b>	--	<b>31.78</b>	--	<b>1.86</b>	--	<b>17.59</b>	--
BOND FUNDS													
Core Fixed Income Portfolio		3.49	59	3.63	37	0.78	14	4.74	70	-1.40	41	5.42	69
PIMCO Total Return Instl		5.13	10	2.60	63	0.73	15	4.69	71	-1.92	60	10.36	12
Prudential Total Return Bond Q	(5/16)	6.71	2	4.83	13	0.09	44	7.25	5	-0.91	28	9.96	14
<b>BBgBarc US Agg Bond TR USD</b>		<b>3.54</b>	--	<b>2.65</b>	--	<b>0.55</b>	--	<b>5.97</b>	--	<b>-2.02</b>	--	<b>4.21</b>	--
Eaton Vance Floating-Rate & Hi Inc Inst	(12/16)	4.63	9	11.55	15	-1.50	57	0.90	33	5.23	50	9.51	38
ALTERNATIVE FUNDS													
AQR Managed Futures Strategy I	(7/13)	-0.97	74	-8.43	81	2.00	31	9.69	40	9.40	6	2.99	5
AQR Equity Market Neutral I	(2/16)	5.84	24	5.85	18	17.60	1	--	--	--	--	--	--
Eaton Vance Gbl Macr Absolute Return I	(7/13)	4.29	47	4.00	61	2.63	7	3.03	18	-0.24	58	4.11	79
<b>Dynamic Alternatives Index</b>		<b>5.07</b>	--	<b>2.29</b>	--	<b>-5.19</b>	--	<b>6.39</b>	--	<b>0.54</b>	--	<b>-1.67</b>	--

Data Source: Morningstar, SEI Investments

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# Contra Costa County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: February 13, 2018

Subject: Resolution to State Board of Equalization Authorizing Access to Sales and Use Tax Records

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## **RECOMMENDATION(S):**

ADOPT Resolution No. 2018/54, to supersede and replace Resolution No. 2009/530, authorizing appropriate County officials continued access to confidential County Sales and Use Tax Records.

## **FISCAL IMPACT:**

None. Administrative only.

## **BACKGROUND:**

Section 7056 of the Revenue and Taxation Code provides that any county, city or district wishing to examine the Board of Equalization's records to verify that transactions subject to sales or transactions and use tax have been reported properly, must adopt a resolution authorizing one (or more) of its officials, employees, or other designated persons to examine the appropriate sales or transactions and use tax records of the Board.

Local officials allowed access to confidential SBOE records should note that the use of such information is limited to governmental purposes and is not subject to release in

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Timothy Ewell (925)  
335-1036

BACKGROUND: (CONT'D)

public meetings or other such forums.

This new resolution is required to update information due to retirements and title changes since the last resolution passed by the Board on November 9, 2010.

AGENDA ATTACHMENTS

Resolution No. 2018/54

MINUTES ATTACHMENTS

Signed Resolution No. 2018/54

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

Adopted this Resolution on 02/13/2018 by the following vote:

AYE:	<input checked="checked" type="checkbox"/>	John Gioia
	<input checked="checked" type="checkbox"/>	Candace Andersen
	<input checked="checked" type="checkbox"/>	Diane Burgis
	<input checked="checked" type="checkbox"/>	Karen Mitchoff
	<input checked="checked" type="checkbox"/>	Federal D. Glover
NO:	<input type="checkbox"/>	
ABSENT:	<input type="checkbox"/>	
ABSTAIN:	<input type="checkbox"/>	
RECUSE:	<input type="checkbox"/>	



**Resolution No. 2018/54**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA AUTHORIZING EXAMINATION OF SALES, USE AND TRANSACTIONS TAX RECORDS**

**WHEREAS**, the County of Contra Costa entered into a contract with the State Board of Equalization to perform all functions incident to the administration and collection of local sales, use and transactions taxes;

**WHEREAS**, the County Administrator of the County of Contra Costa deems it desirable and necessary for authorized representatives of the County to examine confidential sales, use and transactions tax records of the State Board of Equalization pertaining to sales, use and transactions taxes collected by the Board for the County pursuant to that contract; and

**WHEREAS**, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Board of Equalization records, and establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales, use and transactions tax records of the Board.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA HEREBY RESOLVES AS FOLLOWS:**

**Section 1.** That the Members of the Board of Supervisors, County Administrator, County Finance Director, Chief Assistant County Administrators, Economic Development Manager, Senior Deputy County Administrators, Assistant County Assessor, and Senior Management Analysts, or other officer or employee of the County designated in writing by the Board of Supervisors to the State Board of Equalization (hereafter referred to as Board), is hereby appointed to represent the County of Contra Costa with authority to examine sales, use and transactions tax records of the Board pertaining to sales, use and transactions taxes collected for the County by the Board pursuant to the contract between the County and the Board. The information obtained by examination of Board records shall be used only for purposes related to the collection of County sales, use and transactions taxes by the Board pursuant to that contract.

**Section 2.** That the officers listed above, or other officers or employees of the County designated in writing by the Board of Supervisors to the Board, are hereby appointed to represent the County with authority to examine those sales, use and transactions tax records of the Board, for purposes related to the following governmental functions of the County:

- a. County administration
- b. Revenue management and budgeting
- c. Community and economic development
- d. Business license tax administration

The information obtained by examination of Board records shall be used only for those governmental functions of the County listed above.

**Section 3.** That Hinderliter, de Llamas & Associates is hereby designated to examine the sales, use and transactions tax records of the Board pertaining to sales, use and transactions taxes collected for the County by the Board. The person or entity designated by this section meets all of the following conditions:

- a. has an existing contract with the County to examine those sales, use and transactions tax records;
- b. is required by that contract to disclose information contained in, or derived from, those sales, use and transactions tax records only to the officer or employee authorized under Sections 1 or 2 of this resolution to examine the information;
- c. is prohibited by that contract from performing consulting services for a retailer during the term of that contract; and
- d. is prohibited by that contract from retaining the information contained in, or derived from those sales, use and transactions tax records, after that contract has expired.

The information obtained by examination of Board records shall be used only for purposes related to the collection of County sales, use and transactions taxes by the Board pursuant to the contract between the County and the Board and for purposes relating to the governmental functions of the County listed in section 2 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.

**ATTESTED: February 13, 2018**

**Contact:**

, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

cc: Timothy Ewell, Chief Assistant County Administrator

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

Adopted this Resolution on 02/13/2018 by the following vote:

	John Gioia
	Candace Andersen
AYE:	<input checked="" type="checkbox"/> 5
	Diane Burgis
	Karen Mitchoff
	Federal D. Glover
NO:	<input type="checkbox"/> /
ABSENT:	<input type="checkbox"/> /
ABSTAIN:	<input type="checkbox"/> /
RECUSE:	<input type="checkbox"/> /



**Resolution No. 2018/54**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA AUTHORIZING EXAMINATION OF SALES, USE AND TRANSACTIONS TAX RECORDS**

**WHEREAS**, the County of Contra Costa entered into a contract with the State Board of Equalization to perform all functions incident to the administration and collection of local sales, use and transactions taxes;

**WHEREAS**, the County Administrator of the County of Contra Costa deems it desirable and necessary for authorized representatives of the County to examine confidential sales, use and transactions tax records of the State Board of Equalization pertaining to sales, use and transactions taxes collected by the Board for the County pursuant to that contract; and

**WHEREAS**, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Board of Equalization records, and establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales, use and transactions tax records of the Board.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF CONTRA COSTA HEREBY RESOLVES AS FOLLOWS:**

**Section 1.** That the Members of the Board of Supervisors, County Administrator, County Finance Director, Chief Assistant County Administrators, Economic Development Manager, Senior Deputy County Administrators, Assistant County Assessor, and Senior Management Analysts, or other officer or employee of the County designated in writing by the Board of Supervisors to the State Board of Equalization (hereafter referred to as Board), is hereby appointed to represent the County of Contra Costa with authority to examine sales, use and transactions tax records of the Board pertaining to sales, use and transactions taxes collected for the County by the Board pursuant to the contract between the County and the Board. The information obtained by examination of Board records shall be used only for purposes related to the collection of County sales, use and transactions taxes by the Board pursuant to that contract.

**Section 2.** That the officers listed above, or other officers or employees of the County designated in writing by the Board of Supervisors to the Board, are hereby appointed to represent the County with authority to examine those sales, use and transactions tax records of the Board, for purposes related to the following governmental functions of the County:

- a. County administration
- b. Revenue management and budgeting
- c. Community and economic development
- d. Business license tax administration

The information obtained by examination of Board records shall be used only for those governmental functions of the County listed above.

**Section 3.** That Hinderliter, de Llamas & Associates is hereby designated to examine the sales, use and transactions tax records of the Board pertaining to sales, use and transactions taxes collected for the County by the Board. The person or entity designated by this section meets all of the following conditions:

- a. has an existing contract with the County to examine those sales, use and transactions tax records;
- b. is required by that contract to disclose information contained in, or derived from, those sales, use and transactions tax records only to the officer or employee authorized under Sections 1 or 2 of this resolution to examine the information;
- c. is prohibited by that contract from performing consulting services for a retailer during the term of that contract; and
- d. is prohibited by that contract from retaining the information contained in, or derived from those sales, use and transactions tax records, after that contract has expired.

The information obtained by examination of Board records shall be used only for purposes related to the collection of County sales, use and transactions taxes by the Board pursuant to the contract between the County and the Board and for purposes relating to the governmental functions of the County listed in section 2 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.

**ATTESTED: February 13, 2018**

**Contact:**

, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

cc: Timothy Ewell, Chief Assistant County Administrator



**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: February 13, 2018

Subject: REFER to the Public Protection Committee

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**RECOMMENDATION(S):**

REFER to the Public Protection Committee consideration of producing a Multi-Agency Juvenile Justice Plan, as recommended by Supervisor Gioia.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Multi-Agency Plan is Contra Costa's sole opportunity to produce a robust and well-informed justice plan for our county's children. It is due to the state on May 1, as a condition of Contra Costa's annual funding through the Juvenile Justice Crime Prevention Act (JJCPA). For more the a decade, Contra Costa has made minimal changes in its plan. This state-mandated annual multi-agency plan provides singular opportunities for truly meaningful progress to support young people (including, for example, systemic issues related to immigrant youth, disabled youth, cross-over youth, children of incarcerated parents, school push-out, and racial justice).

It is recommended that the item be referred to the Public Protection Committee.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **02/13/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: February 13, 2018

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

By: June McHuen, Deputy

Contact: Timothy Ewell (925)  
335-1036

cc: Timothy Ewell, Chief Assistant County Administrator