

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**

**JOHN GIOIA, CHAIR, 1ST DISTRICT**  
**CANDACE ANDERSEN, VICE CHAIR, 2ND DISTRICT**  
**DIANE BURGIS, 3RD DISTRICT**  
**KAREN MITCHOFF, 4TH DISTRICT**  
**FEDERAL D. GLOVER, 5TH 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**  
**August 21, 2020**

**1:00 P.M. Convene and Call to Order**

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  
Sharon Anderson, County Counsel

Attendees:

**D.1** CONSIDER whether to adopt Ordinance No. 2020-23, an urgency ordinance amending the effective date of the ordinance establishing a general Countywide 0.5% sales tax, and provide appropriate direction to the Elections Department. (Timothy Ewell, Chief Assistant County Administrator)

**Speakers: Susan L. Pricco, President Contra Costa Taxpayers Association; Marianna Moore, Working Group, Sales Tax Project; Jason, resident of District II.**

**Written commentary (attached) was provided by Susan L. Pricco, President, Contra Costa Taxpayers Association.**

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

NO: District II Supervisor Candace Andersen

Public Comment (2 minutes)

**There were no requests to speak at public comment.**

**ADJOURN**

**Adjourned today's meeting at 1:53 p.m.**

## **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)

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**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  
**CCCPCD (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 (CCCPCD)** 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  
**ECCPCD** 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





**Contra  
Costa  
County**

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: August 21, 2020

Subject: CONSIDER ADOPTING URGENCY ORDINANCE NO. 2020-23 AMENDING THE EFFECTIVE DATE OF ORDINANCE NO. 2020-22

**RECOMMENDATION(S):**

1. CONSIDER whether to adopt Ordinance No. 2020-23, an urgency ordinance amending the effective date of the ordinance establishing a general Countywide 0.5% sales tax.
2. ACKNOWLEDGE that if Senate Bill 1349 is not approved by the Legislature by August 31, 2020, Ordinance 2020-22 (as amended) will still be printed on the November 3, 2020 ballot, even though the ordinance will not be effective.

**FISCAL IMPACT:**

Approximately \$211,000; 100% General Fund. The costs include publishing of the impartial analysis, arguments and other text translated into multiple languages in the Voter Information Guide. This figure is substantially lower than the Fiscal Impact included in the July 28, 2020 Board Order introducing the ordinance. This is due to the Board's direction to provide the ordinance upon request pursuant to subdivisions (b)(3) and (b)(4) of Elections Code section 9160. See attached correspondence from the Clerk-Recorder, which includes a breakdown of the estimated costs.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/21/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

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

NO: Candace Andersen, District II 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: August 21, 2020

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

Contact: Timothy Ewell  
(925-335-1036)

By: June McHuen, Deputy

### FISCAL IMPACT: (CONT'D)

In addition, the County previously provided \$10,000 towards a poll to gauge community interest in a transactions and use tax measure in partnership with community based organizations and labor partners.

### BACKGROUND:

At the November 4, 2019 meeting of the Finance Committee of the Board of Supervisors, committee members Gioia and Mitchoff discussed the formulation of a Potential Sales Tax Measure Ad Hoc Committee and considered input from staff and community members. The Ad Hoc Committee was tasked with activating a larger, self-identified working group consisting of representatives of Community-Based Organizations, Labor Organizations, and members of the public (collectively the "Working Group") charged with the development and formulation of a Needs Assessment. All willing participants were invited to attend and participate.

### Ad Hoc Committee Work and Community Engagement

The first meeting of the Ad Hoc committee occurred on November 18, 2019. At this meeting, Supervisors Gioia and Mitchoff directed staff to work with the California Department of Tax and Fee Administration (CDTFA) on the logistics of listing a ballot measure and setting up collection contracts. Staff also was directed to forward to the full Board of Supervisors the Committee's recommendation to begin discussions with County lobbyists regarding special legislation required to list a measure on the ballot. Additionally, staff was directed to forward to the Board the recommendation to acknowledge that the Governor would need to sign said special legislation. The Ad Hoc committee concluded by directing district staff members Chris Wikler (Supervisor Mitchoff's office) and Sonia Bustamante (Supervisor Gioia's office) to staff the Working Group.

The Working Group convened for its first meeting on December 2, 2019. At that meeting, Mariana Moore of the Ensuring Opportunity Campaign & Josh Anijar of the Contra Costa Central Labor Council were selected by those in attendance to serve as co-chairs of the working group. The Working Group began to identify top-line vision statements and values to guide the creation of a Needs Assessment report, as well as form smaller sub-groups to study specific issues and matters relative to the larger goal of a general sales tax for County services.

The Working Group subsequently met on five occasions over the months of December 2019, January 2020 and February 2020. Members worked to distill and clarify the underserved needs of the County and identified several thematic areas: health and emergency services, safety net services, housing, and early childhood services. The group also retained Jim Ross of Telegraph LLC, a communications firm, to advise the Working Group and assist with the formulation of the Needs Assessment Report. Mr. Ross' services along with a poll of likely voters on a potential general services sales tax conducted by pollsters FM3 were funded by labor unions and CBOs who participated in the Working Group process.

### Senate Bill 1349

On April 8th, Senator Steve Glazer amended Senate Bill 1349 to include language providing relief to the County and cities within the County for future transaction and use tax measures. The bill was immediately referred to the Senate Governance and Finance Committee. The Senate Governance and Finance Committee hearing on SB 1349 was scheduled for Thursday, May 21st. Supervisor Gioia along with Concord Mayor Tim McGallian testified in support of the measure at the Senate committee meeting on May 21st. Additionally, Chief Assistant County Administrator Tim Ewell and Concord City Manager Valerie Barone have coordinated with cities in the County to collect letters of support for the bill. Currently, letters of support have been received by the cities of Concord, Danville, Lafayette,

Pittsburg, San Ramon, Orinda and the Contra Costa Transportation Authority. In addition, the California Labor Federation, California Professional Firefighters, California Teamsters Public Affairs Council, SEIU California, IFPTE Local 21 and Office and Professional Employees International Union Local 29 have all provided letters of support as well.

### **Needs Assessment**

The Potential Sales Tax Measure Ad Hoc Committee convened a meeting via video teleconference on May 13th to receive the finalized Needs Assessment Report from the Working Group and provide direction to staff. Supervisor Mitchoff noted the need for additional polling to determine the viability of the measure, as well as her perspective that public safety should be a part of any ballot measure in November. Supervisor Gioia agreed that there needs to be additional polling and suggested that the co-chairs could bring further polling recommendations when presenting the Needs Assessment to the Board of Supervisors. Supervisors Mitchoff and Gioia agreed to direct staff to forward the Needs Assessment Report to the full Board of Supervisors, for consideration and direction to staff on next steps regarding the Potential County-wide General Sales Tax measure at the May 26th meeting of the Board of Supervisors.

On May 26th, the Board received an update on the status of Senate Bill 1349 and a presentation of the Needs Assessment assembled by the Working Group. At that time, Senate Bill 1349 had been heard in the Senate Governance and Finance Committee the previous week, but was ultimately scheduled for reconsideration by the Committee due to a procedural issue on May 28th. The Committee authorized the reconsideration and ultimately voted the bill out of Committee on June 3rd. The bill was passed on the Senate Floor on June 11th and has been sent to the Assembly Local Government Committee for consideration. In addition, after receiving a report on the Needs Assessment, the Board directed the Working Group to return in mid-June with additional information about a second poll, including the number of people to be polled, the type of questions to be asked and the cost estimate.

### **Polling to Determine Community Interest**

On June 16th, the Board authorized a cost share of \$10,000 from the County to assist in polling the community regarding the potential sales tax measure.

On July 14th, the Board received the results of polling, which showed that a transactions and use tax would likely be successful if listed on the November 2020 General Election ballot. The Board subsequently directed County Counsel to draft a transactions and use tax ordinance for introduction on the July 28th agenda, which includes language stating that the ordinance is only to be placed on the November 2020 ballot if the Legislature and the Governor approve Senate Bill 1349 no later than August 24th.

### **Sales Tax Ordinance and Calling of Election**

On July 28th, the Board introduced the transactions and use tax ordinance and fixed adoption of the ordinance and related resolution calling for the election for the August 4th regular meeting of the Board. In addition, the Board made certain amendments to the proposed ordinance, including:

1. Determined copies of the full text of Ordinance No. 2020-22 shall be made available to the public in accordance with subdivisions (b)(3) and (b)(4) of Elections Code section 9160.
2. Clarified that the ordinance shall only become effective if Senate Bill 1349 is approved by the Legislature on or before August 24, 2020, and thereafter becomes law, and if this ordinance is adopted by the voters.



Ultimately, the Board approved Ordinance No. 2020-22 and Resolution No. 2020/407 on August 4th and subsequently filed materials with the Elections Department on August 5th. The Election Department conducted a lottery to determine ballot measure letter assignment following the close of the measure filing deadline. The County's sales tax measure is known now as "Measure X".

### **Today's Action**

Today's action requests that the Board consider adopting urgency Ordinance No. 2020/23, which would change the date by which Ordinance No. 2020/22 becomes effective, conditional on approval by the Legislature, from August 24, 2020 to August 31, 2020. Adoption of urgency ordinances require a 4/5 vote of the Board of Supervisors.

Following the shutdown of the State Capitol due to COVID-19 after Summer Recess, the schedules of the Assembly and Senate have become significantly more compressed. Senate Bill 1349 was passed on the Senate Floor on June 11th and subsequently sent to the Assembly Committee on Local Government on June 16th. The Assembly Committee on Local Government was not able to reconvene until August 11th. The Committee did hear and pass SB 1349 on to the Assembly Floor for consideration; however, as written, Ordinance No. 2020-22 would only allow for 13 days for a floor vote in the Assembly to ensure that the Ordinance becomes effective.

To complicate matters further, the Assembly announced that no floor votes would occur until the week of August 24th - the final week of the Legislative Session. The likelihood of SB 1349 being heard and a vote called on the first day of the Assembly Floor session is unknown. In addition, an amendment to SB 1349 to clarify portions of the bill are being made requiring concurrence with the Senate upon approval by the Assembly. More information on this amendment will be provided at today's meeting.

The Clerk Recorder has sent correspondence to the Board clarifying that the estimated election costs would be \$211,000, which is significantly lower than the previous estimates. This is primarily due to the full text of the Ordinance not being published in the Voter Information Guide, but rather being available upon request to interested parties.

In summary, the assumptions related to the Legislature's schedule that were in place during the development Ordinance No. 2020-22 have changed. To ensure that Measure X measure moves forward to the November 3, 2020 General Election ballot, it would be prudent to adopt Ordinance No. 2020-23 extending the time by which the Legislature has to act from August 24th to August 31st. This will result in Measure X being listed on the ballot regardless of the final disposition of SB 1349 and the County will incur the associated costs described above, but which are significantly lower than previous estimates. The election costs are one-time and will have no adverse impact on fiscal year 2020/21 County operations.

### **CONSEQUENCE OF NEGATIVE ACTION:**

The Board of Supervisors will not have passed the urgency ordinance amending the effective date of Ordinance 2020-22 from August 24th to August 31st. This will result in a strong likelihood that Measure X may not go forward on the November 3, 2020 General Election ballot absent passage of SB 1349 by the Legislature on August 24th.

### **CLERK'S ADDENDUM**

**Speakers: Susan L. Pricco, President Contra Costa Taxpayers Association; Marianna Moore, Working Group, Sales Tax Project; Jason, resident of District II.**

Written commentary (attached) was provided by Susan L. Pricco, President, Contra Costa Taxpayers Association.

AGENDA ATTACHMENTS

Resolution 2020/407

Ordinance No. 2020-23

Correspondence from Clerk-Recorder re: Election Costs

MINUTES ATTACHMENTS

Signed Ordinance 2020-23

Correspondence Received

## ORDINANCE NO. 2020-23

(An Urgency Ordinance Amending the Effective Date of Ordinance No. 2020-22  
Establishing a General Countywide 0.5% Transactions and Use Tax)

The Contra Costa County Board of Supervisors ordains as follows:

### **Section 1. Findings.**

- A. Contra Costa County provides important public services to its residents, such as health care at the Contra Costa Regional Medical Center and community health centers, fire-emergency response, crucial safety-net services, early childhood programs, services to protect vulnerable populations, and other essential County services.
- B. The Board of Supervisors recognizes the need for increased funding to continue providing critical County services and the difficulty of funding these services with revenues now available.
- C. Contra Costa County can better meet the needs of its population with an additional local source of revenue to fund essential County services.
- D. A half-cent (one-half of one percent) Countywide general transactions and use tax (sales tax) would generate an estimated \$81 million annually for 20 years.
- E. On August 4, 2020, the Contra Costa County Board of Supervisors passed Ordinance No. 2020-22, establishing a general Countywide 0.5% transactions and use tax (sales tax), and adopted Resolution No. 2020-210, calling an election to submit the sales tax ordinance to the voters on November 3, 2020.
- F. At the time Ordinance No. 2020-22 was passed by the Board of Supervisors, Senate Bill 1349 (2020) was pending approval in the California Legislature. Senate Bill 1349 would authorize Contra Costa County to adopt an ordinance proposing a one-half of one percent (0.5%) transactions and use tax (sales tax), provided the ordinance proposing the tax is submitted to the electorate and is approved by the voters voting on the ordinance pursuant to Article XIII C of the California Constitution.
- G. Article XIII C provides that a local government may impose a general tax after the tax is submitted to the electorate and approved by a majority vote.
- H. When the Board of Supervisors passed Ordinance No. 2020-22, the Board anticipated that Senate Bill 1349 would be adopted by the Legislature on or before August 24, 2020. Accordingly, Section III(B) of Ordinance No. 2020-22 provides that the ordinance shall only become effective if Senate Bill 1349 is approved by the Legislature on or before August 24, 2020, and thereafter becomes law, and if the ordinance is adopted by the voters.
- I. Because of the COVID-19 pandemic, the Legislature may not act on Senate Bill 1349 until August 31, 2020, the end of the legislative session. The County was informed of this possibility after the Board of Supervisors adopted Ordinance No. 2020-22.
- J. Because the Legislature may not act on Senate Bill 1349 until August 31, 2020, the Board of Supervisors desires to amend Ordinance No. 2020-22 to provide that the

ordinance shall only become effective if Senate Bill 1349 is approved by the Legislature on or before August 31, 2020, and thereafter becomes law, and if the ordinance is adopted by the voters.

- K. The adoption of this urgency ordinance is necessary to ensure that if the Legislature passes Senate Bill 1349 on or before August 31, 2020, the County's proposed half-cent (one-half of one percent) Countywide general transactions and use tax (sales tax) will be placed on the ballot at the statewide general election on November 3, 2020, in order to give voters the opportunity to decide whether to adopt the sales tax.

**Section 2. Amendment of Ordinance No. 2020-22.** Subsection (B) of Section III of Ordinance No. 2020-22 is amended to read:

At the time that this ordinance was passed by the Board of Supervisors, Senate Bill 1349 (2020) was pending approval in the California Legislature. Notwithstanding anything to the contrary herein, this ordinance shall only become effective if Senate Bill 1349 is approved by the Legislature on or before August 31, 2020, and thereafter becomes law, and if this ordinance is adopted by the voters.

**Section 3. Declaration of Urgency.** This ordinance is hereby declared to be an urgency ordinance necessary for the immediate preservation of the public peace, health, and safety of the County. The facts constituting the urgency of this ordinance's adoption are set forth in Section 1.

**Section 4. Effective Date.** This ordinance becomes effective immediately upon passage by four-fifths vote of the Board of Supervisors.

**Section 5. Publication.** Within 15 days after passage, this ordinance shall be published once with the names of the supervisors voting for and against it in the East Bay Times, a newspaper published in this County.

PASSED ON August 21, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: DAVID J. TWA,  
Clerk of the Board of Supervisors  
and County Administrator

\_\_\_\_\_  
Board Chair

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

[SEAL]

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## ORDINANCE NO. 2020-23

(An Urgency Ordinance Amending the Effective Date of Ordinance No. 2020-22  
Establishing a General Countywide 0.5% Transactions and Use Tax)

The Contra Costa County Board of Supervisors ordains as follows:

### Section 1. Findings.

- A. Contra Costa County provides important public services to its residents, such as health care at the Contra Costa Regional Medical Center and community health centers, fire-emergency response, crucial safety-net services, early childhood programs, services to protect vulnerable populations, and other essential County services.
- B. The Board of Supervisors recognizes the need for increased funding to continue providing critical County services and the difficulty of funding these services with revenues now available.
- C. Contra Costa County can better meet the needs of its population with an additional local source of revenue to fund essential County services.
- D. A half-cent (one-half of one percent) Countywide general transactions and use tax (sales tax) would generate an estimated \$81 million annually for 20 years.
- E. On August 4, 2020, the Contra Costa County Board of Supervisors passed Ordinance No. 2020-22, establishing a general Countywide 0.5% transactions and use tax (sales tax), and adopted Resolution No. 2020-210, calling an election to submit the sales tax ordinance to the voters on November 3, 2020.
- F. At the time Ordinance No. 2020-22 was passed by the Board of Supervisors, Senate Bill 1349 (2020) was pending approval in the California Legislature. Senate Bill 1349 would authorize Contra Costa County to adopt an ordinance proposing a one-half of one percent (0.5%) transactions and use tax (sales tax), provided the ordinance proposing the tax is submitted to the electorate and is approved by the voters voting on the ordinance pursuant to Article XIII C of the California Constitution.
- G. Article XIII C provides that a local government may impose a general tax after the tax is submitted to the electorate and approved by a majority vote.
- H. When the Board of Supervisors passed Ordinance No. 2020-22, the Board anticipated that Senate Bill 1349 would be adopted by the Legislature on or before August 24, 2020. Accordingly, Section III(B) of Ordinance No. 2020-22 provides that the ordinance shall only become effective if Senate Bill 1349 is approved by the Legislature on or before August 24, 2020, and thereafter becomes law, and if the ordinance is adopted by the voters.
- I. Because of the COVID-19 pandemic, the Legislature may not act on Senate Bill 1349 until August 31, 2020, the end of the legislative session. The County was informed of this possibility after the Board of Supervisors adopted Ordinance No. 2020-22.
- J. Because the Legislature may not act on Senate Bill 1349 until August 31, 2020, the Board of Supervisors desires to amend Ordinance No. 2020-22 to provide that the

ordinance shall only become effective if Senate Bill 1349 is approved by the Legislature on or before August 31, 2020, and thereafter becomes law, and if the ordinance is adopted by the voters.

- K. The adoption of this urgency ordinance is necessary to ensure that if the Legislature passes Senate Bill 1349 on or before August 31, 2020, the County's proposed half-cent (one-half of one percent) Countywide general transactions and use tax (sales tax) will be placed on the ballot at the statewide general election on November 3, 2020, in order to give voters the opportunity to decide whether to adopt the sales tax.

**Section 2. Amendment of Ordinance No. 2020-22.** Subsection (B) of Section III of Ordinance No. 2020-22 is amended to read:

At the time that this ordinance was passed by the Board of Supervisors, Senate Bill 1349 (2020) was pending approval in the California Legislature. Notwithstanding anything to the contrary herein, this ordinance shall only become effective if Senate Bill 1349 is approved by the Legislature on or before August 31, 2020, and thereafter becomes law, and if this ordinance is adopted by the voters.

**Section 3. Declaration of Urgency.** This ordinance is hereby declared to be an urgency ordinance necessary for the immediate preservation of the public peace, health, and safety of the County. The facts constituting the urgency of this ordinance's adoption are set forth in Section 1.

**Section 4. Effective Date.** This ordinance becomes effective immediately upon passage by four-fifths vote of the Board of Supervisors.

**Section 5. Publication.** Within 15 days after passage, this ordinance shall be published once with the names of the supervisors voting for and against it in the East Bay Times, a newspaper published in this County.

PASSED ON August 21, 2020, by the following vote:

AYES: John Gioia, Diane Burgis, Karen Mitchoff, Federal Glover

NOES: Candace Andersen

ABSENT: None

ABSTAIN: None

ATTEST: DAVID J. TWA,  
Clerk of the Board of Supervisors  
and County Administrator



Board Chair

By:

June McHuen  
Deputy

[SEAL]

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Elections Division  
925.335.7800  
925.335.7836 fax  
  
www.cocovote.us

**Contra Costa County**  
**Clerk-Recorder-Elections Department**  
555 Escobar Street  
Martinez, CA 94553

**Deborah R. Cooper**  
County Clerk-Recorder  
and Registrar of Voters

**Scott O. Konopasek**  
Assistant Registrar



August 17, 2020

Board of Supervisors  
1025 Escobar Street  
Martinez, CA 94553

RE: Estimated Measure X costs

In response to your request for information, I am providing the estimated increased costs for including Measure X in the November 3, 2020 General Election.

The increased cost to the Elections Division budget for placing Measure X on the ballot will be incurred in the publication of the Voter Information Guide (VIG) and not for its appearance on the Official Ballot.

The cost per printed page in the VIG is \$.02. The County is required to print the text of the ballot question, the Impartial Analysis, Arguments For and Against and Rebuttals, which comprise 5 pages in each language (English, Spanish, Chinese) for a total of 15 pages.

$15 \text{ pages} * \$0.02 = \$0.30 * 700,000 \text{ voters} = \$210,000$  plus \$1,000 for translation.

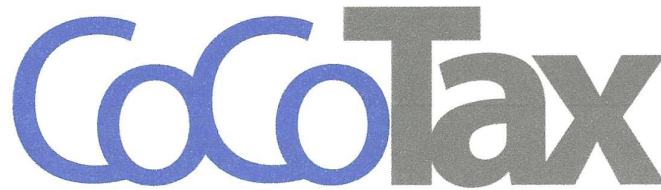
The publication of the full text of the ordinance in the Voter Information Guide is discretionary. Using the same formula and assuming the length is 8 pages in each language, the cost to publish in the VIG is calculated:

$24 \text{ pages} * \$0.02 = \$0.48 * 700,000 \text{ voters} = \$336,000$  plus \$1,600 for translation.

The total increased cost to the elections budget if the full text and the required pages were all published in the VIG is estimated to be \$547,700.

A handwritten signature in cursive script that reads "Debi Cooper".

Debi Cooper  
County Clerk-Recorder and Registrar of Voters



## Contra Costa Taxpayers Association

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P.O. Box 27, Martinez, CA 94553-0114 ▪ 925-289-6900 ▪ [www.cocotax.org](http://www.cocotax.org)

August 20, 2020

To All members of the Board of Supervisors.

Re: Agenda Item D.1 on BOS Special Meeting August 21, 2020

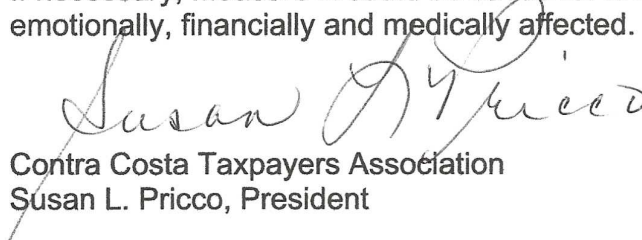
We strongly oppose adopting Ordinance 2020-23. The actions of the Board effectively have placed "the cart in front of the horse" in moving forward with Measure X, as evidenced by this planned "special meeting".

Supervisor Mitchoff, in early August, had stated that if there was no passage of SB 1349 by August 21, that she would not support the Measure. This bill has not passed and it is not being heard August 21. Requesting an extension to August 31, 2020 does not give assurance of passage and chaptering.

To quote the correspondence of August 17, 2020 from the Registrar of Elections to the Board: *"The total increased cost to the elections budget if the full text and the required pages were all published in the VIG is estimated to be \$547,700"*. The Assistant County Administrator has previously indicated that figure to be the low end of the estimate.

This amount should not be risked on handshakes, verbal assurances and personal expectations. The COVID-19 pandemic should have taught us all that lesson.

If necessary, Measure X could be saved for another time, not when so many have been emotionally, financially and medically affected.

  
Contra Costa Taxpayers Association  
Susan L. Pricco, President