

CALENDAR FOR THE BOARD OF SUPERVISORS  
**CONTRA COSTA COUNTY**  
AND FOR SPECIAL DISTRICTS, AGENCIES, AND AUTHORITIES GOVERNED BY THE BOARD  
**BOARD CHAMBERS, ADMINISTRATION BUILDING, 1025 ESCOBAR STREET**  
**MARTINEZ, CALIFORNIA 94553-1229**

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

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

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.

**To slow the spread of COVID-19, the Health Officer's Shelter Order of September 14, 2020, prevents public gatherings ([Health Officer Order](#)). In lieu of a public gathering, the Board of Supervisors meeting will be accessible via television and live-streaming to all members of the public as permitted by the Governor's Executive Order N29-20. Board meetings are televised live on Comcast Cable 27, ATT/U-Verse Channel 99, and WAVE Channel 32, and can be seen live online at [www.contracosta.ca.gov](http://www.contracosta.ca.gov).**

PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA MAY CALL IN DURING THE MEETING BY DIALING **888-251-2949** FOLLOWED BY THE ACCESS CODE **1672589#**. To indicate you wish to speak on an agenda item, please push "#2" on your phone.

All telephone callers will be limited to two (2) minutes apiece. The Board Chair may reduce the amount of time allotted per telephone caller at the beginning of each item or public comment period depending on the number of calls and the business of the day. Your patience is appreciated.

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

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

**ANNOTATED AGENDA & MINUTES**  
**March 9, 2021**

**9:00 A.M. Convene and announce adjournment to closed session in Room 168.**

**Closed Session**

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

Agency Negotiators: Monica Nino.

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

B. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Gov. Code § 54956.9(d)(1))

1. *Karen Lavow v. Contra Costa County*, WCAB Nos. ADJ10824758; ADJ10960217
2. *City of Portland, et al. v. Federal Communications Commission*, United States Court of Appeals for the Ninth Circuit, Case Nos. 19-70123, 19-70145, 19-70326, 19-70339, 19-70341 and 19-70344

**Call to order and opening ceremonies.**

Inspirational Thought- *"A smile is the shortest distance between two people."* ~Victor Borge, comedian

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: Monica Nino, County Administrator  
Sharon Anderson, County Counsel

**By unanimous vote, Supervisor Andersen absent, the Board of Supervisors decided not to file a petition with the United States Supreme Court to challenge the Ninth Circuit Court of Appeals decision in City of Portland et al V. Fed. Communications Comm. Case Nos. 19-70123, 19-70145, 19-70326, 19-70339, 19-70341, 19-70344.**

**CONSIDER CONSENT ITEMS** (Items listed as C.1 through C.53 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)**

PRESENTATION recognizing March 2021 as American Red Cross month in Contra Costa County. (Briana Taylor, Volunteer and Board Member for the American Red Cross Northern California Coastal Region)

PRESENTATION honoring County employees for their many years of service to Contra Costa County:

- *Dr. Jack Rosenfeld*, for his 30 years of services to the Health Services Department, to be presented by Erika Jensen

**DISCUSSION ITEMS**

**D.1** CONSIDER adopting Resolution No. 2021/77, approving the side letter between Contra Costa County and Professional & Technical Engineers, Local 21 amending the parties' Memorandum of Understanding to add the Appraiser Unit (formerly the Property Appraisers Unit), and specifying those Sections applicable to the representation unit. (Lisa Driscoll, County Finance 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

**D.2** CONSIDER approving the Accessible Transportation Strategic Plan to improve transportation services for seniors, people with disabilities, and veterans, and taking related actions, as recommended by the Transportation, Water, and Infrastructure Committee. (John Cunningham, Conservation and Development Department)

**Speakers: Debbie Toth, President & CEO of Choice in Aging; Cheryl Sudduth.**

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.3** ACCEPT update on COVID 19; and PROVIDE direction to staff.

1. Health Department - Anna Roth, Director and Dr. Farnitano, Health Officer

On March xx, 2021 at 8 p.m. there will be a Countywide memorial for the Contra Costa County residents lost to Covid-19.

**D.4** HEARING to consider adopting Ordinance No. 2021-10, an urgency interim ordinance extending, through March 9, 2022, a moratorium on industrial hemp cultivation and processing. (Matt Slattengren, Agriculture Commissioner/Weights & Measures Director)

**Speakers: No name given; No name given, grower; No name given, farm employee; hemp farm representative;**

**Written commentary received (attached):**

**ADOPTED Ordinance 2021-10 as amended today, extending through September 30, 2021, a moratorium on industrial hemp cultivation and processing; DIRECTED staff to provide a status report on the matter by June 30, 2021, with the report including information of those growers with licenses scheduled to expire before September 2021.**

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

Other: District II Supervisor Candace Andersen (ABSENT)

**D. 5 CONSIDER** Consent Items previously removed.

**There were no items removed from consent for discussion.**

**D. 6 PUBLIC COMMENT** (2 Minutes/Speaker)

D. 7 CONSIDER reports of Board members.

**There were no items reported today.**

***ADJOURN***

**Adjourned at 11:05 p.m.**

## **CONSENT ITEMS**

### **Engineering Services**

**C.1** AUTHORIZE the Chair, Board of Supervisors, to sign the Grant Deed of Development Rights for minor subdivision MS13-00005 and ADOPT Resolution No. 2021/64 to accept the deed for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (No fiscal impact)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.2** ADOPT Resolution No. 2021/65 to accept an offer of dedication for roadway purposes for minor subdivision MS13-00005, for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (No fiscal impact)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.3** ADOPT Resolution No. 2021/66 approving the Parcel Map for minor subdivision MS13-00005, for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (No fiscal impact)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.4** ADOPT Resolution No. 2021/70 approving the Stormwater Management Facilities Operation and Maintenance Agreement for subdivision SD18-09495, for a project being developed by Chicken Farm Associates, LLC, as recommended by the Public Works Director, Concord area. (No fiscal impact)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.5** ADOPT Resolution No. 2021/71 approving the Final Map and Subdivision Agreement for subdivision SD18-09495, for a project being developed by Chicken Farm Associates, LLC, as recommended by the Public Works Director, Concord area. (No Fiscal Impact)

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

Other: District II Supervisor Candace Andersen (ABSENT)

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

**C.6** ADOPT Resolution No. 2021/79 accepting as complete the contracted work performed by Ghilotti Bros., Inc., for the Buchanan Field Airport Runway 14L-32R Rehabilitation Project, as recommended by the Public Works Director, Concord area. (91% Federal Aviation Administration Airport Improvement Program Funds, 4% Caltrans, 5% Airport Enterprise Funds)

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

Other: District II Supervisor Candace Andersen (ABSENT)

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

**C.7** DENY claims filed by Dedra Kinney, Anthony Robert Johnson and Kelly Corbitt.

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

Other: District II Supervisor Candace Andersen (ABSENT)

### **Honors & Proclamations**

**C.8** ADOPT Resolution No. 2021/72 to recognize Dr. Jack Rosenfeld on the occasion of his 30 years of service to Contra Costa County as a dentist, as recommended by the Health Services Director.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.9** ADOPT Resolution No. 2021/85 recognizing March 2021 as American Red Cross month in Contra Costa County. (Briana Taylor, Volunteer and Board Member for the American Red Cross Northern California Coastal Region)

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

Other: District II Supervisor Candace Andersen (ABSENT)

### **Appointments & Resignations**

**C.10** APPOINT Donald Maglhaes, Alamo resident, to the Appointee 1 seat on the County Service Area P-5 Citizens Advisory Committee, as recommended by Supervisor Andersen.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.11** REAPPOINT Carolyn Thiessen to the Trustee 3 seat of the Alamo-Lafayette Cemetery District Board of Directors, as recommended by Supervisor Andersen.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.12** APPOINT Victoria Smith and Christopher Easter to the Contra Costa County Sustainability Commission, as recommended by Supervisor Andersen.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.13** REAPPOINT Aleida Andrino-Chavez, Thomas Hansen, and Maureen Powers to the District V seats of the Western Contra Costa Transit Authority, as recommended by Supervisor Glover.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.14** REAPPOINT Charles Davidson to the District V seat and Renee Fernandez-Lipp to the District V Alternate seat on the Sustainability Commission, as recommended by Supervisor Glover.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.15** APPOINT Department of Conservation and Development staff members Jamar Stamps, Will Nelson, John Cunningham (Alternate) and Aruna Bhat (Alternate) and Public Works Department staff members Jerry Fahy and Nancy Wein (Alternate) to the Technical Coordinating Committee of the Contra Costa Transportation Authority, as recommended by the Conservation and Development and Public Works Directors.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.16** APPOINT Richard Celestre to the City of Pleasant Hill seat on the Aviation Advisory Committee, as recommended by the Pleasant Hill City Council.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.17** REAPPOINT Ron Reagan to the District 3 seat on the Aviation Advisory Committee, as recommended by Supervisor Burgis.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.18** APPROVE the new medical staff, affiliates and tele-radiologist appointments and re-appointments, additional privileges, medical staff advancement, and voluntary resignations as recommend by the Medical Staff Executive Committee and by the Health Services Director.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.19** DECLARE vacant Hazardous Materials Commission Business Alternate #2 seat and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Health Services Director.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.20** ADOPT Measure X Community Advisory Board Bylaws and ACKNOWLEDGE process to be used at Finance Committee meeting for member selection, as recommended by the Finance Committee.

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

Other: District II Supervisor Candace Andersen (ABSENT)

### **Intergovernmental Relations**

**C.21** ADOPT changes to the County's 2021-22 State and Federal Legislative Platforms to include principles related to enabling progressive design-build in project delivery for construction contracts; enabling continued public meeting attendance, participation and accessibility through technological means post-pandemic; and support for COVID-19 recovery that ensures advancement of various climate initiatives, as recommended by the Legislation Committee.

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

Other: District II Supervisor Candace Andersen (ABSENT)

### **Personnel Actions**

**C.22** ADOPT Position Adjustment Resolution No. 25693 to cancel one Deputy County Librarian (unrepresented) position and add one Library Services Manager (unrepresented) position to the Library Department. (Cost savings)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.23** ADOPT Position Adjustment Resolution No. 25698 to add one Public Administrator's Program Assistant (represented) position and cancel one Ambulatory Care Clinic Coordinator (represented) position in the Health Services Department. (Cost savings)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.24** ADOPT Position Adjustment Resolution No. 25697 to increase the hours of one Public Health Nutrition position (represented) from part time (30/40) to full time in the Health Services Department. (100% California Department of Public Health WIC Program)

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

Other: District II Supervisor Candace Andersen (ABSENT)

### **Leases**

**C. 25** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a lease amendment with Gary S. Riele (dba SR Investments), to extend the lease term by four years through February 28, 2025, for approximately 1,620 square feet of office space located at 309 Diablo Road, Danville, at an initial annual rent of \$55,404 for the first year, with annual increases thereafter (100% General Fund)

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

Other: District II Supervisor Candace Andersen (ABSENT)

### **Grants & Contracts**

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

**C. 26** ADOPT Resolution No. 2021/81 authorizing the Sheriff Coroner, or designee, to apply for and accept the California Highway Patrol Grant Fiscal Year 2021-2022 in an amount not to exceed \$114,609 for the purchase of new toxicology equipment for the Toxicology Unit for the period July 1, 2021, through the end of the grant funding. (100% State)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C. 27** APPROVE and AUTHORIZE the County Librarian, or designee, to apply for and accept a grant in the amount of \$5,000 from East Bay Community Foundation, administered by the Rodeo Municipal Advisory Council, for Rodeo Library services pursuant to the local refinery Good Neighbor Agreement for the period July 1 through December 31, 2021. (No County match)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C. 28** APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with California Department of Community Services and Development to increase the payment limit to the County by \$40,370 to a new payment limit of \$1,229,551 to provide Community Services Block Grant program services for the period March 27, 2020 through May 31, 2022. (100% Federal)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C. 29** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the California Department of Health Care Services to pay the County an amount not to exceed \$27,000,000 to improve availability and accessibility of Medi-Cal services to eligible and potentially eligible individuals and their families from the period July 1, 2021 to June 30, 2024. (No County match)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.30** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Public Health Foundation Enterprises, Inc. (dba Heluna Health), to pay County an amount not to exceed \$24,889 for participation in the FoodNet Expanded Case Exposure Ascertainment Project to study food-borne bacteria for the period August 1, 2020 through July 31, 2021. (No County match)

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

Other: District II Supervisor Candace Andersen (ABSENT)

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

**C.31** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Empower Programs, Inc., to extend the term from March 31, 2021 to March 31, 2023 and increase the payment limit by \$160,000 to a new payment limit of \$240,000 to provide on-call weed abatement services, Alamo, Concord, Danville, Pleasant Hill, San Ramon and Walnut Creek areas. (100% Iron Horse Corridor Funds)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.32** APPROVE and AUTHORIZE the Human Resources Director, or designee, to execute a contract amendment with Segal Advisors, Inc. to extend the term from March 31, 2021 through March 31, 2022, and increase the payment limit by \$60,000 to a new payment limit of \$210,000 to continue providing services for the County's 457 Deferred Compensation Plan. (100% Plan Participant Fee)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.33** APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute an amendment to the exclusive negotiating agreement with City Ventures Homebuilding, LLC, for the development of 24 town home units, approximately 2,000 sq. ft. of commercial space, and a public plaza on a 1.16 acres vacant site at Parker Avenue/Investment Street and Railroad Avenue in the Rodeo area. (100% Housing Successor funds)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.34** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Healthrisk Resource Group, Inc., in an amount not to exceed \$600,000 to provide claims processing and negotiations services to Contra Costa Health Plan (CCHP) for the period March 1, 2021 through February 29, 2024. (100% CCHP Enterprise Fund II)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.35** APPROVE and AUTHORIZE the Chief Information Officer, Department of Information Technology, or designee, to execute a contract amendment with CSI Telecommunications, Inc. to extend the term from January 31, 2021 through January 31, 2023 and increase the payment limit by \$250,000 to a new payment limit of \$1,330,000 to provide continued Federal Communication Commission radio licensing and microwave frequency coordination, as needed by the Department of Information Technology. (100% User Fees)

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

Other: District II Supervisor Candace Andersen (ABSENT)



**C.36** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Availity, LLC, in an amount not to exceed \$1,100,000 to provide electronic claims processing services for Contra Costa Health Plan providers to be reimbursed for services provided to Contra Costa Health Plan members for the period March 1, 2021 through February 28, 2022. (100% Contra Costa Health Plan Enterprise Fund II)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.37** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Young M. Kim, M.D., (dba Young's OB/GYN), in an amount not to exceed \$750,000 to provide obstetrics-gynecology services to Contra Costa Health Plan (CCHP) members for the period March 1, 2021 through February 29, 2024. (100% CCHP Enterprise Fund II)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.38** RATIFY amendment of an emergency blanket purchase order authorized by the County Administrator to secure critical services and supplies necessary to respond to the COVID-19 pandemic in Contra Costa County by increasing the payment limit by \$5,000,000 to a new payment limit of \$30,000,000 with no change to the term through June 30, 2021. (100% General Fund)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.39** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Steven Cloutier (dba Alhambra Valley Counseling Associates), in an amount not to exceed \$450,000 to provide outpatient psychotherapy services to Contra Costa Health Plan (CCHP) members for the period March 1, 2021 through February 29, 2024. (100% CCHP Enterprise Fund II)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.40** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Hilltop Radiology, LLC, in an amount not to exceed \$1,050,000 to provide diagnostic imaging services to Contra Costa Health Plan (CCHP) members for the period March 1, 2021 through February 29, 2024. (100% CCHP Enterprise Fund II)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.41** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with John Patrick Leonard Kirby (dba River Counseling Center), in an amount not to exceed \$330,000 to provide outpatient psychotherapy services for Contra Costa Health Plan (CCHP) members for the period March 1, 2021 through February 29, 2024. (100% CCHP Enterprise Fund II)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.42** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Community Options for Families and Youth, Inc., effective July 1, 2020, to increase the payment limit by \$85,800 to a new payment limit of \$2,352,813 to provide mental health and functional family therapy services for youth who have had serious contact with the Juvenile Justice System, with no change in the term July 1, 2020 through June 30, 2021; and to increase the automatic extension payment limit by \$42,900 to a new payment limit of \$1,176,406 through December 31, 2021. (100% Mental Health Services Act)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.43** APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Contra Costa ARC (dba Commercial Support Services), in an amount not to exceed \$280,000 to provide car washing and janitorial services for the period April 1, 2021 through March 31, 2024, Countywide. (75% General Fund, 25% Fleet Internal Service Fund)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.44** APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment effective January 1, 2021 with Remarkable Marriage and Family Institute, to increase the payment limit by \$370,000 to a new payment limit of 1,300,000 to provide additional specialty mental health services for the period July 1, 2019 through June 30, 2021. (50% Federal Medi-Cal; 50% Mental Health Realignment)

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

Other: District II Supervisor Candace Andersen (ABSENT)

### **Other Actions**

**C.45** APPROVE and AUTHORIZE the County Administrator, or designee, to execute an order for the destruction of County collections and deposit records maintained by the Superior Court that are over five (5) years old and are no longer necessary or required for County or Court purposes. (No fiscal impact)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.46** ACCEPT the Northern Waterfront Short-Line Railroad Feasibility Study, as directed by the Transportation, Water, and Infrastructure Committee and Northern Waterfront Economic Development Initiative Ad Hoc Committee. (No fiscal impact)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.47** ACCEPT the annual Industrial Safety Ordinance Report for 2020, as requested by the Health Services Director.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.48** APPROVE the list of providers recommended by 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 III Supervisor Diane Burgis, District IV Supervisor Karen Mitchoff, District V Supervisor Federal D. Glover

Other: District II Supervisor Candace Andersen (ABSENT)

**C.49** RATIFY the Conservation and Development Director's execution of a tolling agreement with Discovery Builders, Inc., West Coast Home Builders, Inc., and the East Contra Costa Fire Protection District to toll the limitations period for potential litigation related to fire protection facilities fees through April 30, 2021, as recommended by the Conservation and Development Director. (No fiscal impact)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.50** APPROVE and AUTHORIZE the Veterans Services Officer, or designee, to execute the Unpaid Student Training Agreement with California State University, Stanislaus Masters of Social Work Program for the period May 1, 2021 through April 30, 2026. (Non-financial agreement)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.51** APPROVE the 2021-2022 Head Start Recruitment and Enrollment Plan and the Admissions Priority Criteria for early care and education programs of the Community Services Bureau, as recommended by the Employment and Human Services Director.

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

Other: District II Supervisor Candace Andersen (ABSENT)

**C.52** APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay each of up to eleven (11) In-Home Supportive Services Public Authority Advisory Council members \$24 per meeting not to exceed three (3) meetings per month for the 12-month period of July 1, 2021 through June 30, 2022 for a total cost for 11 members not to exceed \$7,300 in stipends to defray meeting attendance costs, as recommended by the Employment and Human Services Director. (50% Federal, 40% State, 10% County)

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

Other: District II Supervisor Candace Andersen (ABSENT)

**Successor Agency to the Contra Costa County Redevelopment Agency**

**C.53** APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute an Exclusive Negotiating Agreement with Pacific West Communities for the development of 325 multiple family residences and 40,000 sq. ft. of commercial space for the Orbisonia Heights site in the Bay Point area. (100% Housing Successor funds)

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

Other: District II Supervisor Candace Andersen (ABSENT)

## GENERAL INFORMATION

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

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to a majority of the members of the Board of Supervisors less than 96 hours prior to that meeting are available for public inspection at 1025 Escobar Street, First Floor, Martinez, CA 94553, during normal business hours.

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

Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Chair calls for comments from those persons who are in support thereof or in opposition thereto. After persons have spoken, the hearing is closed and the matter is subject to discussion and action by the Board. Comments on matters listed on the agenda or otherwise within the purview of the Board of Supervisors can be submitted to the office of the Clerk of the Board via mail: Board of Supervisors, 1025 Escobar Street, First Floor, Martinez, CA 94553.

The County will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Clerk of the Board at least 24 hours before the meeting, at (925) 655-2000. An assistive listening device is available from the Clerk, First Floor.

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) 655-2000, 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, 1025 Escobar Street, Martinez, California.

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

[www.co.contra-costa.ca.us](http://www.co.contra-costa.ca.us)

## **STANDING COMMITTEES**

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

The **Family and Human Services Committee** (Supervisors John Gioia and Candace Andersen) meets on the fourth Monday of the month at 9:00 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Finance Committee** (Supervisors John Gioia and Karen Mitchoff) meets on the first Monday of the month at 9:00 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Hiring Outreach Oversight Committee** (Supervisors Federal D. Glover and John Gioia) meets quarterly on the first Monday of the month at 10:30 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Internal Operations Committee** (Supervisors Candace Andersen and Diane Burgis) meets on the second Monday of the month at 10:30 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Legislation Committee** (Supervisors Karen Mitchoff and Diane Burgis) meets on the second Monday of the month at 1:00 p.m. in Room 110, County Administration Building, 1025 Street, Martinez.

The **Public Protection Committee** (Supervisors Andersen and Federal D. Glover) meets on the fourth Monday of the month at 10:30 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Sustainability Committee** (Supervisors Federal D. Glover and John Gioia) meets on the fourth Monday of every other month at 1:00 p.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

The **Transportation, Water & Infrastructure Committee** (Supervisors Candace Andersen and Karen Mitchoff) meets on the second Monday of the month at 9:00 a.m. in Room 110, County Administration Building, 1025 Escobar Street, Martinez.

Airports Committee	March 10, 2021	11:00 a.m.	See above
Family & Human Services Committee	March 22, 2021	9:00 a.m.	See above
Finance Committee	April 5, 2021	9:00 a.m.	See above
Hiring Outreach Oversight Committee	June 7, 2021	10:30 a.m.	See above
Internal Operations Committee	April 12, 2021	10:30 a.m.	See above
Legislation Committee	April 12, 2021	1:00 p.m.	See above
Public Protection Committee	March 22, 2021	10:30 a.m.	See above
Sustainability Committee	March 22, 2021	1:00 p.m.	See above
Transportation, Water & Infrastructure Committee	April 12, 2021	9:00 a.m.	See above

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

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

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

- AB** Assembly Bill
- ABAG** Association of Bay Area Governments
- ACA** Assembly Constitutional Amendment
- ADA** Americans with Disabilities Act of 1990
- AFSCME** American Federation of State County and Municipal Employees
- AICP** American Institute of Certified Planners
- AIDS** Acquired Immunodeficiency Syndrome
- ALUC** Airport Land Use Commission
- AOD** Alcohol and Other Drugs
- ARRA** American Recovery & Reinvestment Act of 2009
- BAAQMD** Bay Area Air Quality Management District
- BART** Bay Area Rapid Transit District
- BayRICS** Bay Area Regional Interoperable Communications System
- BCDC** Bay Conservation & Development Commission
- BGO** Better Government Ordinance
- BOS** Board of Supervisors
- CALTRANS** California Department of Transportation
- CalWIN** California Works Information Network
- CalWORKS** California Work Opportunity and Responsibility to Kids
- CAER** Community Awareness Emergency Response
- CAO** County Administrative Officer or Office
- CCCPCFD (ConFire)** Contra Costa County Fire Protection District
- CCHP** Contra Costa Health Plan
- CCTA** Contra Costa Transportation Authority
- CCRMC** Contra Costa Regional Medical Center
- CCWD** Contra Costa Water District
- CDBG** Community Development Block Grant
- CFDA** Catalog of Federal Domestic Assistance
- CEQA** California Environmental Quality Act
- CIO** Chief Information Officer
- COLA** Cost of living adjustment
- ConFire (CCCPCFD)** 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: Monica Nino, County Administrator  
Date: March 9, 2021

Subject: Side-Letter Amendments to the MOU between the County and IFPTE Local 21

---

**RECOMMENDATION(S):**

Adopt Resolution No. 2021/77, approving the side letter between Contra Costa County and Professional & Technical Engineers, Local 21 (IFPTE, Local 21) amending the parties' Memorandum of Understanding to add the Appraisers Unit (formerly the Property Appraisers Unit), and specifying those Sections applicable to the representation unit.

**FISCAL IMPACT:**

Structured to be cost neutral. This is a change in representation to IFPTE, Local 21 and there will be no change in benefits for the Appraisers Unit employees.

**BACKGROUND:**

On August 4, 2020, the Board of Supervisors formally recognized IFPTE Local 21 as the majority representative of the Property Appraisers Unit. The side letter is the result of the subsequent meet and confer process and identifies the terms and conditions of employment for the Property Appraisers Unit which is now identified as the Appraisers Unit of IFPTE Local 21.

**CONSEQUENCE OF NEGATIVE ACTION:**

If the side letter is not approved, the terms and conditions of employment for the Appraiser Unit will not be included in the IFPTE, Local 21 memorandum of understanding.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/09/2021**  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: March 9, 2021

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

Contact: Alvan Mangalindan, Labor Relations  
Analyst II (925) 655-2072

By: June McHuen, Deputy

cc: Ann Elliott, Acting Director of Human Resources, Haj Nahal, Assistant Auditor-Controller



ATTACHMENTS

Resolution 2021/77

Side Letter between Contra Costa County and IFPTE, Local 21 - dated February 18, 2021

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

Adopted this Resolution on 03/09/2021 by the following vote:

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



**Resolution No. 2021/77**

**In The Matter Of:** Amendments to the Memorandum of Understanding between Contra Costa County and the Professional and Technical Engineers, Local 21, for the period of July 1, 2016 through June 30, 2022

The Contra Costa County Board of Supervisors acting in its capacity as Governing Board of the County of Contra Costa and all districts of which it is the ex-officio governing Board **RESOLVES THAT:**

Effective April 1, 2021, the attached Side Letter of Agreement dated February 18, 2021, between Contra Costa County and the Professional and Technical Engineers, Local 21, be **ADOPTED**.

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: Alvan Mangalindan, Labor Relations Analyst II**  
**(925) 655-2072**

**ATTESTED: March 9, 2021**

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

By: June McHuen, Deputy

**cc:** Ann Elliott, Acting Director of Human Resources, Haj Nahal, Assistant Auditor-Controller

# SIDE LETTER BETWEEN CONTRA COSTA COUNTY AND IFPTE, LOCAL 21

This Side Letter is by and between the Professional and Technical Engineers, IFPTE, Local 21 ("Local 21") and the County of Contra Costa ("County") and is effective on \_\_\_\_\_ following approval of the Board of Supervisors.

This side letter amends the Memorandum of Understanding between the County and Local 21 (July 1, 2019- June 30, 2022) to include the new Appraisers Unit (ZD) and specifies those Sections applicable and not applicable to the new unit:

## **I. SECTION 1 ORGANIZATION RECOGNITION**

Amend Section 1 - Organization Recognition, to add the Appraisers Unit (ZD) to the list of units recognized to be represented by Local 21. Include a list of Appraisers Unit (ZD) classifications as Appendix I (attached) to the MOU. Property Appraisers are those employees in the classifications of Associate Appraiser (DATA), Assistant Appraiser (DAVA), and Junior Appraiser (DAWA).

- **Amend Section 1 – Organization Recognition, as follows:**

Professional & Technical Engineers, Local 21, AFL-CIO is the formally recognized employee organization for the representation units listed below, and such employee organization has been certified as such pursuant to Board of Supervisors' Resolution 81/1165.

Supervisory Unit – see Appendix A

Non-Supervisory Unit – see Appendix B

Unit C – see Appendix C

[Appraisers Unit \(ZD\) – see Appendix I](#)

## **II. SECTION 6 — DAYS & HOURS OF WORK**

Amend Section 6 – Days & Hours of Work, to exclude the Appraisers Unit (ZD) from subsections 6.6 and 6.7, include Appraisers Unit (ZD) classifications under subsection 6.18, and add new subsections 6.20 and 6.21.

- **Amend Subsection 6.6 No Overtime Pay, Holiday Pay, or Comp Time, as follows:**

6.6 No Overtime Pay, Holiday Pay, or Comp Time: Employees are not entitled to receive overtime pay, holiday pay, overtime compensatory time, or holiday compensatory time. Employees who are unable or not permitted to observe a holiday (take the day off), are authorized to receive overtime pay ONLY IF the employee is on the Overtime Exempt Exclusion List. This section does not apply to employees in Unit C [and the Appraisers Unit \(ZD\)](#).

- **Amend Subsection 6.7 Overtime Exempt Exclusion, as follows:**  
 6.7 Overtime Exempt Exclusion: Employees who are awarded Annual Management Administrative Leave in recognition of the extra burden their job responsibilities may sometimes place on their work schedules are overtime exempt and are not eligible for overtime pay, holiday pay, overtime compensatory time, or holiday compensatory time. However, these employees may be made eligible for overtime pay if their names are placed on the Overtime Exempt Exclusion List by the County Administrator's Office. Employees on the Overtime Exempt Exclusion list are authorized to receive overtime pay, only. These employees are NOT eligible for holiday pay, overtime compensatory time, or holiday compensatory time. Employees on the Overtime Exempt Exclusion List are also NOT eligible for Annual Management Administrative Leave for the quarter they are on the Overtime Exempt Exclusion List. The policies and the procedures for the Overtime Exempt Exclusion List are set forth in the County Administrator's memo of November 6, 2002, as may be amended. This section does not apply to employees in Unit C [and the Appraisers Unit \(ZD\)](#).
  
- **Amend Subsection 6.9 Personal Holiday Credits, as follows:**  
 6.9 Personal Holiday Credit. Employees are entitled to accrue two (2) hours of personal holiday credit each month. Employees in Unit C [and the Appraisers Unit \(ZD\)](#) will accrue four (4) hours of personal holiday credit each month. This time is prorated for part-time employees. No employee may accrue more than forty (40) hours of personal holiday credit. On separation from County service, employees are paid for any unused personal holiday credit hours at the employee's then current rate of pay, up to a maximum of forty (40) hours.
  
- **Amend Subsection 6.18 Unit C Overtime and Straight Time Pay as follows:**  
 6.18 Unit C [and the Appraisers Unit \(ZD\)](#) Overtime and Straight Time Pay. Permanent full-time and part-time employees in Unit C [and the Appraisers Unit \(ZD\)](#) will be compensated for overtime at the rate of one and one-half (1.5) times their base rate of pay (excluding differentials) for authorized work performed that exceeds eight (8) hours in a day and that exceed the employee's daily scheduled hours, or forty (40) hours in a week. Work performed does not include non-worked hours.

Permanent full-time and part-time employees will be paid straight time pay at the rate of one (1.0) hour times the employee's base rate of pay (excluding differentials) for hours worked in excess of the employees daily number of scheduled hours that do not qualify for overtime pay. Employees are not entitled to compensatory time off in lieu of overtime or straight time pay.
  
- **Add new Subsection 6.20 – Appraisers Unit (ZD) Holidays Observed on Regular Day Off of Full-Time Employees on 4/10, 9/80, Flexible, and Alternate Work Schedule, as follows:**  
[6.20 Appraisers Unit \(ZD\) Holidays Observed on Regular Day Off of Full-Time Employees on 4/10, 9/80, Flexible, and Alternate Work Schedule:](#)

  1. [When a holiday is observed by the County on the regularly scheduled day off of an employee who is on a 4/10, 9/80, flexible, or alternate work schedule, the employee is entitled to take eight \(8\) hours of flexible pay at the rate of 1.0 times his/her base rate of pay \(not including differentials\) or flexible compensatory time in recognition of his/her](#)

regularly scheduled day off.

2. Flexible compensatory time may not be accumulated in excess of two hundred eighty-eight (288) hours. After 288 hours are accrued by an employee, the employee will receive flexible pay at the rate of 1.0 times his/her base rate of pay. Flexible compensatory time may be taken on those dates and times determined by mutual agreement of the employee and the Department Head or designee.
3. Flexible compensatory time will be paid off only upon a change in status. A change in status includes separation, transfer to another department, reassignment to a permanent-intermittent position, or transfer assignment, or promotion or demotion into a position that is not eligible for flexible compensatory time.
4. Employees who elect to receive flexible compensatory time must agree to do so for a full fiscal year (July 1 through June 30). The employee must notify their departmental payroll staff of any change in the election by May 31 of each year.

- **Add new Subsection 6.21 – Appraisers Unit (ZD) 4/10 Summer Schedule, as follows:**

6.21 Appraisers Unit (ZD) 4/10 Summer Schedule. The Assessor may continue the annual 4/10 summer schedule, which begins when the Assessor declares and ends on October 31st of each year.

### **III. SECTION 12 HEALTH, LIFE & DENTAL CARE**

Amend subsections 12.12 and 12.14 to remove reference to \$5,000 cap per calendar year.

- **Amend subsection 12.12 and 12.14 as follows:**

**12.12 Health Care Spending Account:** After six (6) months of permanent employment, full time and part time (20/40 or greater) employees may elect to participate in a Health Care Spending Account (HCSA) Program designated to qualify for tax savings under Section 125 of the Internal Revenue Code, but such savings are not guaranteed. The HCSA Program allows employees to set aside a predetermined amount of money from their pay, not to exceed ~~five thousand dollars (\$5,000)~~ the maximum amount authorized by federal law, per calendar year, of before tax dollars, for health care expenses not reimbursed by any other health benefit plans. HCSA dollars may be expended on any eligible medical expenses allowed by Internal Revenue Code Section 125. Any unused balance is forfeited and cannot be recovered by the employee

**12.14 Dependent Care Assistance Program:** The County offers the option of enrolling in a Dependent Care Assistance Program (DCAP) designed to qualify for tax savings under Section 129 of the Internal Revenue Code, but such savings are not guaranteed. The program allows employees to set aside ~~up to five thousand dollars (\$5,000)~~ a predetermined amount of annual salary not to exceed the maximum amount authorized by federal law, of annual salary (before taxes) per calendar year, of before-tax dollars to pay for eligible dependent care (child and elder care) expenses. Any unused balance is forfeited and cannot be recovered by the employee

**IV. SECTION 13 - PROBATIONARY PERIOD**

- **Amend subsection 13.2 - Classes with Probationary Period Over Six Months as follows:**

<u>CLASSIFICATION</u>	<u>JOB CODE</u>	<u>MONTHS</u>
<u>JUNIOR APPRAISER</u>	<u>DAWA</u>	<u>12</u>

**V. SECTION 21 - RETIREMENT**

- **Amend subsection 21.2 - Retirement Benefit - Employees who become CCCERA members on or After January 1, 2013 as follows:**

- A. For employees who become members of the Contra Costa County Employees Retirement Association (CCCERA) on or after January 1, 2013, retirement benefits are governed by the California Public Employees Pension Reform Act of 2013 (PEPRA), (chapters 296, 297, Statutes of 2012). To the extent this Agreement conflicts with any provision of PEPRA, PEPRA will govern. (For additional information about the PEPRA pension benefit, see www.CCCERA.org)
- B. For employees hired by the County after June 30, 2014, who, under PEPRA, become New Members of CCCERA the cost of living adjustment to the retirement allowance will not exceed two percent (2%) per year, and the cost of living adjustment will be banked.
- C. For employees who, under PEPRA, become New Members of CCCERA, the disability provisions are the same as the current Tier III disability provisions.

~~D. The County will seek legislation amending the County Employees Retirement Law of 1937 to clarify that the current Tier III disability provisions apply to employees who, under PEPRA, become New Members of CCCERA. The Union will support the legislation.~~

**VI. SECTION 41 – OTHER BENEFITS**

- **Amend subsection 41.4 – Deferred Compensation Incentive. Add Special Benefit for Permanent Employees in the Appraisers Unit (ZD) Hired on and after January 1, 2009 (Deferred Compensation Incentive) as follows:**

**C. Special Benefit for Permanent Employees in the Appraisers Unit (ZD) Hired on and after January 1, 2009:**

1. Beginning on April 1, 2009 and for the term of this MOU, the County will contribute one hundred and fifty dollars (\$150) per month to an employee's account in the Contra Costa County Deferred Compensation Plan, or other tax-qualified savings program designated by the County, for employees in the Appraisers Unit (ZD) classifications who meet all of the following conditions:

a. The employee must be hired by Contra Costa County on or after January 1, 2009 for the Appraisers Unit (ZD) classifications.

- b. The employee must be appointed to a permanent position. The position may be either full time or part time, but if it is part time, it must be designated, at a minimum, as 20 hours per week.
- c. The employee must have been employed by Contra Costa County for at least 90 calendar days.
- d. The employee must contribute a minimum of twenty-five dollars (\$25) per month to the Contra Costa County Deferred Compensation Plan, or other tax-qualified savings program designated by the County.
- e. The employee must complete and sign the required enrollment form(s) for his/her deferred compensation account and submit those forms to the Human Resources Department, Employee Benefits Services Unit.
- f. The employee may not exceed the annual maximum contribution amount allowable by the United States Internal Revenue Code.

Note – Subsequent paragraphs under subsection 41.4 will be reordered accordingly.

- **Amend subsection 41.5.E – Annual Management Administrative Leave to exclude Appraisers Unit (ZD) classifications from provision.**
  - 41.5.E - This section does not apply to employees in classifications of Unit C and the Appraisers Unit (ZD).
- **Amend subsection 41.9.D – Other Terms and Conditions of Employment (Overtime Exempt Exclusion, Overtime, Length of Service Credits) to exclude Appraisers Unit (ZD) classifications from provision.**
  - 41.9.D - This section does not apply to employees in classifications of Unit C and the Appraisers Unit (ZD).
- **Amend subsection 41.10.D – Vacation Buy Back to exclude Appraisers Unit (ZD) classifications from provision.**
  - 41.10.D - This section does not apply to employees in classifications of Unit C and the Appraisers Unit (ZD).
- **Amend subsection 41.12.G – Sick Leave Incentive Plan to exclude Appraisers Unit (ZD) classifications from provision.**
  - 41.12.G – This section does not apply to employees in the classifications of the Appraisers Unit (ZD).
- **Amend subsection 41.14 – Long Term Disability Insurance to exclude Appraisers Unit (ZD) classifications from provision.**
  - 41.14 - The County will continue in force the Long-Term Disability Insurance program with a replacement limit of eighty-five (85%) of total monthly base earnings reduced by any deductible benefits. Effective July 1, 2016, the LTD program is discontinued for employees. An LTD claim filed prior to July 1, 2016 will be processed under the LTD program, until such time as the claim is closed. This section does not apply to employees in the classifications of the Appraisers Unit (ZD).

**VII. SECTION 42 SPECIAL BENEFITS FOR MANAGEMENT EMPLOYEES BY DEPARTMENT OR CLASS**

- **Amend subsection 42.6 - Assessor Education Differential, to add the listed classes from the Appraisers Unit (ZD) as eligible for the Assessor Education Differential, as follows:**

Employees in the classes of Principal Appraiser (DADC), Supervising Appraiser (DAHC), Supervising Auditor-Appraiser (DRNA), Auditor-Appraiser I (DRWB), Auditor Appraiser II (DRVA) **and**, Senior Auditor-Appraiser (DRTA), [Associate Appraiser \(DARA\)](#), [Assistant Appraiser \(DAVA\)](#), and [Junior Appraiser \(DAWA\)](#) are entitled to a salary differential of two and one-half percent (2.5%) of base monthly salary for possession of a certification for educational achievement from at least one of the following:

- A. American Institute of Real Estate Appraisers Residential Member designation.
- B. State Board of Equalization Advanced Appraiser Certification.
- C. International Association of Assessing Officers Residential Evaluation Specialist.
- D. Society of Auditor-Appraiser Master Auditor-Appraiser designation.
- E. Society of Real Estate Appraisers Senior Residential Appraiser designation.
- F. Any other certification approved by the County Assessor and the Director of Human Resources.

- **Add new Subsection 42.30 – Property Appraiser Division Differentials, as follows:**

[Property Appraiser Division Differentials: Associate Appraisers assigned to the Standards Division of the Assessor's Office shall receive a monthly differential in the amount of two and one-half percent \(2.5%\) of monthly base pay for each month assigned. This differential is in recognition of the additional responsibilities and duties required when assigned to the Standards Division. The Associate Appraiser in the Standards Division who is assigned the responsibility of providing lead direction and training to subordinate Appraisers shall receive a monthly differential in the amount of two and one-half percent \(2.5%\) of monthly base pay in addition to the differential described above.](#)

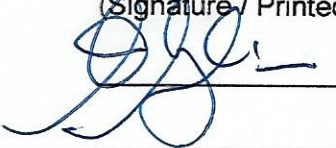
**VIII. All other provisions of the MOU between the County and Local 21 that are not specifically amended or excluded by this Side Letter are applicable to the classifications in the Appraisers Unit (ZD).**

The terms of this Side Letter will be incorporated into the next MOU between the County and Local 21. Except as specifically amended or excluded by this Side Letter, all other terms and conditions of the MOU between Contra Costa County and Local 21 (July 1, 2019 -June 30, 2022) remain unchanged by this Side Letter. In the event either party identifies any unknown or unintended adverse impacts associated with this side letter, the parties will meet and confer to resolve the concerns.

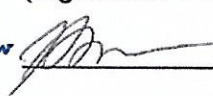


Date: 2/18/21

**Contra Costa County:**  
(Signature / Printed Name)

 / Alvan Mangelino  
\_\_\_\_\_/\_\_\_\_\_  
\_\_\_\_\_/\_\_\_\_\_  
\_\_\_\_\_/\_\_\_\_\_  
\_\_\_\_\_/\_\_\_\_\_

**IFPTE, Local 21:**  
(Signature / Printed Name)

 / JUSTIN DECKER  
\_\_\_\_\_/\_\_\_\_\_  
\_\_\_\_\_/\_\_\_\_\_  
\_\_\_\_\_/\_\_\_\_\_  
\_\_\_\_\_/\_\_\_\_\_

**APPENDIX I**

**CLASSIFICATIONS IN THE APPRAISERS UNIT (ZD)**

(Sorted by: Classification)

Effective July 1, 2020

<b>Job Code</b>	<b>Class Title</b>	<b>Flex Staff (F), Deep Class (D)</b>	<b>Salary Range</b>	
			<b>From</b>	<b>To</b>
DAWA	JUNIOR APPRAISER	F	\$5,730.81	\$6,318.22
DAVA	ASSISTANT APPRAISER	F	\$5,742.17	\$6,979.65
DATA	ASSOCIATE APPRAISER	F	\$6,848.86	\$8,324.83



Contra  
Costa  
County

To: Board of Supervisors  
From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE  
Date: March 9, 2021

Subject: Accessible Transportation Strategic Plan and Implementation Efforts

---

**RECOMMENDATION(S):**

APPROVE the Accessible Transportation Strategic (ATS) Plan and DIRECT Conservation and Development staff to continue acting as County liaison during the implementation effort, in coordination with staff from Health Services, Employment and Human Services, Public Works (General Services), and other potentially supportive or impacted Departments.

**FISCAL IMPACT:**

None. The ATS Plan recommendations do not directly or immediately impact the County budget. Individual ATS Plan implementation tasks may have impacts in the future at which point they will be brought to the Board for consideration. Conservation and Development staff costs are included in existing budgets and work plans. Staff participation from other impacted Departments should be minimal.

**BACKGROUND:**

**Summary**

In 2019, the Contra Costa Transportation Authority (CCTA/Authority) and the County applied for and received a Sustainable Communities Planning grant from Caltrans in the amount of \$400,000 to complete the countywide Accessible Transportation (ATS) Plan to address transportation services in the county related to transportation for seniors and people with disabilities. The study was recommended in CCTA's 2017 Countywide Transportation Plan (CTP).

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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: March 9, 2021

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

By: , Deputy

Contact: John Cunningham (925)  
674-7833

cc:

## BACKGROUND: (CONT'D)

The ATS Plan was prepared by Nelson\Nygaard Consulting Associates with oversight provided through a partnership between CCTA and the County and input and guidance provided by a Technical Advisory Committee (TAC) and a Policy Advisory Committee (PAC).

The CTP identified a need to address the challenges associated with: (1) different types of accessible transportation services for older adults and people with disabilities; (2) multiple transportation providers including cities, transit operators, social services agencies, and non-profit organizations; and (3) diverse, and sometimes overlapping, service areas. The ATS Plan has documented the following gaps and concerns: cross jurisdictional transfer trips leading to long and confusing rides, the need for more evening and weekend service, the need for a "one-call/one-click" system, and the need for same day service, among many other issues. Advocates have been expressing these concerns for decades. The Metropolitan Transportation Commission's Coordinated Public Transit-Human Services Transportation Plan summarizes the status of this segment of the transportation system as follows:

“Current senior-oriented mobility services do not have the capacity to handle the increase in people over 65 years of age...the massive growth among the aging ...points to a lack of fiscal and organizational readiness...the closure and consolidation of medical facilities while rates of diabetes and obesity are on the rise will place heavy demands on an already deficient system.”

## **Recent Events**

The Transportation, Water and Infrastructure Committee received an overview of this item at their February 8th meeting. The Board of Supervisors also should be aware of two events that occurred subsequent to that meeting:

### **1) The Draft Final ATS Plan (attached) was published**

The recommendations in the ATS Plan are discussed in more detail below but in summary, the primary recommendation is to form a Task Force that will recommend a Coordinating Entity. The Task Force, potentially comprised of PAC members, will determine what agency or type of agency (public agency, joint powers, non-profit, etc) will act as the Coordinating Entity. There is general agreement that a Coordinating Entity is needed to ensure ATS Plan implementation.

### **2) March 3rd Contra Costa Transportation Authority (CCTA) Planning Committee took place**

This report was published prior to the March CCTA Planning Committee meeting. CCTA staff will be present at the March 9th Board of Supervisors meeting and will review any outcomes from the Planning Committee meeting of which the Board should be aware.

## **Critical Issues Raised During the ATS Process:**

- **Legacy:** In Contra Costa County there have been three similar studies conducted in thirty years with little implementation. This was a concern to all participants in the ATS Plan process. There was agreement that a new entity needed to be formed ("Coordinating Entity") in order help ensure implementation and avoid the fate of earlier plans.

- **Funding:** There is a need for additional funding to implement any of the ATS Plan recommendations. Discussion on this point was one reason why the designation of a non-profit organization found favor (see citation in the next bullet) with the PAC. The funding needs include one-time grants for discrete expenses and capital purchases but also a critical need for ongoing funding. Some PAC members believed that a non-profit organization would be better positioned than the public sector to generate new funding opportunities.
- **Primary Recommendation: Coordinating Entity:** The ATS Plan provides a two-step recommendation to address the need for a new entity to oversee implementation of the ATS Plan. First, a Task Force would be formed. Second, that Task Force would "define and establish a dedicated countywide Coordinating Entity." The dialog at the PAC included support for a non-profit organization acting as Coordinating Entity: "At the completion of the ATSP process there appeared to be a plurality amongst the PAC in favor of ultimately designating a non-profit organization as the Coordinating Entity (existing or new was not determined)." However, the recommendation in the ATS Plan is to have the Task Force explore a range of options including a non-profit organization as well as public sector agencies.
- **Protection for Existing Transit Revenues:** Contra Costa transit operators expressed concern that as implementation moves ahead their Measure J revenue is protected.
- **User/Passenger Membership on the Task Force:** It has been proposed that the existing ATS Plan PAC be used as the implementation Task Force. Regardless if this is the case, or new members are identified, it is important that the roster include representation from the population that will ultimately use the service.

### **Schedule/Next Steps:**

Wednesday, March 17: Contra Costa Transportation Authority (CCTA) Board of Directors will consider the ATS Plan. CCTA will be responsible for establishing the Task Force.

---

### **History/Background** (Adapted from CCTA Staff Report)

The ATS Plan originated from CCTA's 2017 Contra Costa CTP. The CTP identified a need to address the challenges associated with:

- (1) different types of accessible transportation services for older adults and people with disabilities;
- (2) multiple transportation providers including cities/towns, transit operators, social services agencies, and non-profit organizations; and
- (3) diverse and sometimes overlapping service areas.

The ATS Plan is also intended to address unimplemented recommendations of three previous studies (1990, 2004, 2013) which were similar in scope. The 2016 and 2020 Transportation Expenditure Plans (TEP), though connected to unsuccessful sales tax measures, did further set expectations for the ATS Plan to ultimately "implement a customer-focused, user- friendly, seamless coordinated system."

The ATS Plan will also help fulfill a requirement by the Metropolitan Transportation Commission (MTC) in its Resolution 4321, that County Transportation Agencies (CTA)/Congestion Management Agencies (CMA) must meet the following mobility management requirement:

“Each county must establish or enhance mobility management programs to help provide equitable and effective access to transportation.”

Mobility management in this context refers to a centralized point-of-contact that facilitates ease of use of a variety of transportation modes by people with disabilities, veterans, and older adults. MTC uses the following description to define mobility management activities:

The region's Coordinated Public Transit-Human Services Transportation Plan directs counties to develop mobility management programs with three key components:

- Countywide travel training;
- In-person Americans with Disabilities Act (ADA) paratransit certification; and
- Coordination of information and referrals (I&R) through the provision of a mobility manager.

As part of the preparation for the project, the Authority and the County met with each transit agency to ensure they were supportive of the study, consulted with the Authority's Bus Transit Coordinating Committee (BTCC), and had each transit agency review and comment on the Scope-of-Work (SOW) and proposed oversight structure before the study was initiated.

This effort was a partnership between the Authority and the County, funded by a Caltrans Sustainable Communities Transportation Planning grant. The Authority issued a Request for Proposals (RFP) and selected Nelson\Nygaard. The process of developing the plan was originally intended to involve multiple oversight committees. The project team eventually defined and set-up a Technical Advisory Committee (TAC) and a Policy Advisory Committee (PAC) (detailed membership rosters are included in the attached ATS Plan):

### **Technical Advisory Committee (TAC)**

The role of the TAC was to provide subject matter expertise and public policy implications on service concepts under review by the study team. The TAC first met in November 2019 and continued meeting approximately monthly throughout the Study.

### **Policy Advisory Committee (PAC)**

The role of the PAC was to provide input on addressing policy barriers, communicate with stakeholders about the Study, liaise with elected or appointed Boards, and review and prioritize recommended strategies. The PAC first met in August 2020 and was originally slated to meet three times. Given the online meeting format and the complicated nature of the County's transportation challenges, the PAC ended up meeting approximately monthly since October 2020. Supervisor Candace Anderson was the County's representative on the PAC.

As noted above, previous paratransit-related studies have been completed. Four studies of note are:

- 1990 Contra Costa County Paratransit Plan,
- 2004 Contra Costa County Paratransit Improvement Study,
- 2013 Contra Costa County Mobility Management Plan, and
- 2018 West Contra Costa Transportation Advisory Committee (WCCTAC) Transportation Needs Assessment.

While many of the strategies recommended in those plans are considered to be best practices in other locations, a significant portion have not been implemented in the County. There are a variety of reasons for the failure to implement these previous studies such as lack of political support, structural issues related to the existence of multiple agencies involved in service delivery, and the lack of funding.

A primary factor in the Authority's design and development of this study was to uncover and address these previous barriers to ensure that recommendations from this study are more likely to be implemented. The process incorporated into the ATS Plan resulted in a more collaborative and engaging discussion than was the case in previous studies. It is therefore anticipated that the recommended

strategies will have greater community and agency support than previous efforts, and therefore have a greater likelihood of implementation.

Seniors and people with disabilities face significant challenges navigating a disparate transportation system. In addition, the proportion of seniors in the population is growing significantly, leading to an increase in demand for ADA paratransit services and a continuing magnification of related transportation challenges, including the need for greater transportation resources. The growing challenges facing seniors, people with disabilities, and eligible veterans in accessing needed transportation have been integrated into the recommended strategies of the ATS Plan.

The study's three primary goals were to:

1. Evaluate the existing services and provide corresponding recommendations for improvements;
2. Identify alternative models for service delivery, present those alternatives to stakeholders, and select a final preferred model; and
3. Develop a detailed implementation plan for that model.

Any study related to transportation for seniors and people with disabilities needs to address the issues of funding and demand. The Authority and the County recognize that current funding for these areas is limited. Grants for planning (e.g. Caltrans) and mobility management pilots may be obtained (e.g. Federal Transit Administration 5310) but jurisdictions must still establish sustainable funding for ongoing operations. Significant portions of current funding, such as for ADA-mandated paratransit programs, are restricted on how and to whom they can provide service. Regulatory concerns also affect transportation to and from healthcare, and inter-jurisdictional travel. Although some organizations and jurisdictions have proposed legislative fixes to these issues, it is challenging to change State or Federal law.

## **Outreach**

At the outset of this effort, a framework was developed for public outreach and engagement that would solicit input from key individuals and organizations, as well as a broad cross-section of the County's communities and stakeholder groups, particularly seniors and persons with disabilities. The outreach plan included five key goals to support a successful ATS Plan:

1. Educate community members about the Study and different transportation options in the County;
2. Engage with community members and learn about current transportation usage;
3. Identify strengths and challenges of existing services and unmet needs;
4. Gather and incorporate feedback on alternative models; and
5. Create support within the community for new models and identify potential barriers to implementation.

The comprehensive outreach effort for the ATS Plan included the following components:

- Presentations pre-COVID
  - o Developmental Disabilities Council of Contra Costa County
  - o Pleasant Hill Commission on Aging
- Surveys – 1000+
  - o English, Spanish and Mandarin
- Flyer/survey emailed and on paper with meal delivery
- Five Virtual Focus groups
  - o Diablo Valley College Disability Support Services
  - o Lighthouse for the Blind
  - o San Pablo Senior Center (Spanish)
  - o San Ramon Senior Center
  - o El Cerrito Senior Center
- Eleven Stakeholder interviews

- Telephone Town Hall Meeting – Oct 27, 2020
    - o Call available in English, Spanish, and Mandarin
    - o 225 people pre-registered
    - o 23,000 phone numbers dialed, 1,149 accepted.
    - o 4 simple polls; 17 audience questions answered by staff
  - Partner websites
  - Social media
    - o Instagram, Facebook, Nextdoor, and Twitter
  - Public Strategy Input on Recommendations through the project website, [www.atpspcontracosta.com](http://www.atpspcontracosta.com)
- The outreach effort provided significant input into the identification of transportation needs and gaps, which are provided in Chapter 4 of the ATS Plan.

## **Recommendation Summary**

The final two chapters of the ATS Plan provide recommended mobility strategies to address the needs and gaps, as well as an implementation plan which includes a blueprint to implementation of these strategies. The primary recommended strategy that is necessary to implement several of the mobility strategies is the implementation of a Coordinated Structure as defined in detail below.

### **Coordinated Structure**

A coordinated structure will need to be in place to implement countywide and centralized mobility strategies. Due to the complexity of implementing a coordinated service, establishment of this structure is proposed to be an iterative, two-phase process. In the short-term, a Task Force should be established that will be responsible for identifying which mobility strategies require a dedicated entity to increase the likelihood of implementation of countywide study recommendations, and which strategies could be assigned to existing entities for implementation in the shorter term.

### **Phase 1: Establish a Task Force (TF)**

The ATS Plan recommends that a TF be established to take the study recommendations to the next level of implementation. Following are some of the elements of this task that will need to be implemented:

**Composition:** The TF should include representatives of a broad variety of individuals representing agencies or user groups that have a stake in the project outcomes. This TF should include representatives of relevant human service agencies, transit agencies, elected officials, disabled and older adult advocates representing a range of segments of these communities, veterans, funding bodies, and other representatives.

To expedite the development of the TF, the ATS Plan recommends that it be composed of a modified version of the study's PAC, depending on interest, availability, and representation of a diversity of interests.

**Mission:** The TF is proposed to have three primary tasks:

1. Identify ATS Plan recommended strategies that can be delegated to existing agencies or non-profit organizations that do not require a Coordinated Entity (CE) for short-term implementation;
2. Define and establish a dedicated countywide CE for implementation of countywide strategies; and
3. Identify funding.

Activities should include prioritizing of the strategies presented in this study, and development of an incremental approach to strategy implementation. This would ensure that select study recommendations can be implemented in the short-term rather than waiting for the creation or



designation of a unified entity for implementation of large-scale, longer term strategies.

**Reporting Structure and Administrative Support:** Authority staff is recommending that the responsibility of interim oversight of the TF be provided by the Authority to ensure continuity moving to the next phase from the ATS Plan.

The TF could be an advisory committee to the Authority Board and report regularly on activities. It would need to be determined how and when the TF would report to the County Board of Supervisors (BOS), and/or transit agency Boards.

**Funding Sources:** Potential overhead costs for this task should be relatively limited beyond the required staffing support. Authority staff will bring a recommendation of proposed funding for staffing support to a future Authority Board meeting.

**Time Frame:** Once the ATS Plan has been approved by the Authority Board and County BOS, the TF could begin operating within three to six months. If the PAC is used as the basis for the formulation of the TF, it will ease implementation of this recommendation. The TF would remain in place until it completed its mission and could be dissolved once a Coordinated Entity (CE) is in place.

## **Phase 2: Establish a Dedicated Countywide Coordinated Entity (CE)**

A dedicated CE should either be created or designated to implement countywide study recommendations. The TF will be responsible for determining where this entity should be housed – it could be in an existing non-profit or public agency, or the TF could determine that a new entity will need to be established.

**Mission:** The role of the CE would be to implement study recommendations. Examples of strategies to be implemented by the CE could include:

- Identify and pursue new funding sources.
- Administer a uniform countywide ADA paratransit eligibility certification.
- Expand mobility management function.
- Procure joint paratransit scheduling software.
- Present a unified voice regarding policy and funding at the local, state, and federal levels.
- Oversee a one-seat ride for inter-jurisdictional trips both within and outside the county.

Additional opportunities for countywide service could be considered in the future as appropriate. Successful implementation of this recommendation will require political commitment at the highest levels of elected representatives in the County serving on the Authority Board, County BOS, and transit agencies.

Substantial effort will be required to set-up this organization (or to designate an existing organization to take on this role). Some of the considerations include potentially lengthy negotiations between stakeholders, resolution of legal issues, governance decisions, incorporating and otherwise incubating a non-profit organization, setting up joint powers agreements, etc.

The CE could have significant potential for implementing some of the longer term strategies proposed in the ATS Plan depending on the strength of leadership and the ability to secure dedicated funding.

The CE will need to seek funding through a variety of means, likely including funding dedicated through a sales tax measure. A non-profit could have access to funding not available to public

entities, such as grant funding and Community Development Block Grants, foundation funding, donations, other public funding options, etc.

One role of the TF and CE will be to explore comprehensive funding opportunities outside of “transportation” dollars. State and federal agencies provide funding through social service departments for transportation, outside of the traditional transportation silos.

## Other Notes

- At the outset of the planning process, staff from the Department of Conservation and Development and Contra Costa Health Services had several exploratory meetings to discuss how the ATS Plan could support CCHS operations and how they could be more involved in the process. The collaboration was not continued due to the overwhelming demands of the COVID-19 response on CCHS.
- Outreach to Veterans Affairs generated useful information that was previously unknown to ATS staff and the consultant team. In summary, issues with transportation services for veterans are similar to the broader population, there are significant service gaps and eligibility limitations and it is difficult to navigate transportation benefit administrative requirements.
- The WCCTAC Board discussed the ATS Plan at their 1/22/21 meeting. Comments included:
  - there is plenty of analysis; leadership and political champions are needed,
  - questions as to why there are so many agencies running this type of service, with references to individual cities having challenges running a program,
  - a need for coordination and a model to serve the whole county,
  - there needs to be a countywide solution, and
  - expressed support for a "one-call, one-click system."

### CONSEQUENCE OF NEGATIVE ACTION:

The Accessible Transportation Strategic Plan is a joint effort between the Contra Costa Transportation Authority (CCTA) and the County. If the County does not act, our position on the Plan will be unknown to CCTA which could create confusion.

### CLERK'S ADDENDUM

**Speakers: Debbie Toth, President & CEO of Choice in Aging; Cheryl Sudduth.**

### ATTACHMENTS

ATS Plan - Exec Summary

ATS Plan - Draft Final

ATS Plan - Presentation



**CONTRA COSTA**  
COUNTY, CALIFORNIA



CONTRA COSTA  
transportation  
authority

# CONTRA COSTA ACCESSIBLE TRANSPORTATION STRATEGIC PLAN EXECUTIVE SUMMARY

FEBRUARY 2021



## ACKNOWLEDGEMENTS

The Contra Costa Accessible Transportation Strategic Plan was funded by a Caltrans Sustainable Transportation Planning Grant.

### Project Team

Peter Engel, Director of Programs, Contra Costa Transportation Authority

John Cunningham, Principal Transportation Planner, Contra Costa County Department of Conservation and Development

Corinne Dutra-Roberts, Innovative Mobility Programs, Advanced Mobility Group (AMG)

### NelsonNygaard Consulting

Naomi Armenta, Project Manager

Richard Weiner, Principal in Charge

Marvin Ranaldson

Tanya Shah

Kevin Lucas

Emily Roach

Brian Manford

Kevin Ottem



4 W/C DOWNTOWN/  
BART IT'S FREE





## Table of Contents

<b>EXECUTIVE SUMMARY.....</b>	<b>ES-1</b>
Study Background.....	ES-1
Study Context .....	ES-2
Existing Conditions .....	ES-3
Outreach .....	ES-6
Survey Results.....	ES-10
Transportation Needs and Gaps.....	ES-12
Recommendations .....	ES-13



EXIT 23  
Pinole Valley Rd  
1 1/2 MILES

Hercules Exit  
Pinole Valley Rd  
Applan Way

EXIT 23  
Hercules  
1/2 MILE

EXIT 24  
Willow Ave  
Rodeo ↗



# Executive Summary

## STUDY BACKGROUND

The Accessible Transportation Strategic (ATS) Plan provides a coordination structure with strategies to improve accessible transportation services, based on an examination of transportation challenges facing seniors, people with disabilities, and veterans in Contra Costa County.

Sponsored by a partnership between CCTA and the County, the ATS was funded by a Caltrans Sustainable Communities Transportation Planning grant.

Inclusive and equitable public engagement was a key focus of the Plan, with input from organizations, key stakeholders, and the broader Contra Costa community.

## Project Oversight

The ATS process was overseen by Technical Advisory and Policy Advisory Committees. In March 2020, due to the COVID-19 outbreak, the project team started working “virtually” to allow people to participate safely.

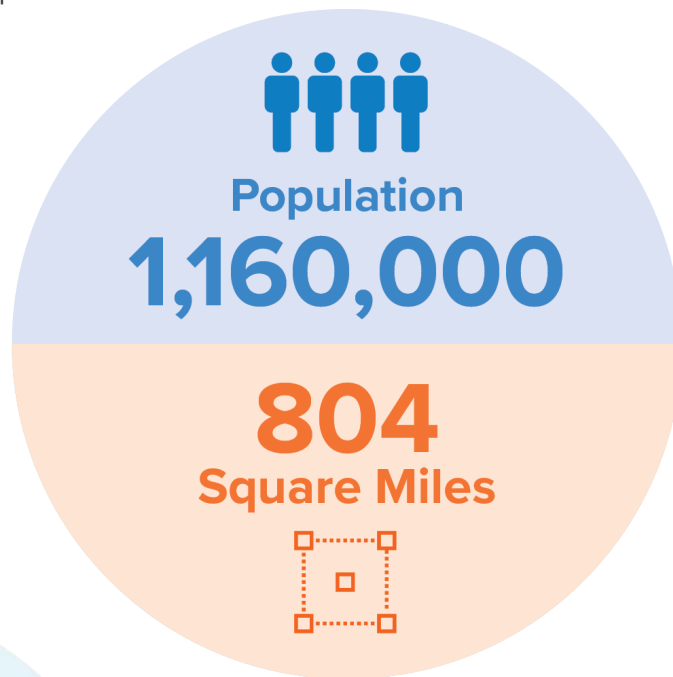
- **Technical Advisory Committee (TAC)**  
Provided subject matter expertise and public policy implications on service concepts
- **Policy Advisory Committee (PAC)**  
Provided input on addressing policy barriers, communicating with stakeholders about the Study, liaising with elected or appointed Boards, and reviewing and prioritizing recommended strategies



## STUDY CONTEXT

Contra Costa County has a diverse population spread across a relatively large area.

**3rd**  
largest  
population and  
area in Bay Area



*Not including census-designated places and unincorporated areas*

### Related Planning Initiatives 2016-2020

#### **2016 and 2020 Transportation Expenditure Plan**

“CCTA will develop an Accessible Transportation Strategic Plan to implement a customer-focused, user-friendly, seamless coordinated system...”

#### **2017 Countywide Comprehensive Transportation Plan**

“Initiate the ATS Plan: Ensure services are delivered in a coordinated system...”

#### **2019 Metropolitan Transportation Commission (MTC) Resolution 4321**

“Each county must establish or enhance mobility management programs to help provide equitable and effective access to transportation.”

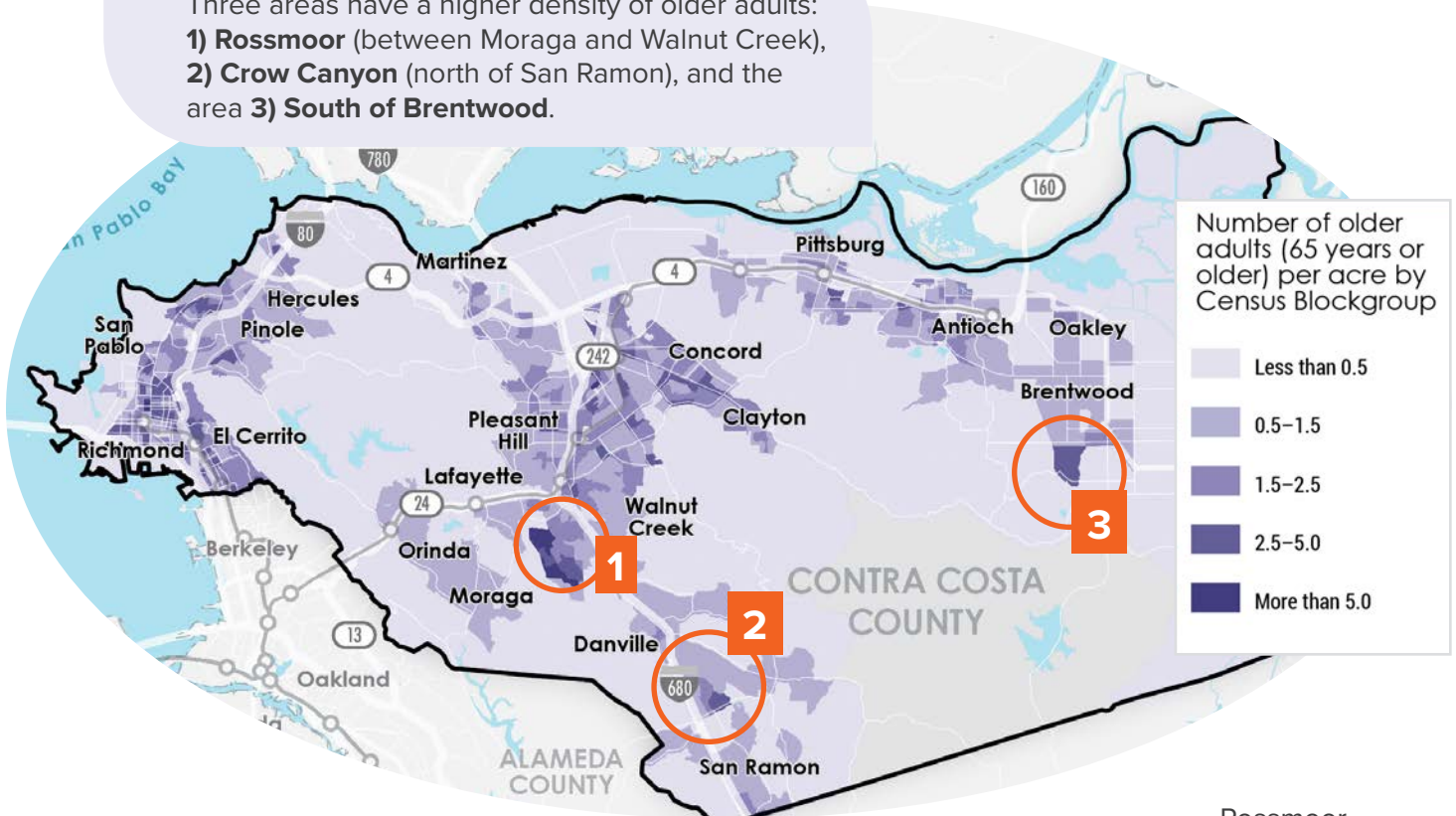
## EXISTING CONDITIONS

### Older Adults and Adults with Disabilities

The distribution of older adults and people with disabilities reflects the general population spread throughout the county, with a few areas of unusual concentration. Rossmoor has a higher population both of older adults and people with disabilities—countywide, those two groups constitute 23% of the population.

#### Older Adults

Three areas have a higher density of older adults:  
**1) Rossmoor** (between Moraga and Walnut Creek),  
**2) Crow Canyon** (north of San Ramon), and the  
 area **3) South of Brentwood**.



**23%**

over 65 or disabled



**15%**  
over 65

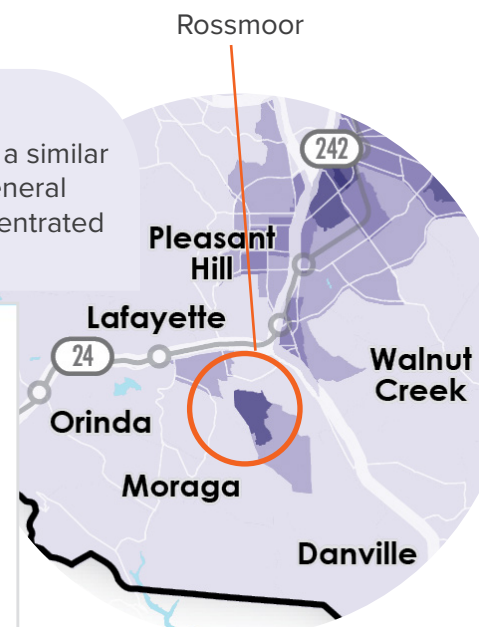
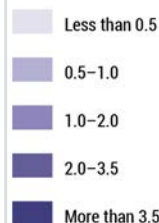
**8%**  
under 65, with disability

County Residents

#### People with Disabilities

People with disabilities have a similar geographic spread as the general population, except one concentrated area in **Rossmoor**.

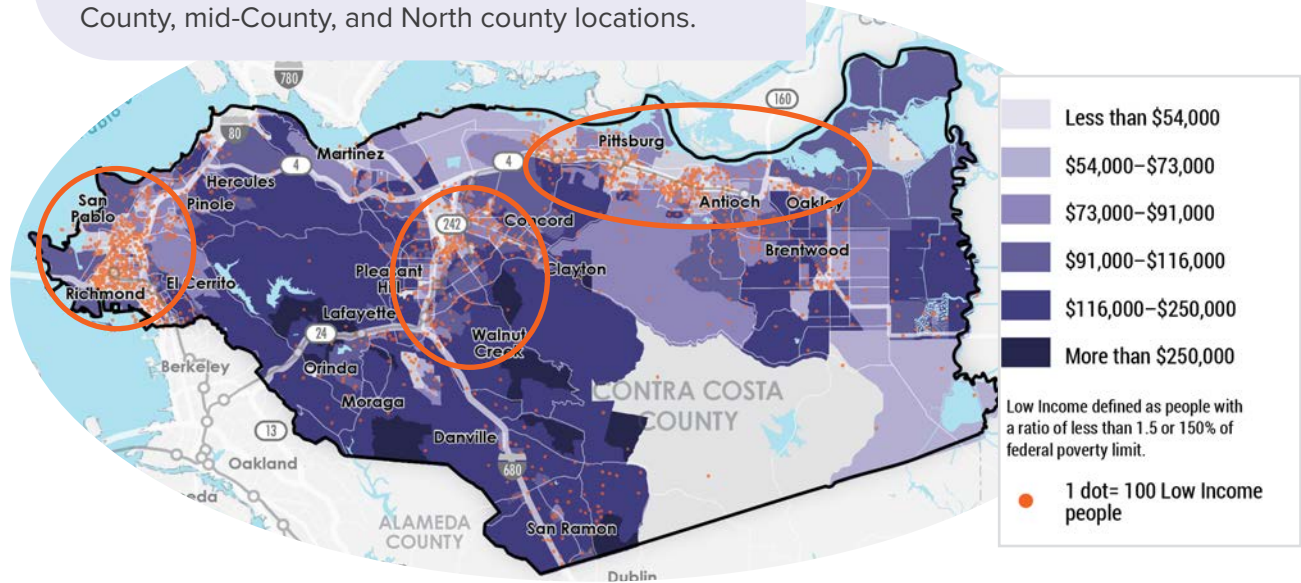
Number of people with disability per acre by Census Tract



## Equity Considerations

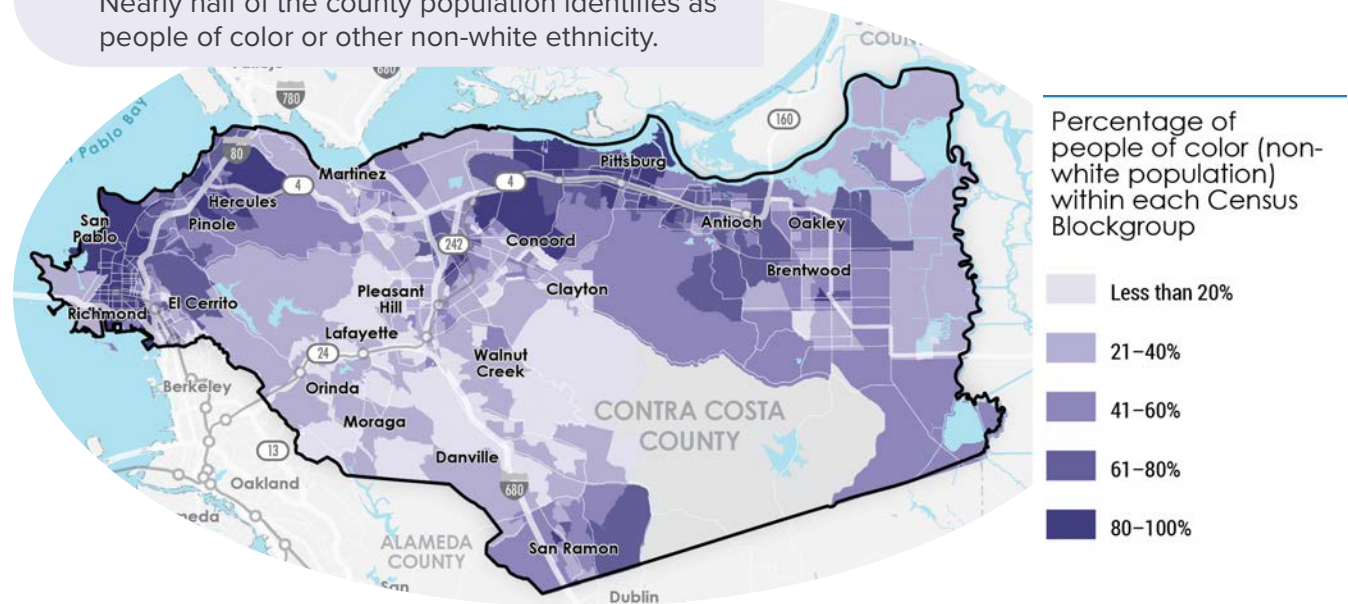
### Household Income

Low income population concentrations include West County, mid-County, and North county locations.



### People of Color

Nearly half of the county population identifies as people of color or other non-white ethnicity.



### Countywide Ethnicity

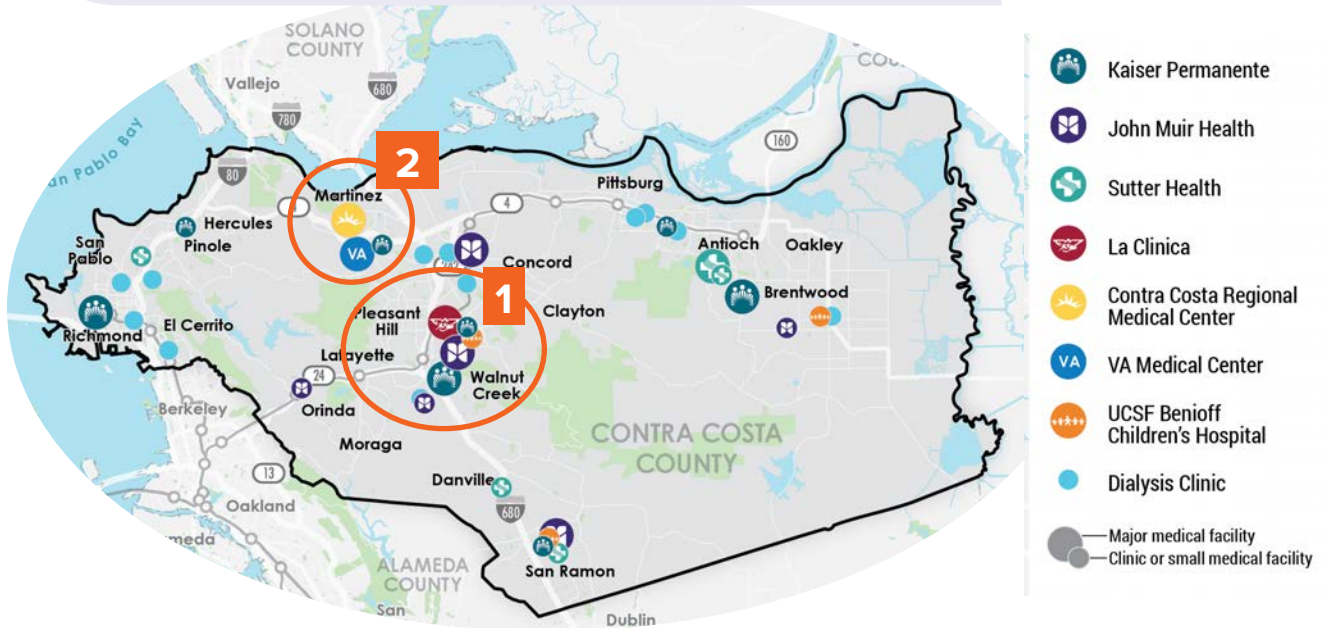
**52% White**

**48% People of Color/Other**

## Transportation Need and Services

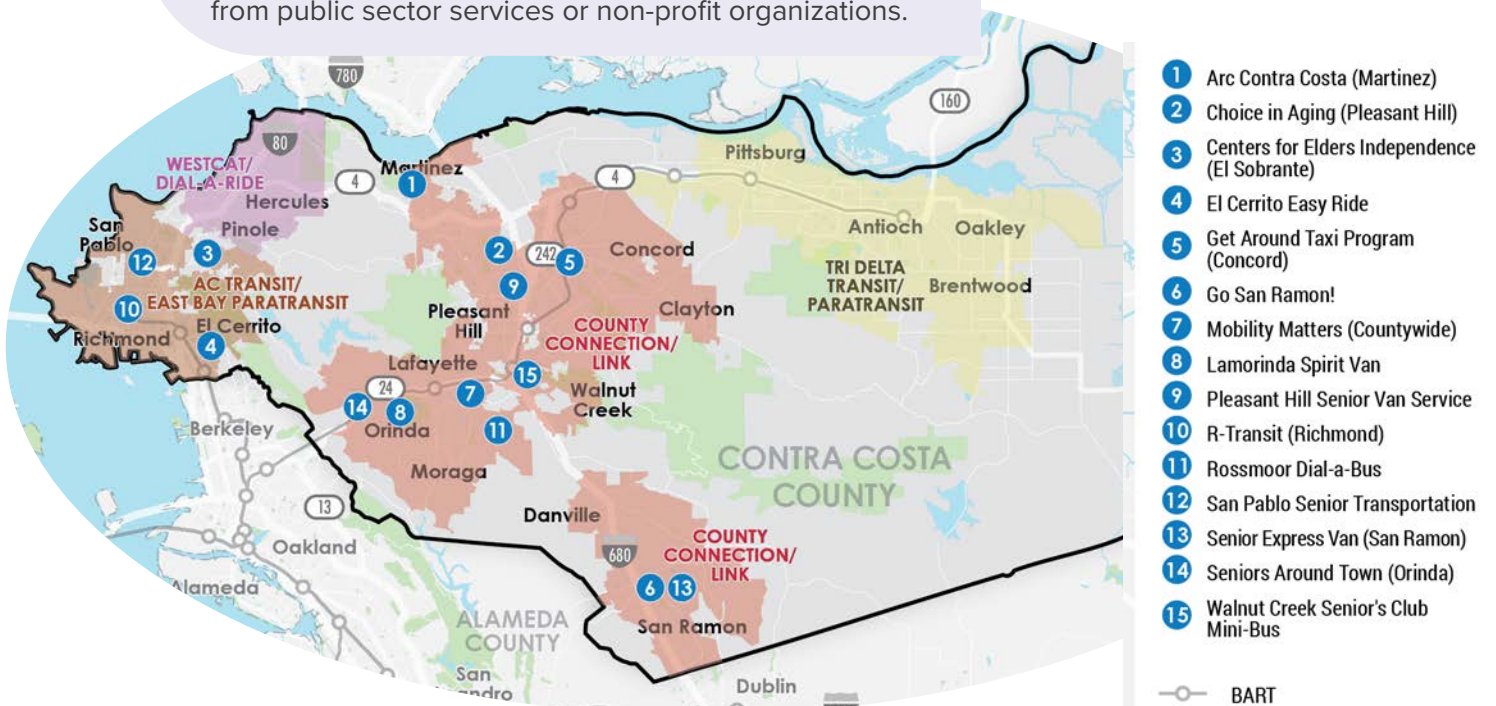
### Access to Medical Facilities

Most medical facilities are clustered in the center of the County between Pleasant Hill and Walnut Creek (2). Two facilities needed by residents throughout the County are the **Contra Costa County Medical Center** and the **VA Medical Center**, both in Martinez (2).



### Community-Based Transportation

Services areas don't always overlap areas of greatest demand, increasing the need for transit and paratransit services provided by community-transportation programs from public sector services or non-profit organizations.





## OUTREACH

### Outreach Toolkit

A virtual and paper flyer, along with tweets and postings on provider websites were distributed via social media, encouraging people to provide input through the online survey.

Contra Costa Accessible Transportation Strategic Plan

# Let's make transportation convenient for older adults and people with disabilities

If you're an older adult, have a disability, or are a veteran, transportation in Contra Costa County can be challenging. We want to identify ways to make it easier for you to get around the county—whether you're going to an appointment, getting groceries, visiting family, or anything else.

## You can participate from home!

Due to the shelter-in-place we are asking individuals to complete the survey online or participate in a short phone interview. Participants will be entered in a drawing for a \$25 gift card!

Take the survey on-line at [www.surveymonkey.com/r/CCTA\\_Survey2](http://www.surveymonkey.com/r/CCTA_Survey2) or in Spanish at [www.surveymonkey.com/r/CCTA\\_SurveySPN](http://www.surveymonkey.com/r/CCTA_SurveySPN)



Call us at **857-305-8004**

Email us at [info@atspcontracosta.com](mailto:info@atspcontracosta.com)

Visit us at  
[atspcontracosta.com](http://atspcontracosta.com)



Virtual Outreach Flyer

Public Engagement Collateral

[View on Nextdoor](#)

Principal Planner John Cunningham, Contra Costa County AGENCY

We are looking for older adults, people with disabilities, and veterans to participate in a short transportation survey that will gather information on ways to make transportation convenient in the community. Survey participants could win a \$25 gift card! Participate in the survey (English and... See more

General - Jun 23 to subscribers of Contra Costa County

Thank Private message

[View or Reply](#)

This message is intended for robertscee@gmail.com, Unsub Stevenson Street, Suite 700, San Francisco, CA 94103


We are gathering input from the community on ways to make transportation convenient for older adults and people with disabilities.

Please visit [atspcontracosta.com/participate](https://atspcontracosta.com/participate) as your input will help us better meet your transportation needs and be entered to win a \$25 gift card!




## Pre-COVID Outreach

Before the onset of the pandemic, surveys and engagement flyers were distributed and the project team made public presentations at the Developmental Disabilities Council of Contra Costa County and the Pleasant Hill Commission on Aging.



CONTRA COSTA  
transportation  
authority



CONTRA COSTA  
COUNTY, CALIFORNIA

## SURVEY CONTRA COSTA ACCESSIBLE TRANSPORTATION STRATEGIC PLAN

The Contra Costa Transportation Authority (CCTA), in coordination with Contra Costa County, is conducting a study to find out how to improve transportation services for seniors, people with disabilities, and eligible veterans who live or travel in Contra Costa County.

Please take a few minutes to fill out this survey and return it to the person who gave it to you, or you can also take the survey on-line at: [https://www.surveymonkey.com/r/CCTA\\_Survey](https://www.surveymonkey.com/r/CCTA_Survey).

If you have any questions or need assistance filling out this survey, please contact 510-506-7586 or [info@atspcontracosta.com](mailto:info@atspcontracosta.com).

**1. Which modes of transportation do you usually use?**  
*(Check all that apply; answer any related follow-up questions for BUS, ADA PARATRANSIT and LYFT/UBER)*

<sub>1</sub> BART

<sub>2</sub> Bus → Answer follow-up Q 2-4

<sub>3</sub> Bicycle

<sub>4</sub> Walk/Roll

<sub>5</sub> ADA Paratransit (East Bay Paratransit, WestCAT Dial-a-Ride, County Connection LINK, Tri Delta Paratransit) → Answer follow-up Q 5-7

<sub>6</sub> Drive myself

<sub>7</sub> Lyft/Uber → Answer follow-up Q 8-9

<sub>8</sub> Taxi

<sub>9</sub> Family, neighbor, or paid helper drives me

<sub>10</sub> Other (example: R-Transit, Rossmoor Dial-a-Bus, Lamorinda Spirit Van, etc): \_\_\_\_\_

**Q 2-4. BUS RIDER QUESTIONS**

Skip questions 2-4 if you don't ride the bus.

**2. If you use the BUS, what service(s) do you use?**

<sub>1</sub> AC Transit                       <sub>4</sub> Tri Delta

<sub>2</sub> WestCAT                               <sub>5</sub> Other (please specify): \_\_\_\_\_

<sub>3</sub> County Connection                      \_\_\_\_\_

**3. Please tell us about your BUS-riding experience and interactions with drivers:**

<sub>1</sub> Excellent                       <sub>4</sub> Additional comments: \_\_\_\_\_

<sub>2</sub> Satisfactory                      \_\_\_\_\_

<sub>3</sub> Poor                      \_\_\_\_\_

**4. Please share any other comments about your BUS-riding experience, such as ease of use, maintenance issues, or vehicle cleanliness:**

\_\_\_\_\_

**Q 5-7. ADA PARATRANSIT RIDER QUESTIONS**

Skip questions 5-7 if you don't ride paratransit.

**5. If you use ADA PARATRANSIT, what service(s) do you use?**

<sub>1</sub> East Bay Paratransit                       <sub>4</sub> Tri Delta Paratransit

<sub>2</sub> WestCAT Dial-a-Ride                       <sub>5</sub> Other (please specify): \_\_\_\_\_

<sub>3</sub> County Connection LINK                      \_\_\_\_\_

**6. Please tell us about your ADA PARATRANSIT-riding experience and interactions with drivers:**

<sub>1</sub> Excellent                       <sub>4</sub> Additional comments: \_\_\_\_\_

<sub>2</sub> Satisfactory                      \_\_\_\_\_

<sub>3</sub> Poor                      \_\_\_\_\_

**7. Please share any other PARATRANSIT-riding maintenance issues**

\_\_\_\_\_

**Q 8-9. LYFT/UBER RIDER**

Skip questions 8-9 if you don't use Lyft/Uber.

**8. If you use LYFT/UBER, please share your riding experience and interactions with drivers:**

<sub>1</sub> Excellent                      \_\_\_\_\_

<sub>2</sub> Satisfactory                      \_\_\_\_\_

<sub>3</sub> Poor                      \_\_\_\_\_

**9. Please share any other comments about your LYFT/UBER-riding experience, such as ease of use, maintenance issues, or vehicle cleanliness:**

\_\_\_\_\_

**Q 10-16 GENERAL RIDER QUESTIONS**

**10. Where are you usually going? (Please select up to three)**

I go to...

<sub>1</sub> Medical appointment

<sub>2</sub> Grocery shopping/drugstore

<sub>3</sub> Non-medical appointment

<sub>4</sub> See friends or family

<sub>5</sub> Attend a class

<sub>6</sub> The Senior Center

<sub>7</sub> Church

<sub>8</sub> Work or Volunteer position

<sub>9</sub> Other (please specify): \_\_\_\_\_

1,000+  
Surveys

Distributed via e-mail and  
meal deliveries

OVER ▶



Photo by John Schnobrich on Unsplash

### Post-COVID Outreach

Once the pandemic set in, the project team moved all outreach activities to safe platforms, utilizing virtual focus groups, stakeholder interviews, an online survey, and virtual town hall to safely interact with participants.



## 5 Focus Groups

### Focus Groups

Five virtual focus groups with seniors and persons with disabilities involved in-depth conversations with the project team, with an emphasis on reaching populations often overlooked through other forms of public engagement, such as adults with disabilities, people with Limited English Proficiency, and West County residents.

## 11 Interviews



### Stakeholder Interviews

Interview commencing in March of 2020 were put on hold in light of the onset of the COVID-19 pandemic. Interview questions were reevaluated to reflect the circumstances, and the interviews with public and nonprofit agencies, representing an array of stakeholder groups and interests, were completed between September and November.

## 1,149 participants

out of 23,000 invitations

## 3 languages

English, Spanish, Mandarin



### Telephone Town Hall

Nelson\Nygaard hosted a live Telephone Town Hall on October 27, 2020 to outline the project and answer questions.





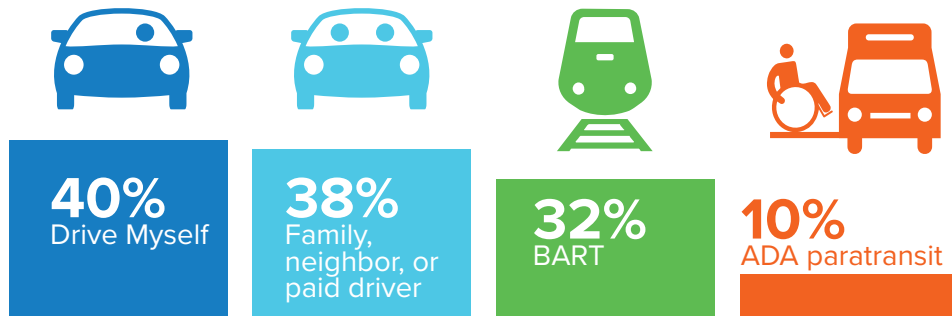
## SURVEY RESULTS

### Trip Destinations and Challenges

An online survey provided insight into how respondents get where they are going, where they go, and what factors complicate their trips.

#### Mode to Destination

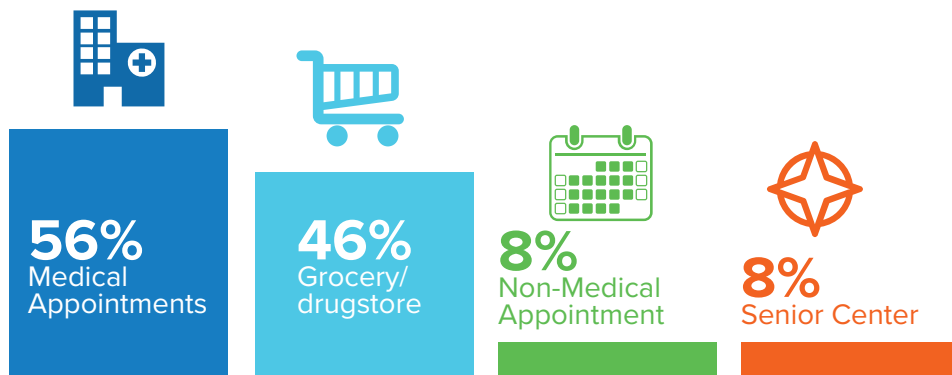
Trips were most commonly made by solo drivers, followed by those driven by a family, neighbor or paid helper. BART was used by about a third of respondents, with ADA paratransit utilized by 10% of the entire survey sample.



\* Respondents could choose as many modes as they used. Percentages reflect total respondents (1,063) selecting a particular mode they used.

#### Destinations

The top destination was medical appointments, with grocery/drugstore shopping in second place. Senior Center trips and non-medical appointments each accounted for an 8% share of destinations.



\* Respondents could choose up to three trips that they take most often. Percentages reflect total respondents (1,063) identifying each trip type.



### Trip Difficulty

Mirroring the top destinations, respondents had the most difficulty with medical appointments and making grocery/ drugstore trips. Seeing friends/family and getting to the Senior Center rounded up the top four types of difficult trips.



\* Respondents could choose up to three trips that they take most often. Percentages reflect total respondents (1,063) for each trip type.

### Trip Challenges

Almost one-third of respondents feel unsafe while traveling, with about a quarter unable to go where or when they want, or feeling their trip takes too long.



\* Respondents could choose up to three challenges that they faced most often. Percentages reflect total respondents (1,063) identifying each trip type.

## TRANSPORTATION NEEDS AND GAPS

The project team's review of existing conditions and survey data identified key needs and gaps in accessible transportation in Contra Costa County. These include:



**New Funding** – Grants are sometimes available for planning and pilots, but all recommendations will require new sustainable funding



**Safety** – Many respondents feel unsafe while traveling



**Volunteer Driving Programs** – Additional volunteers are needed, with more reliable funding to increase capacity



**Medical Access** – The Regional Medical Center and VA Medical Center in Martinez need reliable access throughout the county



**Quality of Life Visits** – Consumers have difficulty making quality-of-life essential trips to visit friends and family, the senior center, and church



**Service Coordination** – Accessible services need improved coordination because they are siloed between agencies, cities, and non-profit organizations



## RECOMMENDATIONS

The Accessible Transportation Plan identified an urgent need for a coordinated structure to address transportation needs and gaps in Contra Costa County accessible transportation. A crucial first step would be the creation of an Accessible Transportation Task Force.



### Accessible Transportation Task Force

The Task Force would:

- **Oversee Strategic Planning**, identifying coordinated strategies to be implemented by existing agencies/non-profits
- **Create a Countywide Coordination Entity** responsible for countywide strategy implementation
- **Investigate** funding opportunities



### Countywide Coordinated Entity (CE)

- **The countywide CE Organization** could be an existing non-profit or public agency—or an entirely new entity
- **Strategy implementation** would be a key function of the CE, prioritizing projects to improve and expand countywide accessible transportation



## Strategies and Implementation

A five-year timeline for strategy development and implementation was developed, with recommended strategies divided into tiered groups.

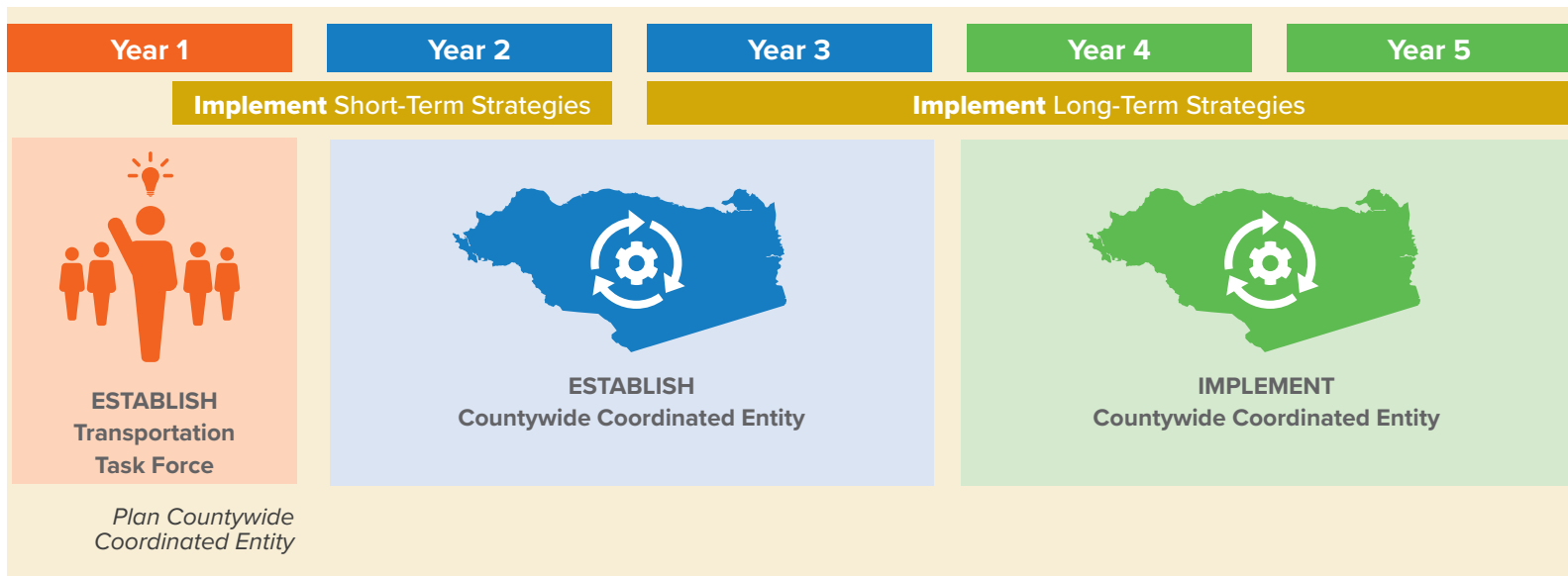
### Tier I

- High transportation benefit
- Strong community support
- Leverages existing programs/resources
- Easy to implement (in stages or because of lower cost)

### Tier II

High ranking strategies, sorted by:

- Service impact
- Cost
- Implementation challenges





## Implementation Timeframes

Tiered Strategies will be implemented in phases, pending ATSP approval.



## Implementation Agency

Recommended agencies for each strategy have been identified across three categories.



### Public Agency

*(e.g. Contra Costa Transportation Authority, County Administrator's Office, County Health Services)*



### Non-Profit

*(e.g. Mobility Matters, Choice in Aging)*











































### Transit Agency

*(e.g. County Connection, Tri Delta Transit, WestCAT)*

# Implementation Workplan

Tier I
  Tier II
  Short-Term
  Long Term

Strategy Description	Implementation Term	Implementation Agency		
		Public Agency	Non-Profit	Transit Agency
<b>Increase Local and Regional Mobility</b>				
1 Improve connectivity between paratransit programs/eliminate transfer trips	●			
2 Same-day trip programs (including wheelchair-accessible service)	■			
3 Expand existing and add new Volunteer Driver programs	●			
4 Service beyond ADA service areas	■			
5 Early morning and late-night service	■			
6 On-demand subsidies	■			
<b>Improve Coordination Among Providers and Community Stakeholders</b>				
7 Shopping trips with package assistance	●			
8 Hospital discharge service	●			
9 Customized guaranteed ride home programs for people with disabilities	●			
10 Means-based car-share including accessible option	■			
11 One-call / one-click; information & referral (I&R)	●			
12 Programs for disabled/senior veterans	●			
13 Real-time transportation information (paratransit vehicle location, BART elevators, wheelchair spaces on buses)	■			
14 Travel training (including inter-operator trips)	●			
15 Mobility-as-a-Service (MaaS)	■			
<b>Develop Partnerships for Supportive Infrastructure</b>				
16 Administer a uniform countywide ADA paratransit eligibility certification program	■			
17 Fare integration	■			
18 Procure joint paratransit scheduling software	■			
19 Sidewalk improvements to enhance safety for older adults and wheelchair accessibility in high-priority locations	■			
20 Means-based fare subsidy	●			
21 Wheelchair breakdown service	●			
22 Accessible bikeshare program	●			



Bus Stop

Now your internet goes where you go.  
att.com



# How

## A Countywide Coordinated Entity Improves Accessible Transportation in Contra Costa County

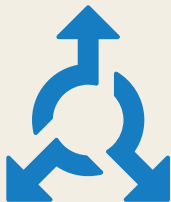
### Functions of the Coordinated Entity



**Identifies/pursues** new funding



**Develops and administers** uniform countywide ADA paratransit eligibility certification



**Expands** mobility management



**Implements** joint paratransit scheduling software



**Oversees** seamless rides for inter-jurisdictional trips inside and outside the county



**Supports** Service beyond ADA service areas and regular service times



**Expands** Travel Training



**Advocates** for Safe Routes for Seniors/  
Safe Routes for All



**Helps establish** means-based fare subsidy



**CONTRA COSTA**  
COUNTY, CALIFORNIA



CONTRA COSTA  
transportation  
authority





CONTRA COSTA  
transportation  
authority



DRAFT  
FINAL

# Contra Costa Accessible Transportation Strategic Plan



February 2021



## ACKNOWLEDGEMENTS

The Contra Costa Accessible Transportation Strategic Plan was funded by a Caltrans Sustainable Transportation Planning Grant.

### Project Team

Peter Engel, Director of Programs, Contra Costa Transportation Authority

John Cunningham, Principal Transportation Planner, Contra Costa County Department of Conservation and Development

Corinne Dutra-Roberts, Innovative Mobility Programs, Advanced Mobility Group (AMG)

### Nelson\Nygaard Consulting

Naomi Armenta, Project Manager

Richard Weiner, Principal in Charge

Marvin Ranaldson

Tanya Shah

Kevin Lucas

Emily Roach

Brian Manford

Kevin Ottem



## Table of Contents

	Page
<b>1 Introduction.....</b>	<b>1-1</b>
<b>2 Existing Conditions .....</b>	<b>2-1</b>
Demographics.....	2-1
Equity Considerations .....	2-4
Access to Medical Facilities.....	2-8
Transit Funding Summary.....	2-9
Transportation Resources in Contra Costa County .....	2-14
<b>3 Outreach .....</b>	<b>3-1</b>
Outreach Plan .....	3-1
Survey .....	3-5
Web Outreach .....	3-18
Presentations.....	3-19
Focus Groups .....	3-19
Telephone Town Hall.....	3-22
Stakeholder Interviews.....	3-25
<b>4 Identification of Transportation Needs and Gaps .....</b>	<b>4-1</b>
<b>5 Recommended Strategies .....</b>	<b>5-1</b>
Establish A Coordinated Structure .....	5-1
Mobility Strategies .....	5-5
Prioritization of Strategies .....	5-11
<b>6 Implementation Plan .....</b>	<b>6-1</b>
Overview .....	6-1
Establishing A Coordinated Structure .....	6-4
Strategy Implementation Matrix.....	6-9
Tier 1 Strategies Discussion .....	6-15
Transit Funding Summary and Options .....	6-28

**Appendix A: Survey Instrument**

**Appendix B: Comments from Public Input**

**Appendix C: Needs Identified from Prior Reports**



## Table of Figures

	Page
Figure 1-1 TAC Appointments .....	1-5
Figure 1-2 PAC Appointments .....	1-6
Figure 2-1 Population Density .....	2-1
Figure 2-2 Population Density of Older Adults .....	2-2
Figure 2-3 Population Density of People with Disabilities.....	2-2
Figure 2-4 Distribution of Type of Disabilities in Contra Costa County .....	2-3
Figure 2-5 Population Density of Veterans with Disabled Veterans .....	2-3
Figure 2-6 Median Household Income with Low Income Population.....	2-4
Figure 2-7 Distribution of People of Color.....	2-5
Figure 2-8 Race and Ethnicity in Contra Costa County .....	2-5
Figure 2-9 Population Density of People with Limited English Proficiency.....	2-6
Figure 2-10 Languages spoken by Limited English-speaking Households in Contra Costa County.....	2-6
Figure 2-11 Transit Service Area with Potential Transit Need.....	2-7
Figure 2-12 Medical Facilities .....	2-8
Figure 2-13 Program 15 funds allocation by Sub-Region .....	2-12
Figure 2-14 Funding Forecast Measure J Program 15 and 20b .....	2-13
Figure 2-15 Definitions of Types of Transportation Resources in Contra Costa County	2-14
Figure 2-16 Providers of Fixed-Route Transit and ADA-Mandated Paratransit in Contra Costa County .....	2-17
Figure 2-17 Transit and Paratransit Service Areas.....	2-18
Figure 2-18 Summary of ADA-Mandated Paratransit Programs in Contra Costa County .....	2-18
Figure 2-19 Summary of City-Based Paratransit Programs .....	2-21
Figure 2-20 Community-Based Transportation Programs .....	2-23
Figure 2-21 Summary of Community-Based Transportation Programs .....	2-24
Figure 2-22 Contra Costa County Volunteer Driver Programs.....	2-29
Figure 3-1 Engagement Tools and Techniques.....	3-3
Figure 3-2 Revised Flyer.....	3-4
Figure 3-3 Spatial Distribution of Survey Responses.....	3-5
Figure 3-4 Public Engagement Collateral .....	3-6
Figure 3-5 Respondents' Age Distribution .....	3-7
Figure 3-6 Mode Share Distribution .....	3-8
Figure 3-7 Bus Users' Distribution .....	3-9
Figure 3-8 Paratransit Users' Distribution .....	3-9
Figure 3-9 Transit and Paratransit Satisfaction Rates.....	3-10
Figure 3-10 Lyft/Uber Satisfaction Rates .....	3-10
Figure 3-11 Mode of Transportation by Regional Transportation Planning Committee Areas.....	3-11



Figure 3-12	Where Are Respondents Going?.....	3-11
Figure 3-13	Which Trips are Most Difficult to Make?.....	3-12
Figure 3-14	Most Difficult Trips for Respondents, by Area of County.....	3-13
Figure 3-15	Respondent Transportation Challenges.....	3-14
Figure 3-16	Transportation Challenges, by Area of County.....	3-15
Figure 3-17	Preferred Transportation Services.....	3-16
Figure 3-18	Preferred Transportation Services, by Area of County.....	3-17
Figure 3-19	Project Website Homepage.....	3-18
Figure 3-20	Project Website Mailing List Sign-Up Form.....	3-19
Figure 3-21	Summary of Focus Groups.....	3-20
Figure 3-22	Summary of Stakeholder Interviews.....	3-26
Figure 5-1	Strategy Prioritization.....	5-14
Figure 6-1	Strategy Implementation Plan.....	6-2
Figure 6-2	Detailed Implementation Plan Strategy Matrix.....	6-9
Figure 6-3	Implementation Plan Timeline.....	6-15
Figure 6-4	Program 15 funds allocation by Sub-Region.....	6-34
Figure 6-5	Funding Forecast Measure J Program 15 and 20b.....	6-35





# 1 INTRODUCTION

## Study Background

This Accessible Transportation Strategic (ATS) Plan was born from the 2017 Contra Costa Countywide Transportation Plan (CTP). The CTP identified a need to address the challenges associated with: (1) different types of accessible transportation services for older adults and people with disabilities; (2) multiple transportation providers including cities, transit operators, social services agencies, and non-profit organizations; and (3) diverse, and sometimes overlapping, service areas.

The ATS Plan is also intended to address the unfulfilled recommendations of three previous studies which were similar in scope. While the 2016 and 2020 Transportation Expenditure Plans (TEP) failed in accessing sales tax measure funds, they did further set expectations for the Plan to ultimately "implement a customer-focused, user-friendly, seamless coordinated system".

Finally, the ATS Plan helps fulfill a requirement by the Metropolitan Transportation Commission (MTC) in its Resolution 4321, that California Transportation Agencies (CTA)/Congestion Management Agencies (CMA) must meet the following mobility management requirement:

"Each county must establish or enhance mobility management programs to help provide equitable and effective access to transportation." Mobility management in this context refers to a centralized point of contact that facilitates ease of use of a variety of transportation modes by people with disabilities, veterans, and older adults.

MTC uses the following to define mobility management activities:

The nine-county Bay Area Region's [Coordinated Public Transit-Human Services Transportation Plan](#) directs counties to develop mobility management programs with three key components:

- 1) Countywide travel training,
- 2) In-person ADA paratransit certification, and
- 3) Coordination of information and referrals (I&R) through the provision of a mobility manager.

Mobility management can be led by CMAs, transit operators or other agencies including non-governmental organizations.

The following considerations apply when implementing mobility management programs:



- Current performance of mobility management functions and relevance of activities to current coordination objectives;
- Scale of geography covered within the county;
- Extent to which the process involves multiple stakeholder agencies who are aiming to improve mobility and transportation coordination for transportation-disadvantaged populations;
- The county's existing and potential capacity for carrying out mobility management functions;
- Institutional relationships and support, both financial and in-kind, including evidence of coordination efforts with other public and private transportation and human services providers.

Successful implementation of the ATS Plan hinges on several factors:

- **Leadership.** Due to responsibilities in this area being diffused over numerous agencies and differing service areas, strong and persistent leadership at the elected official, staff, and agency levels are necessary for success. A study cited during the ATS planning process describes a critical barrier to success as, "*Politics, Politics, Politics*". Contra Costa will need strong leadership to combat the effects of this.
- **Funding.** Additional funding will be necessary to implement any of the recommendations. One-time funding through grants and other sources can typically be found for capital purchases and other discrete expenses. However, there is a significant need for ongoing funding to support operations. With the failures of 2016 and 2020 transportation sales tax efforts, the existing opportunities for additional revenue from Measure J is limited.
- **Collaboration.** Given the broad range of mobility needs and the strategies intended to satisfy those needs, stakeholders will need to ensure a high level of collaboration in their efforts to prioritize strategies for implementation.
- **Engagement.** Inclusive and equitable public engagement was a key focus of this study effort. This includes input from organizations, key stakeholders, and the broader Contra Costa community. The study process was assisted and overseen by a Technical Advisory Committee and a Policy Advisory Committee. In March 2020, due to the COVID-19 outbreak, the project team reconfigured the outreach plan to go "virtual" to allow people to participate safely.

## Study Context

Contra Costa County is a relatively large county in terms of population (1,160,000 in 2020 – third most populous in the Bay Area) and area (804 square miles). The County contains 17 cities, two towns, and a number of census-designated places and unincorporated areas, which include urban, suburban, and rural development patterns.

The Contra Costa Transportation Authority (CCTA) is a local transportation authority enabled under the California Public Utilities Code for the purpose of administering a transportation sales tax, Measure J (2004), which continues work begun under Measure C



(1988). CCTA also serves as the Contra Costa County Congestion Management Agency. CCTA prepares a Measure J Strategic Plan approximately every two years and coordinates with cities, the County, transit districts, other special districts, and/or Caltrans to implement transportation projects. For planning purposes, the County is divided into four distinct CCTA planning sub-regions (west, east, central, southwest) each with its own Regional Transportation Planning Committee. The four committees and areas are:

- **SWAT (Southwest Area Transportation Committee)** in southwest Contra Costa County – cities of Lafayette, Orinda, and San Ramon; the towns of Danville and Moraga; and the unincorporated area of Southwest Contra Costa County;
- **WCCTAC (West Contra Costa Transportation Advisory Committee)** in West Contra Costa County – cities of El Cerrito, Hercules, Pinole, Richmond, San Pablo; and the unincorporated areas of West Contra Costa County;
- **TRANSPAC (Transportation Partnership and Cooperation)** in central Contra Costa County – cities of Clayton, Concord, Martinez, Pleasant Hill, Walnut Creek and the unincorporated area of Central Contra Costa County;
- **TRANSPLAN in Eastern Contra Costa County** – in east Contra Costa County - cities of Antioch, Brentwood, Oakley and Pittsburg, and the unincorporated areas of East Contra Costa County.

In many jurisdictions, services are siloed between transit agencies, social service agencies, cities, and non-profit organizations. In terms of fixed-route transit, the county is served by AC Transit, BART, County Connection, Tri Delta Transit, and WestCAT. Programs offered by other organizations abound, including three adjacent city-operated paratransit programs in West County, the Lamorinda Spirit Van, Walnut Creek's Lyft Pilot Program. Seniors and people with disabilities face significant challenges navigating a disparate transportation system. In addition, the proportion of seniors in the population is growing significantly leading to an increase in demand for ADA paratransit services and a continuing magnification of related transportation challenges including the need for greater transportation resources. The growing challenges facing seniors, people with disabilities, and eligible veterans in accessing needed transportation have been integrated in the recommended strategies of this report.

CCTA and the County have demonstrated a strong commitment to meeting these challenges. Different partners within the County have completed previous paratransit-related studies in 1990, 2004, and 2013. Funding for transportation for seniors and disabilities is allocated in Measure J (and had either Measure X (2016) or Measure J (2020) passed, more funding would be available).

CCTA and the County applied for the Caltrans Sustainable Communities Transportation Planning grant and agreed it would be managed by the CCTA with assistance from the Contra Costa County Department of Conservation and Development. As part of the preparation for the project, CCTA and the County met with each transit agency to ensure they were supportive of the study, consulted with CCTA's Bus Transit Coordinating Committee, and had each transit agency review and comment on the Scope of Work before the study was initiated.



As noted, previous paratransit-related studies have been completed. Four that stand out are the 1990 Contra Costa County Paratransit Plan, the 2004 Contra Costa County Paratransit Improvement Study, the 2013 Contra Costa County Mobility Management Plan, and the 2018 West Contra Costa Transportation Advisory Committee (WCCTAC) Transportation Needs Assessment. While many of the strategies recommended in those plans are considered to be best practices in other locations, a significant proportion have not been implemented in the County. There are a variety of reasons for the failure to implement these previous studies, such as lack of political support, structural issues related to the existence of multiple agencies involved in service delivery, and the lack of funding. A primary factor in CCTA's design and development of this study was to uncover and address these previous barriers to ensure that recommendations from this study do not meet the same fate.

As part of this study process, the consultants and County staff identified the reasons for failure to implement earlier recommendations and sought to either recommend ways of avoiding similar problems or documenting the reasons why these should not be considered for future implementation. **It should be noted that the process incorporated into the present study is far more collaborative and engaging than was the case in previous studies. It is therefore anticipated that the recommended strategies will have greater community and agency support than previous efforts, and therefore have a greater likelihood of implementation.**

The study's three primary goals were to:

- Evaluate the existing services and provide corresponding recommendations for improvements;
- Identify alternative models for service delivery, present those alternatives to stakeholders, and select a final preferred model;
- Develop a detailed implementation plan for that model.

Any study related to transportation for seniors and people with disabilities is not complete without addressing issues of funding and demand. CCTA and the County recognize that current funding for these areas is limited and/or stagnant. Grants for planning (e.g. Caltrans) and mobility management pilots may be obtained (e.g. FTA 5310) but jurisdictions must still establish sustainable funding for ongoing operations. Significant portions of current funding, such as for ADA-mandated paratransit programs, are restricted on how and to whom they can provide service. Regulatory concerns also affect transportation to and from healthcare, and inter-jurisdictional travel. Although some organizations and jurisdictions have proposed legislative fixes to these issues, it is challenging to change State or Federal law.

Nationwide, ADA-mandated paratransit costs per trip continue to rise significantly. Programs viewed as "silver bullets" have proven failures in the long-term in administration and meeting their cost-cutting objectives. Numerous instances exist in which suppressed demand has been viewed as the most effective way of sustaining the financial future of transportation services to seniors and people with disabilities. While improvements and increases to service enhance the quality of life for these populations, they generally do not reduce overall costs.



In contrast to the approaches described above, County agencies view the ATS Plan as an opportunity to consider systemic changes to transportation service delivery to seniors and people with disabilities. The County’s objective in this study is to examine how things have always been done and implement a truly rider-focused and equitable program that will be sustainable in the long-term. **This approach would bring the users of accessible transportation into a more equitable position relative to other users of the transportation system, that benefit from regular improvements and expansions to services and infrastructure.**

## Study Oversight Structure

This Accessible Transportation Strategic (ATS) Plan effort was a partnership between CCTA and the County, funded by a Caltrans Sustainable Communities Transportation Planning Grant. CCTA issued a Request for Proposals and selected Nelson\Nygaard Consulting to complete the Plan. The process of developing the plan was originally intended to involve multiple oversight committees. The project team eventually defined and set up a Technical Advisory Committee and a Policy Advisory Committee.

### Technical Advisory Committee (TAC)

The role of the TAC was to provide subject matter expertise and public policy implications on service concepts under review by the study team (a “reality check”). The TAC first met in November 2019 and continued meeting approximately monthly throughout the Study.

Figure 1-1 TAC Appointments

Organization	Name
AC Transit/BART/East Bay Paratransit	Kim Ridgeway
County Connection	Rashida Kamara
Tri Delta Transit	Deanna Perry
WestCAT	Rob Thompson
SWAT/City of San Ramon	Becky Adams
SWAT/City of Lafayette	Mary Bruns
TRANSPAC/City of Walnut Creek	Kathryn Reisinger
TRANSPLAN/City of Pittsburg	Nat Phan
WCCTAC	Joanna Pallock
Contra Costa Health Plan	Mendaline (Monica) Singh (replaced by Suzanne Tsang)
Contra Costa County Health Services	Vi Ibarra
Contra Costa County Office of the Sheriff Emergency Operations	Zack Adinoff, Marcelle Indelicato
Veterans Affairs	Derrick Shelton



Organization	Name
Caltrans	Jacob Buffenbarger
Metropolitan Transportation Commission	Drennen Shelton
NGO/Advocate Choice in Aging	Lisa Hammon
NGO/Advocate / Mobility Matters	Elaine Welch
NGO/Advocate	Marjorie McWee

## Policy Advisory Committee (PAC)

The role of the PAC was to provide input on addressing policy barriers, communicate with stakeholders about the Study, liaise with elected or appointed Boards, and to review and prioritize recommended strategies. The PAC first met in August 2020 and was originally slated to meet twice more. It quickly became evident that given the online format and the complicated nature of the County's transportation challenges, the PAC should meet more frequently. The PAC has met approximately monthly since October 2020.

Figure 1-2 PAC Appointments

Appointment	Name
BART	Debora Allen
AC Transit	Mike Hursh
County Connection	Rick Ramacier
Tri Delta Transit	Jeanne Krieg
WestCAT	Charlie Anderson
Contra Costa Board of Supervisors, District 2	Candace Andersen
CCTA Board	Teresa Geringer
CCTA Board	Dave Hudson
Contra Costa Health Services	Josh Sullivan
NGO/Advocate / Choice in Aging	Debbie Toth
NGO/Advocate / CoCo County Ombudsman ED	Nicole Howell
NGO/Advocate / Disabilities Council	Ian Bremner

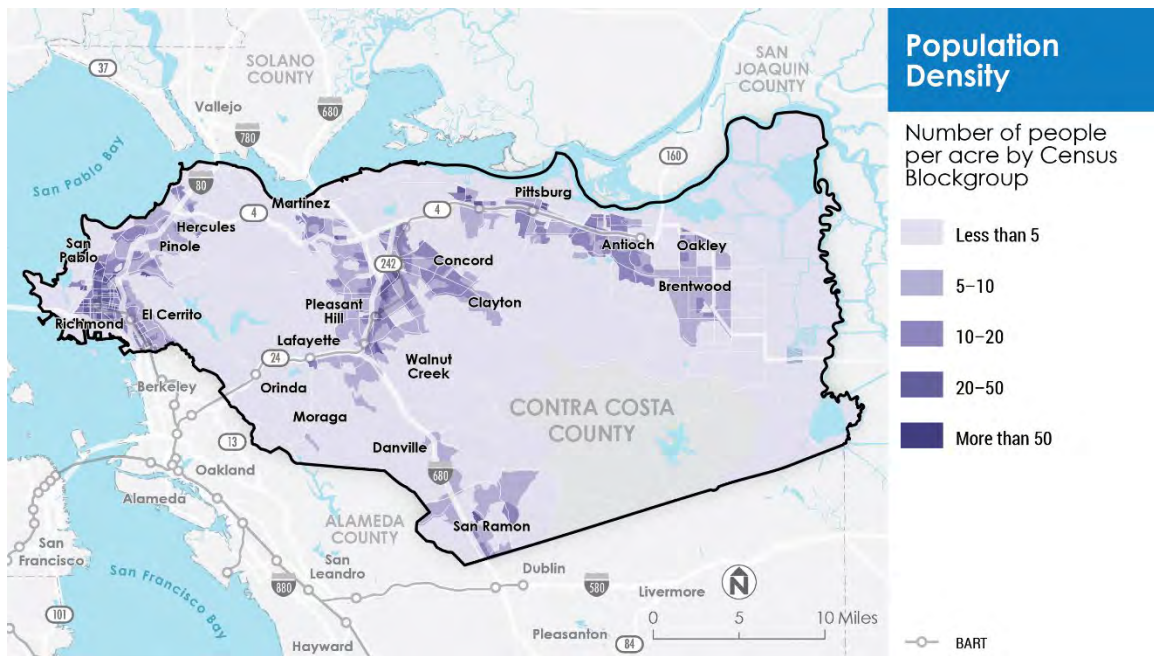


# 2 EXISTING CONDITIONS

## DEMOGRAPHICS

Contra Costa County is the third most populous county in the Bay Area, with a population of 1,160,000 in 2020. The County contains 17 cities, two towns, and a number of census-designated places and unincorporated areas. Cities range from those containing densely populated pockets like Richmond and Concord, to semi-rural and rural communities like Brentwood and Clayton.

Figure 2-1 Population Density



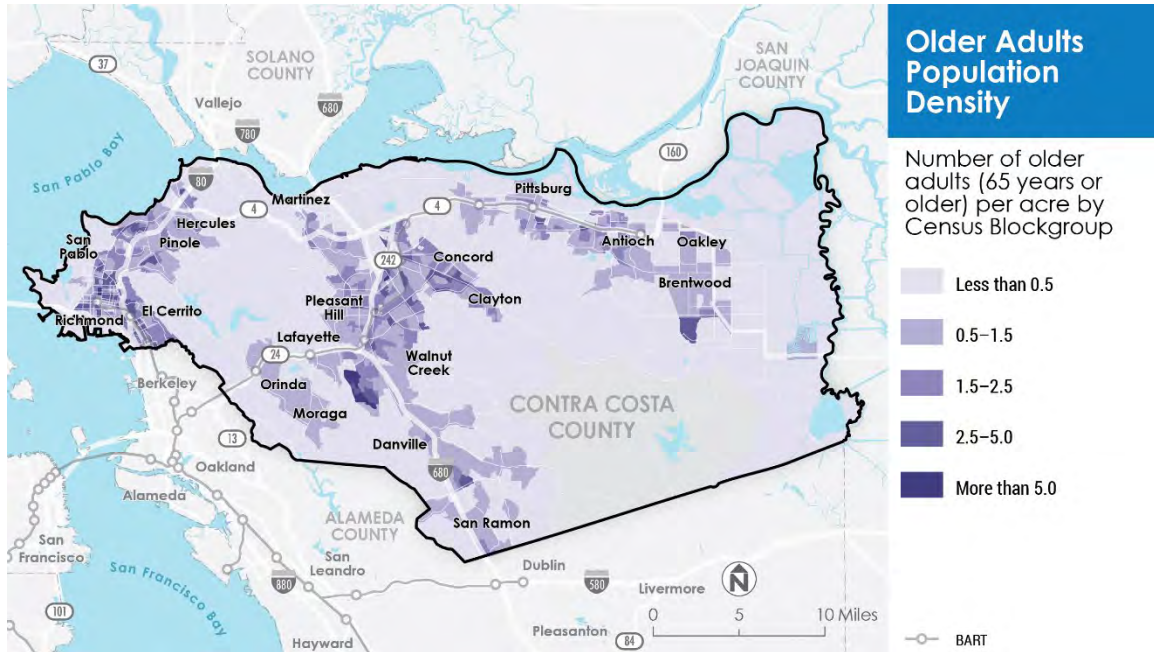
Most subgroups of the population (e.g., older adults) follow this same general pattern, at least in terms of geographic spread.

Fifteen percent of the population is over 65, and 7.5% is under age 65 with a disability.



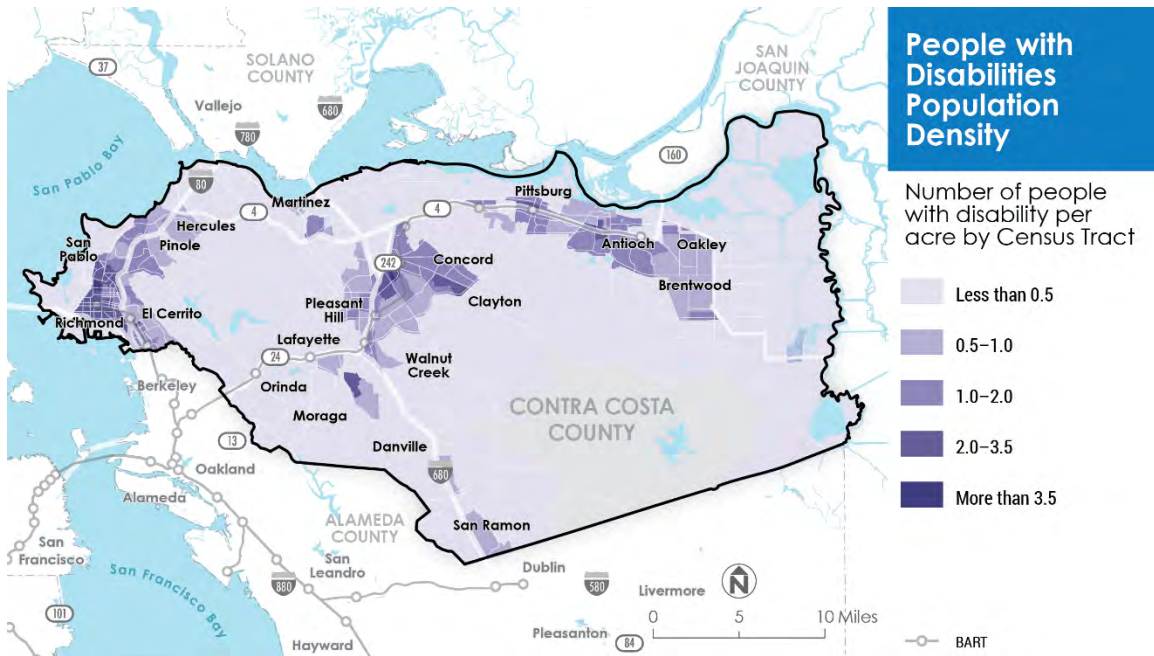


Figure 2-2 Population Density of Older Adults



The population density map of the County above shows three areas with a higher density of older adults: Rossmoor (between Moraga and Walnut Creek), Crow Canyon (north of San Ramon), and the area south of Brentwood.

Figure 2-3 Population Density of People with Disabilities



The density map for people with disabilities shows similar geographic spread to the general population, except one concentrated area in Rossmoor.



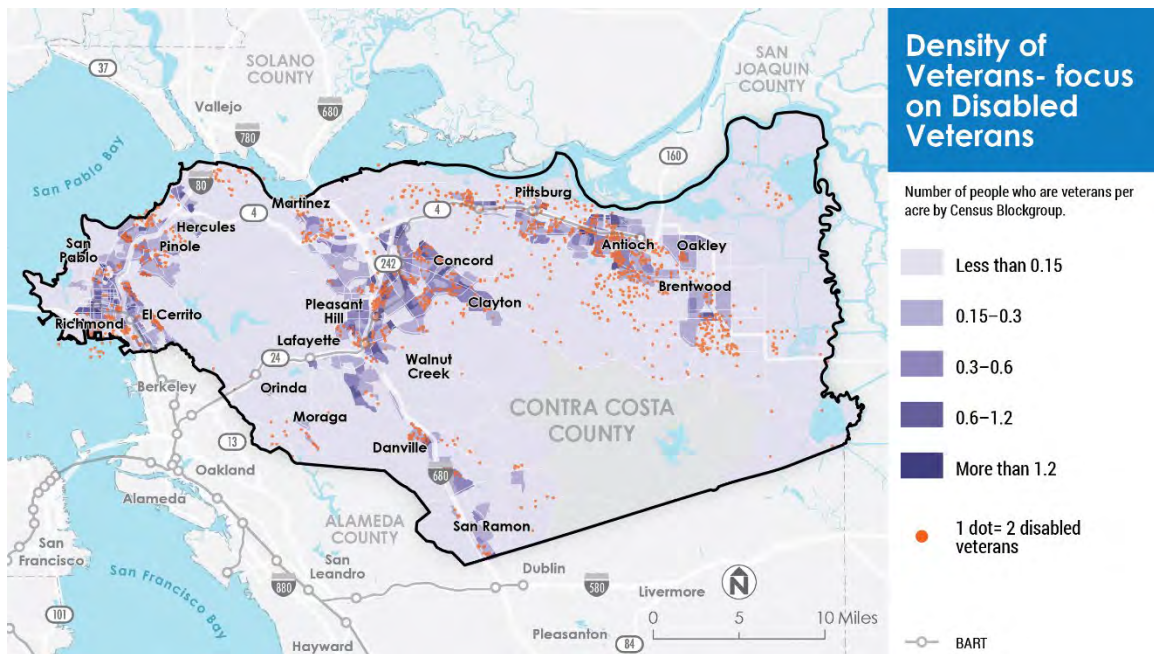
Figure 2-4 Distribution of Type of Disabilities in Contra Costa County

Type of Disability	Number of People	Percentage out of total population
Independent Living Difficulty	46,761	5.3%
Ambulatory Difficulty	55,816	5.1%
Cognitive Difficulty	48,084	4.4%
Hearing Difficulty	32,975	2.9%
Self-care Difficulty	24,614	2.3%
Vision Difficulty	18,996	1.7%

Note: Respondents could choose more than one category.

These patterns are consistent with findings in similar studies.

Figure 2-5 Population Density of Veterans with Disabled Veterans



This study is also examining veterans with transportation challenges due to disabling conditions. A population density map of veterans generally aligns with the general population. However, overlaying disabled veterans shows a concerning number of individuals in very rural or remote parts of the County, who likely have difficulty accessing services if they need assistance with transportation. Specific areas of concern include south of Moraga, the area near Port Chicago, and most of East County.



## EQUITY CONSIDERATIONS

Although this study is focused on older adults, people with disabilities, and veterans with mobility issues, it would be unwise to ignore the acutely intersectional nature of these issues with income and race/ethnicity.

Median household income in the County is \$88,000 but 9.1% of the population lives in poverty. People with low income are less likely to own or have access to a personal vehicle, they also have less resources to utilize new potentially convenient services such as Lyft/Uber. Persons with disabilities are also much more likely to be living in poverty.

Figure 2-6 Median Household Income with Low Income Population

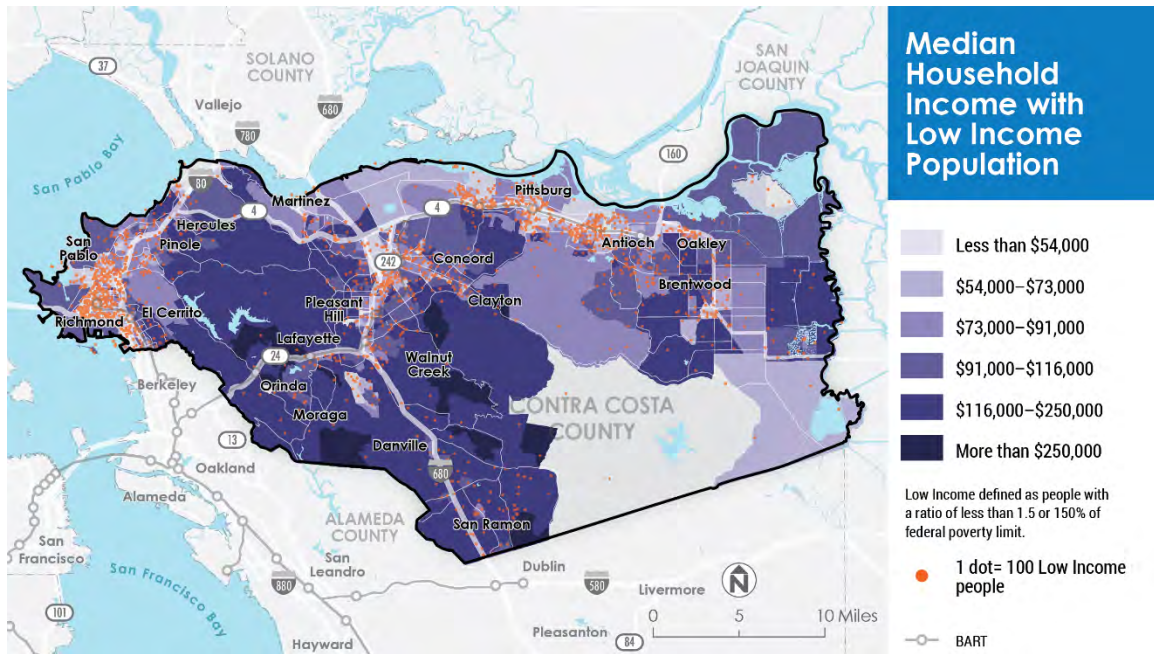
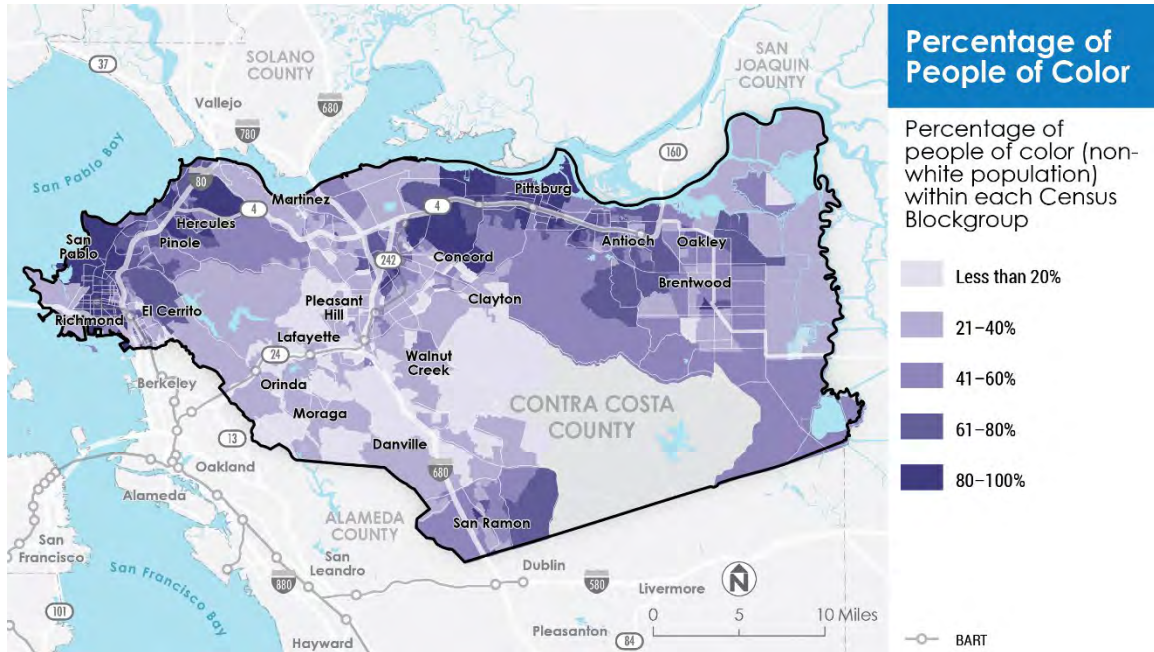


Figure 2-6 shows concentrations of people with low income in West County, Concord, and northern portions of the County near Pittsburg and Antioch.

Contra Costa County is diverse. According to the US Census Bureau, over 25% of the population is Hispanic or Latino, 9.5% African American, and 18% Asian or Pacific Islander.



Figure 2-7 Distribution of People of Color



This map shows high proportions of people of color in West County, Concord, and near Pittsburg, similar to the distribution of low income persons. People of color sometimes do not access public services at the same rate as white individuals and may need more culturally relevant engagement efforts.

Figure 2-8 Race and Ethnicity in Contra Costa County

Race	Population	Percentage out of total population
White	600,481	52.1%
Asian	205,366	17.8%
Some other race	162,355	14.1%
Black or African American	101,590	8.8%
Two or more races	73,246	6.3%
American Indian and Alaska Native	5,863	0.5%
Native Hawaiian and Other Pacific Islander	4,625	0.4%
Ethnicity	Population	Percentage out of total population
Hispanic or Latino	300,420	26.0%

Note: The selection of Hispanic or Latino is in addition to a selected Race.



Contra Costa Health Services reports that 32% of residents speak a language other than English at home. Fifty-two percent (52%) of those speak Spanish and 26% speak an Asian or Pacific Islander language. Like people of color, people with limited English proficiency may need more culturally relevant engagement and in the appropriate language.

Figure 2-9 Population Density of People with Limited English Proficiency



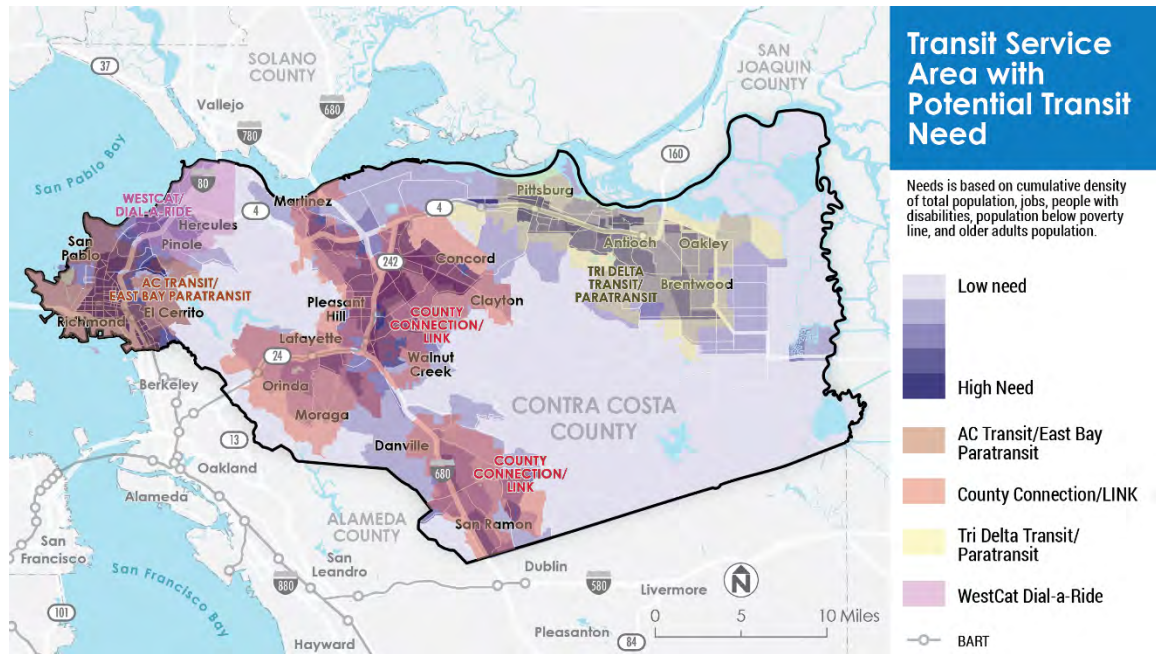
Figure 2-10 Languages spoken by Limited English-speaking Households in Contra Costa County

Households speaking	Limited English-speaking Households	Percentage out of all limited English-speaking Households
Spanish	9,758	46.3%
Asian and Pacific Island languages	7,822	37.1%
Other Indo-European languages	3,320	15.8%
Other languages	173	0.8%



Potential transit need can be estimated by looking at population density, the location of jobs, and where older adults, people with disabilities and lower income persons live. An overlay of these factors with existing transit service shows potential gaps. There appears to be a patchwork of gaps of medium to high need in West County and in Central County in the areas of Concord and Pleasant Hill. There is lower need but larger areas of gap in northern portions of the County, East County, and Southwest County.

Figure 2-11 Transit Service Area with Potential Transit Need



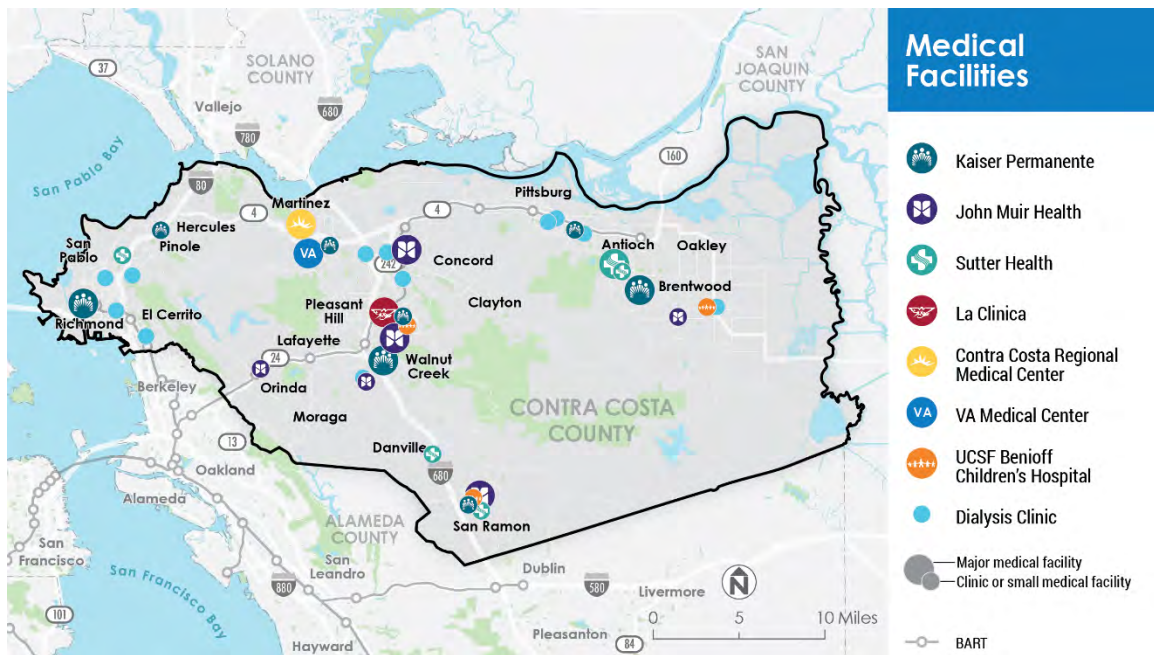


## ACCESS TO MEDICAL FACILITIES

Access to medical facilities is a critical issue in Contra Costa County. Previous studies, discussions with stakeholders, and all of the outreach activities emphasized the importance of getting to medical appointments.

A prior study in West County discussed the 2015 closure of Doctors Medical Center in Pinole, which was the emergency room used most in West County. At this time the only major medical facility in West County is a Kaiser Hospital in Richmond. This is a concern as West County is one of the most densely populated areas of the County. Most medical facilities appear to be clustered in the center of the County between Pleasant Hill and Walnut Creek. Two facilities that are needed by residents throughout the County are the Contra Costa County Medical Center and the VA Medical Center, both in Martinez.

Figure 2-12 Medical Facilities





## TRANSIT FUNDING SUMMARY

Transportation services are almost always funded with a combination of funding sources and most include some public funds, including programs available through the federal government and funding available from local and regional municipalities or regional authorities. In Contra Costa County, there are five major categories of funding for public and human service transportation:

1. U.S. Department of Transportation (U.S.DOT) funding administered through the **Federal Transit Administration (FTA)**. This includes (among others) programs targeted for Older Adults and People with Disabilities (Section 5310), Rural Transit Formula Funds (Section 5311) and the Urban Transit Formula Funds (Section 5307., and
2. Federal funding programs outside of the U.S. DOT that can be used for transportation. The largest and most relevant of the non-DOT funding programs are available from the **Department of Health and Human Services (DHHS)**. **DHHS includes the Centers for Medicaid Services, and the Administration on Aging**, both of which are involved in the funding of transportation services. The **Department of Veterans Affairs** also funds transportation services and programs.
3. **California Department of Transportation (Caltrans)** The **California Transportation Development Act** which includes revenues collected from a portion of the state diesel fuel tax, and sales tax. These funds are distributed to local and regional transportation authorities. These funds are available to support public transportation services, including services for older adults and people with disabilities. It should be noted that a number of State funding sources are geared towards reductions in greenhouse gas emissions, for which transportation for seniors and people with disabilities do not usually score well due to large vehicle miles travelled per passenger.
4. Local tax revenues that are dedicated to support transit services. **County Measure J** and regional funding measures and tolls.
5. Private grants and donations (typically not available to public agencies)

Funding options will be addressed in more detail in Chapter 6: Implementation.

### Federal Funding

There are several FTA programs used to fund public transportation services in Contra Costa County. For purposes of this report, three funding programs are among the most relevant:

#### Section 5310: Enhanced Mobility of Seniors & Individuals with Disabilities

This program (49 U.S.C. 5310) provides formula funding to states for the purpose of assisting private nonprofit groups in meeting the transportation needs of older adults and people with disabilities. Formula funds are apportioned to the Metropolitan Transportation Commission (MTC) for distribution to local government authorities, private





non-profit organizations, and/or operators of public transportation. MTC uses a competitive selection process to allocate funding.

The following Contra Costa organizations were selected for funding in the most recent Cycle:

- Choice in Aging
- City of Lafayette: Lamorinda Spirit Van
- Contra Costa Transportation Authority
- Tri Delta Transit
- Golden Rain Foundation Walnut Creek
- Mobility Matters
- The Respite Inn

### Other Federal Transit Funds

- Section 5311: Formula Grants for Rural Areas
- Section 5307: Urbanized Area Formula Grants

### Other Federal Transportation Funding

Several other federal programs fund transportation, the largest of which reside within the **Department of Health and Human Services (DHHS)**. DHHS programs support transportation for non-emergency medical transportation (NEMT) for Medicaid recipients, and transportation programs for older adults managed under the Administration on Aging.<sup>1</sup>

The **Department of Veterans Affairs**, for example, funds transportation services and programs for eligible veterans. These programs tend to fund services directly oriented around veteran customers / veteran-specific needs and are typically administered as block grants to local and regional agencies.<sup>2</sup>

### FHWA Capital Assistance

Capital assistance includes flexed FHWA funding from the Surface Transportation Program and **Congestion Mitigation Air Quality (CMAQ)** funds. CMAQ funds are directed to transportation projects and programs which contribute to the attainment or maintenance of National Ambient Air Quality Standards (NAAQS) in nonattainment or air quality maintenance areas for ozone, carbon monoxide, or particulate matter (PM) under provisions in the Clean Air Act. Due to the region's non-attainment of federal air quality standards, funds are allocated the Region's MPO, MTC, and distributed through a competitive grant process.

---

<sup>1</sup> Administration for Community Living. Available at: <https://acl.gov/about-acl/administration-aging>

<sup>2</sup> U.S. Department of Veterans Affairs. Available at: <https://www.va.gov/healthbenefits/vtp/>



## Older Americans Act (OAA)

The Older Americans Act (OAA), originally enacted in 1965, supports a range of home and community-based services, such as meals-on-wheels and other nutrition programs, in-home services, transportation, legal services, elder abuse prevention and caregivers support. These programs help seniors stay as independent as possible in their homes and communities. In addition, OAA services help seniors avoid hospitalization and nursing home care and, as a result, save federal and state funds that otherwise would be spent on such care.<sup>3</sup> These funds are apportioned to the County. The Task Force should engage the appropriate County department and examine opportunities to collaborate.

## State Funding

Transit programs in California are funded by the **Transportation Development Act** which includes revenues collected from a portion of the state diesel fuel tax, and sales taxes. These funds are distributed to local and regional transportation authorities. These funds are available to support public transportation services, including services for older adults and people with disabilities.

The Transportation Development Act of 1971 is allocated through the county's designated regional transportation planning agency (RTPA). The Contra Costa Transportation Authority (CCTA) is the RTPA for Contra Costa County. The Act provides two major sources for funding of public transportation in California. The first, the county **Local Transportation Fund (LTF)**, was established in 1972, while the **State Transit Assistance (STA)** fund was implemented in 1980. The intent of the legislation is to provide a stable source of funding to meet the area's transit needs.

The Transportation Development Act, or TDA, has long been a cornerstone of state transit funding.

## Senate Bill 1 (2017)

Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017, provides about \$250 million annually for the State Transit Assistance (STA) Program to help transit agencies fund their capital infrastructure and operational costs. Despite the large number of specific programs earmarked for funding in the legislation (active transportation, university research, parks and agricultural, freight movements, etc.) there were no programs specific to transportation for seniors and persons with disability identified in the bill.

## Senate Bill 1376 (2018)

Senate Bill (SB) 1376: TNC Access for All Act became law in September 2018. SB 1376 empowers the CPUC to establish a program to increase accessibility for persons with disabilities as part of its regulation of TNCs. As part of the implementation of SB 1376, on July 1, 2019, transportation network companies (TNCs) were required to collect a ten cent (\$0.10) fee on each TNC trip in California. The funds generated from the fee support

---

<sup>3</sup> <https://www.ncpssm.org/documents/older-americans-policy-papers/older-americans-act/>



the expansion of on-demand transportation for non-folding wheelchair users who require a wheelchair accessible vehicle (WAV). The CPUC is currently conducting a rulemaking process and determining which agencies will be authorized fund administrators. Funds may be distributed on a countywide basis.

## Potential NEMT and NMT Funding for Transit Operators

The rules governing what “cost” is reimbursable under NEMT and NMT has created challenges for transit operators as passenger fares only cover a fraction of the cost of an ADA-mandated paratransit trip. For example, each paratransit trip can cost between \$50 and \$70, while the fare for that trip can be \$4.00 to \$7.00. Since Medi-Cal reimburses for the cost of the fare, and not the trip, transit operators are in effect subsidizing trips for Medi-Cal, at a lower cost than a private operator could charge for the same trip. The California Transit Association (CTA) is pursuing changes to how Medi-Cal reimburses eligible trips. If successful, these changes could create an additional source of revenue for transit providers.

## Older Californians Act

The California Department of Aging (CDA) oversees implementation of the Older Californians Act, which was passed by the state Legislature in order to comply with federal legislation mandating the availability of certain community services to senior citizens. CDA provides services for older adults, adults with disabilities, family caregivers and residents in long-term care facilities. The department is part of the Health and Human Services Agency. CDA coordinates and directs the use of federal funds through local service providers and Area Agencies on Aging to fulfill the requirements of federal and state legislation.<sup>4</sup> Similar to the OAA, these funds are apportioned to the County. The Task Force should engage the appropriate County department and examine opportunities to collaborate.

## Local Funding

In addition to federal, and state sources, some communities use general revenue funding to support transportation services. Communities like the City of Richmond use general revenue funds to support their Senior and Disabled Transportation programs. The largest source of public transportation funding in Contra Costa County is Measure J, which provided \$5,328,755 in FY 19/20 to fund transportation for seniors and people with disabilities.

---

<sup>4</sup> [http://www.allgov.com/usa/ca/departments/health-and-human-services-agency/department\\_of\\_aging?agencyid=129#:~:text=Overview%3A,Californians%20are%20getting%20o](http://www.allgov.com/usa/ca/departments/health-and-human-services-agency/department_of_aging?agencyid=129#:~:text=Overview%3A,Californians%20are%20getting%20o)  
Id.&text=lt%20oversees%20implementation%20of%20the,community%20services%20to%20senior%20citize  
ns.



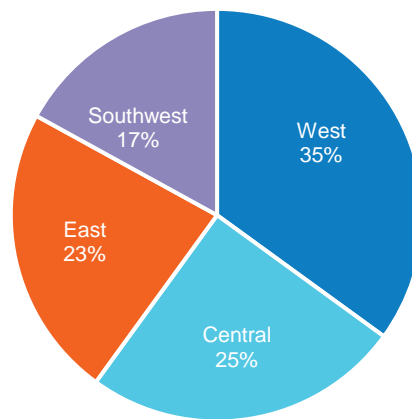
## Measure J

In November 2004, Contra Costa County voters approved Measure J with a 71% vote. The measure provided for the continuation of the county's half-cent transportation sales tax for 25 years beyond the original expiration date of 2009. As with Measure C (the original 1988 transportation sales tax measure), the tax revenues are used to fund a voter-approved Expenditure Plan of transportation programs and projects. Measure J provides approximately \$2.7 billion (escalated) countywide for local transportation projects and programs through the year 2034.

The Measure J Expenditure Plan allocated 3.5% of Measure J to Transportation for Seniors and People with Disabilities countywide through Program 15. The Expenditure plan allows for an annual increase of 0.10% from the 3.5% level to 5.9% by 2034.

35% of Program 15 is allocated to West County, 17% to Southwest County, 23% to East County and 25% to Central County. Additionally, the 20b Subregional Program allocates 0.65% to West County and 0.5% to Central County for additional Transportation for Seniors and People with Disabilities. Program 20b funds are approved by WCCTAC and TRANSPAC and is used for such non-ADA services as shuttles, sedan/taxi service, fare subsidies, and/or other supplemental services beyond the ADA service. However, ADA service does qualify, and Program 20b can be used to expand the same "base" program expenditures that Program 15 is used for.

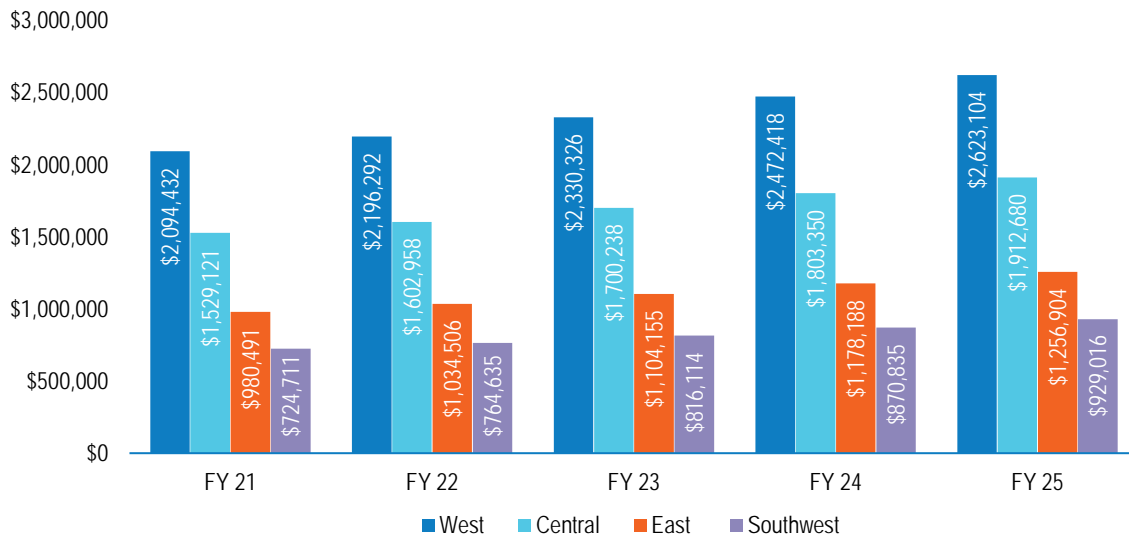
Figure 2-13 Program 15 funds allocation by Sub-Region



Program 15 funds are allocated by the Contra Costa Transportation Authority (CCTA) to the Measure J-approved transportation providers based on percentage allocations determined in the previous Measure C. Measure J Program 15 and 20b revenues are forecast to grow 26% in the next 5 years from \$5,328,755 to \$6,721,704. Program 15 funds are overwhelmingly used for operations. However, the Measure J Expenditure Plan does allow other related uses including "(a) managing the program, (b) retention of a mobility manager, (c) coordination with non-profit services, (d) establishment and/or maintenance of a comprehensive paratransit technology implementation plan, and (e) facilitation of countywide travel and integration with fixed route and BART specifically, as deemed feasible." Historically these funds have been used for operations due to demand and lack of institutional capacity to initiate these other eligible activities.



Figure 2-14 Funding Forecast Measure J Program 15 and 20b <sup>5</sup>



## Private/Foundation Sources

Service providers for vulnerable communities are sometimes able to access private funding through Foundations or similar organizations.

<sup>5</sup> 2019 Measure J STRATEGIC PLAN (2019) <https://www.ccta.net/wp-content/uploads/2019/10/2019-Measure-J-Strategic-Plan.pdf>



## TRANSPORTATION RESOURCES IN CONTRA COSTA COUNTY

Contra Costa County contains a wide range of transportation options for older adults and people with disabilities. To meet travel needs, Contra Costa residents and visitors might use fixed-route transit, ADA-mandated paratransit, city-based programs, community shuttle services, non-profit transportation services, private providers like taxis and Transportation Network Companies (TNCs) such as Uber and Lyft, and other options. Additional transportation options that are available to these groups as members of the general public include walking, biking (for limited portions of the population), and driving or being driven by family and friends. This chapter is focused on those options that specifically cater to older adults and people with disabilities; it provides a snapshot of resources available at the time of the report (it must be noted that resources change rapidly over time).

The types of transportation resources available to older adults and people with disabilities in Contra Costa County are defined in **Figure 2-15** below and are subsequently described in more detail.

**Figure 2-15 Definitions of Types of Transportation Resources in Contra Costa County**

Resource	Short Definition
<b>Fixed-Route Transit / ADA-mandated paratransit</b>	Buses, trains, and ferries operated by public transit agencies that run on regular, pre-determined, pre-scheduled routes, usually with no variation. The Regional Transit Connection (RTC) Clipper card is a photo identification card that verifies a rider's eligibility to receive an ADA reduced fare on fixed route transit. Transit agencies provide ADA-mandated paratransit services to complement fixed route transit, in compliance with the American with Disabilities Act (ADA).
<b>Community-Based Transportation Programs</b>	Community-based transportation services may be provided by public sector services (e.g. a city's senior center) or non-profit organizations. They are sometimes dedicated for a specific clientele (i.e. Medicaid eligible persons, older adults attending meal programs, etc.). Riders are often referred to these programs by an agency they are receiving services from, such as a senior center, County Human Service agency, or Regional Center.
<b>Subsidized Fare Programs/ Voucher Programs</b>	Programs typically administered through a social service agency, that enable qualified people to purchase fares/vouchers for transportation services at a reduced rate from providers such as taxis, public transit, or volunteer driver programs. Recipients are usually low-income.



Resource	Short Definition
<b>Volunteer Driver Programs</b>	Programs that provide one-way, round-trip, and multi-stop rides. Trips are often door-through-door, in contrast to other transportation options which stop at the curb or door. These programs are provided free of charge, on a donation basis, through membership dues, or at a minimal cost, and typically have an eligibility process and advance reservation requirements.
<b>Mobility Management Services</b>	Mobility management services cover a wide range of services, such as travel training, coordinating different services, trip planning, brokerage, and information and referral. In addition to information and referral and travel training detailed below, mobility management refers to the provision of individual transportation information and assistance, and service linkage related to information and referral.
<b>Information &amp; Referral</b>	Programs that provide transportation information and direct referral, connecting people to mobility resources that can help them. Agencies may be independent non-profit organizations, libraries, faith-based organizations, or government agencies.
<b>Travel Training</b>	Programs designed to teach people with disabilities, older adults, youth, veterans, and/or low-income populations to travel safely and independently on fixed-route public transportation in their community.
<b>Private Transportation</b>	Transportation provided by a private for-profit entity in the business of transporting people. These services are often demand-response and initiated and paid for by the rider. Examples are taxis, motor coach services, App-based ride-hailing services (Uber, Lyft, etc.), and vanpools.

## Fixed-Route Transit and ADA-Mandated Paratransit

Fixed-route transit is operated by public transit agencies who provide services that run on regular, pre-determined, pre-schedule routes, usually with no variation. Aside from driving and walking, fixed-route transit is the most widely available transportation option available in Contra Costa County.

Accessibility features on fixed-route transit include:

- Buses and trains equipped with wheelchair lifts or low floor ramps to allow easy access for people with wheelchairs, walkers, and other mobility aids.
- Priority seating for older adults, people with disabilities, pregnant women, and other populations who need it.



- Bus drivers trained to understand the needs of all populations who ride the bus, provide assistance in securing wheelchairs in designated spaces, and allow passengers sufficient time to be seated, and get on and off the vehicle.
- Announcement of stops at major intersections, stations, transfer points and, at the request of passengers, specific destinations.
- Stations with elevators to boarding platforms, for ease of access.
- Route and schedule information provided by transit agencies, including the best way to reach a desired destination. This information is available in accessible formats, if needed.

For people who, due to their disability, are unable to ride fixed-route buses and trains, some or all of the time, ADA-mandated paratransit is required. All fixed-route transit providers are legally required to provide complementary paratransit. Per the Federal Transportation Administration (FTA) regulations “each public entity operating a fixed route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system.”<sup>6</sup> Some certified paratransit riders can ride fixed-route transit depending on the trip and/or their current ability.

ADA-mandated paratransit is meant to provide an equivalent level of service as fixed-route transit. This means paratransit services operate in the same area, on the same days and during the same hours as public transit operates. Paratransit service may be provided on small buses, vans, taxis, or in sedans. It is generally a shared-ride, door-to-door, or curb-to-curb service that must be reserved no later than close of business the day before the trip.

All Contra Costa public transit agencies contract with private transportation providers to provide ADA-mandated paratransit.

---

<sup>6</sup> Department of Transportation Americans with Disabilities Act regulations at 49 CFR Section 37/121(a).





Figure 2-16 Providers of Fixed-Route Transit and ADA-Mandated Paratransit in Contra Costa County

Fixed-Route Transit Agency	Service Area	ADA-Mandated Paratransit Provider
<b>Regional Transit</b>		
<b>Amtrak San Joaquin</b>	Rail service between Oakland and Bakersfield	The ADA does not require that commuter rail and commuter bus services provide complementary paratransit service
<b>BART</b>	Rapid rail transit in Alameda, Contra Costa, San Francisco, San Mateo, and Santa Clara counties	East Bay Paratransit (in coordination with AC Transit); LINK Paratransit (in coordination with County Connection) and other applicable paratransit providers within ¾ mile of stations in other counties
<b>Capitol Corridor</b>	Rail service between Sacramento and San Jose	The ADA does not require that commuter rail and commuter bus services provide complementary paratransit service
<b>San Francisco Bay Ferry</b> (Water Emergency Transportation Authority)	Ferry service between Richmond/San Francisco	Complementary paratransit requirement not defined for ferries
<b>Local Transit</b>		
<b>AC Transit</b>	West Contra Costa County (Richmond and El Cerrito) and West, Central, and South Alameda County (Fremont to Albany)	East Bay Paratransit (in coordination with BART) within the transit service area
<b>WestCAT</b>	The area of west Contra Costa County not covered by AC Transit	WestCAT Dial-A-Ride Paratransit within the transit service area
<b>County Connection</b>	Central Contra Costa County from San Ramon to Martinez and Orinda to Concord/Clayton	County Connection LINK Paratransit operates in the same area as and is overseen by County Connection
<b>Tri Delta Transit</b>	East Contra Costa County	Tri Delta Transit Paratransit within the transit service area



Figure 2-17 Transit and Paratransit Service Areas

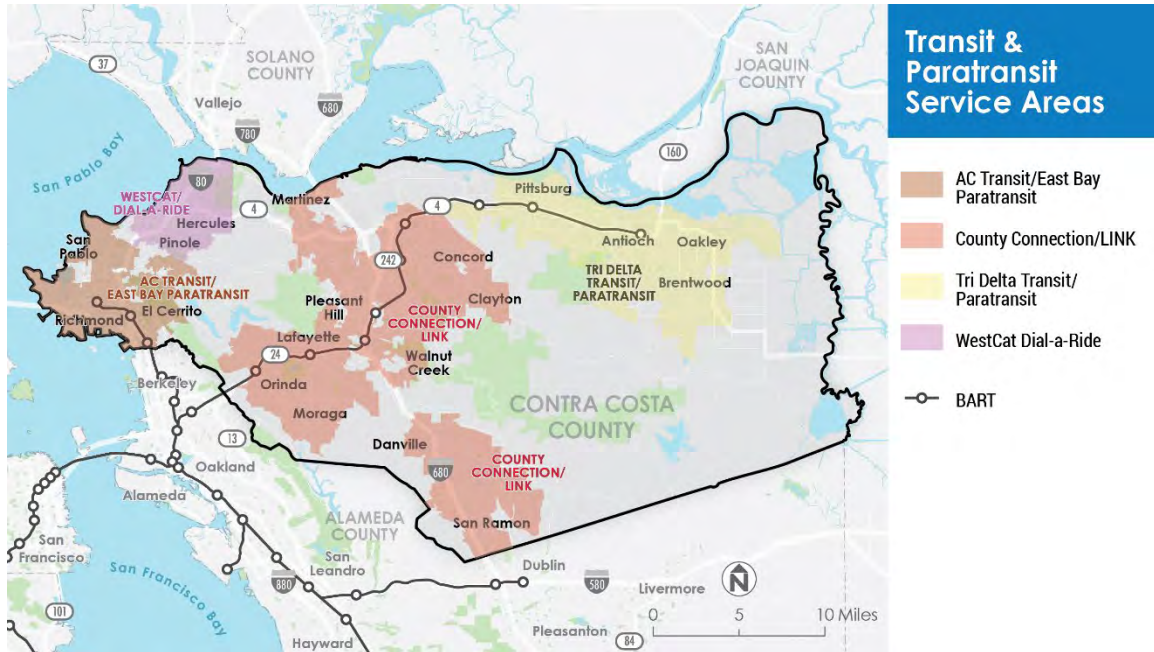


Figure 2-18 Summary of ADA-Mandated Paratransit Programs in Contra Costa County

Agency	Service Area	Hours of Operation	Fares <sup>7</sup>	Eligibility / Certification Process <sup>8</sup>
<b>County Connection LINK</b>	Within ¾ mile of any BART station or fixed-route bus service. Mon-Fri service is provided within 1 ½ mile of regular fixed-route bus service.	Operates during the same days and hours as County Connection and BART's regular fixed route services.	\$5 per trip; County Connection offers an Advance Fare Payment System with a minimum deposit of \$50	All people with disabilities throughout County Connection service area; must complete a written application and may receive a phone call for more information and/or be asked to attend an interview at County Connection offices

<sup>7</sup> Fare collection was suspended during COVID and is being reinstated in early 2021.

<sup>8</sup> Certification processes are not being conducted in person during COVID shelter-in-place.



Agency	Service Area	Hours of Operation	Fares <sup>7</sup>	Eligibility / Certification Process <sup>8</sup>
<b>East Bay Paratransit (EBP)</b>	Within ¾ mile of any BART station or AC Transit bus stop (excluding BART stations east of Orinda on the Pittsburg/Bay Point line)	Operates during the same days and hours as AC Transit and BART's regular fixed route services.	\$4.00 for trips between 0-12 miles; \$6 for trips between 12-20 miles; \$7 for trips over 20 miles	All people with disabilities throughout BART and AC Transit service areas; must complete a written application and arrange for an in-person assessment (IPA) at EBP offices or a satellite location
<b>Tri Delta Transit Paratransit</b>	Within ¾ mile of fixed-route bus service.	Operates during the same days and hours as Tri Delta Transit's regular fixed route services.	\$2.75 for trips in ADA service area; \$5.50 for trips starting/ending outside of ADA area, trips to Concord or Martinez, and transfers to LINK	All people with disabilities throughout Tri Delta Transit service area; must complete a written application and may receive a phone call for more information and/or be asked to attend an interview or functional evaluation; Seniors 65+ are eligible for the Senior Service which is limited to the local fixed route service area and is subject to availability, rides are not guaranteed.



Agency	Service Area	Hours of Operation	Fares <sup>7</sup>	Eligibility / Certification Process <sup>8</sup>
<b>WestCAT Dial-A-Ride</b>	Coverage for all eligible riders within service area; extended beyond service area (for special needs trips) for an additional fee. Service also provided into Martinez and Richmond. ADA service is provided to Hercules, Pinole and the unincorporated areas of Rodeo, Crockett and Port Costa. <sup>9</sup>	Monday-Friday, 6:00am to 8:00pm; Saturday, 9am to 7:00pm (early morning, late night, and Sunday service coordinated with East Bay Paratransit within ¾ mile of a fixed route bus route <sup>10</sup> ); extended service area available Monday-Friday, 9:00am to 3:00pm	\$1.25 single trip fare; \$10 for ten pre-purchase tickets; \$3 for cash fare outside of WestCAT service area; \$25 for ten pre-purchased tickets outside of service area	All seniors (age 65+) and people with disabilities throughout WestCAT service area; must complete a written application; applicant is notified by mail of eligibility status within 21 days

<sup>9</sup> In addition to ADA, seniors (age 65+) and people with disabilities throughout the WestCAT service area may use Dial-A-Ride between any two points within WestCAT's service boundaries and will not be required to transfer.

<sup>10</sup> Service is provided within the timeframe that WestCAT fixed route operates, and ADA paratransit service is provided past midnight M-F.



## City-Based Paratransit Services

Three cities in West County offer city-based paratransit services funded by CCTA. The funding for the city-based paratransit comes from the transportation sales tax measure, originally Measure C and now Measure J, requested by the West Contra Costa Transportation Advisory Committee (WCCTAC). The rest of the county does not have city-based services because the subregional transportation agencies opted to not dedicate funding to specific city operators. Some programs provide services to adjacent cities and unincorporated areas. Programs are meant to complement ADA-mandated paratransit and are often directed more towards seniors than people with disabilities.

Figure 2-19 Summary of City-Based Paratransit Programs

Service	City / Service Area	Description of Service	Hours of Operation	Fares	Eligibility / Certification Process
<b>Easy Ride Paratransit Service (ERPS)<sup>11</sup></b>	El Cerrito	Easy Ride (door-to-door), day trips and excursions, limited service beyond El Cerrito, nutrition rides, and on-demand service	Monday-Thursday, 9:00am to 4:30pm; Friday, 9:00am to 3:30pm <b>Note: during COVID hours are Mon and Tue 10:00am to 1:30pm</b>	\$2 single trip fare	Must be a resident of El Cerrito and 65+ years old or 18+ years old with a disability; Must complete a written application
<b>R-Transit<sup>12</sup></b>	Richmond, El Cerrito, San Pablo, North Richmond, El Sobrante, Kensington, and Pinole	Lyft partnership, demand response, group trips, senior nutrition program transportation service, and subscription trips	Monday-Friday, 8:30am to 5:00pm; Lyft partnership (RAPID) 24/7	\$4 single trip fare (pre-scheduled); \$5 single trip fare (same-day); Lyft/RAPID first \$3 then any cost over \$20 per trip	Must be a resident of Richmond, North Richmond, El Sobrante, or Kensington and 55+ years old or 18+ years old with a disability; Must complete an online/written application with proof of age/disability

<sup>11</sup> <http://www.el-cerrito.org/index.aspx?NID=285>

<sup>12</sup> <http://www.ci.richmond.ca.us/2880/R-Transit-Paratransit>



Service	City / Service Area	Description of Service	Hours of Operation	Fares	Eligibility / Certification Process
<b>San Pablo Senior &amp; Disabled Transportation</b>	San Pablo, parts of Richmond, Pinole and El Sobrante	Door-to-door, group trips, nutrition program (brown bag), EBP ticket subsidy, travel training program, and subscription trips	Monday-Friday, 9:00am to 4:15pm	\$2 single trip fare	Must be a resident of San Pablo and 50+ years old or 18+ years old with a disability; Must complete a written application

## Community-Based Transportation Programs

Community-based transportation services may be provided by public sector services (e.g. a city's senior center) or non-profit organizations. They are sometimes dedicated for a specific clientele (i.e. Medicaid eligible persons, older adults attending meal programs, etc.). Riders are often referred to these programs by an agency they are receiving services from, such as a senior center, County Human Service agency, or Regional Center.



Figure 2-20 Community-Based Transportation Programs

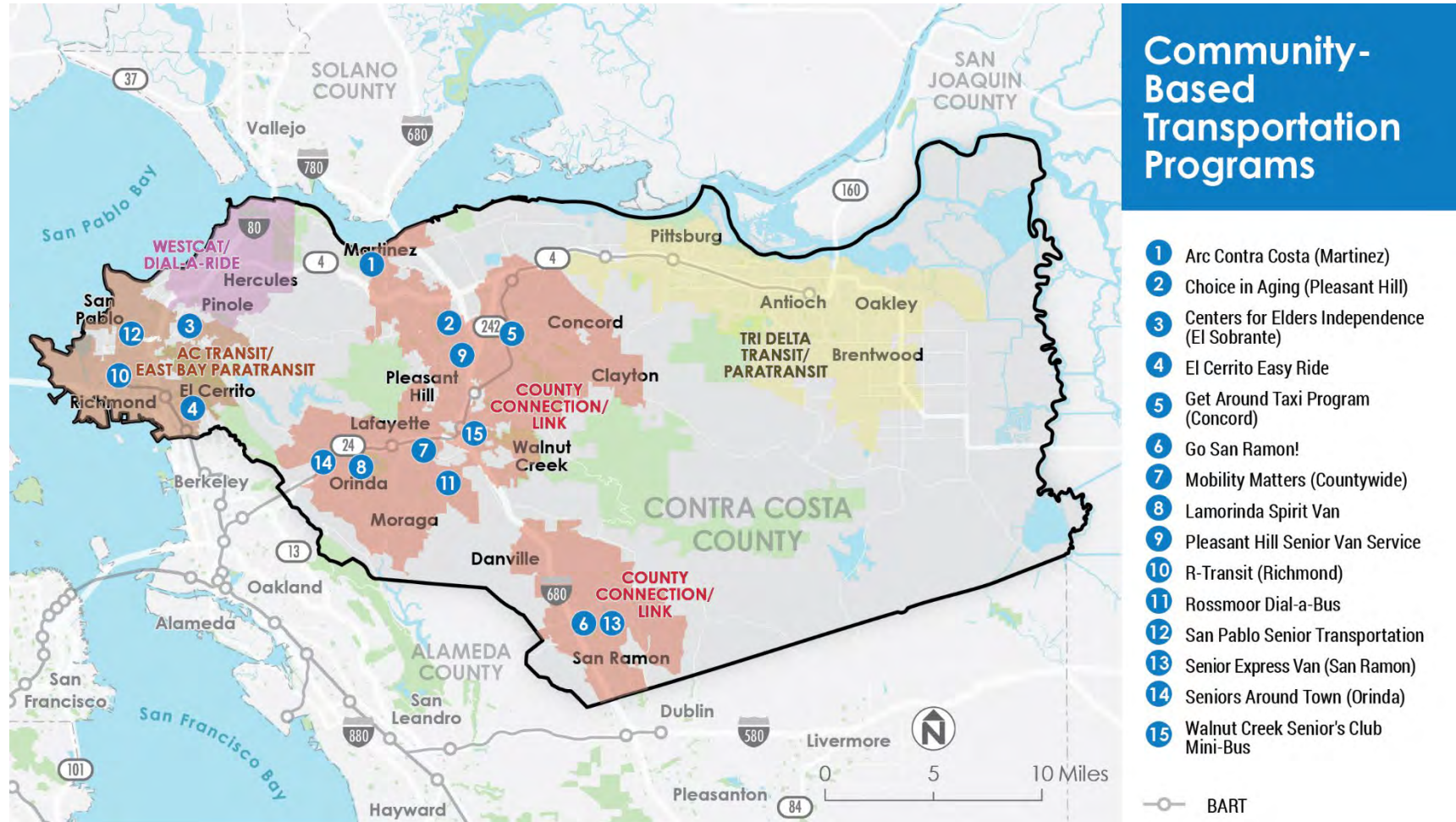




Figure 2-21 Summary of Community-Based Transportation Programs

Service	City / Service Area	Description of Service
<b>Arc Contra Costa (now Vistability)</b>	Martinez	Provides on-demand transportation service to adults and children with intellectual and developmental disabilities.
<b>Choice in Aging</b>	Pleasant Hill	Provides scheduled transportation to people with disabilities and special needs, in coordination with paratransit agencies.
<b>Center for Elders' Independence</b>	El Sobrante	Provides live-at-home services to people age 55 and older. This includes transportation to CEI center, clinics, outside medical appointments, and field trips. They also deliver medications to members' home.
<b>El Cerrito Easy Ride*</b>	El Cerrito	Easy Ride (door-to-door), day trips and excursions, limited service beyond El Cerrito, nutrition rides, and on-demand service.
<b>Get Around Taxi Program</b>	Concord	Program is available to Concord residents 65 years and older. Provides door to door service, allows seniors to get taxi service at a subsidized rate.
<b>Go San Ramon!</b>	San Ramon	A pilot program by County Connection that provides discounted (up to \$5) Uber and Lyft shared trips (due to COVID-19 pandemic, this is now all trips) within the designated San Ramon service area.
<b>Mobility Matters*</b>	Countywide	Provides two programs, one for seniors over 60 and one for disabled veterans of any age. Both programs require riders without access to other safe forms of transportation to need 1:1, door-through-door, escort. Rides are primarily for medically necessary services and dental care and shopping for basic necessities (e.g. groceries) Riders who do not qualify for the volunteer driver programs are matched with other transportation providers that meet their needs through the Mobility Matters Transportation Information & Referrals Helpline.





Service	City / Service Area	Description of Service
<b>Lamorinda Spirit Van*</b>	Lafayette, Moraga, Orinda	Provides rides to Lamorinda residents (age 60 and up) for errands, shopping, medical and personal appointments Monday through Friday, and to the C.C. Café at the Walnut Creek Senior Center for lunch Tuesday through Friday. Drivers are primarily volunteers.
<b>Pleasant Hill Senior Van Service*</b>	Pleasant Hill	Provides rides to destinations in Pleasant Hill Monday through Friday, and to Concord, Martinez, and Walnut Creek for medical and dental appointments Mondays, Tuesdays, and/or Thursdays. Pleasant Hill residents aged 55 and over can register. Rides are \$1.50 each way per passenger and must be scheduled one business day before the ride. Drivers are volunteers.
<b>R-Transit*</b>	Richmond	Lyft partnership, demand response, group trips, senior nutrition program transportation service, and subscription trips.
<b>Rossmoor Dial-a-Bus</b>	Rossmoor	Dial-A-Bus service areas include destinations in the Rossmoor Community, Rossmoor Shopping Center, medical centers, and scheduled trips to the downtown service area at specific times. Picks riders up at their curbside entry. Operates seven days per week, and rides must be requested at least one hour in advance.
<b>San Pablo Senior Transportation*</b>	San Pablo	Door-to-door, group trips, nutrition program (brown bag), EBP ticket subsidy, travel training program, and subscription trips.
<b>Senior Express Van</b>	San Ramon	Provides rides for San Ramon senior residents between the Alcosta Senior and Community Center and their homes. Rides must be scheduled one business day in advance (return rides time varies each day). Rides are \$3 each way, or \$2 for Encore members.



Service	City / Service Area	Description of Service
<b>Seniors Around Town*</b>	Orinda	Provides trips from volunteer drivers to riders that live in Orinda and are 65 or older or have a medical condition that limits driving.
<b>Walnut Creek Senior's Club Mini-Bus</b>	Walnut Creek	Provides rides to Walnut Creek Seniors Club Members that are 60 years of age or older for any purpose during service hours for \$1 each way. Service hours are 8:45am to 3:40pm, Monday through Friday. Rides must be scheduled between 9:00am and 10:00am the day before, or up to two days before for medical visits. Uses volunteer drivers and dispatchers to schedule rides

*\*Note that these services are also described elsewhere in the report.*

## Veterans Administration (VA) Transportation Programs

The VA programs, based in the VA Medical Center in Martinez, provide a range of services to Contra Costa veterans, as described below.

The VA travel pay reimbursement through the Beneficiary Travel program pays veterans back for mileage and other travel expenses to and from approved health care appointments. The VA also offers travel pay reimbursement for eligible caregivers.

The VA offers two types of travel pay reimbursement for eligible veterans:

### Reimbursement Type 1: General Health Care travel

This benefit covers regular transportation, like car, plane, train, bus, taxi, or light rail. veterans may be eligible for this reimbursement if they are traveling for care at a VA health facility or for VA-approved care at a facility in their community. They must also have one of the following:

- Have a VA disability rating of 30% or higher, or
- Be traveling for treatment of a service-connected condition, even if their VA disability rating is less than 30%, or
- Receive a VA pension, or
- Have an income that's below the maximum annual VA pension rate, or
- Be traveling for a scheduled VA claim exam (also called a compensation and pension, or C&P, exam), or
- Be traveling to get a service dog, or
- Can't afford to pay for their travel, as defined by VA guidelines



If the veteran is traveling to get treatment at special disability rehabilitation centers, such as clinics providing care for spinal cord injuries, vision loss or blindness, or prosthetics rehabilitation, they may also be eligible if they need in-patient care.

## Reimbursement Type 2: Special Mode Transportation

This benefit includes special types of transportation, like an ambulance, ambulette, or wheelchair van. The veteran may be eligible for this benefit if they meet a variety of requirements.

As indicated above, there are some limitations that impact veterans' mobility needs, as follows:

- Some veterans do not qualify for VA care if they received an "other than honorable discharge, or dishonorable discharge, or weren't injured or sick while on active duty". For those veterans, the agency uses an income threshold, which also varies based on zip code.
- A key need is non-authorized non-medical trips. The VA has been informed of neighbors financially exploiting veterans who have no other means of transportation other than paying their neighbors excessive amounts for a ride.
- There are many veterans in the county who are not actively enrolled in the VA system whose transportation needs may be met through other programs.
- Same day trip needs are a big challenge for veterans. Even though the VA's social workers do provide information for alternative services, they basically can't meet veteran's same day needs unless the trip is easily accessible via public transport.
- A hospital discharge program would be particularly beneficial to those who do not qualify for the VA's programs or those who are discharged during non-operational hours.
- Working veterans are lacking a GRH program.
- Since the VA's transportation services are provided during working hours, there are many after hour mobility needs that are not served.

## Contra Costa Health Services and Plan

Contra Costa Health Services (CCHS) is the largest department in the County government, employing more than 4,250 individuals. Only 6% of the CCHS budget is from the general fund. The remaining 94% is supported by federal and state funding programs, such as Medi-Cal and Medicare as well as program grants and fees.

The Contra Costa Health Plan (CCHP) provides health services to the general population and low-income communities in Contra Costa County. CCHP also provides non-emergency medical transportation (NEMT) to clients in order to access medical services. Services have been provided to Medi-Cal beneficiaries (95%) since 2015. These transportation benefits are not widely advertised due to concerns about costs. Provision of an NEMT trip needs to be prescribed by a doctor or provider. Transportation is not provided if the service is not covered by Medi-Cal. The CCHP call center includes four



full-time staff who respond to phone inquiries and conduct “audits” of the services provided. Some of the main mobility gaps experienced by members include ride times (trips used to be 90 minutes one-way and two hours for a round trip, but the organization is working on reducing this to 40 minutes one-way). Other limitations include service to dialysis is only provided for the return trip, which is a challenge for some members; members are often directed to paratransit rather than TNCs or taxis because of accessibility issues, and the different policies at different paratransit programs means that the call takers need to be familiar with each of the paratransit program policies.

## **NEMT and Non-Medical Transportation (NMT)**

Contra Costa County also hosts a number of other Non-Emergency Medical Transportation (NEMT) services. Non-emergency medical transportation (NEMT) is an important benefit for Medicaid beneficiaries who need to get to and from medical services but have no means of transportation. The Code of Federal Regulations requires States to ensure that eligible, qualified Medicaid beneficiaries have access to NEMT to take them to and from providers. Many NEMT trips are taking people to and from dialysis clinics.

In 2016 the state of California added non-medical transportation (NMT) to the benefits covered under Medi-Cal services. Assembly Bill 2394 (AB 2394), allows for the cost of transportation to and from a medical or non-medical appointment that would otherwise be covered by Medi-Cal. Unlike NEMT, NMT does not need to be prescribed by a medical provider, but only approved by the insurance provider. This allows Medi-Cal to cover services by passenger car, taxicab, or any other form of public or private conveyance, and mileage reimbursement when conveyance is in a private vehicle arranged by the beneficiary and not through a transportation broker, bus passes, taxi vouchers, or train tickets. Similar to how Medi-Cal reimburses NEMT trips, only the cost of the fare is reimbursable.

## **Subsidized Fare Programs/Voucher Programs**

The demographic profile of Contra Costa County noted significant concentrations of poverty for older adults and people with disabilities. Cost can be a barrier to accessing transportation for these populations. Fixed-route transit providers offer reduced fares to older adults 65 and above and to people with disabilities. Senior Clipper Cards can be obtained via mail, online, and at participating transit agencies’ customer service offices. The RTC card is a photo identification card that verifies a rider’s eligibility to receive a reduced fare on fixed route transit. With the advent of Clipper, the RTC card now serves as an individual’s Clipper Card which automatically applies the discount fare. RTC Clipper cards must be obtained from a fixed route transit provider and require a physician’s verification of disability or proof of a DMV Disabled Parking Placard. The initial application must be made in person and there are two locations in Contra Costa County – County Connection Customer Service in Concord and Tri Delta Transit Customer Service in Antioch.

Other transit agencies serving Contra Costa County that process RTC Clipper cards are located in Alameda County. AC Transit Customer Service is located in Downtown



Oakland and BART Customer Service in Lake Merritt station. For some consumers, obtaining a ride to one of these specific locations to apply for a card represents a barrier. No Contra Costa County transit providers currently have means-based discount programs for the general population.

Subsidized fare and/or voucher programs also exist that are administered through social service agencies. Many transit agencies sell fare products at bulk discounts to social service agencies that serve low-income populations. These organizations determine eligibility and issue the fare products to their clients at their own discretion, free of charge, or at significant discounts. Some programs also include fares/vouchers for volunteer-based transportation programs and/or taxis. These programs are designed primarily to address immediate needs and depend on the discounts offered by transit agencies and available funds to purchase fare products.

Taxi subsidy programs allow eligible participants to use taxis at a reduced fare by reimbursing a percentage of the fare, or by providing a low-cost fare medium, e.g. scrip or vouchers, which can be used to cover a portion of the fare. As noted earlier, several Contra Costa County cities offer subsidized taxis for older adults and people with disabilities.

## Volunteer Driver Programs

Volunteer driver programs connect riders to a network of volunteers that provide one-way, round-trip, and multi-stop rides. Cost of participation in these programs can be provided free of charge, on a donation basis, through membership dues, or at a minimal cost, and typically have an eligibility process and advance reservation requirements. Programs are sponsored by non-profit organizations, transit agencies, or cities and counties. Some volunteer driver programs may also have an escort component where volunteers accompany riders with mobility devices on paratransit services, when they are unable to travel in a private vehicle. Some programs may use staff to provide initial rides or to fill gaps when volunteers are unavailable. It is unclear if any Contra Costa programs offer these last two options.

Volunteer driver programs are generally designed for older adults and can fill needs that are not met by other transportation services such as ADA-mandated paratransit. A key gap these programs usually address is offering door-through-door service. These services are therefore ideal for more frail individuals who cannot wait outside, may need a stabilizing arm, help with a jacket or carrying groceries, etc. These programs are also well-suited for certain medical trips, for example when someone needs to stop and pick up a new prescription before going home, or go to a facility in another county for specialized treatment. Volunteer driver programs usually have to closely monitor their capacity and face ongoing challenges with funding and finding quality volunteers.



Figure 2-22 Contra Costa County Volunteer Driver Programs

Program	Description <sup>13</sup>
John Muir Health: Caring Hands	Provides volunteer trips for medical appointments and shopping in central, southwest, and east Contra Costa County  <b>Note: At time of publication, program was discontinued and service transferred to Mobility Matters</b>
Lamorinda Spirit Van	Provides rides to older Lamorinda residents (age 60 and up) to errands, shopping, medical and personal appointments Monday through Friday, and to the C.C. Café at the Walnut Creek Senior Center for lunch Tuesday through Friday. Drivers are primarily volunteers.
Mobility Matters	Provides two programs, one for seniors over 60 and one for disabled veterans of any age. Both programs require riders without access to other safe forms of transportation to need 1:1, door-through-door, escort. Rides are primarily for medically necessary services and dental care and shopping for basic necessities (e.g. groceries) Riders who do not qualify for the volunteer driver programs are matched with other transportation providers that meet their needs through the Mobility Matters Transportation Information & Referrals Helpline.
Pleasant Hill Senior Van Service	Provides rides to destinations in Pleasant Hill Monday through Friday, and to Concord, Martinez, and Walnut Creek for medical and dental appointments Mondays, Tuesdays, and/or Thursdays. Pleasant Hill residents aged 55 and over can register. Rides are \$1.50 each way per passenger and must be scheduled one business day before the ride. Drivers are volunteers.
Seniors Around Orinda	Riders must live in Orinda and be 65 or older or have a medical condition that limits driving.

## Mobility Management

Mobility management services cover a wide, such as travel training, coordinated services, trip planning, brokerage, and information and referral. For the purposes of this resource list, mobility management services refer to the provision of individual transportation information and assistance, and service linkage. Mobility management services are closely related to information and referral, but go further by providing more individually tailored information and providing service linkage. Where available, mobility management is an ideal “entry point” for older adults, people with disabilities, and veterans to the range of transportation resources available.

<sup>13</sup> Services have been altered during COVID.



## Mobility Matters

In Contra Costa County mobility management is provided by Mobility Matters through a transportation information and referral helpline that utilizes a case management model based on individual transportation needs. Callers are assisted to determine their needs and resources that are available to them. Mobility Matters also publishes a transportation guide “Way To Go Contra Costa,” provides individualized emergency disaster plans, and coordinates with emergency services to assist and notify Mobility Matter’s clients in the event of a disaster.

## Private Transportation

Private transportation providers have always been an integral partner in the provision of transportation resources for older adults and people with disabilities. Private transportation providers are for-profit entities in the business of transporting people. As noted earlier, most fixed-route transit agencies contract with private transportation providers to provide ADA-mandated paratransit.

Other options are more likely to be requested directly by the rider. Taxis have filled gaps in transit and paratransit service for decades. In the last decade smart phone app-based ride-hailing companies, TNCs, like Uber and Lyft, have begun to fill some of the same gaps. However, smart-phone, software-driven transportation options are difficult to track because the data is privately controlled, and the services are volatile, with providers rapidly going into and leaving markets or falling out of business. Other examples of private transportation are school bus services (where available), motor coach services, shuttles, vanpools, and limousine and sedan services.

Although private transportation providers are subject to the ADA in terms of access, service, fares and training – the requirement to provide wheelchair accessible vehicles is still being debated. A number of Bay Area cities and counties including Alameda, Marin, San Francisco, and Santa Clara Counties have attempted to increase accessible taxi options with limited success. TNC/ride-hail companies have attempted to increase accessible services with limited success in different locations around the U.S. through options such as uberACCESS, uberWAV, and Lyft Access. In 2018 California passed the TNC Access for All Act (SB 1376)<sup>14</sup>, a surcharge on TNC rides, which is currently undergoing a rule-making process. The Act could result in services and/or funding to augment transportation options for older adults and people with disabilities.

Private transportation providers can be helpful in making first and last mile connections to transit. However, riders can face barriers when trying to use private providers directly for an entire travel trip, including affordability, accessibility for riders with mobility devices, and access to smartphones.

---

<sup>14</sup> SB 1376 – <https://www.cpuc.ca.gov/tncaccess/>



## 3 OUTREACH

This chapter summarizes the study's public engagement strategy and findings in the following sections:

1. Outreach Plan
2. Virtual Outreach Toolkit
3. Survey
4. Strategies Survey
5. Web Outreach
6. Presentations
7. Focus Groups
8. Telephone Town Hall
9. Stakeholder Interviews

### OUTREACH PLAN

At the outset of this effort, Nelson\Nygaard developed a framework for public outreach and engagement that would solicit input from key individuals and organizations as well as a broad cross-section of Contra Costa County's communities and stakeholder groups, particularly seniors and persons with disabilities. The outreach plan included five key goals to support a successful Accessible Transportation Strategic Plan:

1. Educate community members about the Study and different transportation options in the County.
2. Engage with community members and learn about current transportation usage.
3. Identify strengths and challenges of existing services and unmet needs.
4. Gather and incorporate feedback on alternative models.
5. Create support within the community for new models and identify potential barriers to implementation.

### Oversight Committees & Partnerships

The Outreach Plan called for the establishment of two oversight committees - a Technical Advisory Committee (TAC) and a Policy Advisory Committee (PAC) - as well as input from riders and partnerships with Community-Based Organizations (CBOs). Oversight committee members are listed in Chapter 1.

**Technical Advisory Committee:** The TAC's purpose was to provide subject matter expertise about technical and financial implications of service concepts under study, and review recommendations. Its members included staff with direct operational, management, or policy development experience with accessible transportation.





**Policy Advisory Committee:** The PAC's purpose was to provide study oversight, gather information on the subject matter, provide direction on public policy implications, and serve as liaisons to transit districts, Regional Transportation Planning Committees, the CCTA Board, and the Board of Supervisors. Its members included executive staff, board members and their appointees, and subject matter experts.

**Rider Input:** The project team solicited input from riders through regular updates to the County Paratransit Coordination Council (PCC), surveys, and through targeted focus groups.

**Community-Based Organization Partnerships:** The project team partnered with CBOs that support senior populations, people with disabilities, and diverse ethnicities and incomes in each of the four planning areas of the County. Since the CBOs have already established good contacts and legitimacy with their stakeholders, the project team communicated through these groups and connected with community members directly through their trusted networks.

## Engagement Tools & Techniques

The Outreach Plan included a set of engagement tools and techniques that the project team originally planned pre-COVID to communicate information and solicit input from target populations in Contra Cost County. **Figure 3-1** presents the planned engagement tools and techniques, which were to be conducted within two overall phases:

- Phase 1 (January - February 2020): Receive input on transportation experiences, challenges, and unmet needs.
- Phase 2 (July-August 2020): Receive feedback on alternative service models and identify potential barriers to implementation.

However, due to the COVID-19 pandemic that began late February 2020 leading to Bay Areawide Public Health Department recommendations to shelter-in-place, the outreach tools and techniques were adjusted to facilitate remote engagement. **Figure 3-1** describes if/how each of the tools and techniques were updated in the wake of COVID-19.



Figure 3-1 Engagement Tools and Techniques

Engagement Tool/Technique	Updates due to COVID-19
Interviews with targeted stakeholders	Timeline was extended to capture different perspectives throughout COVID
Simple survey	Became primary outreach tool, over 1,000 completed online, paper, and on phone.
Public meetings (PCC)	Presented by CCTA staff on Zoom meetings
Presentations as part of other ongoing projects	Presented to Developmental Disabilities Council of Contra Costa County and Pleasant Hill Commission on Aging. Opportunities sought for online but not found.
Countywide Telephone Townhall	Conducted in November
Tabling as part of other ongoing projects	Not available
Focus groups	Timeline extended as groups became accustomed to online meetings. Five held via Zoom.
Up-to-date project website	Reflected changes to outreach due to COVID

## Virtual Outreach Toolkit

As the first shelter-in-place began in March 2020 and the scope of the pandemic became apparent, Nelson\Nygaard pivoted the outreach strategy to an online and virtual meeting model. Accordingly, the team developed a Toolkit for members of the TAC and PAC, and CBO partners. The Toolkit included the following items:

- A new flyer reflecting at-home participation
- Flyer text for emails
- Script for check-in calls
- Survey
- Sample Twitter text

Most materials were translated into Spanish and the surveys were also translated into Mandarin.

Figure 3-2 Revised Flyer



Contra Costa Accessible Transportation Strategic Plan

### Let's make transportation convenient for older adults and people with disabilities

If you're an older adult, have a disability, or are a veteran, transportation in Contra Costa County can be challenging. We want to identify ways to make it easier for you to get around the county—whether you're going to an appointment, getting groceries, visiting family, or anything else.

**You can participate from home!**

Due to the shelter-in-place we are asking individuals to complete the survey online or participate in a short phone interview. Participants will be entered in a drawing for a \$25 gift card!

Take the survey on-line at [www.surveymonkey.com/r/CCTA\\_Survey2](http://www.surveymonkey.com/r/CCTA_Survey2) or in Spanish at [www.surveymonkey.com/r/CCTA\\_SurveySPN](http://www.surveymonkey.com/r/CCTA_SurveySPN)

Call us at **857-305-8004**

Email us at [info@atspcontracosta.com](mailto:info@atspcontracosta.com)

Visit us at [atspcontracosta.com](http://atspcontracosta.com)

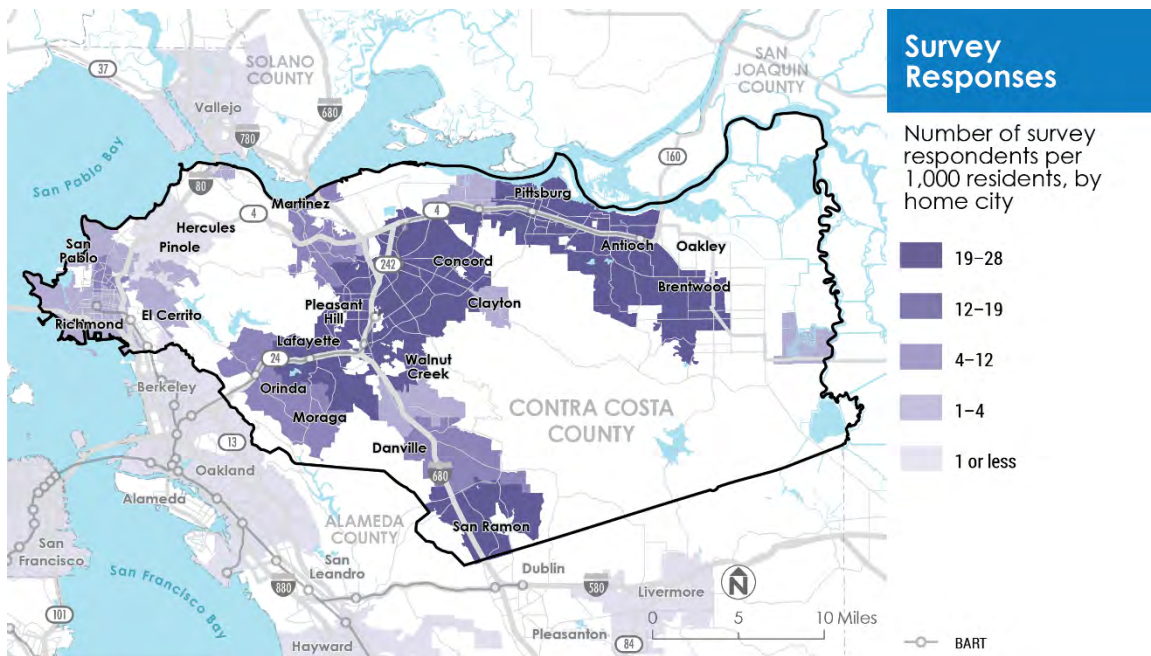




## SURVEY

The survey was one of the most important outreach tools used for this project. Nelson\Nygaard conducted a mix of paper surveys and an online survey hosted on SurveyMonkey. The survey was available in three languages: English, Spanish, and Mandarin (Appendix A). We received 996 responses in English, 7 in Spanish, and 60 in Mandarin. Using this combination, a total of 1,063 responses were collected. The map below shows the spatial distribution of survey respondents within the County.

Figure 3-3 Spatial Distribution of Survey Responses



Survey respondents were mapped throughout the project and areas with limited responses were addressed with additional outreach, for example an additional focus group in West County.

Due to the onset of COVID-19 pandemic, distribution of survey and engagement was challenging. A variety of means to reach the public were sought. Both the printable paper version and online SurveyMonkey survey was published on the project website in all three languages. It was also distributed to key stakeholder groups, such as local and regional news outlets, senior centers and programs, transit agencies for seniors and disabled, etc. within the region in order to reach out their readers or users. These agencies forwarded the survey to their user groups and, if applicable, posted it on their social media to market it further. Surveys and flyers were also distributed with meal delivery (e.g. Meals on Wheels) in some cases.



Figure 3-4 Public Engagement Collateral

The figure displays various public engagement materials:

- Website Screenshot:** Shows the Contra Costa County website with news items such as "UPDATE on Board of Supervisors Meeting" and "Library Launching Front Door Service". A sidebar on the right features a "We are Lafayette, California Strong" section.
- Principal Planner John Cunningham:** A text block stating, "We are looking for older adults, people with disabilities, and veterans to participate in a short transportation survey that will gather information on ways to make transportation convenient in the community. Survey participants could win a \$25 gift card! Participate in the survey (English and... See more".
- General - Jun 23 to subscribers of Contra Costa County:** A text block with a "View or Reply" button.
- Twitter Post:** From @511ContraCosta, dated Jun 8, 11:13 AM. Text: "RT @CCTA: We are gathering input from the community on ways to make transportation convenient for older adults and people with disabilities. Please visit [atspconraccosta.com/participate](https://t.co/1ChM8v78rV) as your input will help us better meet your transportation needs and be entered to win a \$25 gift card! Keywords: @CCTA, transportation Reach 4k Tag • Translate • Share".
- Instagram Post:** Sponsored by mtc, titled "Seniors and people with disabilities in Contra Costa County".
- Flyer:** Titled "Let's make transportation convenient for older adults and people with disabilities". It includes contact information: "Call us at 857-305-8004", "Email us at [info@atspconraccosta.com](mailto:info@atspconraccosta.com)", and "Visit us at [atspconraccosta.com](https://atspconraccosta.com)".



There was also an additional option provided to call in and respond to the survey by phone. Nelson\Nygaard had a dedicated team member to respond to calls and answer questions, along with filling out the survey over the phone. There were also community partners, such as Choice in Aging and Mobility Matters, that provided this option to their constituents, sometimes during regular check-in wellness calls. This service led to 244 people calling in to respond to the survey who either did not have the technology or the ability to do so themselves. Approximately 46% of the people who filled out the survey completed it without assistance. The remainder had somebody filling out the survey on their behalf or they had called in to respond to questions.

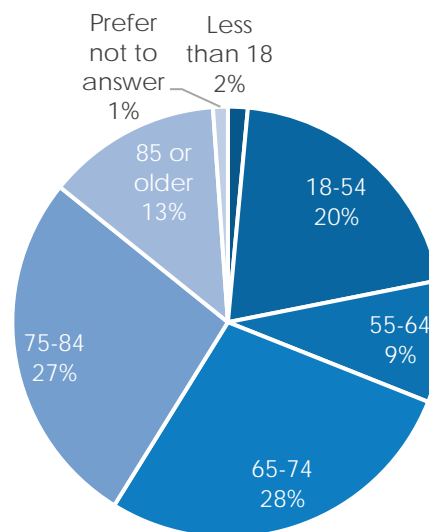
The survey consisted of a total of 22 questions, 8 of which were optional depending on the respondents' mode of transportation. Amongst the rest, three questions were based on their demographic information (age, place of residence, contact details), and one was on the riders' travel accommodations (cane, walker, etc.) In addition, the survey asked if respondents were willing to provide contact information in order to be included in further outreach and entered to win a gift card.

## Survey Results

### Age

Out of 809 respondents who answered the question regarding their age, 77% were older adults (55 years or older). Amongst the respondents, only 16% reported that they are certified as eligible for service based on disability with East Bay Paratransit, WestCAT Dial a Ride, County Connection LINK, Tri Delta Transit Paratransit, or under the Regional Transportation Connection (RTC Clipper) program. Forty-seven percent of this group were older adults, 49% between the age of 18 and 54 and 2% younger than 18.

Figure 3-5 Respondents' Age Distribution

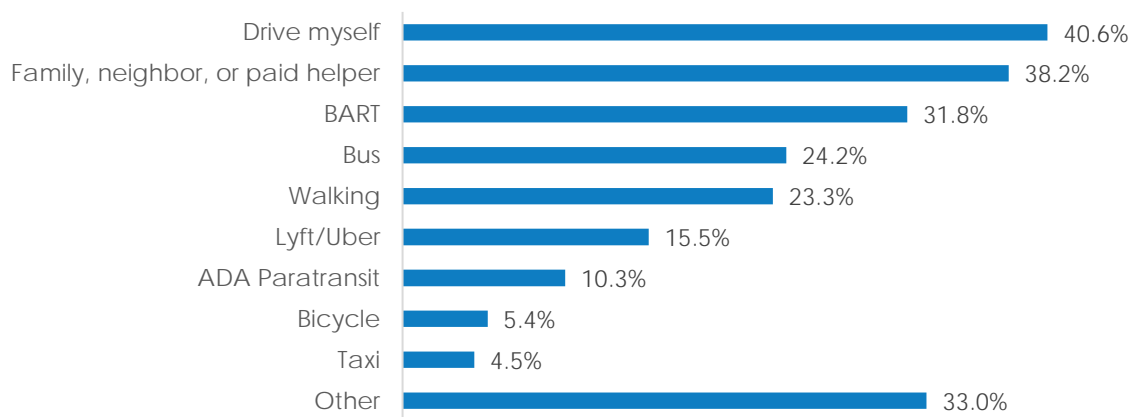




## Mode Share

Regarding transportation modes used, over 40% of the respondents said that they drive themselves, followed by 38% who are driven by family, neighbor, or a paid helper. These patterns are consistent with findings in similar studies. BART was chosen by 32% of the respondents, and bus was chosen by 24%. Amongst other modes of transportation, walking (23%) had the highest share, followed by Lyft/Uber (15.5%), ADA Paratransit (10%), bicycle (5%), and taxi (4.5%). Thirty-three percent (33%) of respondents also rely on other forms of getting around, including Mobility Matters volunteer driver program and Lamorinda Spirit Van. Respondents were given the option on several questions to select multiple answers.

Figure 3-6 Mode Share Distribution



Note: Respondents could choose as many modes as they used. Hence, the percentage is out of 1,063 for individual categories and not as a whole.

Amongst the 24.2% respondents who listed bus as their chosen mode of transportation, 42% were County Connection users, followed by users of AC Transit (22%), Tri Delta Transit (20%) and WestCAT (5%). Finally, 11% mentioned using another bus system than those already mentioned. See **Figure 3-7**.

The distribution for ADA paratransit was similar to the chosen bus systems above. Forty-four percent (44%) of paratransit riders use County Connection LINK and 22% use Tri Delta Transit Paratransit, closely followed by East Bay Paratransit (19%) making these the most popular bus services. Six percent (6%) of the respondents use WestCAT Dial-a-Ride for paratransit users. See **Figure 3-8**.



Figure 3-7 Bus Users' Distribution

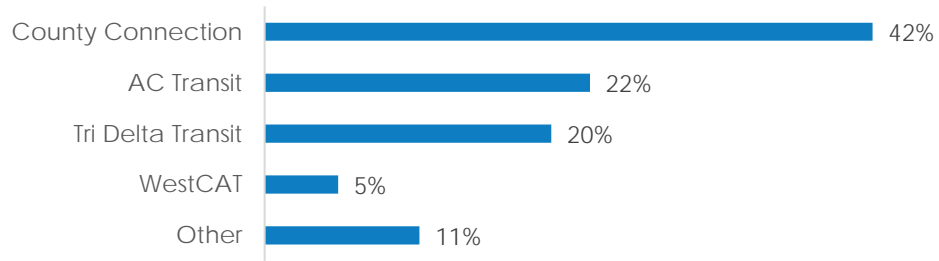
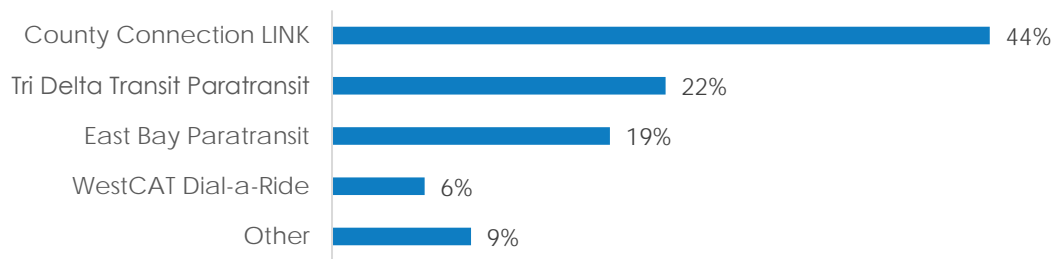


Figure 3-8 Paratransit Users' Distribution



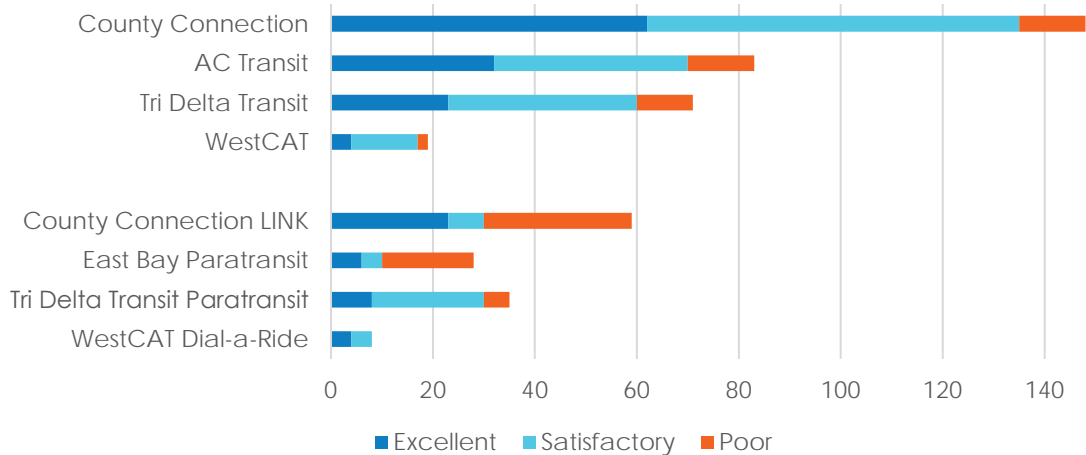




## Rider Satisfaction

Eighty-eight percent (88%) of bus users report having satisfactory or excellent bus riding experiences and interactions with drivers, while this rate was 60% amongst ADA paratransit users. Amongst the different bus services in the region, AC Transit had a dissatisfaction rate of 16%, followed by Tri Delta Transit with 15%, WestCAT with 11% and lastly, County Connection with 9%. As for the different ADA Paratransit services, the dissatisfaction rate was highest amongst East Bay Paratransit users (64%), followed by County Connection LINK (49%), and Tri Delta Transit Paratransit (14%).

Figure 3-9 Transit and Paratransit Satisfaction Rates



As for Lyft and Uber users, out of the 15.5% of respondents who usually use Lyft or Uber to get around, 92% report having satisfactory or excellent Lyft/Uber riding experiences and interactions with drivers. This satisfaction rate is much higher than bus and paratransit users.

Figure 3-10 Lyft/Uber Satisfaction Rates

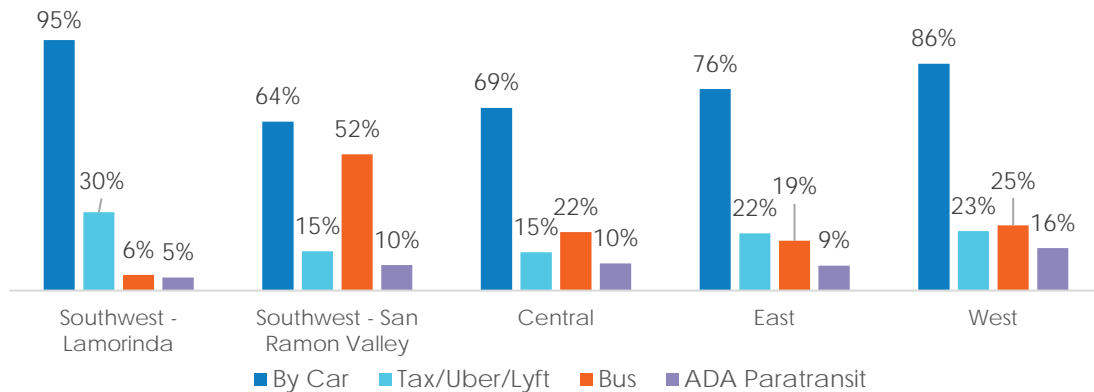




### Trip Distribution

Looking deeper into the distribution of different modes of transportation spatially for all County regions, the car is the primary mode of transportation, whether it is people driving themselves or someone giving them a ride. Dependency on Uber/Lyft/Taxi is the highest, after car, in Southwest – Lamorinda and East regions. Dependency on riding the bus is also high in the Southwest – Lamorinda region, followed by the West region and the Central region. Lastly, ADA Paratransit dependency is the lowest amongst all modes for all five regions, with the lowest in Southwest – Lamorinda area.

**Figure 3-11 Mode of Transportation by Regional Transportation Planning Committee Areas**

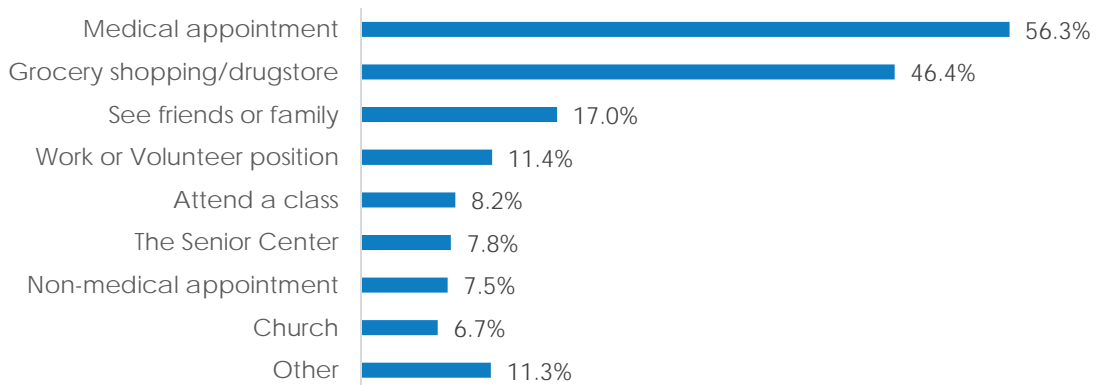


Note: Respondents could choose as many modes as they used. Hence, the percentage is out of total respondents for each region.

### Trip Purpose

Medical appointments and grocery stores/ drugstores are riders’ most common destinations as illustrated in the graph below.

**Figure 3-12 Where Are Respondents Going?**



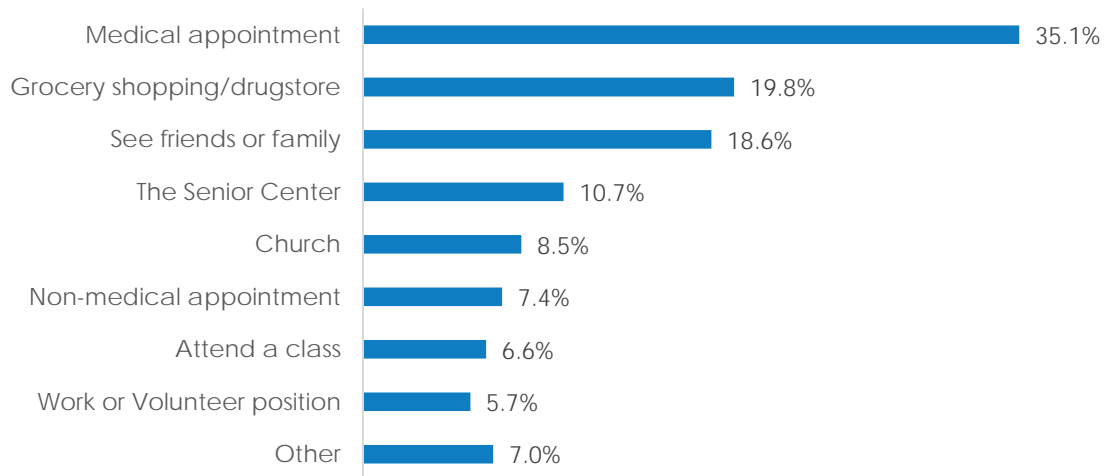
\*Respondents could choose up to three trips that they take most often. Hence, the percentage is out of total respondents (1,063) individually for each trip type.



## Transportation Challenges

Thirty-five percent (35%) of respondents also reported that medical appointments are the most difficult to get to, followed by the grocery or drugstore (20%) and visiting friends and family (19%). Thirty-eight percent (38%) of respondents also said that there are additional places they would like to go to but are unable to due to lack of convenient transportation. Most of these were recreational places such as parks, museums, tourist destinations. Improved connectivity to BART stations emerged as a pressing need.

Figure 3-13 Which Trips are Most Difficult to Make?

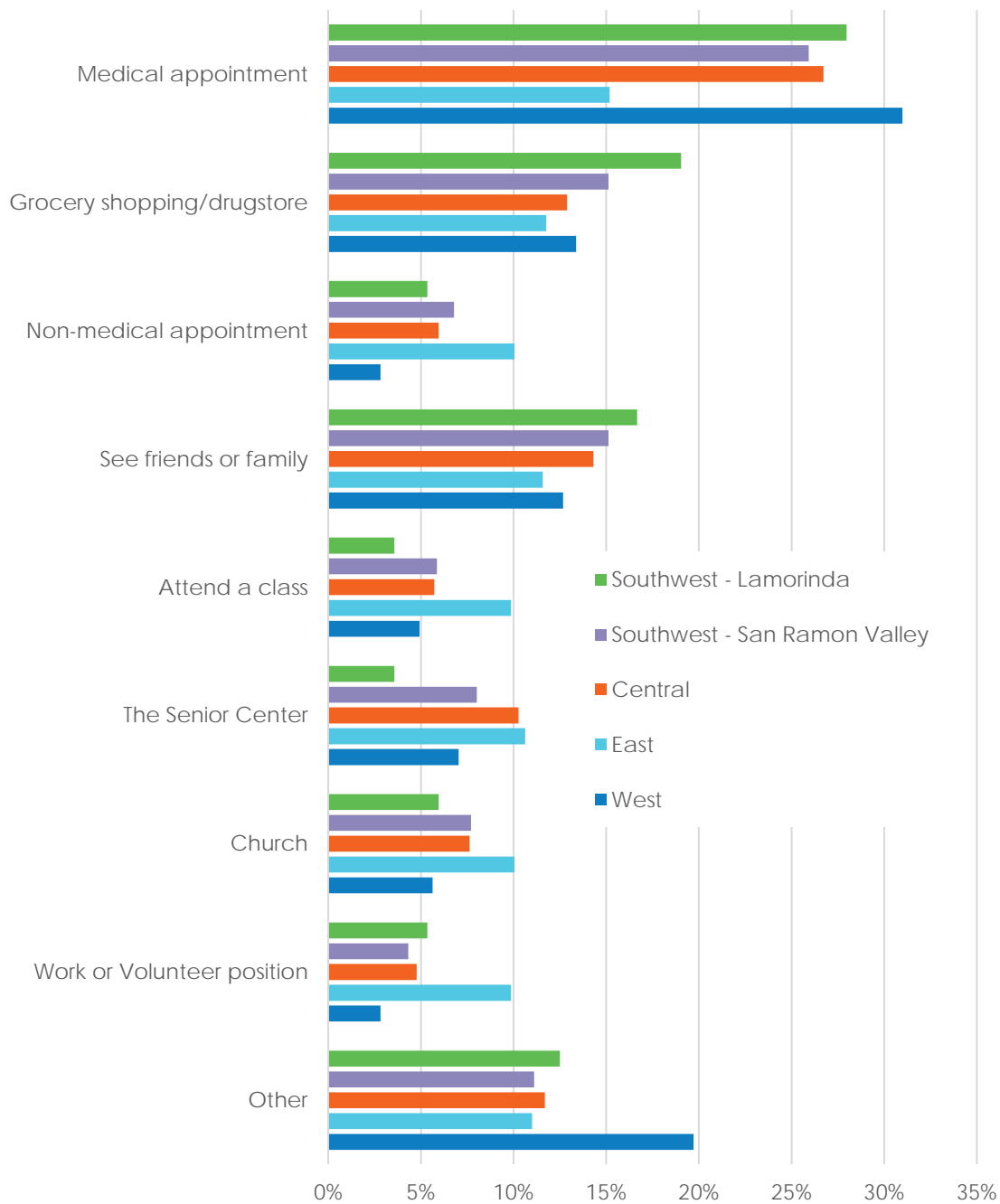


Note: Respondents could choose up to three trips that they take most often. Hence, the percentage is out of total respondents (1,063) individually for each trip type.

For all areas of the County, trips to medical appointments are the most difficult for respondents. For Southwest – Lamorinda’s respondents, taking trips to grocery shopping/drugstore and to see family and friends are most difficult after medical trips. Within East region, there are no significant differences in the difficulties reported reaching different destinations. Responses from residents of Southwest – San Ramon Valley and Central region follow the same trend as the overall chart for trip difficulty.



Figure 3-14 Most Difficult Trips for Respondents, by Area of County



Note: Respondents could choose up to three trips that they take most often. Hence, the percentage is out of total responses within each region for each trip type.

Many survey takers living in the West region also mentioned difficulties in taking "Other" trips which mainly included recreational trips.



While respondents face a variety of challenges with existing transportation services in Contra Costa County, many of them report feeling unsafe while traveling (29%). Safety sometimes refers to structural issues, such as falling over on moving buses, or concerns about potential crime. Unfortunately the survey did not differentiate, as safety is not usually such a high factor. It is possible that concerns about safety were heightened in a time of COVID-19 and civil unrest. Some specific comments referred to safer night service and more secure service to avoid thefts and injuries. Followed by safety, respondents listed that they cannot take transportation when they need (24%).

Figure 3-15 Respondent Transportation Challenges



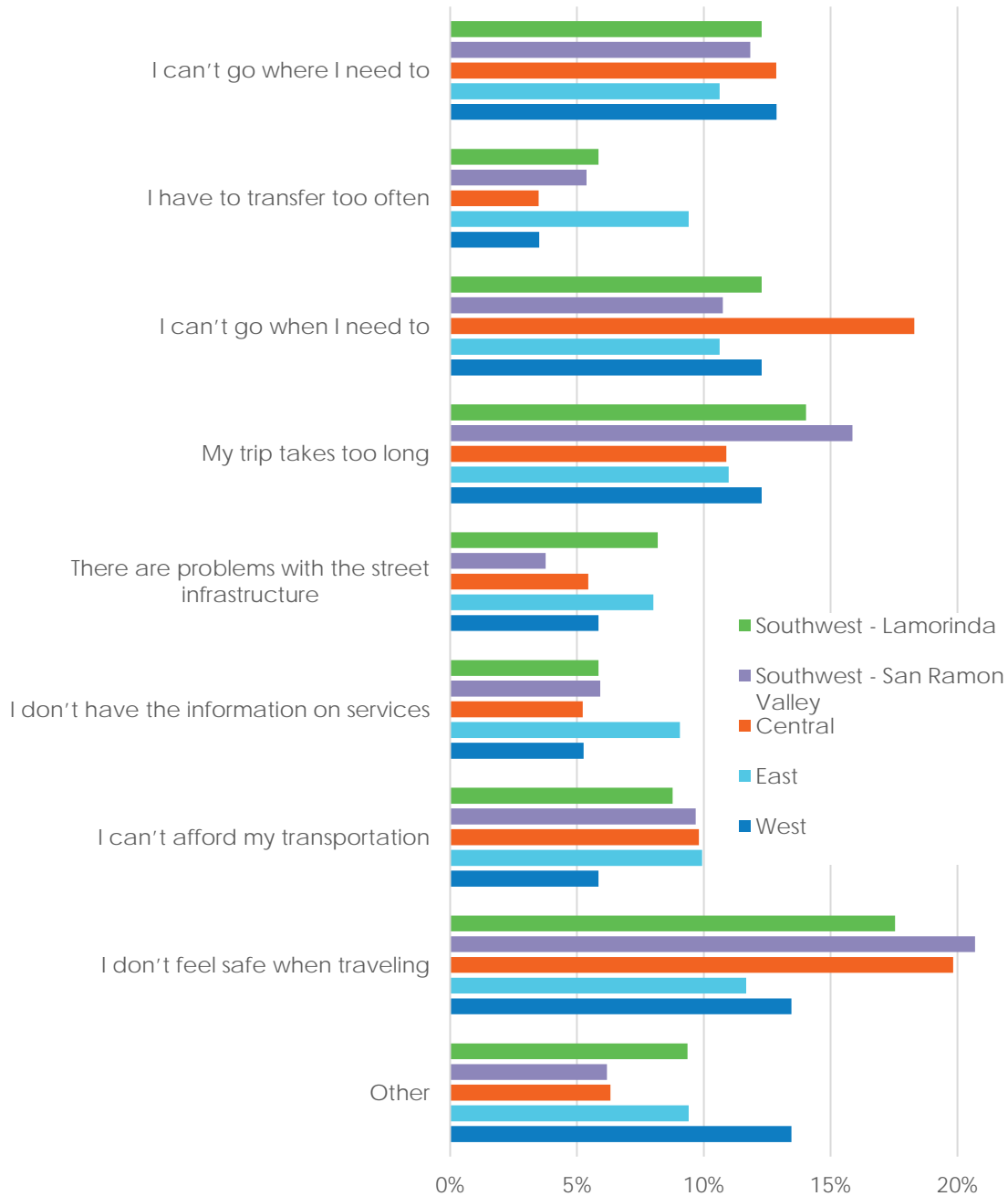
Note: Respondents could choose up to three challenges that they faced most often. Hence, the percentage is out of total respondents (1,063) individually for each challenge.





Respondents from the Southwest - San Ramon Valley region listed safety and trip length as their biggest concerns. After safety, service hours were the biggest challenge for respondents from the Central Region. For respondents in the West region, transportation service area, hours and trip duration emerged as major challenges after safety. Respondents in the East region did not show significant differences between their concerns.

Figure 3-16 Transportation Challenges, by Area of County

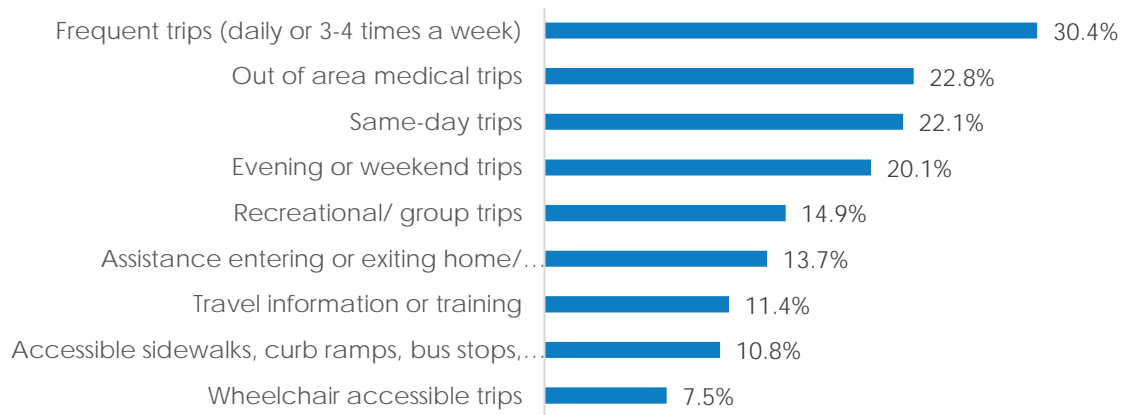


Note: Respondents could choose up to three challenges that they faced most often. Hence, the percentage is out of total responses within each region for each challenge.



Respondents want more frequent trips (30%), followed by same-day trips (22%), i.e. trips that can be booked on the same day that the trip needs to be taken, and trips at different times of the week, including evenings and weekends (20%). Out of area medical trips (23%) were another common transportation need listed by respondents. Some of the destinations mentioned for out of area medical trips were University of California San Francisco campus, Stanford University School of Medicine, Kaiser in Vallejo, Summit in Oakland, Kaiser in Pleasanton, and Eden Medical Centers in Castro Valley.

**Figure 3-17 Preferred Transportation Services**

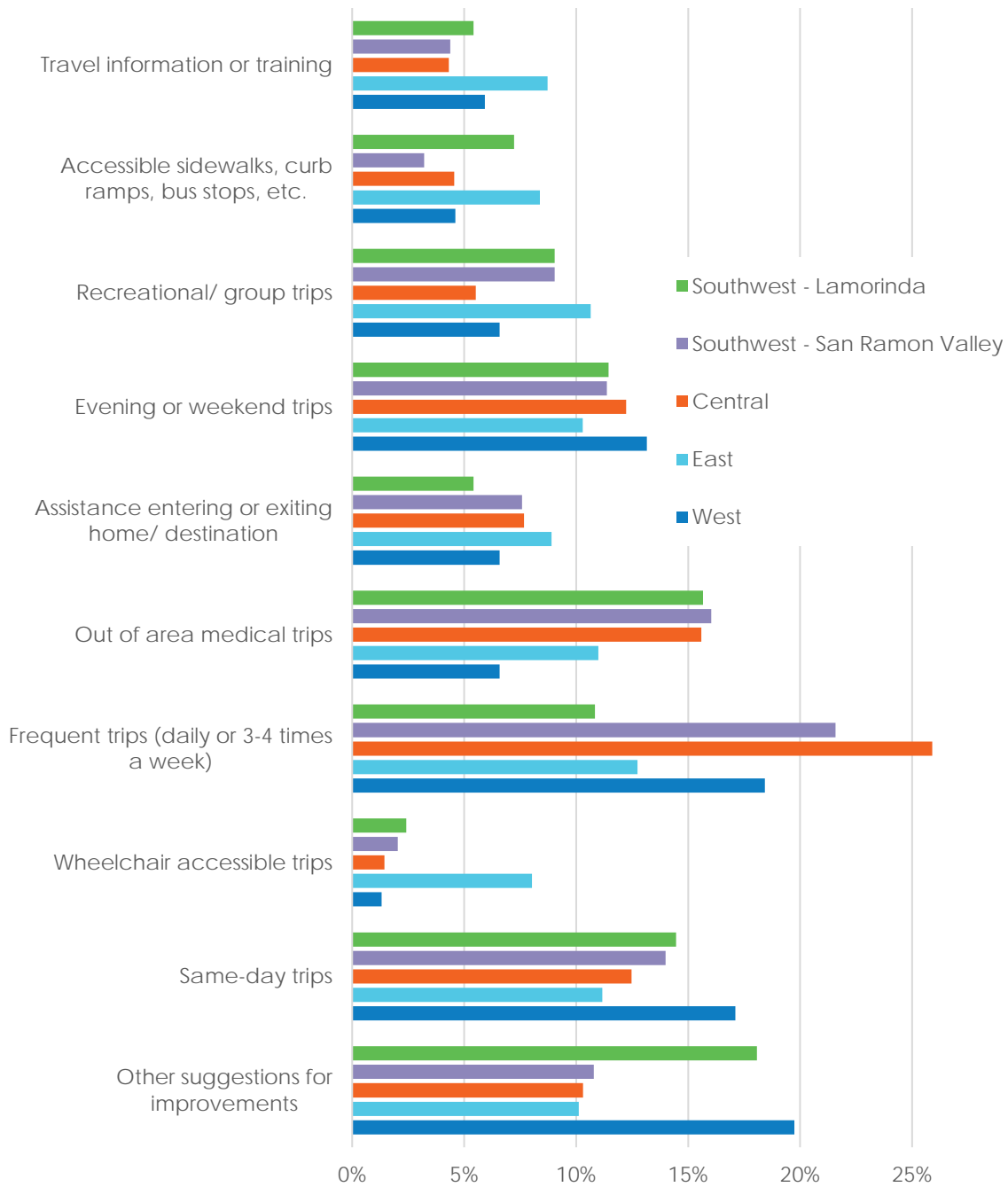


Note: Respondents could choose up to three needs that they require most often. Hence, the percentage is out of total respondents (1,063) individually for each need type.

Breaking down this need further by region, frequent trips were the top need that the respondents requested in three out of the five regions (except Southwest – Lamorinda and West Regions). Respondents in the Southwest – Lamorinda and West Regions listed other improvements such as additional bus services as their top need. For Southwest – Lamorinda, out of area medical trips and same day trips are also listed as respondents’ top needs. In the West region, frequent, same-day and evening/weekend trips are additional needs mentioned. The Southwest – San Ramon Valley and Central regions follow the trend of the overall needs chart. The East region follows the same trend as before, where all the needs had almost equal response rates.



Figure 3-18 Preferred Transportation Services, by Area of County



Note: Respondents could choose up to three needs that they require most often. Hence, the percentage is out of total responses within each region for each need.





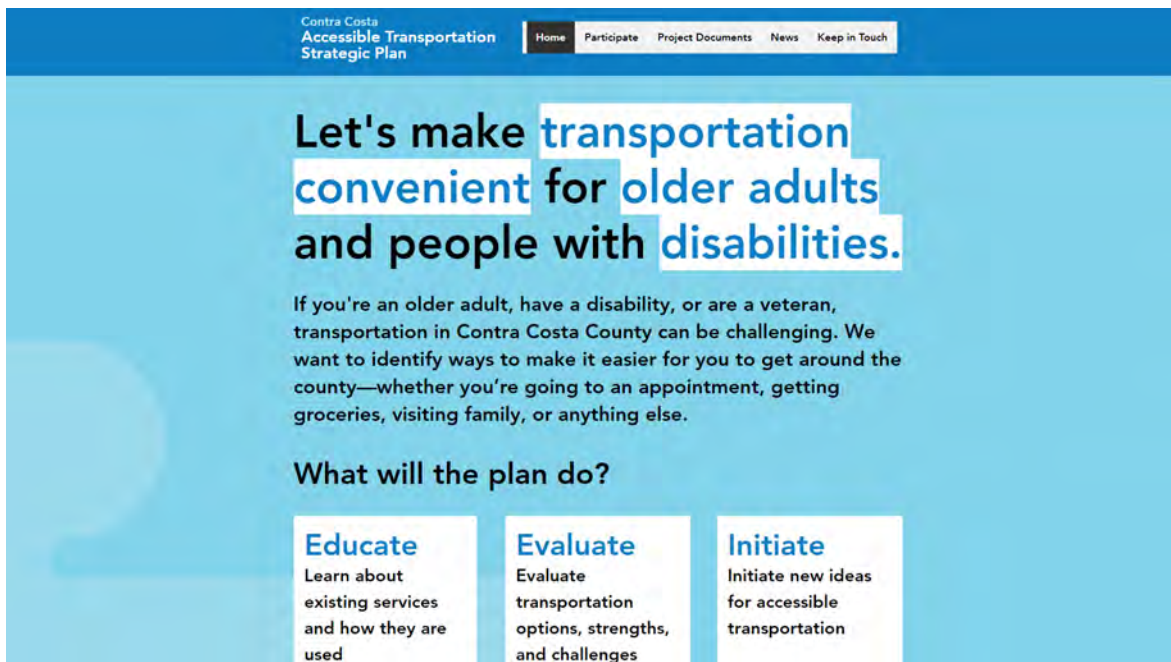
## Strategies Survey

While finalizing the Plan in 2021, the team created a new survey to ask stakeholders to help prioritize potential strategies for implementation. CCTA may choose to continue the survey to collect input on priorities as the Plan moves forward.

## WEB OUTREACH

Nelson\Nygaard developed a dedicated website for the project that provided brief context to the project and what it entails, ways one could participate in the project, up to date project documents, news updates regarding the project, and lastly, a webform to join the mailing list and/or to provide comments.

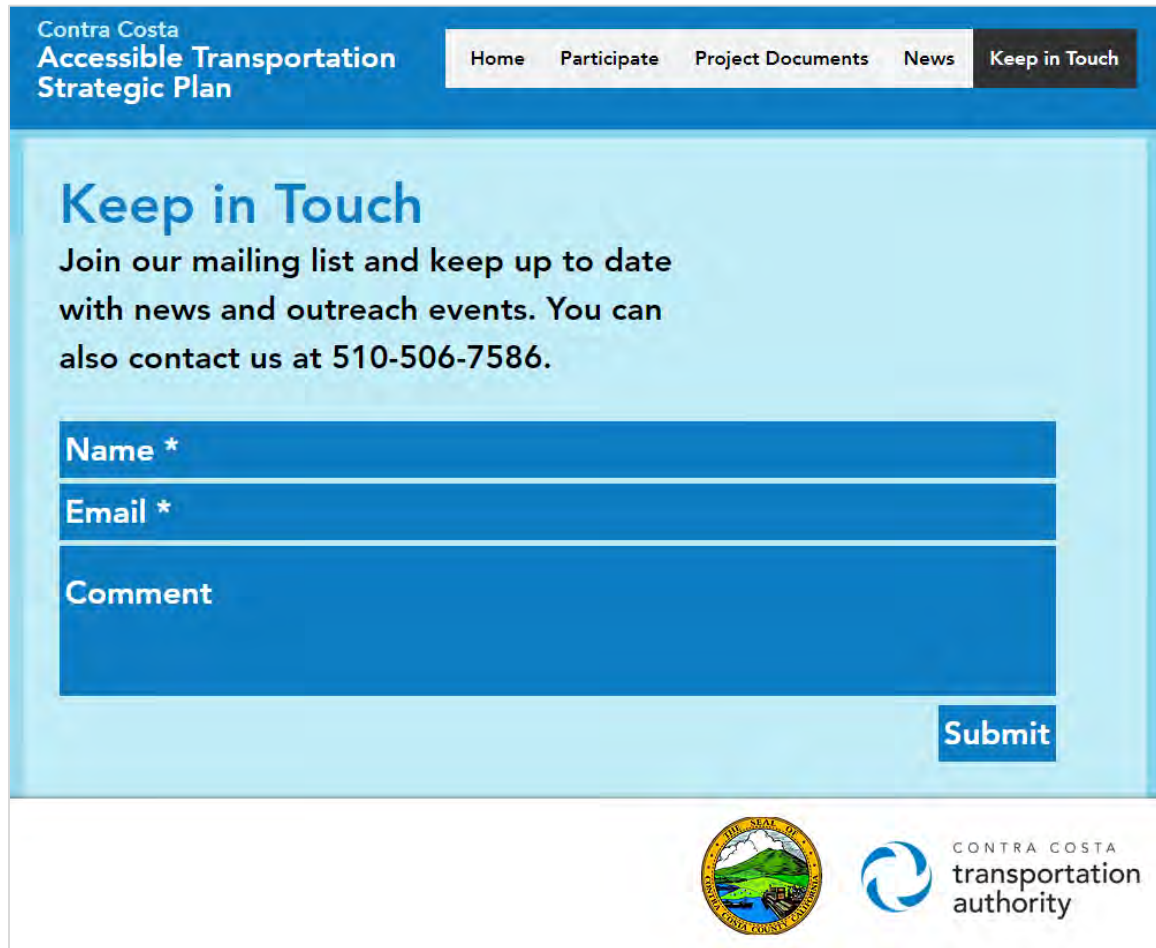
Figure 3-19 Project Website Homepage



The webform responses were all logged, addressed and maintained by Nelson\Nygaard staff (Appendix B). There were more than 60 responses via the webform. The majority of responses were people who wanted to join the mailing list and stay updated regarding the project progress. A contact and distribution list of approximately 200 people was compiled from these messages and survey responses.

The team also received and kept track of all the emails that were sent by residents of Contra Costa County with concerns about the project or feedback. Most of these direct emails were regarding service addition to particular areas.

Figure 3-20 Project Website Mailing List Sign-Up Form



The screenshot shows a web form titled "Keep in Touch" for the Contra Costa Accessible Transportation Strategic Plan. The form is set against a light blue background. At the top, there is a navigation bar with the following links: Home, Participate, Project Documents, News, and Keep in Touch. The main heading "Keep in Touch" is in a large, bold, blue font. Below the heading, the text reads: "Join our mailing list and keep up to date with news and outreach events. You can also contact us at 510-506-7586." The form consists of three input fields: "Name \*" (a single-line text box), "Email \*" (a single-line text box), and "Comment" (a larger multi-line text area). A blue "Submit" button is located at the bottom right of the form. At the bottom of the page, there are two logos: the Seal of the State of California and the Contra Costa transportation authority logo.

## PRESENTATIONS

Nelson\Nygaard presented to the Developmental Disabilities Council of Contra Costa County on February 18, 2020. CCTA and County staff presented to the Pleasant Hill Commission on Aging on March 12, 2020. When In-person meetings were prohibited in mid-March due to shelter-in-place restrictions, further opportunities were sought for presentations at existing online meetings, but were not found.

## FOCUS GROUPS

Nelson\Nygaard conducted five virtual focus groups with seniors and persons with disabilities. These focus groups were hosted in place of the in-person meetings that the project team initially expected to hold with CBOs (prior to the pandemic). The conversations enabled the project team to have in-depth conversations with certain populations that had not been reached sufficiently through other forms of public engagement. Specifically, the focus groups were designed to receive feedback from adults with disabilities, people with limited English proficiency, and residents in West



County. During the conversations, participants shared their experiences with transportation services in Contra Costa County both before and during the COVID-19 pandemic, including key challenges, opportunities, and priorities. **Figure 3-21** describes the target population of each group, how many people participated, and the date of the event.

Figure 3-21 Summary of Focus Groups

Host Group	Target Population	Number of Participants	Date
Diablo Valley College	Students with disabilities and access services staff	5	June 17, 2020
San Ramon Senior Center	Seniors and Mandarin-speaking residents	10	July 24, 2020
El Cerrito Senior Center	West County seniors	14	August 3, 2020
Lighthouse for the Blind	Visually impaired individuals	13	August 11, 2020
San Pablo Senior Center	West County seniors and Spanish-speaking residents	3	August 31, 2020

Focus group participants reported that they use a variety of transportation modes, including paratransit, transit, and Lyft/Uber ride-hail services, to make essential and non-essential trips in Contra Costa County. Many participants find that the paratransit and transit services across the County are fragmented and that there is a lack of awareness about non-driving options. As a result, many people rely on family, friends, or neighbors to drive them, which can be challenging because people are not always available or willing to drive. For these reasons, the focus group conversations sought to understand the barriers and challenges that people face when traveling within Contra Costa County. The following sections describe the feedback we heard from participants regarding three modes: paratransit, transit, and Lyft/Uber.

## Paratransit

Focus group participants expressed a handful of challenges related to paratransit. Most participants who use or have used paratransit in the past, emphasized that paratransit **lacks reliability** due to **long wait times and challenging timing issues**. For instance, one participant mentioned how she has had to leave important medical appointments early because the driver arrived ahead of schedule, and how she has missed important appointments because the driver arrived late. Also, scheduling a paratransit ride requires **advanced planning**, which is not always possible. Furthermore, participants find that paratransit is **expensive**; for this reason, many rely on transit services instead. People provided **mixed reviews regarding the helpfulness of drivers** – some help carry groceries, while others do not.



Perhaps one of the greatest challenges is a lack of **access to information** about paratransit services. This highlights a major equity concern, as people often do not know that they may be eligible for paratransit service. Many participants expressed a desire for improved access to information about non-driving options. One participant shared that she only recently learned that people with disabilities can apply for paratransit. Since this service is not advertised, she and others who need it are not aware of this service.

Many participants also noted that they feel limited by the types of **paratransit stop** types. They would like additional stops that would increase access to shopping centers, parks, and other places that support their personal well-being outside of medical appointments. During the pandemic, some paratransit agencies have offered services for shopping trips. Participants indicated that they like this option and would like to see it continue in the future.

## Transit

Many focus group participants do not qualify for paratransit services, did not know it was an option, or find that the barriers to access it (i.e. fares) are too high. Thus, many participants rely on transit services for essential and non-essential trips.

Focus group participants indicated several challenges that they encounter while riding transit and/or barriers to using the public transit system. For many, **BART feels unsafe and unclean**; these conditions often deter people from taking transit at night or at all. People find that there are poor walking conditions in and around station/stop areas and that other riders are inconsiderate. Furthermore, **announcements** on buses/BART are lacking, do not work consistently, and/or are not loud enough. Also, one participant noted that she often uses the bus for one direction of her trip, but not for her return trip because she has difficulty navigating the stops; this participant expressed that she would like training on how to use public transit.

Participant feedback indicates that bus satisfaction is very much dependent on how the **driver responds to the passenger** and the **amenities** on- and off-board the bus. Drivers vary in terms of how responsive they are to the passengers' needs. For example, one visually impaired participant noted that she has to communicate with the bus driver about her stop because she has trouble locating the cord on the bus; some drivers remember where she plans to get off, while others forget. In addition, elderly and disabled participants mentioned that the different floor levels within the bus can be difficult to navigate. They also noted that the lack of benches at bus stops and the poor first/last-mile connection between their home and a bus stop often discourages them from taking the bus.

During the pandemic, most participants who used BART and other transit services **are not currently using these services**. The shelter-in-place mandate and social distancing practices have discouraged much of what would have been "normal" travel. However, participants also described a few barriers related to the transit systems that have discouraged them from riding during this time:

- Bus systems are requiring **back door boarding**; this is challenging for disabled persons and seniors because the back entrance is high and most lack a ramp



- **Buses may skip stops due to limited capacity constraints** (to maintain social distancing on board); this creates significantly **longer wait times** for riders and bus tracking apps are **not accurate**
- Passengers are concerned that not all riders are practicing social distancing

## Lyft/Uber

Some participants reported that they occasionally use Lyft/Uber if they are unable or would prefer not to ride transit or paratransit. For instance, people who can no longer drive but do not qualify for paratransit because they do not need assistance door-to-door, may opt to use Lyft/Uber in areas where transit service is limited or feels unsafe. While these services can be convenient given their on-demand, door-to-door service, they also pose some challenges to their riders. Those who use these services indicated that it can be **difficult to communicate** with the drivers; for this reason, transit can be a better option. Furthermore, a handful of participants mentioned that **dog shaming** (referring to the reluctance of Uber/Lyft drivers to take blind passengers and their service animals) in Lyft/Uber is a common experience; thus, those who travel with a dog, many of which may be service animals (which are legally authorized), do not feel comfortable using these services because of driver reactions. Furthermore, Lyft/Uber is **expensive**, especially currently as pooling is not allowed during the pandemic. Most people who had been using these services, are not currently doing so during the pandemic.

## TELEPHONE TOWN HALL

Nelson\Nygaard hosted a live Telephone Town Hall on 27<sup>th</sup> October 2020. The Town Hall was available in three languages: English, Spanish, and Mandarin. At this event, Nelson\Nygaard dialed more than 23,000 numbers, out of which 1,149 participants accepted the call and joined in over the phone line all over Contra Costa County to understand more about this project and get some of their questions answered. The event was pre-registered by 225 people and other phone numbers were provided by project partners, staff and people who had previously shown interest in staying in the loop about the project. Before the Telephone Townhall all participants were called to connect to the Town Hall and callers could choose to be connected or hang up.

The event was held over an hour and was hosted by a facilitator who navigated the questions and conducted the flow of the conversation. The Town Hall had two featured speakers: **Candace Andersen** who represents the Board of Supervisors, and **Teresa Geringer**, who is a Lafayette Councilmember and member of the CCTA Board. The event was also attended by four key project staff from Nelson\Nygaard, Contra Costa County and CCTA. There were two additional support staff to troubleshoot in case something unexpected came up.

The Telephone Town Hall worked like a live radio show. Once connected, participants listened to the presentations by featured speakers and staff about the ATS Plan and next steps. To make the event interactive, participants were asked to complete simple poll questions and were also given opportunities to ask questions about the project and provide feedback on other mobility challenges in the county. Four multiple choice poll questions were asked as part of the interaction, where the participants could answer by



dialing their answer on the phone number pad. Not all participants answered the polls. The questions and their respective responses are shown below:

- a. What part of the County do you live in? (64 total responses)<sup>1</sup>
  - i. East – 25 participants (39%)
  - ii. West – 6 participants (9%)
  - iii. Central – 26 participants (41%)
  - iv. Southwest – 7 participants (11%)
- b. Are there places you would like to go, but are unable to get to due to lack of convenient transportation? (56 total responses)
  - i. Yes – 34 participants (61%)
  - ii. No – 22 participants (39%)
- c. What are the challenges you face with existing transportation services in Contra Costa County? (31 total responses)
  - i. I cannot travel at the time I want to – 7 participants (23%)
  - ii. I cannot travel where I want to – 8 participants (26%)
  - iii. My trip takes too long – 16 participants (52%)
- d. What transportation services do you need that you do not currently receive? (25 total responses)
  - i. Evening or weekend trips – 9 participants (36%)
  - ii. Frequent trips, such as daily or 3-4 times a week – 3 participants (12%)
  - iii. Out of area medical trips – 6 participants (24%)
  - iv. Same-day trips – 7 participants (28%)

Other than the survey questions, the speakers and staff answered 17 questions asked by the participants. Following are some of the highlights from the question and answer session:

In response to a number of callers' questions about ensuring that the **study not "sit on the shelf"**, Council Member Gerringer, Supervisor Andersen and Peter Engel indicated that elected officials at the county and city levels are committed to serving as champions of the study's recommendations, at the same time that they are aware of the existing fiscal constraints. As such, they welcomed participants' inputs to help prioritize the recommendations. Richard Weiner gave a similar response to a caller who was questioning how the study's recommendations can be given priority by elected officials who are able to find funding for other projects such as the fourth bore in the Caldecott Tunnel.

---

<sup>1</sup> Analysis of data from the host indicates the following actual breakdown: East – 20 participants (31%), West – 5 participants (8%), Central – 25 participants (39%), Southwest – 14 participants (22%)



Naomi Armenta explained to a **caller who is unable to use the fixed route system** that she can apply for ADA paratransit certification or call CCTA to find out about additional options.

In response to a question about **out of county trips**, Richard affirmed that these are difficult trips to provide, but indicated that the study will look at innovative models that have been used in other locations in order to address this mobility need. Naomi responded to a similar question about out of town trips and indicated to the caller that as a wheelchair user she too is sensitive to accessibility concerns.

Naomi indicated to a caller who was concerned about the **conditions of sidewalks** and how they impact residents' ability to access bus stops that infrastructure improvements are probably beyond the reach of this study, but the team will be looking at service models that will transport riders to fixed route services such as BART or key bus stops.

In response to two questions about **fare unaffordability** for low-income people, John Cunningham indicated that the study will be considering fare discounts that go beyond the required levels for seniors and people with disabilities but reminded listeners that because of fiscal constraints it will be important that the study receive input on how to prioritize strategies. Peter I reiterated that affordability will be a key issue to be addressed in the study.

A resident of Camino Tassajara asked a question about how residents of that and other **rural locations** can be better served. Peter indicated that the study will be looking at TNCs and taxis as one possible way of serving these areas but will also explore other options. A similar response was given to a question about how rural locations can be better served in far east Contra Costa County.

In response to a question about the future of the **subsidized Lyft program in Walnut Creek**, Peter indicated that this is considered to be a very successful program and the study will look for ways of expanding this to other locations.

Richard confirmed in response to a caller's question that the study will be looking at a **Consolidated Transportation Agency (CTSA)** as a model for overall coordination of transportation in the county and will be looking at what worked and did not work at other CTSA's in the state.

Peter confirmed with a caller that **funding issues** will be addressed in the study.

In response to a caller who was concerned about the **future of paratransit services** in the county, Richard indicated that while the study will certainly not call for a reduction in paratransit services, there are events beyond the study that could impact overall services, such as the impact of COVID on transit ridership and sales tax revenues.

In response to a caller who was concerned about **missed fixed route connections**, Richard indicated that while he isn't familiar with the specific routes indicated by the caller, if he is eligible for paratransit there is a new one seat ride pilot program that could address this need, even while he appreciated the caller's commitment to try using fixed route service. Peter added the County is currently working on a pilot with Tri Delta Transit called Connection Protection which will enable train riders to call their connecting bus to



let them know that their train is running late and they should wait for the transfer. When this program is implemented it should address the caller's concern.

Finally, Naomi responded to a caller who was concerned about whether people with **intellectual disabilities** are being considered in the study that indeed they are, and that the study will consider a number of ways in which use of transportation is a challenge for people with various disabilities.

The participants were directed to the project website for more information and to fill out the webform, in case of more questions. Overall, it was a successful event that reached out to a lot of the key stakeholder and focus groups, especially those without access to or knowledge of online technology. The entire Town Hall was also transcribed and provided to participants who asked and to people who could not attend the event and wanted to hear the conversation. The transcript and the recording were also uploaded on the project website for members of the public to look at.

Use of the Telephone Town Hall was determined to be very effective at raising the visibility of the project and educating the public about the project's goals. The Town Hall initially connected with over a thousand members of the public, most of whom would have been challenged to attend an in-person meeting. However, as far as substantive input on the study contents, this may be considered a rather limited medium due to the actual volume of participants who stayed on the entire time, and the limited number of questions that could be addressed within the structure of the event.

## STAKEHOLDER INTERVIEWS

Nelson\Nygaard conducted a series of stakeholder interviews over the course of the year, starting in March of 2020 and then stopping to pause and reflect on the circumstances of the COVID-19 pandemic. The interview questions were reevaluated to reflect post-pandemic circumstances and were then completed between September to November 2020. The agencies contacted by Nelson\Nygaard included a range from public to nonprofit, which represented different stakeholder groups and interests. Interviewees were provided a "shopping list" of potential strategies from similar projects in advance to inspire ideas and gauge initial response to different concepts. The interviewed agencies are listed in the table below:





Figure 3-22 Summary of Stakeholder Interviews

Organization or Agency Name	Area of County
County Connection	Central, Southwest
East Bay Paratransit	West, Southwest
Tri Delta Transit	East
WestCAT	West
Martinez VA Clinic	Central
Choice in Aging	Central
Contra Costa ARC	Countywide
Contra Costa Health Plan / Health Services	Countywide
Independent Living Resource Center (ILR) - Concord / Independent Living Resources of Solano & Contra Costa Counties (ILRSCC)	Central
Office of Emergency Services	Countywide
Mobility Matters	Countywide

These stakeholder interviews focused on understanding how each of these organizations function and some of the key gaps and needs that they have identified. The interviews also captured the agencies' opinion on some of the umbrella strategies that had come up in previous TAC and PAC meetings. Below are some of the common themes that came up from the interviews.

## Creation of a Coordinating Agency such as a Consolidated Transportation Services Agency (CTSA)

One of the key questions addressed by stakeholders is whether there is a need for a coordinating agency to implement study recommendations, and whether this needs to be a CTSA. A CTSA is a mechanism defined under the California Social Services Transportation Act (AB120 - 1979). In the Bay Area, MTC authorizes the formation of CSAAs. The designation provides certain limited benefits regarding state funding. More detail on CSAAs are provided in Chapter 5.

On the question of whether there is a need to create a new entity that oversees the transportation services for human service agencies, interviewees generally agreed on the need for a coordinating agency but disagreed about whether this needs to be in the form of a CTSA.

Those in favor emphasized the gaps in existing services that they believed will continue as long as there is no centralized entity that provides comprehensive oversight of transportation service delivery. They also pointed out that CSAAs have been recommended in previous studies for good reason, as lack of coordination has been seen as a key weakness in the system of service delivery in the county. In the current service delivery structure, existing agencies would not be able to take on everything on the proposed "shopping list" of mobility strategies. Instead, a new entity whose primary



focus would be working to provide high quality paratransit and human services transportation will work most efficiently.

Conversely, those opposed to the creation of a CTSA were concerned that this new entity would lead to an overall loss of service, particularly those services that currently exceeded the minimum ADA requirements or that received TDA 4.0 funding. Stakeholders indicated that proponents mistakenly (according to the interviewees) believe there will be economies of scale, even though there will remain a need for multiple facilities throughout the county to minimize deadheading, and centralization would reduce the potential for spreading overhead costs over both fixed route and paratransit services. There was also a concern about the diversion of existing funding sources to cover CTSA administrative costs. Finally, opponents indicated that 13C labor considerations had not been fully taken into account when considering the benefits of a CTSA.

Even those who weren't necessarily supportive of a CTSA indicated that there are potential benefits from a centralized agency, such as joint procurements, unified ADA paratransit eligibility process, a unified call center and outreach messaging.

## Identified Gaps and Concerns

Over the course of the interviews, each stakeholder listed their top concerns and identified key gaps within the existing system. Many of the concerns identified in the interviews were similar to the responses to the online public survey, such as issues with **transferring** between paratransit vehicles and from paratransit to fixed route, which can lead to long and confusing trips for the rider; need for **service during evenings and weekends**; frequent trips to **social and recreational places** within the county; **safety and hygiene** within the vehicles; provision of East Bay Paratransit trips during **peak hours** when significant service is assigned to Regional Center trips; and **long ride times** on Health Plan trips.

Some of the other issues that were listed were the **loss of revenue** to human service programs due late arrivals by clients, wait-time on return trips, and overtime costs for the agencies; concerns with **loss of existing funding** due to change in programs; **lack of volunteers** for driver programs, especially in East County; the belief that many people in the county are technologically limited and do not have **access to the internet**.

## Recommendations

The interviewees were also asked to list their agencies' top five priority recommendations or programs that they think will address some of the issues listed above. Following are the ones that were most frequently mentioned.

- Same day rides
- Dedicated service for certain trip types (such as dialysis and Regional Center trips)
- Extensive volunteer driver program
- Wheelchair breakdown service



- Real-time information
- One call/one click call center
- Travel training
- Regional connected trips without transfers
- Fare subsidies
- Hospital discharge program
- Guaranteed Ride Home program for working veterans
- Training for Uber and Lyft drivers in how to serve people with disabilities

## Other Recommendations and Concerns for Specific Stakeholder Groups

Some of the agencies that were interviewed represented a specific group or service such as the Office of Emergency Services which focuses on planning, outreach, and training as it relates to Disaster Management and Emergency Preparedness. One concern they stated was the potential impact of language barriers in the event of an evacuation, particularly with people in the deaf community. They also recommended further coordination with agencies in adjoining counties in order to transfer people out of a disaster area if local services are overstretched.

Similarly, the Martinez VA Clinic expressed concerns about lack of access to non-authorized non-medical trips as a key need for veterans, along with same-day trips. Many veterans fall through the cracks of eligibility if they received a less than honorable discharge, and most services are geared towards medical services, rather than other trip purposes. Service provided through the VA is also limited to day-time hours, thus not meeting many of the veterans' mobility needs.

One stakeholder stated that the paratransit programs should not be expected to be all things for all people. For example, designated agencies should serve the needs of specific populations, such as those attending dialysis clinics or adult day health centers. A centralized agency could oversee contracts with these various entities, thus lightening the burden on the paratransit programs.

## Recommendations for Moving Forward with the Plan

Most of the interviewed organizations suggested that the Nelson\Nygaard team review ongoing or successful programs that could be replicated in the County. Overall, the stakeholder interviews provided insight into the workings of these organizations and also gave the team an understanding of potential implementation issues. The request from some of the stakeholders was to create a solid implementation plan to increase the likelihood that recommended strategies and programs would be implemented. One of the agencies indicated that they expected this Plan to be implementable rather than a visionary document.



## 4 IDENTIFICATION OF TRANSPORTATION NEEDS AND GAPS

The transportation needs identified in this chapter draw on several sources including demographics and analysis of current programs (Chapter 2), outreach conducted with consumers, their advocates, and agencies who serve them (Chapter 3), and other reports. Many of the needs and gaps identified in this chapter have been identified in prior studies (Appendix C).

### Issues and Needs Related to Fixed-Route Transit Service

Fixed-route transit services are often a lifeline to older adults, people with disabilities, people with low income, and also veterans. In the course of the study's outreach activities, stakeholders spoke of issues that had been exacerbated by COVID-19, such as crowding on buses, length of wait at stops, mismatched transfers, etc.



Identification of potential transit need based on demographic measures (population density, jobs, older adults, people with disabilities, and where lower income persons live) compared to existing transit service indicates the areas where there are potential gaps. There appears to be a patchwork of gaps of medium to high need in West County and in Central County in the areas of Concord and Pleasant Hill. There is a lower level of need but spanning larger geographic areas in the northern portion of the County such as near Port Chicago, East County around Antioch and Brentwood, and Southwest County east of San Ramon (refer to **Figure 2-8** in Chapter 2).

Additional needs included:

- Many respondents reported feeling unsafe while traveling; BART feels unsafe and unclear and announcements are not clear
- Bus drivers are not always responsive to passenger needs and a lack of bus amenities such as shelters pose challenges for seniors and people with disabilities
- Stakeholders find it challenging to get to the two locations where people can apply for Regional Transit Connection (RTC) cards (for reduced transit fares due to disability)



- Transit has been challenging to ride during the pandemic (thus most people are not using it) due to back door boarding, skipped stops due to capacity constraints, longer wait times, and concerns about social distancing

## Issues and Needs Related to ADA Mandated Paratransit Service

Similar to fixed-route transit, stakeholders discussed a range of concerns related to ADA-mandated paratransit. The ADA establishes minimum requirements for the provision of complementary paratransit service, which all Contra Costa operators meet. However, the travel needs of the senior and disabled community consistently exceed or are often outside of these requirements, financial resources, and operational capacity – creating challenges.



- Four different providers with different certification processes, fare structures and media create confusion for customers
- Issues with transferring between different ADA paratransit services
- Paratransit lacks reliability (long wait times and challenging timing issues), requires advanced planning, is expensive, has mixed reviews regarding helpfulness of drivers, and has limited stop types (during the COVID mode of service provision)
- Tri Delta Transit and WestCAT offer supplemental services to residents aged 65+ but others do not
- Consumers report arriving late to day programs and are picked up late e.g. Regional Center trips for people with developmental disabilities



## Issues and Needs Related to Community Based Transportation Services

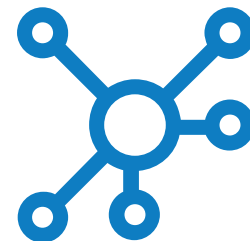
Community-based transportation services may be provided by public sector services (e.g. a city's senior center) or nonprofit organizations. Contra Costa County has a wide range of these types of programs including city-based programs (e.g. San Pablo Senior & Disabled Transportation) and programs offered by nonprofit organizations (e.g. Mobility Matters.) In most cases providing transportation is not the core mission of the agency but is provided to fill specific gaps for agency clients rather than the general population. Programs such as these are often challenged to meet gaps and needs not filled by ADA paratransit service. There are a range of programs throughout the County, but gaps remain persistent.



- Measure J funded city services that supplement ADA-mandated programs are only located in West County
- There are two traditional volunteer driver programs in the County, a third – John Muir Health: Caring Hands – recently closed
- The remaining volunteer driver programs need more volunteers and more reliable funding to increase capacity; reliance on volunteer driver programs to fill door-to-door transportation needs is problematic
- Monument Shuttle recently shut down due to lack of funding
- Consumers have difficulty making frequent trips
- Wheelchair accessible transportation options are limited in parts of the County; if available, users must schedule 2-3 days in advance

## Geographic and Temporal Inequities

A review of demographics and the location of services in the County makes geographic inequities evident. East County in particular faces a number of challenges.



- There is a concentration of seniors south of Brentwood, and disabled veterans throughout rural East County
- There are no community-based transportation services in East County, although Mobility Matters covers East County with their two countywide volunteer driver programs
- There are a number of disabled veterans in other remote areas such as south of Moraga and the area near Port Chicago
- A prior study in West County discussed the closure of Doctors Medical Center, the most frequently used emergency room in West County; most medical facilities appear to be clustered in the center of the County between Pleasant Hill and Walnut Creek



- Two facilities that are needed by residents throughout the County are both located in Martinez - the Regional Medical Center and the VA Medical Center
- Many stakeholders report a need for expanded service during evenings and weekends

## Lack of Affordability

- Low-income populations are particularly concentrated in West County, Concord, and the northern portion of the County near Pittsburg and Antioch
- Concern with affordability related to all transportation services
- Lack of means-based discount program for general population (which will potentially be addressed through MTC's Clipper START pilot program)
- Lyft/Uber is expensive and it can be difficult to communicate with drivers; dog shaming (referring to the reluctance of Uber/Lyft drivers to take blind passengers and their service animals) is also common



## Access to Essential Services

General access to essential services and quality of life needs arose repeatedly in community engagement efforts.

- Consumers expressed the need for same-day trips and wheelchair accessible trips
- Consumers found it difficult to travel to medical appointments; out of area medical trips were noted to be an issue
- Some consumers are too frail to use traditional services when discharged from a hospital during non-operational hours
- Long ride times on Health Plan trips
- Consumers found it challenging to access grocery stores and shopping
- Consumers had difficulty in making quality of life-essential trips to visit friends and family, the senior center, and church



## Access to Information

In West County, Concord, Pittsburg, and other areas of Contra Costa County with a high proportion of people of color, there is a concern that residents are less likely to be informed of the transportation options available to them.

Emerging transportation services require a higher level of technical sophistication than traditional services. This creates a barrier between targeted populations of seniors and disabled



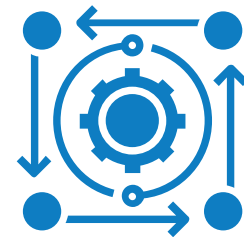


people and the transportation services they need. Lack of information was cited as a challenge to many residents.

- Awareness about accessible programs/options is lacking among eligible populations; ADA paratransit services generally don't do marketing or other campaigns to increase ridership in direct contrast to conventional transit
- Veterans' transportation programs have specific limitations, availability and limits may not be well-known
- There is a lack of awareness of non-emergency medical transportation (NEMT) options provided to Medi-Cal beneficiaries

## Programmatic Needs and Organizational Structure

Stakeholders provided a significant amount of input regarding programmatic needs and organizational structure, partially in reaction to participation in prior studies.



- Accessible services for seniors and people with disabilities are siloed between transit agencies, social service agencies, cities, and non-profit organizations
- Limited coordination exists between existing providers, which limits ease of use for users and presents difficulty to providers, particularly related to lengthy trips that require transfers between different agencies (such as fare coordination, coordinating pick-up times etc.)
- Stakeholders expressed interest and concerns about the creation of a Consolidated Transportation Services Agency (CTSA) to improve coordination and address gaps in service
- There is a need for political support and/or a champion for the implementation of these types of recommendations
- Funding for these types of services is limited and/or stagnant; grants are available for planning and pilots, but still need funding for ongoing operations
- Significant portions of current funding, such as for ADA-mandated paratransit programs, are restricted on how and to whom they can provide service; regulatory concerns also affect transportation to and from healthcare
- Private vehicles (e.g. taxis, Lyft/Uber), which are often looked at to supplement service are not required to provide accessible vehicles, can be prohibitively expensive, or are limited in availability
- Need to plan for / accommodate future growth of seniors in the County







## 5 Recommended Strategies

This Strategic Plan recommends strategies to both facilitate Countywide transportation coordination efforts and address specific transportation gaps through mobility strategies that have been adopted in other counties in the Bay Area and throughout the country. While some strategies can be implemented in the short term through existing organizations and agencies, it is critical that additional funding be located and an organizational infrastructure be created in order to facilitate the implementation of other mobility strategies as well as advocate for increased funding, modify strategies to respond to changing conditions, and monitor overall performance of different strategies. This chapter first presents the steps that will need to be taken in order to facilitate this process, followed by an evaluation methodology for prioritization of a broad range of strategies. The strategies recommended in this chapter respond to a combination of extensive input from members of the public, advisory committees, agency staff, and are based on the consultant's experience with coordination efforts throughout the country.

### ESTABLISH A COORDINATED STRUCTURE

A coordinated structure will need to be in place to implement countywide and centralized mobility strategies, as described later in this chapter. Due to the complexity of implementing a coordinated service, as described previously<sup>1</sup>, establishment of this structure will be an iterative, two-phase process. In the short term a Task Force will need to be established that will be responsible for identifying which strategies require a dedicated entity to increase the likelihood of implementation of countywide study recommendations, and which strategies could be assigned to existing entities for implementation in the shorter term.



It should be noted that in the Telephone Town Hall and committee meetings a number of stakeholders questioned how the present study will succeed in implementation of recommended strategies where previous studies did not. Apart from the higher level of collaboration evident in the current effort, this distinction between 1) establishment of an overall coordination infrastructure and 2) usage of existing entities for more short-term improvements, is an attempt to address the lessons that have been learned from previous efforts. More details on this approach are provided below.

---

<sup>1</sup> ATS Plan Policy Briefing Packet; [Page 8: Potential Barriers in the Implementation of Coordinated Transportation](#)



## Phase 1: Establish a Task Force

Nelson\Nygaard recommends that an Accessible Transportation Strategy (ATS) Implementation Task Force (TF) be established to take the study recommendations to the next level of implementation. Following are some of the elements of this task that will need to be implemented:



**Composition:** The TF should include representatives of a broad variety of individuals representing agencies or user groups that have a stake in the project outcomes. At the very least, this TF should include representatives of relevant human service agencies, transit agencies, elected officials, disability and older adult advocates representing a range of segments of these communities, veterans, funding bodies, and other representatives.

To expedite the development of the TF, it is recommended that it be composed of a modified version of the current PAC, depending on interest, availability, and representation of a diversity of interests.

**Mission:** The TF will have three primary tasks:

1. Develop funding strategies.
2. Identify ATS recommended strategies that can be delegated to existing agencies or non-profit organizations that do not require a Coordinated Entity for short term implementation.
3. Define and establish a dedicated countywide Coordinated Entity for implementation of countywide strategies.

Activities should include prioritizing of the strategies presented in this study, and development of an incremental approach to strategy implementation. This would ensure that select study recommendations can be implemented in the short-term rather than waiting for the creation or designation of a unified entity for implementation of large-scale, longer term strategies.

**Reporting Structure and Administrative Support:** One option will be assigning the responsibility of interim oversight of the TF to the Contra Costa Transportation Authority (CCTA) in order to ensure continuity beyond the present study. CCTA could designate staff resources to provide the support needed by the TF to fulfil its duties. This recommendation has not been considered formally by CCTA, but has been presented to the oversight committees to allow for the suggestion of alternative options. With the timing of approval of the ATSP (planned for February/March 2021), CCTA could adopt the process as part of its FY 2021-22 Work Plan.

The TF could be an advisory committee to the CCTA Board and report regularly on activities. It would need to be determined how and when the TF would report to the County Board of Supervisors, and/or transit agency Boards.

**Funding Sources:** Potential overhead costs for this task should be relatively limited beyond the required staffing support.



**Political Feasibility:** It is anticipated that establishment of this TF will encounter little political resistance as stakeholders are familiar with the incremental approach that can result in implementation of smaller scale but meaningful improvements.

CCTA may be limited in its ability to lead some of these strategies due to its legislative authority<sup>2</sup> and may need to either explore different governance alternatives or expand its authority through specific legislation.

**Time Frame:** Once the ATSP has been approved by the CCTA Board and County Board of Supervisors, the TF could begin operating within three to six months. If the PAC is used as the basis for the formulation of the TF, it will ease implementation of this recommendation. The TF would remain in place until it completed its mission and could be dissolved once a Coordinating Entity (CE) is in place.

## Phase 2: Establish a Dedicated Countywide Coordinated Entity

A CE should either be created or designated to implement countywide study recommendations. The TF will be responsible for determining where this entity should be housed – it could be in an existing non-profit or public agency, or the TF could determine that a new entity will need to be established.



**Mission:** The role of the CE would be to implement study recommendations. Examples of strategies to be implemented by the CE could include:

- Identify and pursue new funding sources
- Administer a uniform countywide ADA paratransit eligibility certification
- Expand mobility management function
- Procure joint paratransit scheduling software
- Present a unified voice regarding policy and funding at the local, state, and federal levels
- Oversee a one-seat ride for inter-jurisdictional trips both within and outside the county

Additional opportunities for countywide service could be considered in the future as appropriate.

**Political Feasibility:** Although previous studies have recommended a centralized entity for coordination of transportation efforts countywide, these have not been implemented to date. The 2013 Mobility Management Plan<sup>3</sup> stated that a barrier to progress in the County is, "...the lack of a structural platform..." and specifically recommended the

---

<sup>2</sup> California Public Utilities Code Sections 180000 et seq., added Statutes 1987, Chapter 786,

<sup>3</sup> 2013 Contra Costa Mobility Management Plan "This Plan recommends the formation of an organization to take the lead in implementing a broad range of mobility management strategies. Specifically, a Consolidated Transportation Services Agency (CTSA) is recommended for Contra Costa County."  
<https://countyconnection.com/wp-content/uploads/2013/10/7.b.1.-Mobility-Plan.pdf>



establishment of a CTSA. It will be important for the TF to reflect on what was learned from that process and what should be done differently in considering the CTSA model and alternatives.

The TF will decide where the CE will be housed and this entity can apply to become a CTSA<sup>4</sup> if determined that this is the most effective vehicle for achieving the ATS mobility goals, or if other models should be considered. Following is a brief description of the CTSA model. Appendix D contains the legislative language referencing CTSA.

**Consolidated Transportation Service Agency (CTSA).** Designation as a CTSA is incorporated in the California Transportation Development Act (TDA) to promote service coordination. In the Bay Area, the Metropolitan Transportation Commission (MTC) can designate an agency as a CTSA. The designee can be an existing agency, new agency (such as a joint powers authority), or a non-profit organization. CTSA designation may give preferential access to certain funds, such as Federal Section 5310. A CTSA could be designated Countywide or by a smaller area (e.g. by planning area).

In determining the viability of a CTSA to deliver ADA paratransit trips, transit agency ADA paratransit obligations will need to be taken into account.

Successful implementation of this recommendation will require political commitment at the highest levels of elected representatives in the County serving on the CCTA Board, County Board of Supervisors, and transit agencies. The PAC already includes a number of elected officials who have indicated a willingness to champion the study's recommendations, thus providing a basis upon which the TF can build political support.

**Potential Overhead Costs:** Given the potential staffing required to set up the countywide CE, overhead costs are likely to be relatively high. This will need to be viewed in the context of potential cost savings that could be derived from the centralization of some of the transportation activities cited previously. However, the TF may also prioritize improved and/or increased service over cost savings. As an example, the 2013 Contra Costa County Mobility Management Plan estimated annual costs in the first two years of operation of a CTSA to be \$325,000. This does not include the costs of actual service provision.

**Effort Required to Create the Coordinated Entity:** Substantial effort will be required to set up this organization (or to designate an existing organization to take on this role). Some of the considerations include potentially lengthy negotiations between stakeholders, resolution of legal issues, governance decisions, incorporating and otherwise incubating a non-profit, setting up joint powers agreements. etc. It is anticipated that setting up a CE will take 12 to 36 months, depending on the direction provided by the TF and the cooperation of stakeholders.

**Potential for Implementing Large-scale/Long-term Strategies:** The CE could have significant potential for implementing some of the strategies proposed below depending on the strength of leadership and the ability to secure dedicated funding.

---

<sup>4</sup> The California Association for Coordinated Transportation (CALACT) maintains information about Consolidated Transportation Services Agencies here: <https://www.calact.org/ctsaebook>



**Funding Sources:** The CE will need to seek funding through a variety of means, likely including funding dedicated through a sales tax measure. In Monterey County, Monterey-Salinas Transit placed a successful sales tax measure on the ballot to benefit similar populations to those of this ATSP. CCTA or the County could potentially fill the role of putting a tax measure forward. The recent history of transportation sales tax measures (requiring a *supermajority* vote) in Contra Costa County indicates that passage of such a tax could be a daunting task, and other revenue generating activities will be important to the creation of a CE.

A non-profit could have access to funding not available to public entities, such as grant funding and Community Development Block Grants, foundation funding, donations, other public funding options, etc.

One role of the TF and CE will be to explore comprehensive funding opportunities outside of “transportation” dollars. State and federal agencies provide funding through social service departments for transportation, outside of the traditional transportation silos.

## MOBILITY STRATEGIES

The strategies listed below should be viewed in terms of both the paradigm shift that has occurred due to the COVID pandemic, hopefully in the short-term, and longer-term strategies that will be needed to meet the study’s overall coordination objectives.

At the time of preparation of this report, many transportation modes have limited service provision for target populations to medical consultations, food shopping and other urgent needs, while expanding their services to incorporate increased meal deliveries. Whether these shifts will outlast the pandemic in some form remains to be seen, but it is anticipated that many traditional forms of transportation may undergo some shift in overall purpose and design as a result of current events.

The following implementation strategies are not prioritized, but rather are arranged in a similar order as they were presented to the PAC for evaluation.

### Increase Local and Regional Mobility

- **Improve connectivity between paratransit programs/eliminate transfer trips.** Paratransit travel between transit agency service areas typically requires a transfer. Challenges associated with inter-service area have been identified for many years by paratransit riders and advocates.



In order to address this need, the three Contra Costa-based transit agencies, and in association with LAVTA in eastern Alameda County, have initiated a one seat ride pilot program. This program is intended to address the complexities of traditional transfer programs, which can include coordination between the schedulers and dispatchers of both agencies and often require a wait for the second vehicle to



arrive. Transfers can be inefficient, expensive, and reduce safety. The current pilot program includes non-binding agreements among the transit agencies that address accounting, cost-allocation, and reporting procedures. This strategy proposes an expansion of the pilot program, with modifications that result from lessons learned during the initial phase. This strategy could result in a significant improvement in service available to Contra Costa paratransit customers and address concerns expressed at the Telephone Town Hall and the other outreach efforts. This approach to eliminating transfers is one move in the direction of providing a countywide service, but its effectiveness is not known.

- **Same-day trip programs (including wheelchair-accessible service).**

Same-day programs allow users to travel without needing to reserve a day in advance, as required on ADA paratransit. Most commonly, same-day service is provided using taxis and/or TNCs. Wheelchair-accessibility and access for people without smartphones (or concierge/phone-order service) are issues that need to be addressed with TNC same-day services. Examples of existing same-day services in Contra Costa County include Go San Ramon!, Walnut Creek Seniors Club Lyft program, and various wheelchair-accessible taxi services.



- **Expand existing and add new volunteer driver programs.**

Volunteer drivers can provide a degree of personalized service that paratransit programs cannot. Typically, volunteers driving their personal vehicles provide one-on-one service, taking individuals to and from medical appointments, often with assistance to and from doctors' offices ("escort" service). Wheelchair-accessible service requires adding some agency-owned vehicles to the mix, usually small vans that do not require a commercial driver's license. Programs can be traditional (staff matches the volunteer and rider and schedules the trip) or reimbursement-based (riders recruit their own drivers). The former model already exists in Contra Costa County through Mobility Matters and other city- or church-based volunteer driver programs, while the latter model was pioneered in Riverside County (known as the "TRIP" program) and has been replicated throughout the U.S.



- **Service beyond ADA service areas.**

Since ADA paratransit is required only where and when fixed-route transit operates, many rural areas in the County are not well served, and many areas lack service during evenings and weekends. These issues were cited repeatedly in various outreach forums, including previous studies and input from East County residents in the Telephone Town Hall. The most common means of filling this gap is using taxis, but other service types can also be used. Some options for providing service that exceeds the ADA minimums that currently exist in various parts of the country include premium fare paratransit, shuttles that serve first mile/last mile needs (e.g. to a BART station), zonal dial-a-ride that connects to BART or major fixed route transit stops, and point deviation service, which is a hybrid between fixed route service (to fixed points in a geographic area) and demand-response, since the vehicle does not follow a fixed route but can access a rider's location or an easily accessible nearby stop.





- **Early morning and late night service (e.g. to dialysis).** A variation on service beyond ADA service areas would be directed to specific trip types (like dialysis) that commonly require travel early in the morning or late into the evening. Programs that are designed for these services generally employ either taxis or TNCs. Services that exceed the ADA minimum requirements that serve specific, privately operated destinations, such as dialysis clinics, could be candidates for cost sharing arrangements with those entities, similar to the previously mentioned paratransit trips that exceed ADA minimums.



- **On-demand subsidies.** A popular means of providing same-day service, typically including service at times when paratransit does not operate, is to subsidize taxi and/or TNC usage. Mechanisms for subsidies can involve scrip, tickets, vouchers, debit cards, or accounts maintained by the subsidizing agency. Since taxis and TNCs typically do not operate wheelchair-accessible vehicles, some means of filling this gap needs to be included. In the case of TNCs, which usually require a smartphone, a concierge/phone-order option is also needed.



## Improve Coordination Among Providers and Community Stakeholders

- **Shopping trips with package assistance.** As an alternative to ADA paratransit, a shopping shuttle may be more convenient for riders and less expensive to operate. Shuttle trips usually connect senior apartment complexes with major shopping centers. A variety of living and shopping locations may be served on a rotating schedule, with each route operated on a weekly or more frequent basis. In addition, as a result of innovative new developments that have arisen in response to COVID restrictions, shopping programs targeting low-income populations have been initiated that do not require a computer for ordering food. Some of these programs have integrated food stamps into their payment methods.




- **Hospital discharge service.** Following hospital treatment, a person may be newly disabled, or temporarily disabled and require assistance beyond that which a taxi or TNC can provide. In addition, hospital rules may not allow a patient to be discharged to these services. Since the person is not certified as eligible for ADA paratransit and cannot become certified on short notice, high-priced medi-van service is often the only option. A lower-cost option operated in Alameda County for a number of years. This program, which could be replicated in Contra Costa County, offered resource information, assistance with applying for transportation services such as ADA paratransit, and provided wheelchair accessible trips upon discharge. A key component of this program would be educating discharge planners about transportation resources in the area and doing so on a recurrent basis due to staff turnover.









- Customized guaranteed ride home programs for people with disabilities.** A guaranteed ride home program usually is intended to encourage use of transit and carpooling/vanpooling by providing an alternative means to get home if the participant needs to work late or return home early due to an emergency. Usually, taxi or TNC rides are provided. A program geared to people with disabilities would provide wheelchair-accessible options and not be limited by trip purpose. In order to meet the needs of disabled riders, the program would need to incorporate design features such as a GoGoGrandparent account, establishment of a mechanism for charging agencies for the trip or providing the consumer with a voucher for emergency trip purposes. Call-taking, eligibility screening and payment procedures would be needed



- Means-based car-share including accessible option.** Improved access to car share services for low-income individuals with mobility issues could provide an important complement to other options by improving access to essential destinations such as medical facilities, grocery stores, and other services. Car sharing could be subsidized and could be modeled on or operated by Mobility Development (MioCar) or another similar vendor.




## Increase Awareness of Existing Services

- One-call / one-click (OC/OC); information & referral (I&R).** This type of program would result in a single phone number and website for the public to access all available transportation services offered to people with disabilities and seniors in their area, rather than a myriad of numbers for different programs and geographic areas. Programs with trained staff that help callers figure out the best service to meet their needs are sometimes called “travel navigator” programs. The name “one-call / one-click” suggests that callers are immediately connected to the service they need, while “information & referral” may simply provide information. One-call / one-click programs have some combination of personnel who take calls (“one-call”) and a searchable database on a website (“one-click”).


- Programs for disabled/senior veterans.** Aging veterans and those with disabilities may benefit from travel training conducted by other veterans (“peers”). Programs for veterans may also address specific issues related to travel for treatment at Veterans Administration hospitals, which can involve long distances across jurisdictional boundaries. These programs can also be customized to fill gaps in the existing veteran programs, such as to non-medical destinations or to veterans without an honorable discharge.



- Real-time transportation information (paratransit vehicle location, BART elevators, wheelchair spaces on buses).** ADA paratransit programs increasingly offer riders real-time information about vehicle location, usually with a smartphone app. Real-time information about fixed-route accessibility features such as availability of wheelchair spaces in an oncoming






vehicle would be an innovation that would encourage usage by people with disabilities.


- **Travel training (including inter-operator trips).** Travel training is usually intended to help people learn to use fixed-route transit effectively. Group training sessions can be helpful for some people, but many riders need intensive one-on-one training, either by qualified trainers or sometimes by “peers”, i.e. other seniors, people with disabilities, or veterans. Travel between transit operator service areas can be particularly challenging and could be part of a travel training program. Travel training programs can also be customized to serve non-English speaking groups, as have been offered in the city of Fremont for many years. In previous studies, stakeholders expressed interest in learning to use Clipper Cards, and help with ride hailing and concierge services. These could be folded into the proposed expanded travel training programs.



- **Mobility-as-a-Service (MaaS).** MaaS is a shift away from personally-owned modes of transportation and towards mobility provided as a service. This is enabled by combining transportation services from public and private transportation providers through a unified gateway (usually an app) that creates and manages the trip, which users can pay for with a single account. Users can pay per trip or a monthly fee for a limited distance. While MaaS has only recently entered the larger transportation dialog, the concept has been in operation for decades in the form of a paratransit brokerage absent the automation approach a smartphone app provides.




## Develop Partnerships for Supportive Infrastructure

- **Administer a uniform countywide ADA paratransit eligibility certification program.** The different transit operators could develop a joint application process, including a uniform paper application, and an agreed methodology for certification (e.g. interview, functional assessment, etc.). Riders could be provided a single point of contact to apply for ADA paratransit anywhere in the County.



- **Fare integration.** The different ADA paratransit operators could develop joint fare structure and payment mediums. East Bay Paratransit is currently investigating options in this area for contactless payment and to better prepare for the next phase of Clipper.



- **Procure joint paratransit scheduling software.** Regionally there have been many recent discussions on scheduling software as providers try to get ready for the next phase of Clipper. Procuring joint software would allow the County providers to potentially obtain better software and support via economies of scale. This would support other listed strategies, such as the one-seat ride pilot program, and uniform paratransit eligibility certification.







- **Sidewalk improvements to enhance safety for older adults and wheelchair accessibility in high-priority locations.** Access to public transit is sometimes limited by lack of sidewalks, poor sidewalk condition, lack of curb cuts, and obstructions on sidewalks. Typically, cities rather than transit agencies are responsible for sidewalks. By targeting sidewalk improvements in locations near transit stops that serve key facilities and residential locations, accessibility for seniors and wheelchair users may be significantly improved. In addition, expanding existing bus shelter installation programs at transit agencies could serve the needs of those who wish to use fixed route but are prevented from doing so due to the lack of shelters. Consumers could be provided a phone (e.g. 311) or app option to report barriers.


- **Means-based fare subsidy.** Operators of transportation services for seniors and people with disabilities could provide reduced fares for low-income qualified riders. Most likely, such a program would be based on some other existing means-tested program like Medi-Cal, SSI, general assistance, etc. The paratransit program operated by SamTrans in San Mateo County has operated a low-income subsidized paratransit program for many years that reports very limited administrative burden. Affordability was a concern expressed by many stakeholders during the study's outreach phase.


- **Wheelchair breakdown service.** Wheelchair users who use public transportation can find themselves stranded away from home if their wheelchair malfunctions or is damaged. If this occurs, they require urgent help getting home and getting their chair repaired. This need may be addressed by an accessible same-day trip program or it could incorporate a repair element (e.g. *Easy Does It* has a pilot wheelchair breakdown program in Alameda County).


- **Accessible Bikeshare.** Oakland and San Francisco recently offered adaptive bike share programs. Trained staff from BORP, a leading provider of accessible recreation and adaptive sports for people with mobility-related disabilities, were on-hand to fit, train and assist riders on how to use the adaptive bikes. Adaptive equipment used in the program includes supportive pedals, seats and straps, and hand pedals for quad level riders. The program had five adaptive bikes available in Oakland and San Francisco: upright handcycle, recumbent handcycle, recumbent leg trike, recumbent trike tandem, and side-by-side tandem bicycle. This program could be implemented in one of the more urbanized level terrain parts of the county.





## PRIORITIZATION OF STRATEGIES

The strategies described above range from those that are extremely comprehensive and serve a lot of sections of the disability, older adult, low-income and veteran communities, to those which are very customized to smaller groups but serve a critical transportation need. In order to help prioritize the strategies for the final implementation plan, a set of evaluation criteria were developed and are described below.

## Transportation Strategy Evaluation Criteria

The following criteria were used with the PAC and TAC as a guide for evaluating strategies intended to address the transportation gaps identified in this project. The criteria are intended to be flexible, so that differences among different communities in Contra Costa County are taken into account. The order of presentation does not correspond to order of importance—no one category is considered more important than the others.



In addition to the measurable (either quantitative or qualitative) criteria presented below, some overarching considerations include:

- **Measure J (2020)** language (user-focused, seamless, streamlined, unified, affordable)
- **Status of legacy recommendations** (from previous studies in the County) relative to new recommendations
- **FTA concept** of “confidence the trip can even be completed” as a part of the trip planning process.
- **Current Measure J Eligible Expenditures** [(a) managing the program, (b) retention of a mobility manager, (c) coordination with non-profit services, (d) establishment and/or maintenance of a comprehensive paratransit technology implementation plan, and (e) facilitation of countywide travel and integration with fixed route and BART specifically, as deemed feasible.]
- **MTC Resolution 4321 requirements** (each county must establish or enhance mobility management programs to help provide equitable and effective access to transportation)

There are four groups of evaluation criteria: financial; implementation; transportation benefit; and community criteria.

### Financial Criteria

Cost: Is the overall cost within a range that can realistically be funded with available sources, taking into account sales tax funds, grants from the private or public sector or user fares/fees?



Cost per beneficiary: A broad range of a small to a large number of beneficiaries is compared to the cost of a program. Even though a program’s total cost is low, if it reaches very few people it might still have a high cost per beneficiary. This would not necessarily eliminate a project from consideration if it ranked highly on other



criteria including those listed under “Transportation Benefits Criteria” and “Community Criteria.” Similarly, even though a program’s total cost is high, if it reaches many people it might still have a low cost per beneficiary.

Funding availability and sustainability: To the degree possible, strategies and related projects should have stable sources of funding to cover match requirements. In the case of pilot, demonstration, or capital projects, there should be reasonable likelihood of continued funding for operations. It is recognized that continued funding can never be guaranteed, as it is subject to budget processes, as well as decisions and priorities of funders.

Leveraging resources: It is desirable for strategies and projects to help tap into other funding sources, especially new sources not previously available. Displacing existing funding is discouraged.

## Implementation Criteria

Implementation time-frame: Strategies that will produce results quickly are preferred, as long as they are also sustainable. Projects with long-term payoffs should have some form of measurable accomplishments in the short run.



Staging: Can the improvement be implemented in stages?

Coordination: Strategies that involve coordination, for example multiple organizations working together to address a need, would be prioritized.

## Transportation Benefits Criteria

Number of problems and trip types: Strategies that address multiple problems and serve multiple customer groups and trip purposes are preferred, with an emphasis on those that facilitate coordination in the county.



Number of beneficiaries: In general, improvements that benefit many people are preferred to those that benefit few. However, the needs of relatively small groups might be considered particularly critical based on criteria under the heading “Community.”

Unserved needs: Projects are preferred that address gaps left by other services rather than duplicating, overlapping with, or competing with other services. Note that the relative importance of various needs is a matter for local priorities as addressed under “Community.”

Measurable benefits: As much as possible, there should be ways to measure how a strategy is benefiting target groups (seniors, veterans, people with disabilities), whether in terms of numbers of people served, numbers of trips provided, improved measures of service quality, user-friendliness for end user and their aides etc.



## Community Criteria

Community support: Community support may take the form of formal endorsement by organizations and individuals, support by elected governing bodies, a potential project sponsor (“champion”) with staff or vehicles, and connections to adopted plans to carry out the strategy. Input from community outreach and stakeholder interviews conducted in Spring/Summer 2020 was taken into account in the scoring of these strategies.



Acceptability: While a strategy may look good “on paper”, there may be more subtle reasons – for example, cultural, practical, or financial – that would result in it not being successful if implemented. The strategy must be acceptable to the target population. That is, will the target population actually use this service being offered?

Acute needs: The importance of needs will normally be reflected in community support, but also in priority designation in locally-adopted plans or policies. Acute needs may include needs of small groups who have been left unserved by other programs due to expense or other difficulties.

Unserved groups: Identifiable groups that are not able to use existing services may include people who face language and cultural barriers.

## Prioritization by the Policy Advisory Committee and the Technical Advisory Committee

During meetings held in November 2020 the various strategies were presented to these two committees, in addition to the evaluation criteria described above. The results of input received from committee members are presented in the following matrix.



Strategies have been arranged in four groups: Increase Local and Regional Mobility; Improve Coordination among Providers and Community Stakeholders; Increase Awareness of Existing Services; and Develop Partnerships for Supportive Transportation Infrastructure. The strategies in the matrix have been arranged according to the level of priority within each of the four groups, and **key comments from committee members are presented in the right-hand column**. It should be noted that at this stage of the evaluation estimated costs were not included in the information available.



Figure 5-1 Strategy Prioritization

STRATEGY	COMMITTEE COMMENTS
<b>Increase Local and Regional Mobility</b>	
<p><b>Expand the current one-seat ride pilot program - improve connectivity between paratransit programs/eliminate transfer trips</b></p>	<p>Allows for travel within the county to be like drivers experience it-without imaginary boundaries. Allows people to fully live and work where they desire. Additionally, it has been a recurring recommendation over the past studies.</p> <p>Clear benefits to existing population (now using transfers). Unclear whether existing provider has resources to take on East Bay Paratransit (and Alameda County).</p> <p>Yes, 100%+ convinced we need to improve connectivity! What we ask our service recipients to go through to get from point A to point B is ludicrous.</p>
<p><b>Same-day trip programs (including wheelchair-accessible service)</b></p>	<p>Allows for a more natural way to get around. Drivers and public transportation users can make spur-of-the-moment trips. Same day trips are necessary to truly be an accessible way to get around.</p> <p>Tri Delta Transit offers same day paratransit trips through a partnership with United taxi and Lyft.</p> <p>A very desirable improvement for existing paratransit users. Will push up cost per user unless unproductive standby time can be controlled or TNC labor can be employed. TNC or third-party liability is a critical concern.</p> <p>We need for folks to be able to call and get rides upon demand. Life cannot always be led with advanced notice of needs, etc.</p>
<p><b>Volunteer driver programs</b></p>	<p>My concern is in implementation. Relying on volunteers is tricky. Would volunteer drivers be in the areas of the county where they would be most needed? I think some areas of county would have a harder time getting drivers, and that would likely be where they would be most needed.</p> <p>Vulnerable riders, or those in wheelchairs may not be well served.</p> <p>We absolutely need to get a better handle on who is doing what, when, where and how! I fear waste galore based on duplication of efforts and lots of unmet needs.</p>



STRATEGY	COMMITTEE COMMENTS
<b>Increase Local and Regional Mobility</b> <i>(Continued)</i>	
<b>Service beyond ADA service areas and regular service times</b>	<p>Tri Delta Transit offers service beyond ADA service areas in east county.</p> <p>Need may grow if fixed route services are cut and ADA obligations are reduced. Funding will be politically difficult in this case (as paratransit funding is already well short of what is needed even for required ADA service.) Some agencies already offer beyond ADA service.</p> <p>This could be a game changer for people with destinations outside ADA areas.</p> <p>Already in place in WestCAT area</p> <p>We absolutely need the ability to customize coverage and time.</p>
<b>Subsidize on-demand programs</b>	<p>Valuable if it would provide same day service, and at times when paratransit typically does not operate.</p> <p>Yes, keeping one's integrity intact and feeling of freedom is crucial to living a quality life.</p>
<b>Improve Coordination Among Providers and Community Stakeholders</b>	
<b>Shopping Trips with package assistance</b>	<p>This would serve many people, likely on their more frequent/regular trips. It is a model that is already happening with shuttles connecting senior apartments with shopping centers. Also allows for socialization, opportunity to be out in the community with peers.</p> <p>Tri Delta Transit will assist with up to 4 bags on paratransit trips (more during COVID).</p> <p>Demand and number of beneficiaries is unknown. Experience in other communities suggests low participation rates, though high benefit to those served.</p> <p>In emergency planning the critical areas are being able to access appointments, medications, food, and essential supplies. Some of the burden on the transportation service could be alleviated with neighbor helping neighbor.</p>
<b>Hospital discharge service</b>	<p>Seems this would be a relatively low cost project to implement.</p> <p>Completely dependent on how service is delivered.</p> <p>This is a healthcare issue. The health system is responsible for getting patients safely home.</p>
<b>Customized Guaranteed Ride Home program for people with disabilities</b>	<p>We need to build services around need, not expect people to build needs around a service delivery box.</p>





STRATEGY	COMMITTEE COMMENTS
<b>Improve Coordination Among Providers and Community Stakeholders</b> <i>(Continued)</i>	
<p><b>Means-based carshare including accessible option</b></p>	<p>I think the cost to implement would be high, and actual use would be low.</p> <p>The logistics of this program is really the question. Clearly there are benefits associated with occasional access to a vehicle, but the combination of disabled access (vehicle controls) and the means-based qualification process and the need for a third party relationship with an outside vendor makes this extremely complicated and unstable.</p> <p>Is this relevant for the population we are focusing on? Seniors, Disabled, etc. This option implies folks are driving themselves vs. relying on a system. Also, COVID/Virus safe?</p>
<b>Increase Awareness of Existing Services</b>	
<p><b>One call/One click (and/or Information and Referral Service)</b></p>	<p>Yes! People need a central place to get their information. Has been recommended repeatedly in past studies.</p> <p>The coordinated dissemination of information streamlines delivery of all transportation resources and improves the end user experience. Really no downside to this other than the process and cost of establishing and managing the service. Maybe the most effective use of available funding.</p> <p>Yes, no more multiple hoops to jump through to get simple transportation requests filled.</p>
<p><b>Programs for veterans (older adults and people with disabilities)</b></p>	<p>Peer training is good, but not as beneficial as some of the other strategies. And would not reach as many riders.</p> <p>Unclear relationship to VA and other veteran resources. Not sure that veteran mobility needs differ from those of others in the community. Possibly worth pursuing if the effort can attract funding or assistance from veteran-serving groups.</p> <p>Yes, we need more programs, better options, and coordination. I suspect the left does not coordinate all that well with the right. True regional planning ensures everyone is aware of who is doing what, when and where.</p>
<p><b>Real Time Information</b></p>	<p>Yes! People need access to real time information so they can determine how to proceed, advise others if they will be running late, etc.</p> <p>Potentially complicated and expensive to set up for multiple providers of paratransit services. Potentially simpler if limited to public agencies but would still require significant investment and development time to deploy app based real time information system.</p> <p>Yes, completely makes sense. Need redundancy options as there are varying degrees of tech savvy users.</p>



STRATEGY	COMMITTEE COMMENTS
<b>Increase Awareness of Existing Services</b> <i>(Continued)</i>	
<b>Travel Training</b>	I would challenge us to ensure a system requires minimal service recipient training need. Also need to remain cognizant that there are varied degree of users and this skill is perishable.
<b>Develop Partnerships For Supportive Transportation Infrastructure</b>	
<b>Fare integration</b>	<p>Fare integration and a unified fare structure is part of the one-seat pilot. Costs of fare integration would be the work to implement it, and ongoing impacts to agency revenues, and potentially to customers in areas with low fares. If more transportation providers are included (e.g. TNCs or other private entities) the process becomes much more complicated with the potential for public subsidies to be necessary to accomplish it.</p> <p>This will all allow for a more streamlined experience for riders. The fact that we have differing eligibility, fares structures, and scheduling software are evidence of how fractured the system is. I would put these three strategies as the first priority as they should be somewhat straightforward to implement and would help support some of the other strategies.</p>
<b>Administer a uniform countywide ADA paratransit eligibility certification program</b>	<p>This will all allow for a more streamlined experience for riders. The fact that we have differing eligibility, fares structures, and scheduling software are evidence of how fractured the system is. I would put these three strategies as the first priority as they should be somewhat straightforward to implement and would help support some of the other strategies.</p> <p>No objection to centralizing this function. Some cost implications. This function is being performed now by public agencies in the County with few problems so cost/benefit is unclear.</p> <p>Absolutely, this is a MUST have.</p>
<b>Joint procurement of scheduling software</b>	<p>Value depends on the objectives of the project. If one seat ride pilot succeeds, then cross jurisdictional scheduling is already in place. If other benefits from software are realized (e.g. coordinated billing and payment, real time information, user interface, etc.) this could be worth pursuing. In any event, it is a very complicated and expensive enterprise.</p> <p>This will all allow for a more streamlined experience for riders. The fact that we have differing eligibility, fares structures, and scheduling software are evidence of how fractured the system is. I would put these three strategies as the first priority as they should be somewhat straightforward to implement and would help support some of the other strategies.</p>



STRATEGY	COMMITTEE COMMENTS
<b>Develop Partnerships for Supportive Transportation Infrastructure</b> <i>(Continued)</i>	
<b>Safe Routes for Seniors/Safe Routes for All</b>	<p>Pedestrian right of way issues abound in older neighborhoods and bus stops are few and far between. Addressing this would increase use and access to fixed routes by wheelchair users or those with mobility issues</p> <p>This is another MUST have. To knowingly put anyone at risk is never a good business model.</p>
<b>Means-based fare subsidy</b>	<p>This is a good idea to base one's fee on his/her ability to pay / income level.</p>
<b>Wheelchair breakdown service</b>	<p>Tri Delta Transit offers emergency wheelchair transportation in east county</p>
<b>Accessible bikeshare program</b>	<p>I think utilization would be low.</p> <p>Given the vast number of other needs in the county, this seems like a project that may best be handled by an outside advocacy group or bikeshare entity. Could become very complicated to deploy a viable system without considerable work and expense, and without the participation of private entities.</p> <p>May not be realistic for many users.</p> <p>Is this COVID safe and if so then there must be some pretty stringent sanitation procedures to be followed. Not sure on the relevance of this option.</p>

## Presentation of Final Strategy Recommendations

The Project Management Team reviewed the recommended strategies and met with the consultant team to finalize prioritization of strategies. This was the penultimate step before the creation of an implementation matrix that includes all the recommended strategies, in addition to potential costs, funding sources, lead agencies, champions, and implementation steps. The implementation plan was presented to the PAC and TAC in February 2021.

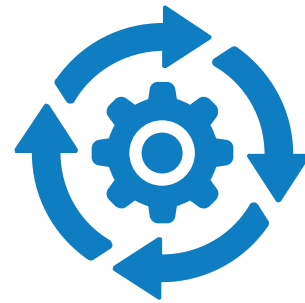




## 6 IMPLEMENTATION PLAN

### OVERVIEW

In this chapter, each strategy recommended in this plan is numbered and further qualified in terms of their respective roles and responsibilities of stakeholders, key performance indicators, potential sources of funding, likelihood of implementation during short-term to long-term horizons, relative cost estimates of implementation, and the relative complexity of staffing, training, and technology improvements.



The recommended strategies are classified as either “Tier I” or “Tier II.”

- Tier I strategies are those which provide a high transportation benefit, have good community support (as indicated by the community engagement process of this study), leverage existing agency programs or resources, and can be implemented in stages or have a lower total cost, making them more likely to be successfully implemented.
- Tier II strategies may rank high in one or more categories, but may serve relatively few people, be prohibitively expensive under current fiscal conditions, or may be more challenging to implement.

For purposes of this discussion, the implementation terms are defined as follows:

- **Immediate term** – Strategies that can begin immediately upon approval of the ATSP or can be implemented within one year.
- **Short term** – Strategies that can be implemented within six (6) months to two (2) years of ATSP approval.
- **Long term** – Strategies whose implementation will likely occur two (2) years or more from ATSP approval, or will require an on-going implementation commitment beyond five (5) years.

The recommended agencies responsible for implementing each strategy are also identified, as follows:

- **Public Sector** (e.g. Contra Costa Transportation Authority, County Administrator’s Office, County Department of Conservation and Development, County Health Services)



- **Non-Profit** (e.g. Mobility Matters, Choice in Aging)
- **Transit Agency** (e.g. County Connection, Tri Delta Transit, WestCAT)

Together, these elements constitute the study's Implementation Plan, shown in a simple breakdown in Figure 6-1. Following Figure 6-1 is a detailed description of organizational structures that are considered critical to implementation of the study's recommendations.

Following the descriptions of these overarching strategies is a comprehensive strategy implementation matrix in Figure 6-2. Each of the strategies listed in Tier 1 is then described in detail with regard to champions, funding, cost etc. This is followed by an implementation timeline in Figure 6-3. The chapter ends with a detailed explanation of applicable funding.

**Figure 6-1 Strategy Implementation Plan**

Objective	Phasing Description	Implementation Term	Implementation Agency(s)
Establish A Coordinated Structure	Phase 1: Establish a Task Force	Immediate	▪ Public Sector
	Phase 2: Establish a Dedicated Countywide Coordinated Entity	Short	▪ Public Sector

Strategy #	Strategy Description	Tier	Implementation Term	Implementation Agency(s)
<b>Objective: Increase Local and Regional Mobility</b>				
1	Improve connectivity between paratransit programs/eliminate transfer trips	I	Short	▪ Transit Agency
2	Same-day trip programs (including wheelchair-accessible service)	I	Long	▪ Non-Profit ▪ Public Sector ▪ Transit Agency
3	Expand existing and add new Volunteer Driver programs	I	Short	▪ Public Sector ▪ Non-Profit
4	Service beyond ADA service areas	I	Long	▪ Non-Profit ▪ Transit Agency
5	Early morning and late-night service	II	Long	▪ Non-Profit ▪ Transit Agency
6	On-demand subsidies	II	Long	▪ Public Sector ▪ Transit Agency
<b>Improve Coordination Among Providers and Community Stakeholders</b>				
7	Shopping trips with package assistance	II	Short	▪ Non-Profit ▪ Public Sector
8	Hospital discharge service	II	Short	▪ Non-Profit ▪ Transit Agency



Strategy #	Strategy Description	Tier	Implementation Term	Implementation Agency(s)
9	Customized guaranteed ride home programs for people with disabilities	II	Short	<ul style="list-style-type: none"> <li>▪ Public Sector</li> <li>▪ Transit Agency</li> </ul>
10	Means-based car-share including accessible option	II	Long	<ul style="list-style-type: none"> <li>▪ Non-Profit</li> <li>▪ Public Sector</li> </ul>
<b>Objective: Increase Awareness of Existing Services</b>				
11	One-call / one-click; information & referral (I&R)	I	Short	<ul style="list-style-type: none"> <li>▪ Non-Profit</li> <li>▪ Transit Agency</li> </ul>
12	Programs for disabled/senior veterans	I	Short	<ul style="list-style-type: none"> <li>▪ Public Agency</li> </ul>
13	Real-time transportation information (paratransit vehicle location, BART elevators, wheelchair spaces on buses)	II	Long	<ul style="list-style-type: none"> <li>▪ Transit Agency</li> </ul>
14	Travel training (including inter-operator trips)	I	Short	<ul style="list-style-type: none"> <li>▪ Non-Profit</li> <li>▪ Transit Agency</li> </ul>
15	Mobility-as-a-Service (MaaS)	II	Long	<ul style="list-style-type: none"> <li>▪ Non-Profit</li> <li>▪ Transit Agency</li> </ul>
<b>Objective: Develop Partnerships for Supportive Infrastructure</b>				
16	Administer a uniform countywide ADA paratransit eligibility certification program	I	Long	<ul style="list-style-type: none"> <li>▪ Public Sector</li> <li>▪ Transit Agency</li> </ul>
17	Fare integration	I	Long	<ul style="list-style-type: none"> <li>▪ Transit Agency</li> </ul>
18	Procure joint paratransit scheduling software	I	Long	<ul style="list-style-type: none"> <li>▪ Transit Agency</li> <li>▪</li> </ul>
19	Sidewalk improvements to enhance safety for older adults and wheelchair accessibility in high-priority locations	I	Long	<ul style="list-style-type: none"> <li>▪ Public Works Department</li> </ul>
20	Means-based fare subsidy	I	Short	<ul style="list-style-type: none"> <li>▪ Transit Agencies</li> <li>▪ Social Service Agencies</li> </ul>
21	Wheelchair breakdown service	II	Short	<ul style="list-style-type: none"> <li>▪ Non-Profit</li> <li>▪ Transit Agency</li> <li>▪ Public Agency</li> </ul>
22	Accessible bikeshare program	II	Short	<ul style="list-style-type: none"> <li>▪ Non-Profit</li> <li>▪ Public Agency</li> </ul>



## ESTABLISHING A COORDINATED STRUCTURE

### Phase 1 Establish a Task Force

The Project Team recommends that an Accessible Transportation Strategy (ATS) Implementation Task Force (TF) be established to take the study recommendations to the next level of implementation. Following are some of the elements of this task that will need to be implemented.



#### Lead or Champion

Appointed Policy Advisory Committee (PAC) members from the Accessible Transportation Strategic Plan process will need to champion this effort.

#### Potential Sponsoring Agencies

Potential sponsoring agencies are CCTA, County Administrator's Office (CAO), or a similar entity. The TF could be an advisory committee to the CCTA Board and report regularly on activities. It would need to be determined how and when the TF would report to the County Board of Supervisors, and/or transit agency Boards.

#### Political Feasibility

It is anticipated that establishment of this TF will encounter little political resistance as stakeholders are familiar with the incremental approach that can result in implementation of smaller scale but meaningful improvements.

#### Potential Funding Sources

Costs for this effort will be primarily staffing and administration and will likely need to be provided "in-kind" by CCTA or a similar entity.

#### Program Parameters

**Composition:** The TF should include representatives of a broad variety of individuals representing agencies or user groups that have a stake in the project outcomes. The TF should include representatives of relevant human service agencies, transit agencies, elected officials, disability and older adult advocates representing a range of segments of these communities, veterans, funding bodies, and other representatives. Utilizing the appointed seats on the current PAC, the following is a list of potential TF seats:

- Contra Costa Board of Supervisors
- CCTA Board
- AC Transit
- BART
- County Connection
- Tri Delta Transit



- WestCAT
- Regional Transportation Planning Committees
- Contra Costa Health Services
- Contra Costa County Office of the Sheriff Emergency Operations
- Veterans Affairs
- Contra Costa County Ombudsman
- NGO/Advocate representing seniors/older adults
- NGO/Advocate representing people with disabilities

TF members should be at the level of executive staff or board member. TF appointees may be supported by technical staff (former TAC members) with direct operational, management, or policy development experience with accessible transportation type issues.

**Mission:** The TF will have three primary tasks:

1. Develop funding strategies.
2. Identify ATS recommended strategies that can be delegated to existing agencies or non-profit organizations that do not require a Coordinated Entity for short term implementation.
3. Define and establish a dedicated countywide Coordinated Entity for implementation of countywide strategies.

Activities should include further prioritizing of the strategies presented in this study, and development of an incremental approach to strategy implementation. This would identify study recommendations that can be implemented in the short-term rather than waiting for the creation or designation of a unified entity for implementation of large-scale, longer term strategies.

**Funding Parameters:** Through development of the ATSP, stakeholders emphasized that current programs and providers do not have funding to implement new programs, and barely have funding to maintain current essential programs. An agreement developed prior to the ATSP that was not adopted due to time constraints, stated:

***The PARTIES agree that they will endeavor to prepare an ATS Plan that (1) does not recommend adding responsibilities to a PARTY without identifying additional revenue sources for that PARTY, and (2) does not recommend reducing a PARTY'S revenues without providing recommendations for achieving a corresponding decrease in the PARTY'S obligations funded by those revenues. The PARTIES further agree that they will endeavor to prepare an ATS Plan that, if implemented in the future, would not be expected to cause degradation or disruption of transit services offered to the Subject Population.***

Similar assurances should be considered during implementation to ensure continued support for the Plan.

The TF will need to be diligent in identifying resources and support that can be utilized to implement the ATSP (e.g. research, grant writing, offering meeting space and support,





etc.) and identify funding sources quickly in order to move forward without violating these assurances.

### Staffing

Staffing will need to be provided by CCTA, a similar entity, and/or by or with the assistance of TF members.

### Technology

This effort is unlikely to require significant technology resources.

### Timeline

Once the ATSP has been approved by the CCTA Board and County Board of Supervisors, the TF could begin operating within three to six months. The TF would remain in place until it completed its mission and could be dissolved once a Coordinating Entity (CE) is in place.

### Cost to Implement

Cost is to be determined but will likely be primarily staffing and administration and need to be provided "in-kind".

## Phase 2 Establish a Dedicated Countywide Coordinated Entity

The TF will define and establish a dedicated countywide Coordinated Entity (CE) for implementation of countywide strategies. The TF will be responsible for determining where this entity should be housed – it could be in an existing non-profit or public agency, or the TF could determine that a new entity will need to be established.



At the completion of the ATSP process there appeared to be a plurality amongst the PAC in favor of ultimately designating a non-profit organization as the CE (existing or new was not determined). Where there is hesitation among some parties, it will be important to continue to maintain the assurances cited in the TF section.

### Lead or Champion

The previously described Task Force (TF) will champion the CE.

### Potential Sponsoring Agencies

Agencies with appointed seats on the TF are all potential sponsoring agencies.



## Political Feasibility

It will be important for the TF to reflect on what was learned from earlier planning attempts and what should be done differently in considering the CTSA model and alternatives.

The TF will decide where the CE will be housed and this entity can apply to become a CTSA<sup>1</sup> if determined that this is the most effective vehicle for achieving the ATS mobility goals, or if other models should be considered. Following is a brief description of the CTSA model. Appendix D contains the legislative language referencing CTSA.

**Consolidated Transportation Service Agency (CTSA).** Designation as a CTSA is incorporated in the California Transportation Development Act (TDA) to promote service coordination. In the Bay Area, the Metropolitan Transportation Commission (MTC) can designate an agency as a CTSA. The designee can be an existing agency, new agency (such as a joint powers authority), or a non-profit organization. CTSA designation may give preferential access to certain funds, such as Federal Section 5310. A CTSA could be designated Countywide or by a smaller area (e.g. by planning area).

Successful implementation of this goal will require political commitment at the highest levels of elected representatives in the County serving on the CCTA Board, County Board of Supervisors, and transit agencies. The PAC already includes a number of elected officials who have indicated a willingness to champion the study's recommendations, thus providing a basis upon which the TF can build political support.

## Potential Funding Sources

The CE will need to seek funding through a variety of means, likely including funding dedicated through a sales tax measure. In Monterey County, Monterey-Salinas Transit placed a successful sales tax measure on the ballot to benefit similar populations to those of this ATSP. CCTA or the County could potentially fill the role of putting a tax measure forward. The recent history of transportation sales tax measures (requiring a *supermajority* vote) in Contra Costa County indicates that passage of such a tax could be challenging, and identifying other revenue generating activities will be important to the creation of the CE.

A non-profit could have access to funding not available to public entities, such as grant funding and Community Development Block Grants, foundation funding, donations, other public funding options, etc.

One consideration for the TF and CE will be to explore comprehensive funding opportunities outside of "transportation" dollars. State and federal agencies provide funding through social service departments for transportation, outside of the traditional transportation silos. One of the challenges with accessing non "transportation" funds is that it is harder to link the service improvements and cost-savings. For instance, an on-demand transportation program could reduce emergency room visits by helping people

---

<sup>1</sup> The California Association for Coordinated Transportation (CALACT) maintains information about Consolidated Transportation Services Agencies here: <https://www.calact.org/ctsaebook>



get to urgent care. However, in addition to quality of life improvements, any cost-savings will likely accrue to the County Health system as opposed to the transportation program.

### **Program Parameters**

The CE could have significant potential for implementing some of the strategies proposed below depending on the strength of leadership and the ability to secure dedicated funding.

### **Timeline**

Substantial effort will be required to set up or to designate this organization, including potentially lengthy negotiations between stakeholders, resolution of legal issues, governance decisions, incorporating and otherwise incubating a non-profit, setting up joint powers agreements. etc. It is anticipated that setting up a CE will take 12 to 36 months, depending on the direction provided by the TF and the cooperation of stakeholders.

### **Cost to Implement**

Given the potential staffing required to set up the countywide CE, overhead costs are likely to be relatively high. This will need to be viewed in the context of potential cost savings that could be derived from the centralization of some of the transportation activities cited previously. However, the TF may also prioritize improved and/or increased service over cost savings. As an example, the 2013 Contra Costa County Mobility Management Plan estimated annual costs in the first two years of operation of a CTSA to be \$325,000. This does not include the costs of actual service provision.

## STRATEGY IMPLEMENTATION MATRIX

Figure 6-2 Detailed Implementation Plan Strategy Matrix

#	Strategy Description	Tier	Lead or Champion	Roles & Responsibilities	Key Performance Indicators	Level of Effort	Technology Needs	Potential Funding Sources	Timeline	Cost to Implement (start-up)
1	Improve connectivity between paratransit programs/eliminate transfer trips	I	County Connection	<ul style="list-style-type: none"> <li>Identify steps needed to expand existing pilot program. Work with other transit agencies in the county and adjoining counties to develop protocols for program expansion</li> </ul>	<ul style="list-style-type: none"> <li>Number of inter-jurisdictional trips provided without transfers</li> <li>Cost per inter-jurisdictional trip with and without transfers</li> <li>Customer satisfaction with inter-jurisdictional trips</li> </ul>	Medium	Medium	New, 5307, 5311, TDA, STA, SB1, LTF, Measure J and other local	Short Term	\$100,000 to \$1 million
2	Same-day trip programs (including wheelchair-accessible service)	I	Transit agency or non-profit organization designated by the TF	<ul style="list-style-type: none"> <li>Identify the most appropriate forms of same day services and likely providers</li> <li>Develop marketing programs and protocols for same day programs</li> <li>Enter into contractual arrangements for service provision</li> </ul>	<ul style="list-style-type: none"> <li>Ridership</li> <li>Cost-per-passenger-trip</li> <li>Boardings per service hour</li> <li>Customer satisfaction</li> <li>Average wait times</li> </ul>	Medium	Low	New, 5307, 5310, DHHS, Dept Veterans Affairs, SB 1376, LTF, Measure J and other local, Private/ Foundation	Long Term	\$500,000 to \$1 million
3	Expand existing and add new Volunteer Driver programs (such as TRIP mileage reimbursement program)	I	CE or one of County agency participants	<ul style="list-style-type: none"> <li>Expansion – work with Mobility Matters and other volunteer driver programs to scale up their services.</li> <li>New programs – CE identify funding to hire a TRIP program coordinator, who will recruit additional volunteer drivers for clients unable to recruit their own driver(s).</li> <li>TRIP program coordinator establishes reimbursement mechanism for volunteer drivers.</li> <li>Public agencies staff promote volunteer driver program as part of staff training and client marketing campaigns</li> </ul>	<ul style="list-style-type: none"> <li>Volunteer driver enrollment</li> <li>Client participation</li> <li>Total mileage reimbursement</li> <li>Cost-per-trip</li> <li>Frequent trip origins and destinations</li> </ul>	Medium	Low	New, 5310, DHHS, Dept Veterans Affairs, LTF, Measure J and other local, Private/ Foundation	Short Term	\$100,000 to \$500,000

#	Strategy Description	Tier	Lead or Champion	Roles & Responsibilities	Key Performance Indicators	Level of Effort	Technology Needs	Potential Funding Sources	Timeline	Cost to Implement (start-up)
4	Service beyond ADA service areas	I	<ul style="list-style-type: none"> <li>Transit agencies</li> <li>Non-profit providers</li> </ul>	<ul style="list-style-type: none"> <li>Identify areas of greatest need that are viable for added service</li> <li>Develop service model most appropriate for those areas</li> <li>Identify potential providers</li> </ul>	<ul style="list-style-type: none"> <li>Trips provided</li> <li>Trip requests denied</li> <li>Cost per trip</li> </ul>	Medium	Low	New, 5307, 5311, 5310, TDA, STA, SB1, LTF, Measure J and other local	Long Term	\$100,000 to \$500,000
5	Early morning and late-night service	II	<ul style="list-style-type: none"> <li>Transit agencies</li> <li>Non-profit providers</li> </ul>	<ul style="list-style-type: none"> <li>Similar to service beyond ADA service areas</li> </ul>	<ul style="list-style-type: none"> <li>Trips provided</li> <li>Trip requests denied</li> <li>Cost per trip</li> </ul>	Medium	Low	New, 5307, 5311, 5310, TDA, STA, SB1, LTF, Measure J and other local	Long Term	\$100,000 to over \$1 million
6	On-demand subsidies	II	<ul style="list-style-type: none"> <li>Department of Social Services</li> <li>CCTA</li> <li>Contra Costa Health Plan</li> </ul>	<ul style="list-style-type: none"> <li>Determine subsidy levels, calculate costs, identify funding, develop protocols for implementation</li> </ul>	<ul style="list-style-type: none"> <li>Program costs</li> <li>Qualitative feedback from program participants</li> </ul>	Medium	Low	New, DHHS, LTF, Measure J and other local, Private/ Foundation	Long Term	\$100,000 to over \$1 million
7	Shopping trips with package assistance	II	<ul style="list-style-type: none"> <li>Non-Profit Provider</li> <li>Public Agency</li> </ul>	<ul style="list-style-type: none"> <li>Identify agencies that can provide this service</li> <li>Develop implementation plan that includes eligibility, protocols, service parameters, costs to customer and to operator, funding sources</li> </ul>	<ul style="list-style-type: none"> <li>Trips provided</li> <li>Trip requests denied</li> <li>Cost per trip</li> </ul>	Medium	Low	New, 5310, LTF, Measure J and other local, Private/ Foundation	Short Term	\$250,000 to over \$1 million
8	Hospital discharge service- program that assists with paratransit application and ride (a specialized travel training program for hospital discharges)	II	<ul style="list-style-type: none"> <li>County Medical Center</li> <li>Contra Costa Health Plan</li> </ul>	<ul style="list-style-type: none"> <li>County Medical Center trains discharge planners on application requirements for interim ADA paratransit eligibility; provides travel training to clients; and coordinates same-day transportation</li> </ul>	<ul style="list-style-type: none"> <li>Number of enrolled participants</li> <li>Change in ADA paratransit operating costs</li> </ul>	Medium	Low	New, 5307, 5311, DHHS, Dept Veterans Affairs, TDA, STA, SB1, LTF, Measure J and other local, Private/ Foundation	Short Term	\$100,000 to \$250,000

#	Strategy Description	Tier	Lead or Champion	Roles & Responsibilities	Key Performance Indicators	Level of Effort	Technology Needs	Potential Funding Sources	Timeline	Cost to Implement (start-up)
9	Customized guaranteed ride home programs for people with disabilities	II	<ul style="list-style-type: none"> <li>Department of Social Services</li> <li>CCTA</li> </ul>	<ul style="list-style-type: none"> <li>Research best model for County</li> <li>Identify funding</li> <li>Develop protocols, eligibility requirements etc.</li> </ul>	<ul style="list-style-type: none"> <li>Program cost</li> <li>Cost per individual assisted</li> </ul>	Low	Low	New, 5310, DHHS, SB 1376, LTF, Measure J and other local, Private/ Foundation	Short Term	\$100,000 to \$250,000
10	Means-based car-share including accessible option	II	<ul style="list-style-type: none"> <li>CCTA</li> <li>Non-Profit organization</li> <li>Social Services</li> </ul>	<ul style="list-style-type: none"> <li>County procurement office to issue RFQ for car share operator</li> <li>Transit agencies (including BART) to identify and allocate suitable car share spaces at facilities</li> <li>If low emission fleet selected, relevant County department to coordinate EV charging station installation at key sites.</li> <li>Social Services to coordinate low-income membership discount program</li> </ul>	<ul style="list-style-type: none"> <li>Trips per vehicle per day (utilization)</li> <li>Percent of fleet in service</li> <li>Vehicles per square mile</li> <li>Vehicles within ¼ mile of key destinations</li> <li>Frequent origins and destinations</li> <li>Participant demographics</li> </ul>	Medium	Medium	New, DHHS, LTF, Measure J and other local, Private/ Foundation	Long Term	\$250,000 to over \$1 million
11	One-call / one-click; information & referral (I&R)	I	<ul style="list-style-type: none"> <li>Non-Profit organization</li> <li>Transit agency</li> </ul>	<ul style="list-style-type: none"> <li>Select preferred model</li> <li>Identify funding</li> <li>Hire and train staff</li> <li>Identify all relevant resources in the county</li> <li>Develop protocols as part of implementation plan</li> </ul>	<ul style="list-style-type: none"> <li>Number of callers</li> <li>Number of people receiving information versus those received enhanced assistance</li> <li>Customer satisfaction survey results</li> <li>Program costs</li> </ul>	Medium	High	New, 5310, DHHS, LTF, CMAQ/TFCA, Measure J and other local, Private/ Foundation	Short Term	\$100,000 to \$500,000
12	Programs for disabled/ senior veterans	I	Veterans Administration	<ul style="list-style-type: none"> <li>Develop programs that fill the gaps in current mobility options</li> <li>Identify funding</li> <li>Develop Implementation Plan</li> </ul>	<ul style="list-style-type: none"> <li>Number of veterans served</li> <li>Number of trips provided through supplemental services</li> <li>Program costs and cost per individual connected to service</li> </ul>	Medium	Low	New, 5310, Dept Veterans Affairs, LTF, Measure J and other local, Private/ Foundation	Short Term	\$250,000 to over \$1 million

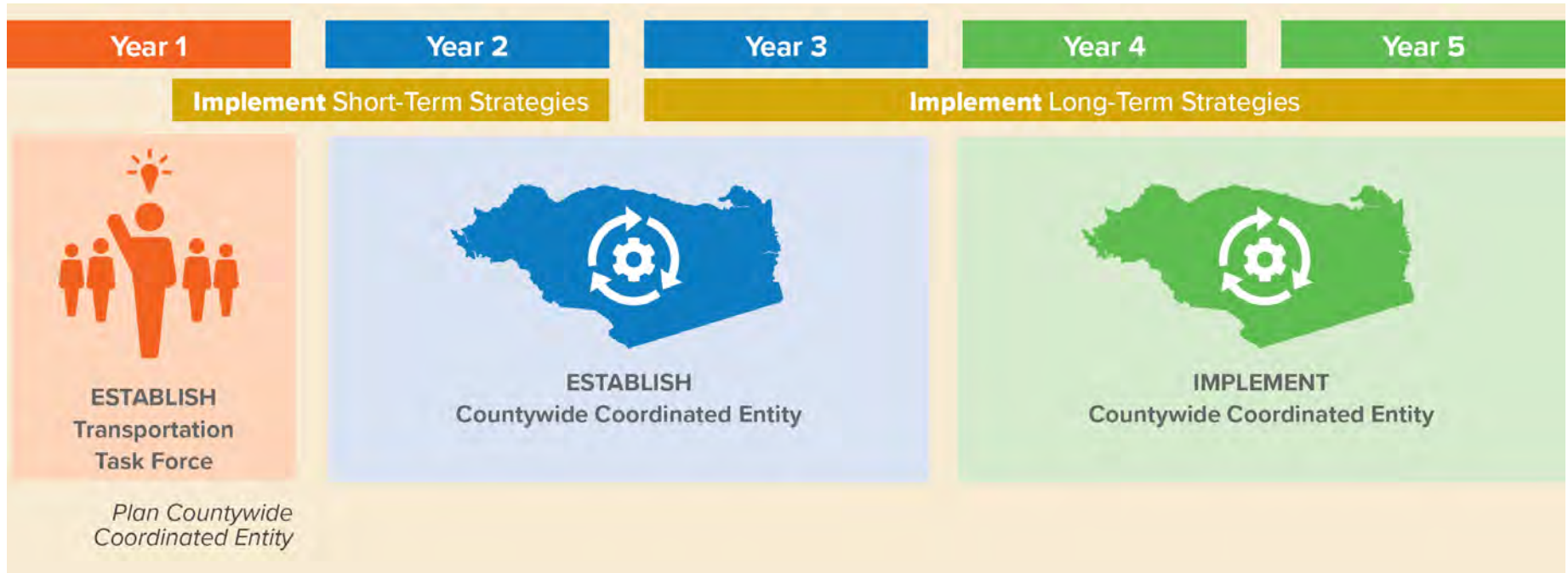
#	Strategy Description	Tier	Lead or Champion	Roles & Responsibilities	Key Performance Indicators	Level of Effort	Technology Needs	Potential Funding Sources	Timeline	Cost to Implement (start-up)
13	Real-time transportation information (paratransit vehicle location, BART elevators, wheelchair spaces on buses)	II	Transit agencies	<ul style="list-style-type: none"> <li>Establish mechanism for sharing information between agencies</li> <li>Identify needed technology</li> <li>Identify funding</li> <li>Implement programs at different agencies</li> <li>Evaluate effectiveness of programs including customer satisfaction surveys</li> </ul>	<ul style="list-style-type: none"> <li>Time taken to install new equipment throughout vehicle fleets</li> <li>Customer satisfaction surveys</li> </ul>	Medium	High	New, 5307, 5311, TDA, STA, SB1, LTF, CMAQ/TFCA, Measure J and other local, Private/ Foundation	Long Term	Over \$1 million
14	Travel training (including inter-operator trips)	I	<ul style="list-style-type: none"> <li>Non-Profit organizations</li> <li>Transit agencies</li> </ul>	<ul style="list-style-type: none"> <li>Identify steps to expand existing programs</li> <li>Identify funding</li> </ul>	<ul style="list-style-type: none"> <li>Number of trainees</li> <li>Cost per training</li> <li>Changes in trainees' riding habits</li> </ul>	Low	Low	New, 5307, 5311, 5310, Dept Veterans Affairs, TDA, STA, SB1, LTF, CMAQ/TFCA, Measure J and other local, Private/ Foundation	Short Term	\$100,000 to \$250,000
15	Mobility-as-a-Service (MaaS)	II	<ul style="list-style-type: none"> <li>CCTA</li> <li>Non-Profit organization</li> </ul>	<ul style="list-style-type: none"> <li>Identify most appropriate enhancements of existing mobility options</li> <li>Identify and purchase needed technology</li> <li>Develop training program to enable residents to access services through MaaS</li> </ul>	<ul style="list-style-type: none"> <li>Number of people using platform</li> <li>Number of trips arranged through platform</li> <li>Customer satisfaction surveys</li> </ul>	High	High	New, 5310, LTF, CMAQ/TFCA, Measure J and other local, Private/ Foundation	Long Term	\$250,000 to over \$1 million

#	Strategy Description	Tier	Lead or Champion	Roles & Responsibilities	Key Performance Indicators	Level of Effort	Technology Needs	Potential Funding Sources	Timeline	Cost to Implement (start-up)
16	Administer a uniform countywide ADA paratransit eligibility certification program	I	<ul style="list-style-type: none"> <li>Transit Agency</li> <li>County Agency</li> </ul>	<ul style="list-style-type: none"> <li>Determine most appropriate agency to administer program</li> <li>Identify eligibility model to be adopted</li> <li>Develop eligibility protocols and reach consensus among providers</li> <li>Identify location and make upgrades if necessary</li> <li>Determine if program will be operated by agency or through a contract</li> <li>Implement and evaluate effectiveness</li> </ul>	<ul style="list-style-type: none"> <li>Cost per assessment</li> <li>Increases in conditional eligibility determinations</li> <li>Operability of conditional eligibility determinations (i.e. can trip conditions be applied?)</li> <li>Inter-rating/evaluator testing consistency (do different evaluators reach similar eligibility determinations for a specific application?)</li> </ul>	High	Medium	New, 5307, 5311, TDA, STA, SB1, LTF, Measure J and other local	Long Term	\$100,000 to \$300,000
17	Fare integration	I	Transit agencies	<ul style="list-style-type: none"> <li>Collaborate on establishing universal fare protocols intended to enhance customer experience</li> <li>Determine costs to agencies and ways of funding those deficits</li> <li>Select agency to oversee implementation of fare integration program</li> </ul>	<ul style="list-style-type: none"> <li>Time to implement on all County transit agency fleets</li> <li>Program cost</li> </ul>	High	High	New, 5307, 5311, TDA, STA, SB1, LTF, CMAQ/TFCA, Measure J and other local	Long Term	\$500,000 to \$1 million
18	Procure joint paratransit scheduling software	I	Transit agencies	<ul style="list-style-type: none"> <li>Identify commonalities and differences between each agency's use of Trapeze</li> <li>Build consensus on type of procurement beneficial to all participating agencies</li> <li>Document timeline for purchase</li> <li>Enter into negotiations with the software provider</li> </ul>	<ul style="list-style-type: none"> <li>Cost comparison between status quo and new system</li> <li>Increase in cross-jurisdictional trips</li> </ul>	Medium	High	New, 5307, 5311, TDA, STA, SB1, LTF, CMAQ/TFCA, Measure J and other local	Long Term	\$100,000 to \$250,000 (although unclear if this would be net cost over existing)
19	Sidewalk improvements to enhance safety for older adults and wheelchair accessibility in high-priority locations	I	Public Works Departments CCTA	<ul style="list-style-type: none"> <li>Set up mechanism for receiving complaints about path of travel barriers</li> <li>Assign responsibility to staff to conduct environmental assessments of barriers on frequent paths of travel</li> <li>Establish protocols for assessing accessibility of POT, determining remedies, timeline for repair, and responsibility for making improvements</li> </ul>	<ul style="list-style-type: none"> <li>Percentage of identified street segments targeted for improvement that are repaired each year</li> </ul>	Low	Low	New, LTF, CMAQ/TFCA, Measure J and other local	Long Term	\$250,000 to over \$1 million



#	Strategy Description	Tier	Lead or Champion	Roles & Responsibilities	Key Performance Indicators	Level of Effort	Technology Needs	Potential Funding Sources	Timeline	Cost to Implement (start-up)
20	Means-based fare subsidy	I	<ul style="list-style-type: none"> <li>Social Services Agency</li> <li>Transit agencies</li> </ul>	<ul style="list-style-type: none"> <li>Explore support of MTC's regional efforts on low-income fare subsidies by establishing local eligibility criteria and recommending program enrollment locations</li> </ul>	<ul style="list-style-type: none"> <li>Transit agency ridership</li> <li>Program enrollment</li> </ul>	Medium	Low	New, LTF, CMAQ/TFCA, Measure J and other local, Private/ Foundation	Short Term	\$50,000 to \$250,000
21	Wheelchair breakdown service	II	Non-Profit Organization Transit Agency	<ul style="list-style-type: none"> <li>Establish contract with service provider</li> <li>Promote service through 211 and other Information and Referral resources</li> </ul>	<ul style="list-style-type: none"> <li>Number of assistance events per month</li> <li>Cost per assistance, including transportation provider and staff time</li> <li>Customer satisfaction ratings</li> </ul>	Low	Low	New, 5310, DHHS, SB 1376, LTF, Measure J and other local, Private/ Foundation	Short Term	\$100,000 to \$250,000
22	Accessible bikeshare program	II	County Administrator's Office or CCTA to assign a champion or lead	<ul style="list-style-type: none"> <li>Public Works to coordinate Bay Wheels expansion to high-need communities</li> <li>If oriented towards low-income communities, Social Services to ensure prepaid debit card option is available as part of Bay Wheels' Bike Share for All program (e.g. at public libraries, senior centers)</li> <li>Non-profit organization may provide helmet giveaways.</li> <li>Consider providing direct assistance to clients for bike purchases in areas far outside of Bay Wheels service zone.</li> </ul>	<ul style="list-style-type: none"> <li>Trips per device per day (utilization)</li> <li>Percent of fleet in service</li> <li>Devices per square mile</li> <li>Frequent origins and destinations</li> <li>Rider demographics</li> </ul>	High	High	New, LTF, CMAQ/TFCA, Measure J and other local, Private/ Foundation	Short Term	\$250,000 to over \$1 million

Figure 6-3 Implementation Plan Timeline



## TIER 1 STRATEGIES DISCUSSION

In recognition of the greater importance placed on Tier 1 strategies than Tier 2, we discuss each of these strategies in more detail below. Note that the missing numbers reflect the absence of detailed Tier 2 strategy descriptions.

## Strategies to Increase Local and Regional Mobility

### Strategy 1: Improve Connectivity Between Paratransit Programs/Eliminate Transfer Trips

Where trips span multiple transit provider service areas, the passenger is typically required to transfer between vehicles at each boundary. Challenges associated with inter-service area have been identified for decades by paratransit riders and advocates.

Lead or Champion		Potential Sponsoring Agencies	Potential Funding Sources		
<p>The current approach in the County to solve this issue is through a pilot program and agreement amongst transit operators. County Connection has initiated the current one-seat-ride pilot program. WestCAT, Tri Delta Transit, and LAVTA (in eastern Alameda County) are also participating.</p>		<p>Transit Agencies</p>	<p>Transit agencies are currently using STA and TDA funds for the pilot program. Future options include Measure J or other CCTA funds. This would also be a good fit for future regional funds dedicated to regional trips, such as any funds arising from a new Regional Measure or the Blue Ribbon Task Force.</p>		
Program Parameters					
<p>Currently riders who are interested in a one seat regional trip contact County Connection to request the trip, or County Connection identifies trips that would be good for the pilot. There is a particular focus on trips that are three legs or more at this time. County Connection is working with the County and MTC to determine measures to evaluate the success of the program. The different transit agency partners are working together to determine the appropriate cost sharing.</p> <p>Future steps are to identify steps needed to expand the existing pilot program and work with other transit agencies in the county and adjoining counties to develop protocols for program expansion.</p>					
Staffing	Technology	Training Requirements	Timeline	Cost to Implement	
<p>The pilot is being staffed by current transit agency personnel.</p>	<p>Transit agencies are using their existing technology at this time. Improved technology related to dispatching and scheduling trips may improve this program in the future.</p>	<p>Training requirements are still to be determined.</p>	<p>It is unclear how long the current pilot will last. There is a possibility that the current program could be combined into a new regional program in the future.</p>	<p>Currently the cost per hour to the contractor is about \$60.00. Total and future costs depend on staff time, demand, and if the programs decide to cap the availability of the trips.</p>	

## Strategy 2: Same-Day Trip Programs (Including Wheelchair-Accessible Service)

Some cities already offer subsidized taxi/TNC programs to older adults, and many organizations will attempt to meet an urgent need if possible.

Lead or Champion		Potential Sponsoring Agencies	Potential Funding Sources		
Transit agency or non-profit organization designated by the TF.		Non-Profit, Public Sector, and/or Transit Agency – will need to be determined by TF or CE.	Federal 5310 (for pilot, may not be guaranteed for long-term), SB 1376, Local funds such as Measure J, other CCTA/ County, and Private/ Corporate Sources.		
Program Parameters					
It will be necessary to identify appropriate transportation providers for this program, whether taxis or TNCs, TNC WAV programs, community providers, or ADA providers if able to provide premium service with additional funding. It will be challenging but important to determine a mix of providers that can cover the entire County and also meet the different populations' needs, and then to coordinate service on the consumer side for usability.					
Staffing	Technology	Training Requirements	Timeline	Cost to Implement	
Staffing will be required to put the program in place, establish new providers, and manage the coordination and referral to the program.	Technology needs are to be determined, but improved technology would likely lead to a better program.	Training requirements are still to be determined, but could include scheduling staff and drivers.	Although this program meets a very important need, the reality is finding and coordinating providers for the entire County, and then setting up a program to coordinate the service is a long term effort. It is possible that if providers are identified, service can continue or increase without starting with County-wide coordination.	\$500,000 to \$1 million.	

## Strategy 3: Expand Existing and Add New Volunteer Driver Programs

Contra Costa County has a County wide volunteer driver program, Mobility Matters. However, there is a desire to increase the organization’s capacity for service, or add other services to increase capacity in general.

Lead or Champion	Potential Sponsoring Agencies	Potential Funding Sources
CE or one of County agency participants	Mobility Matters, other Non-Profit, Public Sector agencies.	5310, Local funds such as Measure J, other CCTA/ County Sources, Private/Foundation.

### Program Parameters

Explore expansion by working with Mobility Matters and other volunteer driver programs to scale up their services. For new programs the TF or CE could identify funding to hire a TRIP program coordinator, who would recruit additional volunteer drivers for clients unable to recruit their own driver(s) and establish a reimbursement program.

Staffing	Technology	Training Requirements	Timeline	Cost to Implement
Current programs would need to identify staffing needs for expansion. It is to be determined whether a TRIP program coordinator would also have other mobility management duties. Similar to the same-day program, ideally riders should be able to contact one phone number, website, app etc. to request the trip, or at least receive the appropriate referral.	Technology needs for volunteer driver programs vary widely and would need to be determined. However, the TRIP program has developed a relatively cheap software program that is available to all TRIP programs.	Training requirements are still to be determined, but could include scheduling staff and drivers.	Exploration of expansion opportunities can begin as soon as the TF is ready. Implementation of new programs would likely need one to two years.	\$100,000 to \$500,000

## Strategy 4: Service Beyond ADA Service Areas

Transit providers are required to provide ADA paratransit service within three quarter miles of a bus line or a train stop. Some transit agencies in the County already exceed that boundary, but because the County is so spread out there is a need for greater service coverage.

Lead or Champion	Potential Sponsoring Agencies	Potential Funding Sources		
Transit agencies and non-profit providers are the current providers of services like this.	Sponsoring agencies will likely be determined by transportation providers. As this is a long term project, the CE may be the sponsoring agency.	Federal 5310 (for pilot, may not be guaranteed for long-term), Long Term 5307 could be used to support, SB 1376, Local funds such as Measure J, other CCTA/ County Sources.		
Program Parameters				
Parameters will depend on the areas of greatest need that are identified for added service and how that need will be met. Some areas may best be served by premium fare paratransit, shuttles that serve first mile/last mile needs (e.g. to a BART station), zonal dial-a-ride that connects to BART or major fixed route transit stops, and point deviation service, which is a hybrid between fixed route service (to fixed points in a geographic area) and demand-response, since the vehicle does not follow a fixed route but can access a rider's location or an easily accessible nearby stop.				
Staffing	Technology	Training Requirements	Timeline	Cost to Implement
Staffing will be required to identify the gaps, establish new providers, and manage the coordination of the program.	Technology needs are to be determined, but improved technology would likely lead to a better program.	Training requirements are still to be determined, but could include scheduling staff and drivers.	Although this program serves a very important need, the reality is finding and coordinating providers for the entire County, and then setting up a program to coordinate the service is a long term effort. It is possible that if providers are identified, service can continue or increase without starting with County-wide coordination.	\$100,000 to \$500,000

## Strategies to Increase Awareness of Existing Services

### Strategy 11: One-Call/One-Click; Information & Referral (I&R)

Programs with trained staff that help callers figure out the best service to meet their needs are sometimes called “travel navigator” programs. The name “one-call / one-click” suggests that callers are immediately connected to the service they need, while “information & referral” may simply provide information. One-call / one-click (OC/OC) programs have some combination of personnel who take calls (“one-call”) and a searchable database on a website (“one-click”).

Lead or Champion		Potential Sponsoring Agencies	Potential Funding Sources	
A non-profit organization such as Mobility Matters or Choice in Aging could champion an OC/OC. Mobility Matters is already operating a similar phone resource. In the long-term, the project would likely be championed by the CE.		In addition to champions listed above, sponsoring agencies would be the TF/CE.	Federal 5310 (for pilot, may not be guaranteed for long-term), Local funds such as Measure J, other CCTA/ County Sources.	
Program Parameters				
This program would result in a single phone number and website for the public to access all available transportation services offered to people with disabilities and seniors in their area, rather than a myriad of numbers for different programs and geographic areas.				
Staffing	Technology	Training Requirements	Timeline	Cost to Implement
Staffing will be required to identify the resources, build the website, respond to calls/online queries, and manage the coordination of the program.	Technology needs will be high as a customized database and portal will likely have to be built. Although there are a number of similar programs nationwide, there is not currently appropriate “off-the-shelf” options. As a positive, work done by Mobility Matters and other partners on Way to Go Contra Costa provides a strong basis to begin with, and riders can continue/begin to be served even with low technology in place.	Training requirements are about mid-level difficulty, but can use current resources such as existing non-profits, and resources published by the National Center for Mobility Management and the National Aging and Disability Transportation Center.	Current service can continue and be expanded with greater County-wide coordination to follow.	\$100,000 to \$500,000

## Strategy 12: Programs for Disabled/Senior Veterans

The ATS Plan has identified numerous gaps in the mobility programs available to veterans, based on restrictive trip purposes, eligibility, and program parameters. This strategy is intended to be a multi-pronged approach to addressing these gaps, including such as veteran oriented programs such as peer travel training.

Lead or Champion		Potential Sponsoring Agencies	Potential Funding Sources		
Veterans Administration		Veterans Administration	Federal sources could include 5310, Veterans Affairs transportation funding streams, State funds SB 1376, and local sources could include Measure J, other CCTA funds, County, Private/ Corporate Sources.		
Program Parameters					
Programs could be provided to veterans who were not honorably discharged, expand existing services beyond the current limited workday hours, and serve non-medical appointment trips.					
Staffing	Technology	Training Requirements	Timeline	Cost to Implement	
Expansion of services would result in limited staff increases, depending on the extent of the expansion.	Not likely to require significant expansion of existing technology.	Social workers and call taking staff at current veterans programs would need to be trained on any transportation resources that are added to the existing options.	Depending on the level of expansion, this strategy could be short to long-term.	Depending on the level of expansion, this strategy could cost \$250,000 to over \$1 million to implement.	



## Strategy 14: Travel Training (Including Inter-Operator Trips)

Travel training is usually intended to help people learn to use fixed-route transit effectively. Group training sessions can be helpful for some people, but many riders need intensive one-on-one training, either by qualified trainers or sometimes by “peers”, i.e. other seniors, people with disabilities, or veterans as the case may be. Travel between transit operator service areas can be particularly challenging and could be part of a travel training program. Travel training programs can also be customized to serve non-English speaking groups, or include learning to use Clipper Cards, and how to call ride hailing and concierge services.

Lead or Champion		Potential Sponsoring Agencies	Potential Funding Sources	
Traditional champions for travel training include transit agencies and non-profit organizations, however CCTA recently received 5310 funding for travel training. WCCTAC has been leading travel training in West County.		Sponsoring agencies could be many of the organizations affiliated with the TF.	<i>Federal 5310, Local such as Measure J, other CCTA/ County, and Private/ Corporate Sources.</i>	
Program Parameters				
Any existing successful programs should be expanded to other geographic areas to begin with. Ideally the TF/CE could work with stakeholders to identify specialized needs such as veterans or tech-based training.				
Staffing	Technology	Training Requirements	Timeline	Cost to Implement
Current programs would need to identify staffing needs for expansion.	This program has relatively low technology needs.	Training requirements are about mid-level difficulty, but can use current resources such as existing providers, and resources published by the National Center for Mobility Management and the National Aging and Disability Transportation Center.	Current service can continue and be expanded with greater County-wide coordination to follow.	\$100,000 to \$250,000

## Strategies to Develop Partnerships for Supportive Infrastructure

### Strategy 16: Administer A Uniform Countywide ADA Paratransit Eligibility Certification Program

In order to ensure that applicants throughout the county have equal access to ADA paratransit programs, a centralized paratransit eligibility certification program would provide equity, greater accuracy, and also hopefully reduce the costs of multiple eligibility programs throughout the county.

Lead or Champion		Potential Sponsoring Agencies	Potential Funding Sources		
County Connection, as the largest ADA paratransit program in the county.		CCTA or another County agency	Local sources could include Measure J, other CCTA funds, other County Sources		
Program Parameters					
A centralized eligibility certification center can include a facility that allows for in-person functional assessments, or could be located close to dense fixed route transit infrastructure, such as bus stops, street crossings, sidewalks with various levels of improvement etc.					
Staffing	Technology	Training Requirements	Timeline	Cost to Implement	
An analysis of the current time commitments of staff responsible for eligibility certification at each of the three Contra Costa transit agencies would be required in order to determine if there will be net changes in the level of staffing required by a centralized facility.	Limited new technology may be required, or existing Trapeze certification modules may be sufficient.	Staff would need to be trained in how to conduct functional assessments in order to enhance the accuracy of eligibility determinations.	Implementation of an in-person centralized facility could take between six to eighteen months, depending on existing facility capacity.	Costs will largely be driven by the kind of facility that is used for in-person assessments and additional staffing needs—potentially in the \$100,000 to \$300,000 range.	

## Strategy 17: Fare Integration

In order to ensure fare equity and reduce confusion for customers who use more than one ADA paratransit program in the county, the ADA paratransit operators could develop a joint fare structure and payment mediums. A key challenge will be reaching consensus on fare levels that are consistent across the county. Contra Costa may be able to benefit from the experiences of East Bay Paratransit which is currently investigating options in this area for contactless payment and to better prepare for the next phase of Clipper.

Lead or Champion		Potential Sponsoring Agencies	Potential Funding Sources		
Transit agencies		MTC, Transit agencies	Federal 5310, 5307, State Transportation Assistance funds, and Local Transit Funds, Measure J, Other CCTA/ County		
Program Parameters					
This strategy has both a fare policy setting component that takes into account trip distances and a technology element which could include adaptability to MTC's Clipper 2.1 program.					
Staffing	Technology	Training Requirements	Timeline	Cost to Implement	
Limited increase in staffing required.	County may be able to rely on similar technology to the contactless fare technology currently being tested by East Bay Paratransit, and ensure that it is compatible with Clipper 2.1.	Limited training will be required for transit agency staff to become familiar with the new fares and new technology, if applicable.	One to three years to implement.	The technology could be high, in the range of \$500,000 to \$1,000,000.	



## Strategy 18: Procure Joint Paratransit Scheduling Software

Regionally there have been many recent discussions on scheduling software as providers try to get ready for the next phase of Clipper. Procuring joint software would allow the County providers to potentially obtain better software and support via economies of scale. This would support other listed strategies, such as the one-seat ride pilot program, and uniform paratransit eligibility certification.

Lead or Champion		Potential Sponsoring Agencies	Potential Funding Sources	
Transit agencies		Transit agencies	Federal 5310, STA and TDA funds, local sales tax revenues	
Program Parameters				
The joint procurement could involve either two or more agencies, including agencies in adjoining jurisdictions.				
Staffing	Technology	Training Requirements	Timeline	Cost to Implement
To be determined whether the difference between the staffing required under this scenario is greater than the amount of staff time currently devoted by staff members involved in procurement.	Likely to involve high level technology requirements.	Will require staff familiarity with the range and specifications of various software technologies.	One to three years.	\$100,000 to \$250,000, although this may not represent a net increase over current staffing commitments.

## Strategy 19: Sidewalk Improvements to Enhance Safety for Older Adults and Wheelchair Accessibility in High-Priority Locations

This strategy is intended to address the lack of sidewalks, poor sidewalk condition, lack of curb cuts, and obstructions on sidewalks. Besides improving access for all pedestrians, this strategy will also enhance the ability of older adults and wheelchair users to access fixed route transit services.

Lead or Champion	Potential Sponsoring Agencies	Potential Funding Sources		
CCTA or individual Public Works departments at various cities in the county.	CCTA or individual Public Works departments at various cities in the county.	County and City funds assigned to streets and roads.		
Program Parameters				
Potential reach of this program varies broadly, but will most likely result in incremental improvements to the infrastructure in urbanized areas of the county.				
Staffing	Technology	Training Requirements	Timeline	Cost to Implement
No additional staffing is anticipated other than the potential for some cities to train existing staff to conduct environmental assessments in order to identify barriers to be addressed. These assessments are also sometimes conducted by transit agency staff who transmit the information to Public Works Department staff in order to include access improvements as part of their overall annual work plans.	Limited technology required.	Limited training required, apart from conduct of environmental assessments and including ADA access as part of routine inspections of pedestrian infrastructure.	Short to long range, depending on level of improvements implemented.	Depends entirely on level of improvements implemented, so should be considered \$250,000 to over \$1 million.

## Strategy 20: Means-Based Fare Subsidy

Fare affordability was frequently cited as a barrier for low-income people with disabilities and older adults during the study’s outreach efforts. A key strategy for addressing this need would be to establish a program that relies on existing means-tested programs such as Medi-Cal, SSI, general assistance etc. MTC is taking a comprehensive look at regional fare subsidies, primarily on fixed route services. However, there are paratransit programs such as Redi-Wheels in San Mateo County that have long-standing low-income subsidized programs that can serve as a model for Contra Costa County.

Lead or Champion		Potential Sponsoring Agencies	Potential Funding Sources		
Social Services Agencies and transit agencies		MTC or the transit agencies, social service agencies.	LTF, CMAQ/TFCA, Measure J and other local, Private/ Foundation		
Program Parameters					
Subsidies can range from any discount to free fares for low-income riders.					
Staffing	Technology	Training Requirements	Timeline	Cost to Implement	
Limited staffing required, based on reports from other programs.	Very limited technology required to administer the means-based fare subsidy program.	Limited training required to familiarize staff with administering the pre-existing means-based screening programs mentioned above.	It is estimated that this program could be implemented in the six to 12 month period. Although the administration of the program would not be time-consuming, it is anticipated that reaching consensus among the stakeholder transit agencies may take time.	Costs range from \$50,000 to \$250,000, depending on the level of subsidy and the number of participating transit agencies.	



## TRANSIT FUNDING SUMMARY AND OPTIONS

Transportation services are almost always funded with a combination of funding sources and most include some public funds, including programs available through the federal government and funding available from local and regional municipalities or regional authorities. In Contra Costa County, there are five major categories of current funding for public and human service transportation:



1. U.S. Department of Transportation (U.S. DOT) funding administered through the **Federal Transit Administration (FTA)**. This includes (among others) the Urban Transit Formula Funds (Section 5307), Rural Transit Formula Funds (Section 5311) and programs targeted for Older Adults and People with Disabilities (Section 5310), USDOT through the Federal Highway Administration (FHWA), can Flex Surface Transportation Program (STP) and Congestion Mitigation and Air Quality (CMAQ) funds to support transit projects and other capital needs.
2. Federal funding programs outside of the U.S. DOT that can be used for transportation. The largest and most relevant of the non-DOT funding programs are available from the **Department of Health and Human Services (DHHS)**. **DHHS includes the Centers for Medicaid Services, and the Administration on Aging**, both of which are involved the funding of transportation services. The **Department of Veterans Affairs** also funds transportation services and programs.
3. **California Department of Transportation (Caltrans)** The **California Transportation Development Act** which includes revenues collected from a portion of the state Diesel fuel tax, and sales tax. These funds are distributed to local and regional transportation authorities. These funds are available to support public transportation services, including services for older adults and people with disabilities.
4. **California Public Utilities Commission (CPUC)** Senate Bill (SB) 1376: TNC Access for All Act (SB 1376) also known as the **TNC: Accessibility for Persons with Disabilities Program**
5. Local tax revenues that are dedicated to support transit services. **County Measure J** and other regional funding such as regional funding measures and tolls.
6. **Private/Corporate Sources** are often used to support Specialized transportation options and can be a source for Innovative and transformative transportation programs.

Transportation funding is complex, and transit services in Contra Costa County like many, have to meet needs with multiple funding sources. Transit operators, which provide the majority of trips for older adults and people with disabilities in Contra Costa County, are underfunded and lack the resources to meet all the needs of the community. In addition to inadequate funding, the funding that transit agencies receive is restricted in how that funding can be used. For example, the use of Measure J funding is dictated by the Measure's Expenditure Plan and cannot easily be repurposed for other uses. Careful consideration must be made to the impact funding has on the potential implementation of some strategies. Repurposing existing funding is likely untenable.



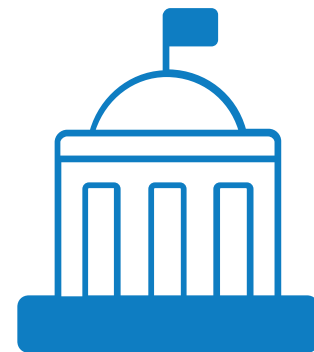
## New Funding

The CE will need to seek funding through a variety of means, likely including funding dedicated through a sales tax measure. In Monterey County, Monterey-Salinas Transit placed a successful sales tax measure on the ballot to benefit similar populations to those of this ATSP. CCTA or the County could potentially fill the role of putting a tax measure forward.

A non-profit could have access to funding not available to public entities, such as grant funding and Community Development Block Grants, foundation funding, donations, other public funding options, etc.

## Federal Funding

Federal transit funding programs are authorized through the Fixing America's Surface Transportation (FAST) Act which went into effect December 4, 2015, authorizing programs through September 30, 2021. Most federal transit programs are funded from the Mass Transit Account of the Highway Trust Fund, based on transit's share of the federal motor vehicle fuel taxes. The funds are administered by the Federal Transit Administration (FTA). Although The administrative burden of Federal grants is high, federal formula funds are reliable and form the basis of the capital and operations budget of most transit agencies.



There are several FTA programs used to fund public transportation services in Contra Costa County. For the purpose of this Report, these four funding programs are among the most relevant:

### Section 5310: Enhanced Mobility of Seniors & Individuals with Disabilities

This program (49 U.S.C. 5310) provides formula funding to states for the purpose of assisting private nonprofit groups in meeting the transportation needs of older adults and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs. Funds are apportioned based on each state's share of the population for these two groups. Formula funds are apportioned to the Metropolitan Transportation Commission (MTC) for distribution to local government authorities, private non-profit organizations, and/or operators of public transportation. MTC uses a competitive selections process to allocate funding.

The program aims to improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options. This program supports transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities. Eligible projects include both "traditional" capital investment and "nontraditional" investment beyond the Americans with Disabilities Act (ADA) complementary paratransit services.

The FTA Section 5310 (Transportation for Elderly Persons & Persons with Disabilities) funding program is of relevance to the ATS Study in part because this plan could be considered in awarding of these funds.





## Section 5311: Formula Grants for Rural Areas

The Formula Grants for Rural Areas program provides capital, planning, and operating assistance to states to support public transportation in rural areas with populations of less than 50,000, where many residents often rely on public transit to reach their destinations. The program also provides funding for state and national training and technical assistance through the Rural Transportation Assistance Program. In Contra Costa County, County Connection receives approximately \$50,000 in Rural Transit funding for service in Rural Contra Costa County.

## Section 5307: Urbanized Area Formula Grants

This program distributes funds to regions based on an urbanized area formula.

In Contra Costa County, all three transit operators are 5307 recipients. Eligible activities include: planning for 5307 funds, engineering, design and evaluation of transit projects and other technical transportation-related studies; capital investments in bus and bus-related activities such as replacement, overhaul and rebuilding of buses, crime prevention and security equipment and construction of maintenance and passenger facilities; and capital investments in new and existing fixed guideway systems including rolling stock, overhaul and rebuilding of vehicles, track, signals, communications, and computer hardware and software. In addition, associated transit improvements and certain expenses associated with mobility management programs are eligible under the program. All preventive maintenance and some Americans with Disabilities Act complementary paratransit service costs are considered capital costs.

## Other Federal Transportation Funding

Several other federal programs fund transportation, the largest of which reside within the Department of Health and Human Services (DHHS). DHHS programs support transportation for non-emergency medical transportation (NEMT) for Medicaid recipients, and transportation programs for older adults managed under the Administration on Aging.<sup>2</sup>

The Department of Veterans Affairs, for example, funds transportation services and programs for eligible veterans. These programs tend to fund services directly oriented around veteran customers / veteran-specific needs and are typically administered as block grants to local and regional agencies.<sup>3</sup> Other non-DOT federal funding for transportation funding may be available through programs associated behavioral health and developmental disability programming, job training programs and education. Non-DOT transportation funding streams may be used to match FTA grants and are especially important for nonprofit agencies ineligible for other public funding.

## FHWA Capital Assistance

Capital assistance includes flexed FHWA funding from the Surface Transportation Program and Congestion Mitigation Air Quality (CMAQ) funds. CMAQ funds are directed to transportation projects and programs which contribute to the attainment or maintenance of National Ambient Air Quality Standards (NAAQS) in nonattainment or air quality maintenance areas for ozone, carbon monoxide, or particulate matter (PM) under provisions in the Clean Air Act. Due to the

---

<sup>2</sup> Administration for Community Living. Available at: <https://acl.gov/about-acl/administration-aging>

<sup>3</sup> U.S. Department of Veterans Affairs. Available at: <https://www.va.gov/healthbenefits/vtp/>



region's non-attainment of federal air quality standards, funds are allocated the Region's MPO, MTC, and distributed through a competitive grant process.

CMAQ funds can be used for:

- Transportation Control Measures (TCMs)
- Extreme Low-Temperature Cold Start Programs
- Alternative Fuels and Vehicles
- Congestion Reduction & Traffic Flow Improvements
- Transit Improvements
- Bicycle and Pedestrian Facilities and Programs
- The Surface Transportation Program (STP) fund, among others, are a source of flexible funding for both highway and transit projects. Caltrans is the administrator of STP funds and currently limits STP Flexible funding to support Rural Transit (5311) operators.

STP Flex Funds can be used for:

- Capital transit projects (vehicles, facilities, etc.) whether publicly or privately owned

## Older Americans Act (OAA)

The Older Americans Act (OAA), originally enacted in 1965, supports a range of home and community-based services, such as meals-on-wheels and other nutrition programs, in-home services, transportation, legal services, elder abuse prevention and caregivers support. These programs help seniors stay as independent as possible in their homes and communities. In addition, OAA services help seniors avoid hospitalization and nursing home care and, as a result, save federal and state funds that otherwise would be spent on such care.<sup>4</sup> These funds are apportioned to the County. The Task Force should engage the appropriate County department and examine opportunities to collaborate.

## State Funding

Transit programs in California are funded by the Transportation Development Act which includes revenues collected from a portion of the state diesel fuel tax, and sales taxes. These funds are distributed to local and regional transportation authorities. These funds are available to support public transportation services, including services for older adults and people with disabilities.

The Transportation Development Act of 1971 is allocated through the county's designated regional transportation planning agency (RTPA). The Contra Costa Transportation Authority (CCTA) is the RTPA for Contra Costa County. The Act provides two major sources for funding of public transportation in California. The first, the county Local Transportation Fund (LTF), was established in 1972, while the State Transit Assistance (STA) fund was implemented in 1980. The intent of the legislation is to provide a stable source of funding to meet the area's transit needs.



---

<sup>4</sup> <https://www.ncpssm.org/documents/older-americans-policy-papers/older-americans-act/>



The Transportation Development Act, or TDA, has long been a cornerstone of state transit funding.

### Local Transportation Fund (LTF)

The LTF is derived from a ¼ cent of the general sales tax collected statewide. The State Board of Equalization, based on sales tax collected in each county, returns the general sales tax revenues to each county's LTF. Each county then apportions the LTF funds within the county based on population.

This state law allowed each county to establish a quarter-cent sales tax to finance a wide variety of transportation projects, including:

- o Transit operations
- o Bus and rail projects
- o Special transit services for disabled riders
- o Pedestrian and bicycle facilities
- o Transportation planning

### State Transit Assistance (STA)

The State Transit Assistance (STA) program was created in 1979. The program provides a second source of Transportation Development Act (TDA) funding for transportation planning, public transportation, and community transit purposes. STA funds are derived from the statewide sales diesel fuel, which is deposited in the Public Transportation Account in the State Transportation Fund. The state legislature approves the amount of these funds allocated to the State Transit Assistance program as part of the annual state budget process.

The State splits the STA program into two components:

- **Population-based funds:** The Metropolitan Transportation Commission (MTC) receives STA based on the region's share of the population. The use of these funds is governed by MTC Resolution 4321 which established a STA County Block Grant Program whereby the nine Bay Area Congestion Management Agencies determine how to invest the funds in public transit services/projects.
- **Revenue-based funds:** The State allocates funds to transit operators based on their revenue as defined by state law.

### Senate Bill 1 (2017)

Senate Bill 1, the Road Repair and Accountability Act of 2017, (SB 1) provides about \$250 million annually for the State Transit Assistance (STA) Program to help transit agencies fund their capital infrastructure and operational costs. This money is distributed via current funding formulas based on agency revenue and population. Additionally, SB 1 provides more than \$105 million annually for the State of Good Repair Program (SGR) that funds transit capital projects or services to maintain or repair existing transit fleets and facilities; new vehicles or facilities that improve existing transit services; or transit services that complement local efforts to repair and improve local transportation infrastructure. This money is made available to eligible transit operators based on the STA formula.



## Senate Bill 1376 (2018)

Senate Bill (SB) 1376: TNC Access for All Act became law in September 2018. SB 1376 empowers the CPUC to establish a program to increase accessibility for persons with disabilities as part of its regulation of TNCs. As part of the implementation of SB 1376, on July 1, 2019, transportation network companies (TNCs) were required to collect a ten cent (\$0.10) fee on each TNC trip in California. The funds generated from the fee support the expansion of on-demand transportation for non-folding wheelchair users who require a wheelchair accessible vehicle (WAV). The CPUC is currently conducting a rulemaking process and determining which agencies will be authorized fund administrators. Funds may be distributed on a countywide basis.

## Potential NEMT and NMT Funding for Transit Operators

The rules governing what “cost” is reimbursable under NEMT and NMT has created challenges for transit operators as passenger fares only cover a fraction of the cost of an ADA-mandated paratransit trip. For example, each paratransit trip can cost between \$50 and \$70, while the fare for that trip can be \$4.00 to \$7.00. Since Medi-Cal reimburses for the cost of the fare, and not the trip, transit operators are in effect subsidizing trips for Medi-Cal, at a lower cost than a private operator could charge for the same trip. The California Transit Association (CTA) is pursuing changes to how Medi-Cal reimburses eligible trips. The Association will seek legislation to require Medi-Cal managed care plans (MCP) to reimburse public transit agencies for Medi-Cal eligible trips with or without prior MCP approval for the trip, and to also allow public transit agencies who provide these trips access to the Department of Health Care Services database to identify customers who are enrolled in Medi-Cal and under which MCP the customer is enrolled. If successful, these changes could create an additional source of revenue for transit providers.

## Older Californians Act

The California Department of Aging (CDA) oversees implementation of the Older Californians Act, which was passed by the state Legislature in order to comply with federal legislation mandating the availability of certain community services to senior citizens. CDA provides services for older adults, adults with disabilities, family caregivers and residents in long-term care facilities. The department is part of the Health and Human Services Agency. CDA coordinates and directs the use of federal funds through local service providers and Area Agencies on Aging to fulfill the requirements of federal and state legislation.<sup>5</sup> Similar to the OAA, these funds are apportioned to the County. The Task Force should engage the appropriate County department and examine opportunities to collaborate.

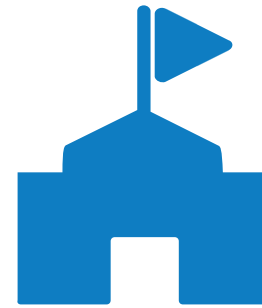
---

<sup>5</sup> [http://www.allgov.com/usa/ca/departments/health-and-human-services-agency/department\\_of\\_aging?agencyid=129#:~:text=Overview%3A,Californians%20are%20getting%20old.&text=It%20oversees%20implementation%20of%20the,community%20services%20to%20senior%20citizens](http://www.allgov.com/usa/ca/departments/health-and-human-services-agency/department_of_aging?agencyid=129#:~:text=Overview%3A,Californians%20are%20getting%20old.&text=It%20oversees%20implementation%20of%20the,community%20services%20to%20senior%20citizens).



## Local Funding

In addition to federal and state sources, some communities use general revenue funding to support transportation services. Communities like the City of Richmond use general revenue funds to support senior transportation funds to support their Senior and Disabled Transportation programs. The largest source of public transportation funding in Contra Costa County is Measure J, which provided \$5,328,755 in FY 19/20 to fund transportation for seniors and people with disabilities.



## Measure J

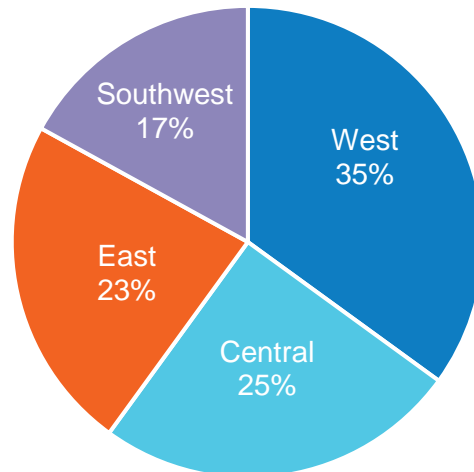
In November 2004, Contra Costa County voters approved Measure J with a 71% vote. The measure provided for the continuation of the county's half-cent transportation sales tax for 25 more years beyond the original expiration date of 2009. As with Measure C (the original 1988 transportation sales tax measure), the tax revenues are used to fund a voter-approved Expenditure Plan of transportation programs and projects. Measure J provides approximately \$2.7 billion (escalated) countywide for local transportation projects and programs through the year 2034.

The Measure J Expenditure Plan allocated 3.5% of Measure J to Transportation for Seniors and People with Disabilities countywide through Program 15. The Expenditure plan allows for an annual increase of 0.10% from the 3.5% to 5.9% by 2034.

35% of Program 15 is allocated to West County, 17% to Southwest County, 23% to East County, and 25% to Central County. Additionally, the 20b Subregional Program allocates 0.65% to West County and 0.5% to Central County for additional Transportation for Seniors and People with Disabilities. Program 20b funds are approved by WCCTAC and TRANSPAC and be used for such non-ADA services as shuttles, sedan/taxi service, fare subsidies, and/or other supplemental services beyond the ADA service. However, ADA service does qualify, and Program 20b can be used to expand the same "base" program expenditures that Program 15 is used for.

Program 15 funds are allocated by the Contra Costa Transportation Authority (CCTA) to the Measure J approved transportation providers based on percentage allocations determined in the previous Measure C. Measure J Program 15 and 20b revenues are forecast to grow 26% in the next 5 years from \$5,328,755 to \$6,721,704. Program 15 funds are overwhelmingly used for operations. However, the Measure J Expenditure Plan does allow other related uses including "(a) managing the program, (b) retention of a mobility manager, (c) coordination with non-profit services, (d) establishment and/or maintenance of a comprehensive paratransit technology implementation plan, and (e) facilitation of countywide travel and integration with fixed route and BART specifically, as deemed feasible." Historically these funds have been used for

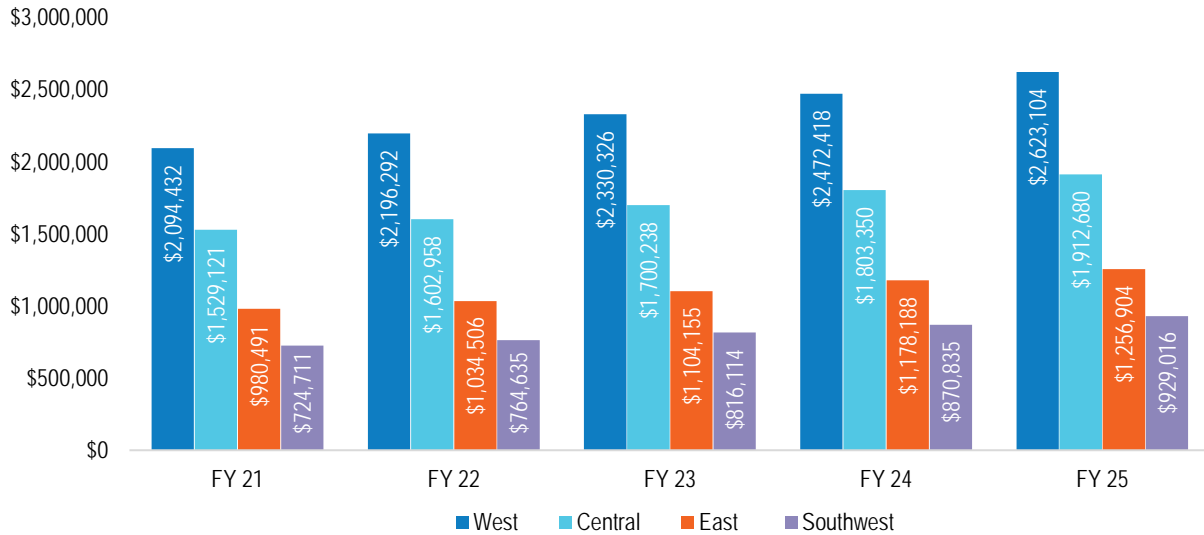
Figure 6-4 Program 15 funds allocation by Sub-Region





operations due to demand and lack of institutional capacity to initiate these other eligible activities.

**Figure 6-5 Funding Forecast Measure J Program 15 and 20b <sup>6</sup>**



## Private/Foundation Sources

Service providers for vulnerable communities are sometimes able to access private funding through Foundations or similar organizations. Foundations supporting programs in Contra Costa County include:

- Chan Zuckerberg Initiative
- Catholic Charities East Bay
- Silicon Valley Community Foundation
- Wayne and Gladys Valley Foundation
- Richmond Community Foundation

Although there may be numerous grants available, grant writing and reporting requirements can be resource intensive and require significant staff time to pursue and manage. In addition to the administration costs, private grants can lack the flexibility of other grant programs.

<sup>6</sup> 2019 Measure J STRATEGIC PLAN (2019) <https://www.ccta.net/wp-content/uploads/2019/10/2019-Measure-J-Strategic-Plan.pdf>



# APPENDIX A

---

## Survey Instruments







# Appendix A Survey Instruments

As part of the outreach process, Nelson\Nygaard conducted a mix of paper surveys and an online survey hosted on SurveyMonkey. The survey was available in three languages: English, Spanish, and Mandarin. This Appendix shows the paper survey instrument that was distributed as part of this project. Attached are the three survey instruments corresponding to each language.



# Appendix A1

## Survey Instrument in English

# SURVEY CONTRA COSTA ACCESSIBLE TRANSPORTATION STRATEGIC PLAN

The Contra Costa Transportation Authority (CCTA), in coordination with Contra Costa County, is conducting a study to find out how to improve transportation services for seniors, people with disabilities, and eligible veterans who live or travel in Contra Costa County.

Please take a few minutes to fill out this survey and return it to the person who gave it to you, or you can also take the survey on-line at: [https://www.surveymonkey.com/r/CCTA\\_Survey2](https://www.surveymonkey.com/r/CCTA_Survey2).

**If you have any questions or need assistance filling out this survey, please contact 857-305-8004 or [info@atspcontracosta.com](mailto:info@atspcontracosta.com).**

- 1. Which modes of transportation do you usually use?**  
*(Check all that apply; answer any related follow-up questions for BUS, ADA PARATRANSIT and LYFT/UBER)*
- BART
  - Bus → Answer follow-up Q 2-4
  - Bicycle
  - Walk/Roll
  - ADA Paratransit (East Bay Paratransit, WestCAT Dial-a-Ride, County Connection LINK, Tri Delta Paratransit) → Answer follow-up Q 5-7
  - Drive myself
  - Lyft/Uber → Answer follow-up Q 8-9
  - Taxi
  - Family, neighbor, or paid helper drives me
  - Other (example: R-Transit, Rossmoor Dial-a-Bus, Lamorinda Spirit Van, etc): \_\_\_\_\_

### Q 2-4. BUS RIDER QUESTIONS

Skip questions 2-4 if you don't ride the bus.

- 2. If you use the BUS, what service(s) do you use?**
- AC Transit
  - Tri Delta
  - WestCAT
  - Other (please specify): \_\_\_\_\_
  - County Connection
- 3. Please tell us about your BUS-riding experience and interactions with drivers:**
- Excellent
  - Satisfactory
  - Poor
  - Additional comments: \_\_\_\_\_
- 4. Please share any other comments about your BUS-riding experience, such as ease of use, maintenance issues, or vehicle cleanliness:**
- \_\_\_\_\_

### Q 5-7. ADA PARATRANSIT RIDER QUESTIONS

Skip questions 5-7 if you don't ride paratransit.

- 5. If you use ADA PARATRANSIT, what service(s) do you use?**
- East Bay Paratransit
  - WestCAT Dial-a-Ride
  - County Connection LINK
  - Tri Delta Paratransit
  - Other (please specify): \_\_\_\_\_

- 6. Please tell us about your ADA PARATRANSIT-riding experience and interactions with drivers:**

- Excellent
- Satisfactory
- Poor
- Additional comments: \_\_\_\_\_

- 7. Please share any other comments about your ADA PARATRANSIT-riding experience, such as ease of use, maintenance issues, or vehicle cleanliness:**
- \_\_\_\_\_

### Q 8-9. LYFT/UBER RIDER QUESTIONS

Skip questions 8-9 if you don't ride Lyft/Uber.

- 8. If you use LYFT/UBER, please tell us about your riding experience and interactions with drivers:**

- Excellent
- Satisfactory
- Poor
- Additional comments: \_\_\_\_\_

- 9. Please share any other comments about your LYFT/UBER-riding experience, such as ease of use, maintenance issues, or vehicle cleanliness:**
- \_\_\_\_\_

### Q 10-16 GENERAL RIDER QUESTIONS

- 10. Where are you usually going? (Please select up to three)**

I go to...

- Medical appointment
- Grocery shopping/drugstore
- Non-medical appointment
- See friends or family
- Attend a class
- The Senior Center
- Church
- Work or Volunteer position
- Other (please specify): \_\_\_\_\_

11. Which of the following destinations are most difficult for you to get to? (Please select up to three)

I go to...

- Medical appointment
- Grocery shopping/drugstore
- Non-medical appointment
- See friends or family
- Attend a class
- The Senior Center
- Church
- Work or Volunteer position
- Other (please specify): \_\_\_\_\_

12. Are there places you would like to go, but are unable to get to due to lack of convenient transportation?

- Yes → Where would you like to go? \_\_\_\_\_
- No

13. Where do you receive the majority of your medical care?

\_\_\_\_\_

14. What are the challenges you face with existing transportation services in Contra Costa County? (Please select up to three)

- I can't go where I need to
- I have to transfer too often
- I can't go when I need to (evenings, weekends, same day)
- My trip takes too long
- There are problems with the sidewalks, crosswalks, etc.
- I don't have the information I need to use different transportation services
- I can't afford my transportation
- I don't feel safe when traveling
- No challenges
- Other (please specify): \_\_\_\_\_

15. What transportation services do you need that you do not currently receive? (Please select up to three)

- Same-day trips
- Wheelchair accessible trips
- Frequent trips (daily or 3-4 times a week)
- Out of area medical trips
- Assistance entering or exiting home/destination
- Evening or weekend trips
- Recreational/group trips
- Accessible sidewalks, curb ramps, bus stops, etc.
- Travel information or training
- Other suggestions for improvements (please specify): \_\_\_\_\_

16. Please share any other information about transportation challenges or ideas that weren't included above:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Q 17-22 RIDER INFORMATION**

17. Are you completing this survey for someone else?

- No
- Yes → Please explain: \_\_\_\_\_

18. What city do you live in? \_\_\_\_\_

19. Do you travel with any of the following? (Check all that apply)

- Folding wheelchair
- Power wheelchair
- Oxygen tank
- Cane/Walker/Rollator
- Service animal
- Care provider/attendant
- Other (please specify): \_\_\_\_\_

20. What is your age?

- Younger than 18
- 18-54
- 55-64
- 65-74
- 75-84
- 85 and older
- I prefer not to answer

21. Are you certified as eligible for service based on disability with East Bay Paratransit, WestCAT Dial-a-Ride, County Connection LINK, Tri Delta Paratransit, or under the Regional Transportation Connection (RTC Clipper) program?

- Yes
- No

22. If you're interested in receiving more information about the study, please provide your contact information:

Name: \_\_\_\_\_  
Email address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

# Thank you!

To get the latest information about the study, please visit our website at [www.atpscontracosta.com](http://www.atpscontracosta.com)



CONTRA COSTA  
transportation  
authority



CONTRA COSTA  
COUNTY, CALIFORNIA



# Appendix A2

## Survey Instrument in Spanish



# ENCUESTA PLAN ESTRATÉGICO DE TRANSPORTO ACCESIBLE DE CONTRA COSTA

La Autoridad de Transporte de Contra Costa (CCTA por su silga en inglés), en coordinación con el Condado de Contra Costa, está realizando un estudio con el fin de averiguar cómo mejorar los servicios de transporte para adultos mayores, personas con discapacidad y veteranos elegibles que vivan o viajen al Condado de Contra Costa. Por favor tome unos minutos para completar esta encuesta y devuélvasela a la persona que se la haya entregado, o puede tomar la encuesta en línea en: [https://www.surveymonkey.com/r/CCTA\\_SurveySPN](https://www.surveymonkey.com/r/CCTA_SurveySPN).

**Si tiene alguna pregunta o necesita asistencia para llenar esta encuesta, por favor llame al 857-305-8004 o escríbanos a [info@atspcontracosta.com](mailto:info@atspcontracosta.com)**

1. **¿Qué medio de transporte usa normalmente?**  
(Seleccione todas las opciones que aplique; responda cualquier pregunta para AUTOBÚS, ADA PARATRÁNSITO y LYFT/UBER)
- BART
  - Autobús → *Responda preguntas 2-4*
  - Bicicleta
  - Camino/Ruedo
  - ADA Paratrásito (*East Bay Paratransit, WestCAT Dial-a-Ride, County Connection LINK, Tri Delta Paratransit*) → *Responda preguntas 5-7*
  - Yo conduzco
  - Lyft/Uber → *Responda preguntas 8-9*
  - Taxi
  - Familia, vecino, o ayudante pagado conduce
  - Otro (por ejemplo: R-Transit, Rossmoor Dial-a-Bus, Lamorinda Spirit Van, etc.): \_\_\_\_\_

## Q 2-4. PREGUNTAS PARA USUARIOS DEL AUTOBÚS

Si no utiliza el autobús saltése las preguntas 2-4.

2. **Si utiliza el AUTOBÚS, ¿Qué servicio(s) utiliza?**
- AC Transit
  - WestCAT
  - Tri Delta
  - Otro (por favor especifique): \_\_\_\_\_
  - County Connection

3. **Por favor díganos cómo ha sido su experiencia utilizando el AUTOBÚS y su interacción con los conductores:**

- Excelente
- Satisfactoria
- Mala
- Comentarios adicionales: \_\_\_\_\_

4. **Por favor díganos cómo ha sido su experiencia utilizando el AUTOBÚS y su interacción con los conductores:**
- \_\_\_\_\_

## Q 5-7. PREGUNTAS PARA USUARIOS DEL ADA PARATRÁNSITO

Si no utiliza ADA Paratrásito saltése las preguntas 5-7.

5. **SI UTILIZA ADA PARATRÁNSITO, ¿QUÉ SERVICIO(S) UTILIZA?**
- East Bay Paratransit
  - WestCAT Dial-a-Ride
  - County Connection LINK
  - Tri Delta Paratransit
  - Otro (por favor especifique): \_\_\_\_\_

6. **Por favor díganos cómo ha sido su experiencia utilizando ADA PARATRÁNSITO y su interacción con los conductores:**

- Excelente
- Satisfactoria
- Mala
- Comentarios adicionales: \_\_\_\_\_

7. **Por favor comparta cualquier comentario sobre su experiencia al usar ADA PARATRÁNSITO, tal como la facilidad para utilizarlo, problemas de mantenimiento o limpieza del vehículo:**
- \_\_\_\_\_

## Q 8-9. PREGUNTAS PARA USUARIOS DE LYFT/UBER

Si no utiliza Lyft/Uber saltése las preguntas 8-9.

8. **Si utiliza LYFT/UBER, por favor díganos cómo ha sido su experiencia y su interacción con los conductores:**

- Excelente
- Satisfactoria
- Mala
- Comentarios adicionales: \_\_\_\_\_

9. **Por favor comparta cualquier comentario sobre su experiencia al usar LYFT/UBER, tal como la facilidad para utilizarlo, problemas de mantenimiento o limpieza del vehículo:**
- \_\_\_\_\_

## Q 10-16 PREGUNTAS PARA USUARIOS EN GENERAL

10. **¿A dónde va normalmente?** (Por favor seleccione tres como máximo)

Voy a...

- Cita médica
- Supermercado/farmacia
- Citas no médicas
- Ver amigos o familia
- Una clase
- El centro para adultos mayores
- La iglesia
- Trabajo o voluntariado
- Otro (por favor especifique): \_\_\_\_\_

11. ¿A cuál de los siguientes destinos le es más difícil llegar? (Por favor seleccione tres como máximo)

Se me dificulta llegar a...

- Cita médica
- Supermercado/farmacia
- Citas no médicas
- Ver amigos o familia
- Una clase
- El centro para adultos mayores
- La iglesia
- Trabajo o voluntariado
- Otro (por favor especifique): \_\_\_\_\_

12. ¿Hay lugares a los que le gustaría ir, pero no puede porque no tiene opciones de transporte convenientes?

- Sí → ¿A dónde le gustaría ir? \_\_\_\_\_
- No

13. ¿En dónde recibe la mayor parte de su atención médica??

\_\_\_\_\_

14. ¿Cuáles son los retos que usted encuentra con los servicios de transporte existentes en el Condado de Contra Costa? (Por favor seleccione tres como máximo)

- No puedo ir a donde necesito
- Necesito hacer transferencias con frecuencia
- No puedo ir cuando lo necesito (tardes, fines de semana, el mismo día)
- Mi viaje toma demasiado tiempo
- Hay problemas con las banquetas, los cruces peatonales, etc.
- No tengo la información que necesito para usar distintos servicios de transporte
- No puedo pagar por mi transporte
- No me siento segura o seguro cuando viajo
- No encuentro problemas
- Otro (por favor especifique): \_\_\_\_\_

15. ¿Qué servicio(s) de transporte necesita que no reciba actualmente? (Por favor seleccione tres como máximo)

- Viajes del mismo día
- Viajes accesibles para sillas de ruedas
- Viajes frecuentes (diario o 3-4 veces a la semana)
- Viajes médicos fuera del área
- Asistencia para entrar o salir del hogar/destino
- Viajes en las tardes o fines de semana
- Viajes recreativos o en grupo
- Banquetas accesibles, rampas, paradas de autobús, etc.
- Información o entrenamiento
- Otras sugerencias para mejorar (por favor especifique): \_\_\_\_\_

16. Por favor comparta cualquier información sobre algún problema de transporte o ideas que no se hayan incluido anteriormente:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### Q 17-22 INFORMACIÓN DEL PASAJERO

17. ¿Está completando esta encuesta a nombre de alguien más??

- No
- Sí → Por favor explique: \_\_\_\_\_

18. ¿En qué ciudad vive? \_\_\_\_\_

19. ¿Viaja con alguno de los siguientes? (Por favor seleccione todas las que aplique)

- Silla de ruedas plegable
- Silla de ruedas eléctrica
- Tanque de oxígeno
- Bastón/Caminadora/Andador
- Animal de servicio
- Proveedor de cuidado/asistente
- Otro (por favor especifique): \_\_\_\_\_

20. ¿Qué edad tiene?

- Menos de 18
- 18-54
- 55-64
- 65-74
- 75-84
- 85 o más
- Prefiero no responder

21. ¿Está certificada como persona elegible basada en su estatus de discapacidad por la East Bay Paratransit, WestCAT Dial-a-Ride, County Connection LINK, Tri Delta Paratransit, o con la Conexión Regional de Tránsito (RTC Clipper)?

- Sí
- No

22. Si está interesada o interesado en recibir más información sobre este estudio, por favor llene los siguientes campos con su información de contacto:

Nombre: \_\_\_\_\_

Email/ Correo electrónico: \_\_\_\_\_

Teléfono: \_\_\_\_\_

## ¡Gracias!

Para obtener la información más reciente de este estudio, por favor visite nuestra página web:  
[www.atpspcontracosta.com](http://www.atpspcontracosta.com)



CONTRA COSTA  
transportation  
authority



CONTRA COSTA  
COUNTY, CALIFORNIA



# Appendix A3

## Survey Instrument in Mandarin

# 調查

## 康特拉科斯塔交通戰略計劃

康特拉科斯塔交通局 (CCTA) 聯合康特拉科斯塔縣進行本項調查，希望能夠了解在康特拉科斯塔縣生活或旅行的老年人、殘疾人和合格退伍軍人的情況，改善公共交通服務的質量。

請花幾分鐘填寫此調查表將退還給提供給您的人，或者您也可以在線訪問該調查表：  
[https://www.surveymonkey.com/r/CCTA\\_SurveyMDRN](https://www.surveymonkey.com/r/CCTA_SurveyMDRN)

如果您有任何疑問或需要協助填寫此調查表，請聯繫857-305-8004或[info@atspcontracosta.com](mailto:info@atspcontracosta.com)

1. 通常使用什麼交通方式出行? (可以多選，並回答與公交車、輔助公交車 (ADA) 和LYFT / UBER相關的題目)

- BART
- 公交車 → 請回答題目2-4
- 自行車
- 步行
- 輔助公交車 (East Bay Paratransit, WestCAT Dial-a-Ride, County Connection LINK, Tri Delta Paratransit) → 請回答題目5-7
- 私家車
- Lyft/Uber → 請回答題目8-9
- 出租車
- 家屬幫忙開車
- 其他: (比如: R-Transit, Rossmoor Dial-a-Bus, Lamorinda Spirit Van, 等) \_\_\_\_\_

### 題 2-4. 公共乘客題目

2. 乘坐公交車，多使用那個服務線? (可以多選)

- AC Transit
- Tri Delta
- WestCAT
- County Connection
- 其他 (請指定) \_\_\_\_\_

3. 請對乘公交車的體驗以及駕駛員的服務做如下評估

- 非常滿意
- 基本滿意
- 不滿意
- 其他評論 \_\_\_\_\_

4. 請分享有關乘坐公交車的體驗和建議，例如易用性，車輛維護或清潔度等

\_\_\_\_\_  
\_\_\_\_\_

### 題 5-7. 輔助公交車 (ADA) 乘客題目

5. 乘坐輔助公交車(ADA)，多使用那個服務線?

- East Bay Paratransit
- WestCAT Dial-a-Ride
- County Connection LINK
- Tri Delta Paratransit
- 其他 (請指定) \_\_\_\_\_

6. 請對乘輔助公交車(ADA)的體驗以及駕駛員的服務做如下評估

- 非常滿意
- 基本滿意
- 不滿意
- 其他評論 \_\_\_\_\_

7. 請分享有關輔助車輛的經驗和建議，例如易用性，車輛維護或清潔度等

\_\_\_\_\_

### 題 8-9. LYFT/UBER 乘客題目

8. 請對乘客LYFT / UBER的體驗以及駕駛員的服務做如下評估

- 非常滿意
- 基本滿意
- 不滿意
- 其他評論 \_\_\_\_\_

9. 請分享有關乘坐LYFT / UBER的體驗和建議，例如易用性，車輛維護或清潔度等

\_\_\_\_\_

### 題10-16 一般乘客題目

10. 通常使用公共交通是為了去哪裡? (最多選擇三個)

- 醫療諮詢
- 雜貨店/藥店
- 非醫療約定
- 見朋友或家人
- 上課
- 老年人中心
- 宗教場所
- 工作或志願職位
- 其他 (請指定) \_\_\_\_\_

11. 以下選項中，最不方便到達的是哪裡？（最多選擇三個）

- 醫療諮詢
- 雜貨店/藥店
- 非醫療約定
- 見朋友或家人
- 上課
- 老年人中心
- 宗教場所
- 工作或志願職位
- 其他（請指定）\_\_\_\_\_

12. 有沒有地方是你想去，但因為交通不便而無法前往？

- 有 → 我想去：\_\_\_\_\_
- 沒有

13. 您將在哪裡接受大部分醫療服務？

\_\_\_\_\_  
\_\_\_\_\_

14. 現有的康特拉科斯縣公共交通給您帶來哪些問題？  
（最多選擇三個）

- 沒有足夠的交通方式通往我想去的目的地
- 必須經常換乘公共汽車
- 能在需要時候方便乘坐（夜間，週末，當天預約）
- 旅途時間太長
- 人行道和人行橫道有問題
- 沒有足夠的信息，讓我選擇乘坐不同的交通服務線
- 負擔不起交通費
- 不安全
- 沒有問題
- 其他（請指定）\_\_\_\_\_

15. 現有的公共交通服務中，哪些服務是你需要卻沒有提供的？  
（最多選擇三個）

- 預約当天行程
- 輪椅無障礙行程
- 定期重復行程（每天或每週3-4次）
- 區域外醫療行程
- 協助進入或離開家/目的地
- 晚上或周末行程
- 娛樂/團體行程
- 無障礙人行道，路緣坡道，公交站等
- 行程信息或培訓
- 其他改進建議（請具體說明）\_\_\_\_\_

16. 請分享上述以外的任何關於公共交通服務給您帶來的問題或您的建議

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 題 17-22 乘客信息

17. 您是否為其他人完成調查題目？

- 否
- 是 →（請說明）\_\_\_\_\_

18. 您居住在哪個城市？

\_\_\_\_\_

19. 您在旅途中是否需要攜帶以下設備（可以多選）

- 折疊輪椅
- 電動輪椅
- 氧氣罐
- 拐杖/助步器/輪轉
- 服務性動物
- 護理人員/服務員
- 其他（請指定）\_\_\_\_\_

20. 您的年齡是？

- 18 歲以下
- 18-54
- 55-64
- 65-74
- 75-84
- 85 歲以上
- 不想回答

21. 您是否已通過 East Bay Paratransit, WestCAT Dial-a-Ride, County Connection LINK, Tri Delta Paratransit, 或在 Regional Transportation Connection (RTC Clipper) 項目的殘障人士資格認證服務？

- 是
- 否

22. 如果您有興趣接收有關該調查的更多信息，請提供您的聯繫信息（參加者還將有機會參加抽獎中，獲得價值25美元的禮品卡！）

姓名 \_\_\_\_\_

電子郵件地址 \_\_\_\_\_

電話號碼 \_\_\_\_\_

# 謝謝!

要獲取有關該調查的最新信息，請訪問我們的網站

[www.atspcontracosta.com](http://www.atspcontracosta.com)



CONTRA COSTA  
transportation  
authority



CONTRA COSTA  
COUNTY, CALIFORNIA



# APPENDIX B

---

Comments from Public Input







# Appendix B Comments from Public Input

The table below shows public comment and input received by the team throughout the course of the project via email and webform.

Public Input
As a disabled veteran, I would like to see a direct bus from the Walnut Creek BART station to the VA Martinez Clinic. It is otherwise difficult to get to the clinic on public transit from the Southern part of Contra Costa.
It is on my 'wish list' to have someone to partner with her for travel. I want to use public transit, but it feels unsafe to do so on my own. So, it isn't travel training I am looking for, but to have someone travel with me for safety concerns.
I had my 83-year-old mom who lives in Pinole take the survey for feedback. She drives so doesn't use transit but would like to. Her comments: Why can't we take a bus to Walnut Creek? We (her friends) are more comfortable in small groups on small buses. Dial a ride seems more personalized- get a sense someone is keeping an eye on you. Her friends are upset at the time and hassle of having to transfer to multiple operators for medical appointments. Pinole is a bit of a transit desert because services seniors need aren't in Pinole or San Pablo or downtown Martinez, so WestCAT service isn't sufficient. Pinole residents seek Kaiser services in Richmond, Walnut Creek, and beyond. All are not easily accessible by fixed route or dial a ride. I was surprised how informed she was, and her friends, who are transit dependent. Pinole Garden club is carpooling members to Hercules PNR to board Lynx bus to Sales Force, but they have lots of confusion about the parking eligibility at Hercules PNR. Here are seniors who know that Lynx exists and are willing to carpool to PNR (doing what we want them to do) but getting info about parking is difficult.
Tri Delta Dial-A-Ride (paratransit) service paratransit does not run late enough, Paratransit hours should match Tri Delta's fixed route service hours. Draft recommendations: 1. Prepare a Tri Delta Bus Transit Service Reliability and Improvement Strategies report to identify problematic routes and improvement strategies. Implement a dedicated paratransit shuttle to senior centers in Pittsburg and Antioch. 2. Tri Delta should build on its existing Email/Text Alerts system with a Tri Delta Mobile App. Include features such as nearby or alternative route options and departure times, map-based bus tracking, trip planning and system-wide schedules. 3. Hire additional Dial-A-Ride dedicated drivers or implement a program like Richmond's R-Transit Lyft partnership, in which Lyft technology is used to provide on demand paratransit transportation.
Access from the CBTP study area to medical centers in Martinez, including the VA Hospital, is inadequate and difficult for seniors.
Tri Delta Dial-A-Ride (paratransit) riders at both the Pittsburg and Antioch Senior Centers feel paratransit is not adequately responsive. Paratransit does not communicate with its



passengers when it is going to be late, leaving riders waiting outside for more than 30 minutes at any given time.

After a brain injury- I couldn't drive so I started biking at age 65- please improve biking safety, including having all stop light recognize bikes and ensure safe places to park. E-bikes are great for seniors and the disabled. My husband- age 80 with cancer and heart failure still rides.

I am 83, live alone in an apartment at The Oaks, in Oakley. I have no car. I find it hard to get transportation to anywhere but most miss having transportation to anything in the evening, there are no 7 PM dinners or community functions for me. If I go shopping or to a doctor I have to get home early before Dial A Ride stops running for the day.

Something needs to be done about transit situation.

Will there be buses on Fairview to the new Los Madonas campus?

I'd like to raise the issue of Paratransit distance limits, or the ability to find other services that are affordable to get outside of those limits, especially to our wonderful parks and recreation areas. I have a visual impairment and rely on friends and family to get out to Briones, where I can enjoy the outdoors and pursue my athletic goals as an athlete (I train in para-dressage) - I am worried about the future and affordable transportation to my hobbies as bus routes are cut and changed. Rideshare services are prohibitively expensive. Besides that, I need paratransit to accept Clipper cards so that I can use my employer transit benefit when I need to use it for work.

Would like to know how you plan cross counties trips because sometimes it takes all day to complete?

The paratransit application for the different providers is different with each one, with different requirements, as well. I have received complaints from families we serve about how confusing it is and how long the intake process takes. They did not feel I would support a single point of registration, with consistent criteria throughout our County as being more efficient and user friendly. supported in the process and at least a few families have given up on the process!

Once someone is approved in one system, they have to get approval for another system, if crossing transportation boundaries. In addition, wait times when transferring is excessive and sometimes troubling. I would support coordination when going from one area to another and scheduling efficiencies when transferring. It seems that a single point of contact for scheduling and dispatching would increase efficiencies, such as improving on-time performance and making it easier to cross transportation boundaries. Our clientele already have disabilities and hardships in everyday life--I believe it is our duty to assure that communication and transportation be as seamless and efficient as possible!

The county needs a robust affordable public transit system severing all the communities of the county. State and federal funding of such a system is woefully low and what funds that are provided are sucked up by BART, AC Transit and other large transit systems leaving communities such as San Ramon without much in the way of transit options.



There was a bus (#39?) that stopped both at Alcosta Blvd/ Fircrest Blvd and Fircrest/Craydon Circle. It continued into Dublin to Village Parkway, Amador Blvd and Dublin Blvd. I am in a senior community "Sunny Glen" and there are no buses within a couple of miles from here.

Where can we go to get free transportation for seniors?

I am writing for my disabled husband. He is completely dependent on others for his care and has paralysis of most of his body. A constant worry is how to evacuate in an emergency. We have a few neighbors that will help but no place to go once we leave the house and no plan if neighbors aren't available. What services are available for evacuating someone who is so severely disabled?

Senior transportation is a serious matter!



# APPENDIX C

---

## Needs Identified from Prior Reports





# Appendix C Needs Identified from Prior Reports

## SAFETREC

To better understand the mobility needs of older adults in the region, a survey of 510 residents age 55 and older in Contra Costa County was conducted by UC Berkeley's SafeTREC. Following are the key needs that were recorded through the survey:

- The majority of older adults in Contra Costa are car dependent. They mostly travel by motor vehicle, either driving or as a passenger. While the survey sample was generally healthy, half of all participants had not considered that driving might not always be a transportation option. Many participants had a valid driver's license, but this declined with increasing age.
- Participants living in households with no drivers reported half as many trips for activities compared with those living in households with drivers. Not having a driver's license was also associated with both missing an important daily living activity and making fewer trips. In addition, those who reported being in fair or poor health were more likely to have recently missed an activity important for daily living, had less social interaction, and made fewer trips overall in the previous week.
- When asked about ways to improve public transit, respondents suggested closer stops and additional bus lines, extended routes and times, improvements to safety, reduced fares, and better communication and information about public transit services.
- Older adults are concerned about mobility loss. Over 61% of respondents have thought about their future mobility. A majority felt strongly that a loss of mobility is very isolating and depressing.
- Some other needs and concerns that were mentioned during the survey were: Improved roads and sidewalks; Improved accessibility to public transit (closer stops, added bus lines); Improved safety on public transit; General lack of public transit; Better paratransit or personalized transport options; Better parking at BART; Traffic congestion reduction; BART cleaner, safer and extended routes and times; Cost of public transit; Traffic law enforcement; Public transit information dissemination; Improved road signage, signaling and lighting.

## WCCTAC NEEDS ASSESSMENT STUDY

- The greatest transportation coverage gap is getting to and from medical appointments. A significant minority of residents need to access medical facilities in Alameda County, which requires a lengthy trip. City-based paratransit programs do not transport riders outside of the County.
- Residents are interested in more evening, weekend, and same-day trip services.





- Many residents are disabled but are not certified as such by any of the local paratransit agencies or the Regional Transportation Connection (RTC) program, which is required for a discounted Clipper Card, suggesting that these individuals would likely benefit from a more robust outreach program. It is unclear if these residents are eligible for Senior Clipper Cards, which are easier to obtain.
- City paratransit programs do not all use the same eligibility application or have the same requirements, making it difficult for West County residents to determine if they are eligible or how to apply.
- There is a general concern with the lack of coordination between paratransit agencies, which leads to burdensome transfers, disparate fares and payment options, and service and coverage gaps throughout West County.
- West County paratransit service providers have had difficulty coordinating with Richmond's R-Transit service or determining what services are available.
- Richmond's R-Transit service does not consistently serve the unincorporated areas around the City of Richmond, despite those communities being in its coverage area.
- The closure of Doctors Medical Center has created transportation concerns for many residents.
- There is an interest in incorporating ride-hailing services (Lyft, Uber, etc.) into future West County mobility plans.
- There is a strong interest in receiving travel training that focuses on the use of Clipper Card, ride-hailing services (Lyft, Uber, etc.), concierge services, the use of smartphones in making transportation choices, and general lessons on how to ride transit.

## COMMUNITY BASED TRANSPORTATION PLANS (CBTPS)

### Downtown Martinez CBTP

- Need for improved pedestrian facilities, particularly for wheelchair users or those are visually impaired
- Cost and time are an issue for people who travel by transit and paratransit
- Lack of transportation options (absence of bus service during non-commute hours)
- Add paratransit services. The department of HHHS wants to see an expanded paratransit program in Downtown Martinez (note: "paratransit" could be referring to on-demand non-ADA service). As is, it is difficult for clients to make connections to and from bus terminals or travel for required trips to social services appointments or visit other regional shelters and warming centers.
  - "Increasing paratransit services is desperately needed, more connections to and from bus terminals." – HHHS
- Lack of supportive programs, e.g. free transfers only available when using Clipper (those without a Clipper card are burdened with additional travel payment)
- Senior Citizens Club of Martinez - Last year the club surveyed members to find out what barriers prevent them from using the Center, or from using it more often.



- Apparently, transportation was not identified as a barrier. There are several potential explanations for this finding
- One is the perception that Downtown Martinez is relatively compact with a relatively significant amount of residential development in the Downtown area, as compared to other Downtown areas in Contra Costa.
  - A “fair number” of club members live in Downtown Martinez and walk to programs at the Center.
  - Senior Center users occasionally come to the center via Transportation Network Companies (TNCs), such as Lyft or Uber, but never via a cab.
  - Support for on-demand paratransit
    - “If paratransit came on-demand, that would be big.”
  - Desire for paratransit to adopt digital formats and smartphones to book services as a way to increase ridership and ease the process.
    - “Increasing paratransit services is desperately needed, more connections to and from bus terminals.”
  - Older adults and veterans report having a hard time finding public transit information for routes and schedules, particularly when this information is only available on digital and online formats.
    - “[Smartphone training would be useful] especially for people with disabilities.”

## Monument Corridor CBTP

- Need for improved bicycle and pedestrian facilities
- Lack of transportation options (BART is far, TNCs are expensive)
- Existing transit service is limited, locally and regionally
- Lack of real-time information and wayfinding features
  - “An additional area of concern is the lack of awareness among seniors of the free fixed route service that is available during off-peak hours.” -Commission on Aging
- Suggest transportation information be provided in languages in addition to English
- Older adults and veterans report having a hard time finding public transit information for routes and schedules, particularly when this information is only available on digital and online formats.
- Paratransit eligibility application process can be bureaucratic and feel overwhelming; there is a need for workshops and opportunities to understand how to apply for this service and who it is intended for
- Paratransit is less flexible than other services, as it requires users to book trips in advance

## Pittsburg Bay Point CBTP

- Senior centers in Pittsburg and Antioch would like to extend evening programs but are restricted by Tri-Delta schedules. As a result, lunch and other daytime programs



- are at capacity. Program staff would like to see more frequent and extended fixed-route service into the evening.
- Those served by the Pittsburg Senior Center are nearly fully reliant on Tri-Delta buses; unreliability and waits impact seniors especially hard.
  - Paratransit service hours do not match fixed route service hours. As such paratransit does not run late enough.
  - Access from the study area to medical centers in Martinez is inadequate and difficult for seniors.
  - Residents (e.g., elderly and disabled riders) feel paratransit is not adequately responsive. Paratransit does not communicate with its passengers when it is going to be late, leaving riders waiting outside for more than 30 minutes at any given time.

## Richmond CBTP

- Kaiser Permanente is difficult to access via transit for someone with mobility challenges. The same applies to Richmond Care Center near Hilltop Mall.
- The following bus stops do not have shelters or seating but are used by elderly members of the community as well as other travelers with ambulatory impairments preventing them from standing for long periods of time:
  - MacDonald Avenue and 21<sup>st</sup> Street
  - MacDonald Avenue and 23<sup>rd</sup> Street
  - Macdonald Avenue and 25<sup>th</sup> Street (this stop is in front of a senior center)
  - San Pablo Avenue and 23<sup>rd</sup> Street
  - Cutting Boulevard and Key Boulevard (a WestCat stop only)
- Sab Pablo Avenue and Potrero Avenue (has a shelter but no seating, riders often sit on the lawn behind this stop when waiting for the bus)
- Many people who visit GRIP and other needs-based events go to these events weekly. These services are timed and transit service linking them can be spotty and expensive.
- Current bus service for those visiting the Hilltop Social Security office is inadequate. The bus stops below the office, forcing many of the elderly and disabled to walk up a steep hill.
- Two seniors have heard about recent upgrades to Richmond paratransit services, “using Uber or something.” They agreed that current paratransit is inefficient and does not serve the entire study area or all services and facilities.

# APPENDIX D

---

## CTSA Legislative References





# Appendix D CTSA Legislative References

This appendix highlights key legislation reference material for the proposed formation of a CTSA. There are three documents as part of this Appendix.

**D1: PUBLIC UTILITIES CODE SECTION 99275**

**D2: PUBLIC UTILITIES CODE SECTION 99233.7**

**D3: RESOLUTION NO. 4097 ON CTSA ADOPTION**



# Appendix D1

## Public Utilities Code Section 99275







**State of California**

**PUBLIC UTILITIES CODE**

**Section 99275**

---

99275. (a) Claims may be filed with the transportation planning agency by claimants for community transit services, including such services for those, such as the disabled, who cannot use conventional transit services.

(b) For purposes of this article, "community transit services" means transportation services which link intracommunity origins and destinations.

(Added by Stats. 1976, Ch. 1348.)



**Appendix D2**  
**Public Utilities Code Section 99233.7**





**State of California**

**PUBLIC UTILITIES CODE**

**Section 99233.7**

---

99233.7. Up to 5 percent of the remaining money in the fund shall be made available to cities, counties, and operators for claims filed pursuant to Article 4. 5 (commencing with Section 99275) in those areas where claims may not be filed for those purposes specified in Article 8 (commencing with Section 99400), and may be made available to consolidated transportation service agencies, unless the transportation planning agency, or a county transportation commission created pursuant to Division 12 (commencing with Section 130000), having jurisdiction finds, after considering the claims pursuant to subdivision (c) of Section 99275.5, that the allocations of money could be used to better advantage for the purposes stated in Article 4 (commencing with Section 99260) in the development of a balanced transportation system.

The money may be allocated without respect to Section 99231 and shall not be included in determining the apportionment to a city or county for purposes of Sections 99233.8 and 99233.9.

(Amended by Stats. 1982, Ch. 241, Sec. 1. Effective June 9, 1982.)



## Appendix D3

# Resolution No. 4097 on CTSA Adoption





Date: May 22, 2013  
W.I.: 1311  
Referred By: PAC  
Revised: 09/24/14-C

ABSTRACT

Resolution No. 4097, Revised

This resolution adopts Consolidated Transportation Service Agency (CTSA) Designations for the San Francisco Bay Area.

The following attachments are provided with this resolution:

Attachment A — Consolidated Transportation Service Agency (CTSA) Designation Process for the San Francisco Bay Area

Attachment B — Designations of Consolidated Transportation Service Agencies (CTSAs) within the San Francisco Bay Area

This resolution was revised on September 24, 2014, to add the Solano Transportation Authority as a CTSA, subject to conditions listed on Attachment B.

Further discussion of this action is included in the Programming and Allocations Summary sheet dated May 8, 2013 and September 10, 2014.

Date: May 22, 2013  
W.I.: 1311  
Referred By: PAC

Re: Consolidated Transportation Service Agency (CTSA) Designation for the San Francisco Bay Area

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 4097

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code 66500 *et seq.*; and

WHEREAS, the California Legislature enacted the Social Service Transportation Improvement Act (Chapter 1120, Statutes of 1979) (hereafter referred to as AB 120) with the intent to improve transportation service required by social service recipients; and

WHEREAS, AB 120 requires that each transportation planning agency shall prepare, adopt and submit to the Secretary of the Business, Transportation and Housing Agency an Action Plan for coordination of social service transportation services in their respective geographic area (Government Code Section 15975); and

WHEREAS, the Action Plan must include the designation of one or more Consolidated Transportation Service Agency(ies) within the geographic area of jurisdiction of the transportation planning agency (Government Code Section 15975(a)); and

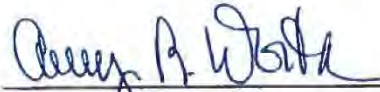
WHEREAS, the Metropolitan Transportation Commission adopted the MTC Regional Action Plan for the coordination of Social Service Transportation (MTC Resolution 1076, Revised); and

WHEREAS, the Coordinated Public Transit—Human Services Transportation Plan Update (MTC Resolution No. 4085) includes the steps for designating Consolidated Transportation Service Agencies within the San Francisco Bay Area; now, therefore, be it

RESOLVED, that MTC designates the agency(ies) listed on Exhibit B, which is incorporated herein as though set forth at length, as Consolidated Transportation Service Agency(ies); and be it further

RESOLVED, that the Executive Director may forward this resolution to the California Department of Transportation (Caltrans), and such agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION



---

Amy Rein Worth, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on May 22, 2013.

Date: May 22, 2013  
W.I.: 1311  
Referred By: PAC

Attachment A  
Resolution No. 4097  
Page 1 of 1

**Consolidated Transportation Service Agency (CTSA) Designation Process  
for the San Francisco Bay Area**

MTC's process and conditions for designating CTSA's are set forth in the Coordinated Public Transit—Human Services Transportation Plan Update for the San Francisco Bay Area, MTC Resolution 4085. The process is as follows:

1. Applicant makes request.
2. MTC notifies the County Board of Supervisors, the Paratransit Coordinating Councils (PCCs), and transit operators of its intent to designate a CTSA in the County.
3. MTC staff evaluates candidates for consistency with mobility management activities as outlined in the Coordinated Public Transit-Human Services Transportation Plan.
4. MTC's Programming and Allocations Committee reviews and recommends CTSA designation.
5. Commission adopts CTSA designation.
6. MTC notifies CTSA, transit operators, State of California and PCC of CTSA designation.

Under this process, MTC's evaluation of CTSA candidates take into account various factors, including but not limited to:

- Past CTSA designations and performance; relevance of activities to current coordination objectives.
- Scale of geography covered by designation request.
- Extent to which the applicant was identified as the result of a county or subregionally based process involving multiple stakeholders aimed at improving mobility and transportation coordination for transportation-disadvantaged populations.
- The applicant's existing and potential capacity for carrying out mobility management functions described in this chapter as well as other requirements of CTSA's as defined by statute.
- Institutional relationships and support, both financial and in-kind, including evidence of coordination efforts with other public and private transportation and human services providers.

Date: May 22, 2013  
W.I.: 1311  
Referred By: PAC  
Revised: 09/24/14-C

Attachment B  
Resolution No. 4097  
Page 1 of 1

**Designations of Consolidated Transportation Service Agencies (CTSAs)  
within the San Francisco Bay Area**

<b>Date of Designation</b>	<b>Period of Designation</b>	<b>Name of Agency</b>	<b>Geographic Area</b>
5/22/2013	7/1/2013 – 6/30/2017	Outreach & Escort, Inc. <sup>1</sup>	Santa Clara County
9/24/2014	10/1/2014 – 9/30/2017	Solano Transportation Authority <sup>2</sup>	Solano County

<sup>1</sup> This designation was approved for a four-year period ending June 30, 2017. This designation limits claimant eligibility under California Public Utilities Code Section 99275 and California Code of Regulations (CCR) 6681 and 6731.1 to allow Outreach & Escort, Inc. to only claim STA funds programmed as part of MTC's Lifeline program. Access to Transportation Development Act (TDA) funds and other STA funds is not permitted. Other benefits available to CTSAs are granted through this designation.

<sup>2</sup> This designation was approved for a three-year period ending September 30, 2017. This designation limits claimant eligibility under California Public Utilities Code Section 99275 and California Code of Regulations (CCR) 6681 and 6731.1 to allow Solano Transportation Authority to only claim STA funds or TDA programmed as part of MTC's Lifeline program or as previously eligible per California Public Utilities Code 99233.12 for countywide transit planning and coordination purposes. Other benefits available to CTSAs are granted through this designation.



# Accessible Transportation Strategic Plan

Contra Costa County  
Board of Supervisors

Presented by ATS Plan Staff  
March 9, 2021



## WHAT IS THE ATSP?

- **The Accessible Transportation Strategic (ATS) Plan** examines transportation challenges of seniors, people with disabilities, and veterans in Contra Costa County
- **Partnership between CCTA and the County** -- funded by a Caltrans Sustainable Communities Transportation Planning grant
- **Recommends a coordination structure and strategies** to improve accessible transportation services
- **Scheduled to be complete in early 2021**





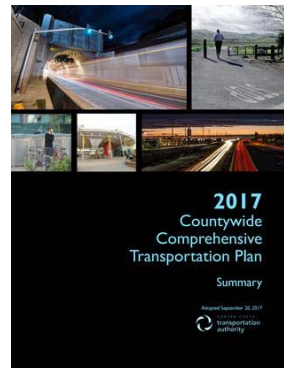
# BACKGROUND AND OVERVIEW OF PROJECT

## Policy Background



2016 and 2020 Transportation Expenditure Plan

*" CCTA will develop an Accessible Transportation Strategic Plan to implement a customer-focused, user-friendly, seamless coordinated system..."*



2017 Countywide Comprehensive Transportation Plan

*" Initiate the ATS Plan: Ensure services are delivered in a coordinated system..."*



2019 Metropolitan Transportation Commission (MTC) Resolution 4321

*" Each county must establish or enhance mobility management programs to help provide equitable and effective access to transportation."*

# BACKGROUND AND OVERVIEW OF PROJECT

## Oversight Committees

- **Technical Advisory Committee (TAC)** – providing subject matter expertise and public policy implications on service concepts
- **Policy Advisory Committee (PAC)** – providing input on addressing policy barriers, communicating with stakeholders about the Study, liaising with elected or appointed Boards, and reviewing and prioritizing recommended strategies

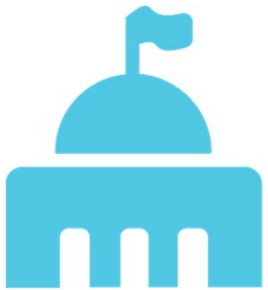


## CHALLENGES AND OPPORTUNITIES



### Past Studies

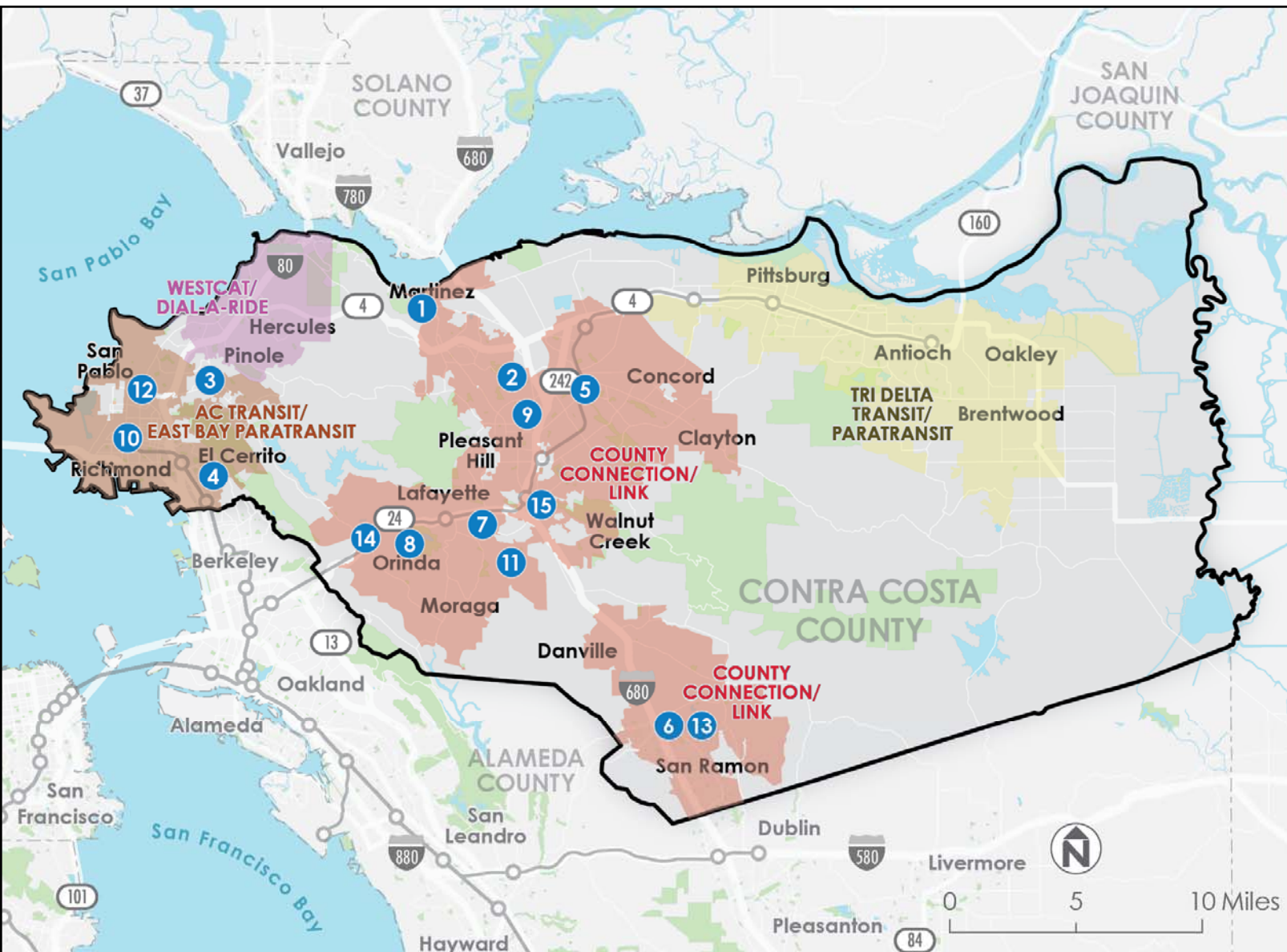
- Contra Costa County Paratransit Plan – 1990
- CCTA Paratransit Improvement Study – 2004
- Contra Costa Mobility Management Plan – 2013



### Barriers to Coordination

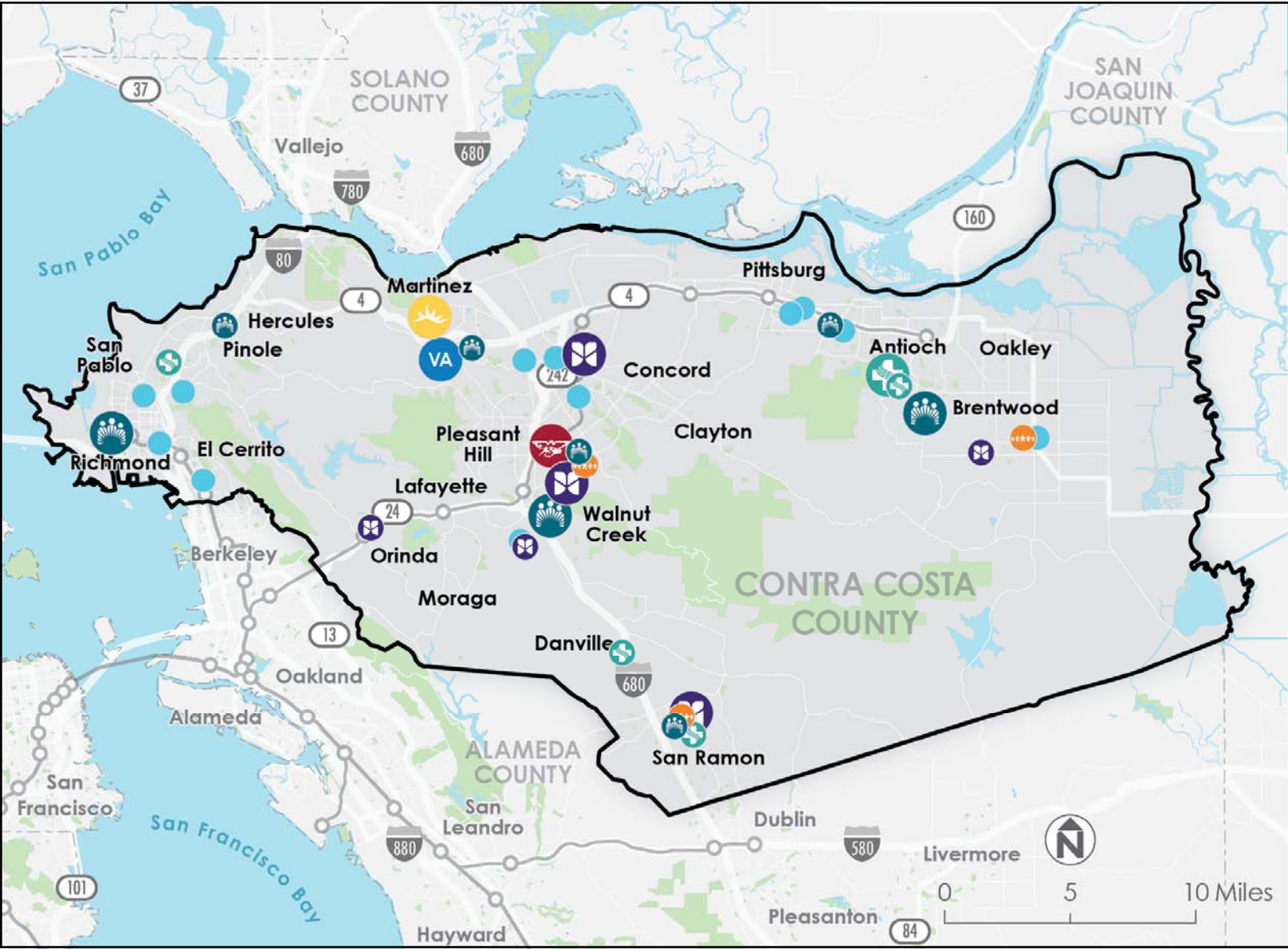
- Multiple missions serving different populations
- Multiple regulatory requirements
- Measure J, Federal Transit Administration, State Transportation Act, Grants
- CCTA and County do not have policy authority over operations, but can provide funding opportunities, policy direction, and leadership.

# Community-Based Transportation Programs



- 1 Arc Contra Costa (Martinez)
- 2 Choice in Aging (Pleasant Hill)
- 3 Centers for Elders Independence (El Sobrante)
- 4 El Cerrito Easy Ride
- 5 Get Around Taxi Program (Concord)
- 6 Go San Ramon!
- 7 Mobility Matters (Countywide)
- 8 Lamorinda Spirit Van
- 9 Pleasant Hill Senior Van Service
- 10 R-Transit (Richmond)
- 11 Rossmoor Dial-a-Bus
- 12 San Pablo Senior Transportation
- 13 Senior Express Van (San Ramon)
- 14 Seniors Around Town (Orinda)
- 15 Walnut Creek Senior's Club Mini-Bus

—○— BART

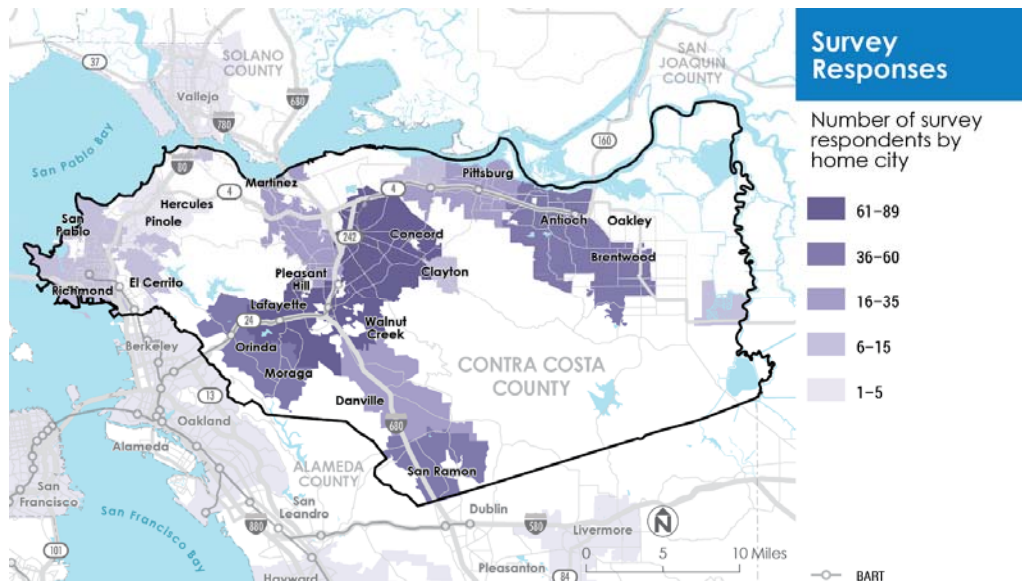


# Medical Facilities

-  Kaiser Permanente
-  John Muir Health
-  Sutter Health
-  La Clinica
-  Contra Costa Regional Medical Center
-  VA Medical Center
-  UCSF Benioff Children's Hospital
-  Dialysis Clinic
-  Major medical facility
-  Clinic or small medical facility
-  BART

# OUTREACH EFFORTS

- **Presentations pre-COVID**
  - Developmental Disabilities Council of Contra Costa County
  - Pleasant Hill Commission on Aging
- **Surveys** – 1000+
- **Flyer/survey** emailed and on paper with meal delivery



Contra Costa Accessible Transportation Strategic Plan

## Let's make transportation convenient for older adults and people with disabilities

If you're an older adult, have a disability, or are a veteran, transportation in Contra Costa County can be challenging. We want to identify ways to make it easier for you to get around the county—whether you're going to an appointment, getting groceries, visiting family, or anything else.

### You can participate from home!

Due to the shelter-in-place we are asking individuals to complete the survey online or participate in a short phone interview. Participants will be entered in a drawing for a \$25 gift card!

Take the survey on-line at [www.surveymonkey.com/r/CCTA\\_Survey2](http://www.surveymonkey.com/r/CCTA_Survey2) or in Spanish at [www.surveymonkey.com/r/CCTA\\_SurveySPN](http://www.surveymonkey.com/r/CCTA_SurveySPN)

Call us at **857-305-8004**

Email us at [info@atspcontracosta.com](mailto:info@atspcontracosta.com)

Visit us at [atspcontracosta.com](http://atspcontracosta.com)



# OUTREACH EFFORTS *(CONTINUED)*

- Focus groups – 5
- Stakeholder interviews – 11
- Telephone Town Hall Meeting – Oct 27, 2020
  - Call available in English, Spanish, and Mandarin
  - 225 people pre-registered
  - 23,000 phone numbers dialed, 1,149 accepted
  - 4 simple polls; 17 audience questions answered by staff
- Partner websites
- Social media
  - Instagram, Facebook, Nextdoor, Twitter

The collage displays various outreach efforts:

- Facebook Post (Lafayette Chamber):** A post titled "Let's make transportation convenient for older adults and people with disabilities" with a survey link. It includes a sidebar menu for the Lafayette Chamber page.
- Instagram Post (mtcbata):** A sponsored post with the text "Seniors and people with disabilities in Contra Costa County" and a "TRANSPORTATION SURVEY!" banner.
- Nextdoor Post (Lafayette Chamber):** A post from Principal Planner John Cunningham, Contra Costa County AGENCY, with the same title as the Facebook post.
- Facebook Post (City of San Ramon):** A post from the City of San Ramon News and Information page, dated May 27, 2020, with the same title.
- Twitter Post (County Connection @cccta):** A tweet from June 8, 2020, at 8:14 am, with the text "RT @CCTA: We are gathering input from the community on ways to make transportation convenient for older adults and people with disabilities. Please visit https://t.co/1ChM8v78rV as your input will help us better meet your transportation needs and be entered to win a \$25 gift car..."

# TRANSPORTATION NEEDS AND GAPS IDENTIFIED

## Categories

Issues and  
Needs  
Related to:



Fixed Route Transit Service



ADA Mandated Paratransit Service



Community Based Transportation Services



Geographic and Temporal Inequities





# TRANSPORTATION NEEDS AND GAPS IDENTIFIED

## Categories



Lack of Affordability



Access to Essential Services



Access to Information



Programmatic Needs and Organizational Structure



# TRANSPORTATION NEEDS AND GAPS IDENTIFIED

## Examples



**Same-day trips** and **wheelchair accessible** trips



**Expanded service** during evenings and weekends



**Most medical facilities** appear to be clustered in center of the County



# TRANSPORTATION NEEDS AND GAPS IDENTIFIED

## Examples



**Veterans' transportation programs** have specific limitations, availability and limits may not be well-known



**Limited service options** in East County



**Affordability** related to all transportation services



**Historical lack of political support/need a champion** for these types of recommendations



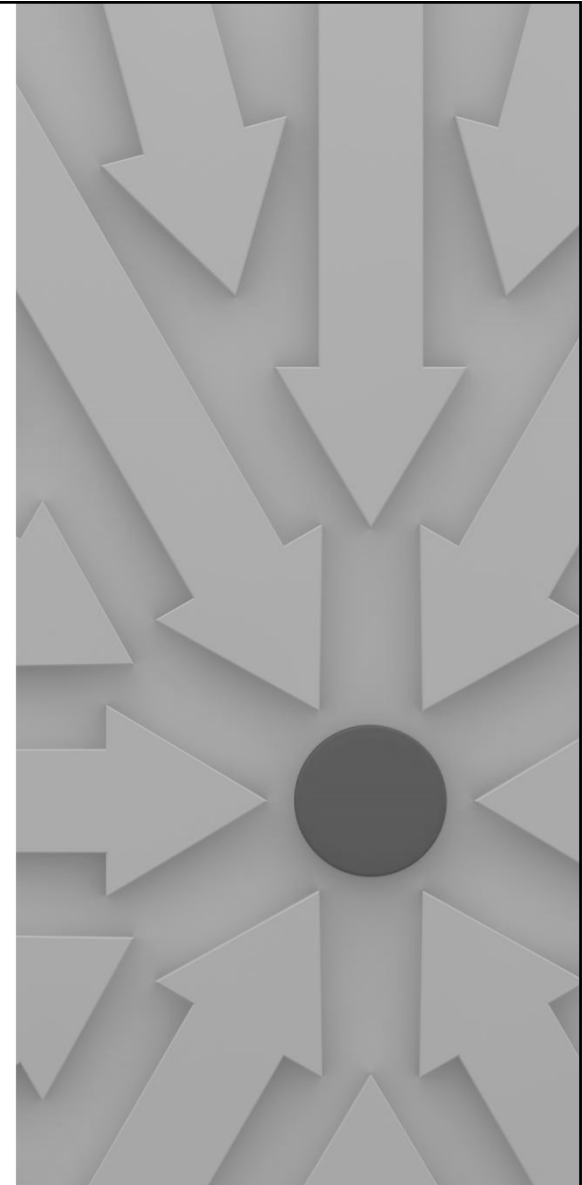
# RECOMMENDATIONS

## Establish a Coordinated Structure



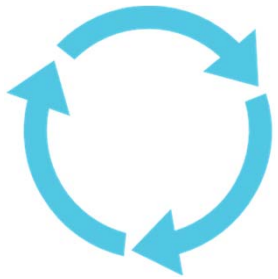
### Establish a Task Force (TF)

- **Modeled on PAC** – similar representation
  - **ID strategies** that can be delegated to existing agencies/ non-profit organizations for short term implementation
  - **Establish dedicated countywide Coordinated Entity (CE)** for implementation of countywide strategies
  - **Identify funding**



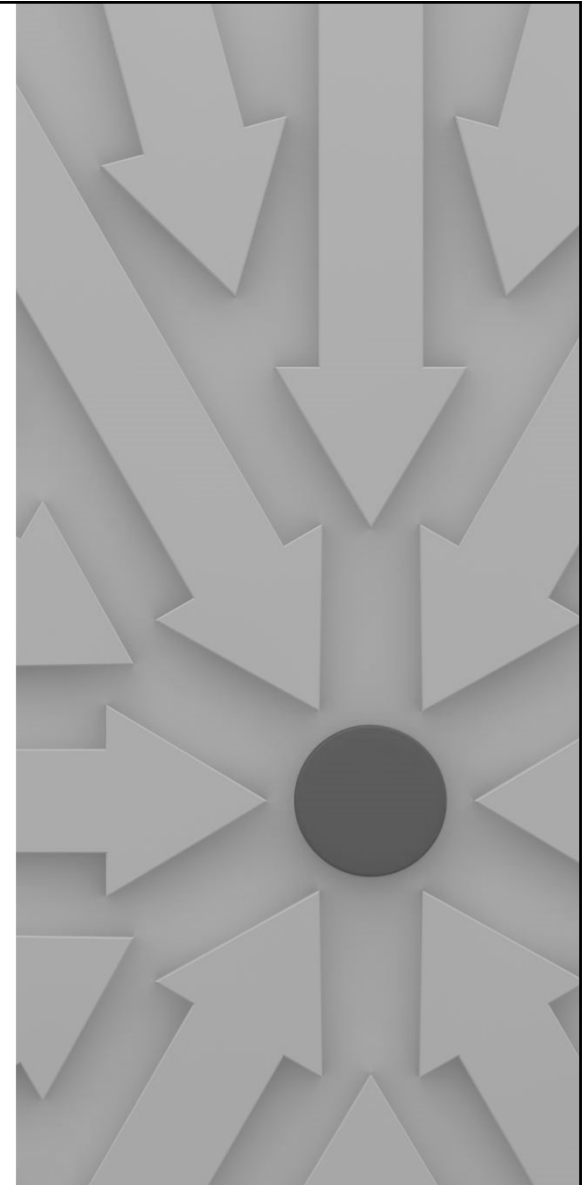
## RECOMMENDATIONS (CONTINUED)

### Establish a Coordinated Structure



#### Countywide Coordinated Entity (CE)

- Could be an existing non-profit, public agency, or new entity
- Could apply to become CTSA if appropriate, or look at other models



## RECOMMENDATIONS (CONTINUED)

### Coordinated Entity (CE) Mission



**Identify and pursue** new funding sources



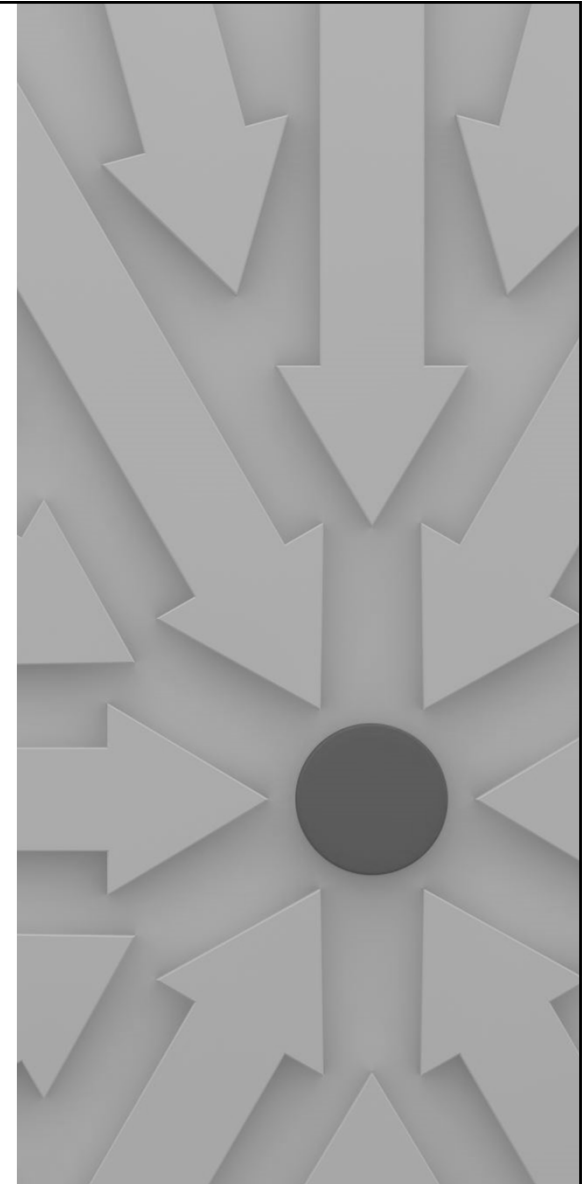
**Administer uniform** countywide ADA paratransit eligibility certification



**Expand** mobility management function



**Procure** joint paratransit scheduling software



## RECOMMENDATIONS (CONTINUED)

### Coordinated Entity (CE) Mission



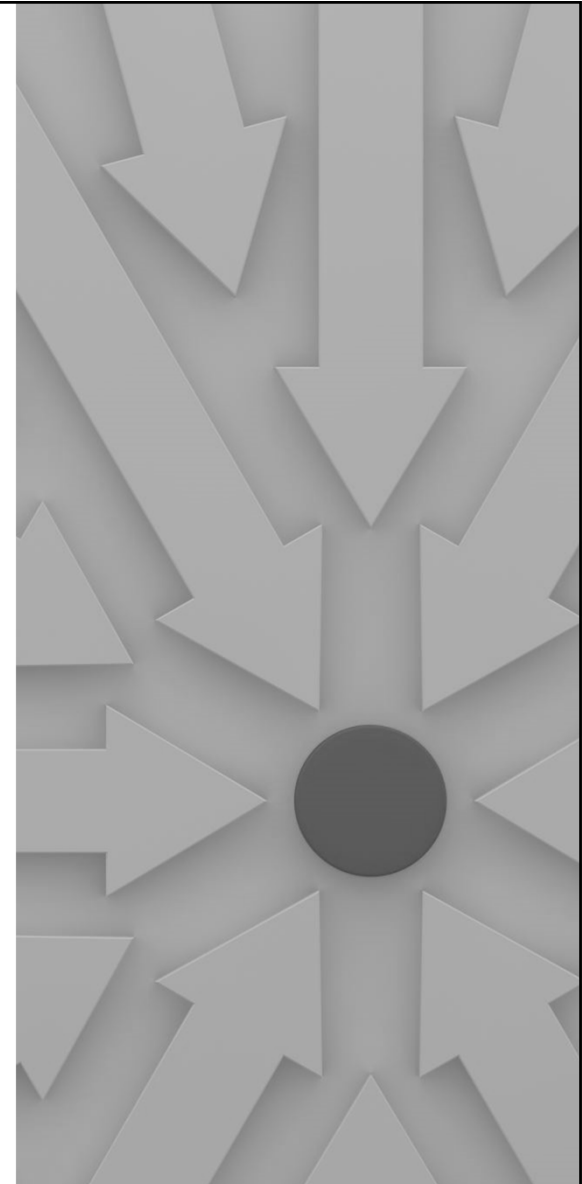
**Present unified voice** regarding policy and funding at local, state, and federal levels



**Oversee one-seat ride** for inter-jurisdictional trips within/ outside the county



**Consider additional opportunities** for countywide service in the future



# MOBILITY STRATEGIES

## Examples



**Expand current one-seat ride pilot program**  
improve connectivity between paratransit programs/eliminate transfer trips



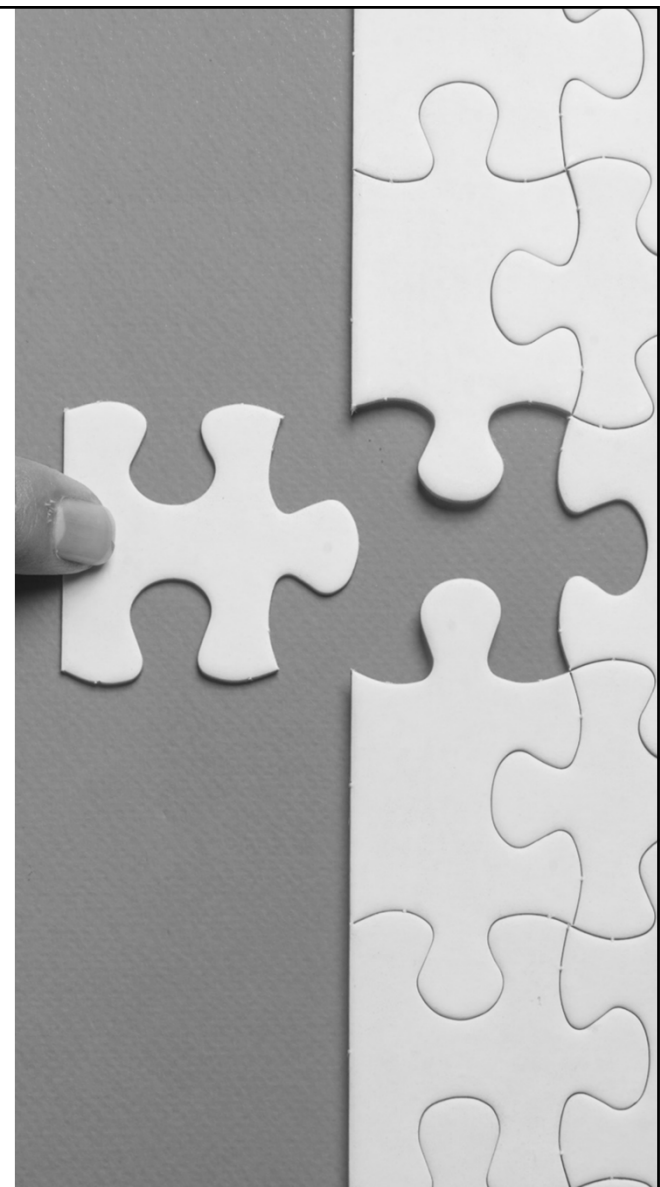
**Same-day trip programs** (including wheelchair-accessible service)



**Expand volunteer driver programs**



**Shopping Trips** with package assistance





# MOBILITY STRATEGIES

## Examples



Hospital discharge service



One call/One click (and/or Information and Referral Service)



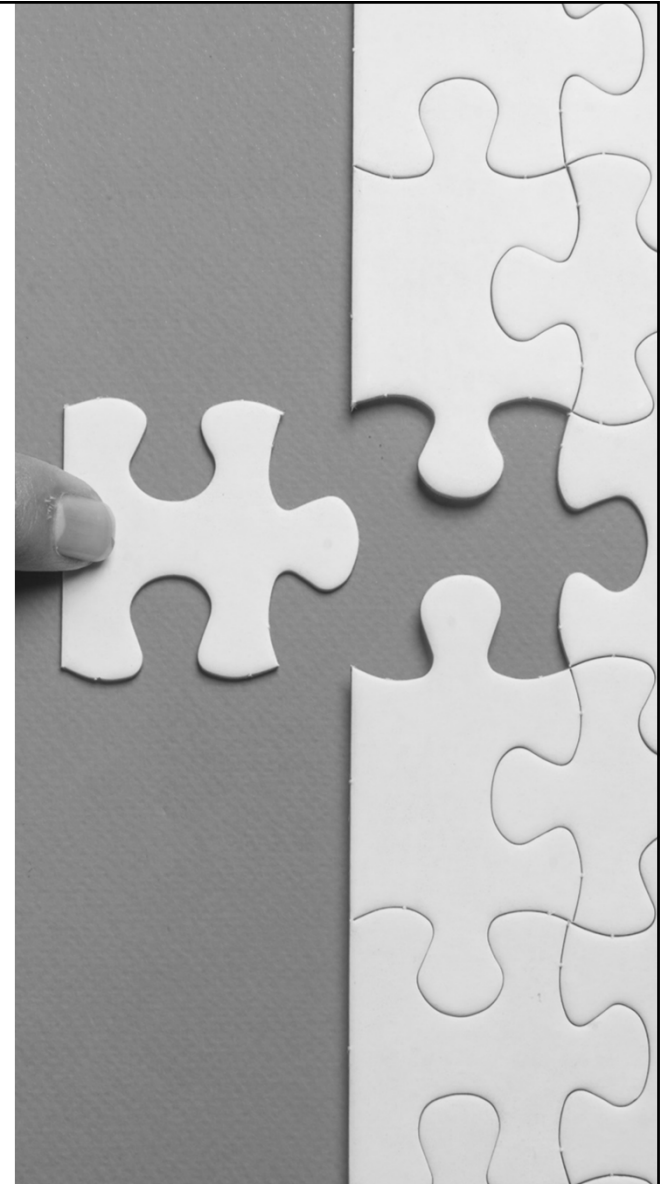
Programs for veterans



Fare integration



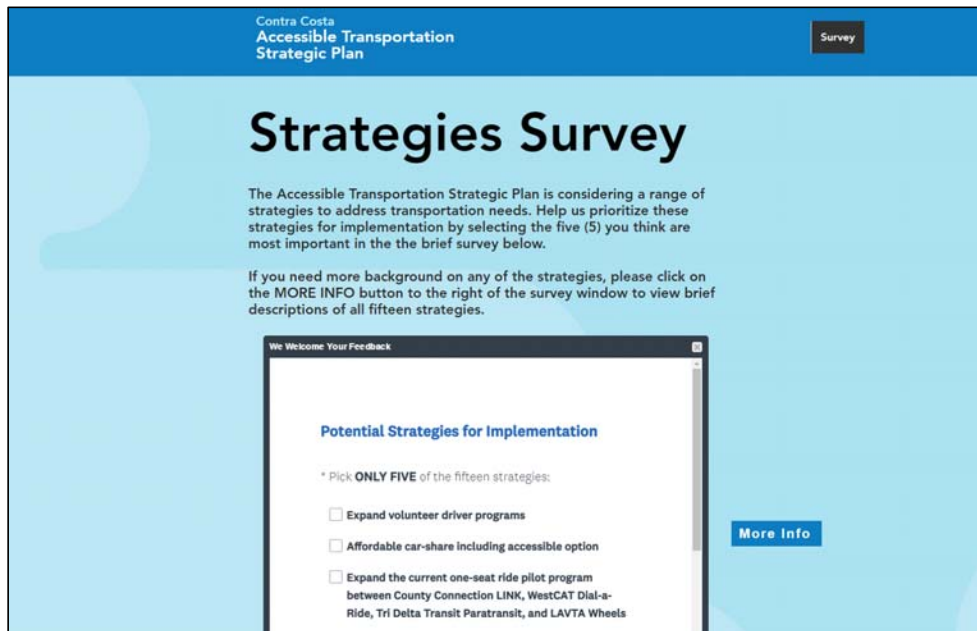
Uniform countywide ADA paratransit eligibility certification program



# PHASE TWO

## Public Engagement

- Give stakeholders an opportunity to prioritize strategies for implementation



# THANK YOU!



Richard Weiner  
Naomi Armenta

510.506.7588  
510.506.7586

[rweiner@nelsonnygaard.com](mailto:rweiner@nelsonnygaard.com)  
[narmenta@nelsonnygaard.com](mailto:narmenta@nelsonnygaard.com)



Contra  
Costa  
County

To: Board of Supervisors  
From: Monica Nino, County Administrator  
Date: March 9, 2021

Subject: Update on COVID -19

---

**RECOMMENDATION(S):**

CONSIDER update on COVID 19; and PROVIDE direction to staff.

1. Health Department - Anna Roth, Director and Dr. Farnitano, Health Officer

**FISCAL IMPACT:**

Administrative Reports with no specific fiscal impact.

**BACKGROUND:**

The Health Services Department has established a website dedicated to COVID-19, including daily updates. The site is located at: <https://www.coronavirus.cchealth.org/>

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF  
SUPERVISORS**

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

ATTESTED: March 9, 2021

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

Contact: Monica Nino

By: , Deputy

cc:

CLERK'S ADDENDUM

On March xx, 2021 at 8 p.m. there will be a Countywide memorial for the Contra Costa County residents lost to Covid-19.



Contra  
Costa  
County

To: Board of Supervisors  
From: Matt Slattengren, Ag Commissioner/Weights & Measures Director  
Date: March 9, 2021

Subject: Urgency interim ordinance extending the moratorium on Industrial Hemp cultivation

---

**RECOMMENDATION(S):**

1. OPEN the public hearing on Ordinance No. 2021-10, RECEIVE testimony, and CLOSE the public hearing.
2. ADOPT Ordinance No. 2021-10, an urgency interim ordinance extending, through March 9, 2022, a moratorium on industrial hemp cultivation and processing.

**FISCAL IMPACT:**

Agriculture department may not be able to receive all contract revenue.

**BACKGROUND:**

On November 17, 2020, the Board of Supervisors adopted Ordinance No. 2020-28, an urgency interim ordinance that established a moratorium on the cultivation and processing of industrial hemp. On December 15, 2020, the Board of Supervisors adopted Ordinance No. 2020-30, an urgency interim ordinance that extended the moratorium through March 10, 2021. The attached urgency ordinance, Ordinance No. 2021-10, extends the temporary moratorium on industrial hemp cultivation through March 9, 2022, to allow County staff time to continue developing and to finalize reasonable industrial hemp regulations. Staff is developing an ordinance that would require industrial hemp growers to obtain a County permit from the County Agricultural Commissioner, as well as a separate zoning ordinance that would mitigate the impacts and regulate the location of industrial hemp cultivation. Staff anticipates that these permanent industrial hemp ordinances will be completed and presented to the Board of Supervisors before the end of 2021. When these permanent ordinances are presented to the Board, staff will also recommend termination of this

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: , Deputy

Contact: 925-608-6600

cc:

urgency ordinance.

Under the attached ordinance, no person or entity, including any established agricultural research institution, may grow or process industrial hemp for any purpose within the unincorporated area of Contra Costa County. No County permit, registration, or approval of any type will be issued for industrial hemp cultivation or processing, and no County building permit or approval of any type will be issued for any structure used or intended to be used for industrial hemp cultivation or processing.

However, Section 3 of the ordinance authorizes existing industrial hemp growers that meet specified criteria to continue cultivating industrial hemp at their existing sites. A grower that has an active registration with the Agricultural Commissioner may continue to cultivate hemp under this ordinance as long as the grower's existing cultivation site is located outdoors and more than one mile outside the Urban Limit Line,

BACKGROUND: (CONT'D)

or the grower's existing cultivation site is located within an existing greenhouse. A grower that meets either of these criteria may continue cultivating industrial hemp under this ordinance if the grower obtains a new registration for a one-year term from the Agricultural Commissioner and complies with all other provisions of law. A grower that is allowed to cultivate under this ordinance is prohibited from cultivating nursery stock, may not move plants from the site at any time before harvest, and is prohibited from using artificial lighting at the cultivation site. Staff has determined that allowing cultivation under the location criteria and restrictions specified in Section 3 is appropriate because this restricted cultivation will result in minimal odor and lighting impacts on residential properties.

CONSEQUENCE OF NEGATIVE ACTION:

The failure to enact this emergency moratorium during the stated period may result in problems with enforcement of a program with insufficient regulations. Allowing more Industrial Hemp registration can create incompatibility issues with land use and licensed Cannabis crops.

CLERK'S ADDENDUM

**Speakers: No name given; No name given, grower; No name given, farm employee; hemp farm representative; Written commentary received (attached):**

ADOPTED Ordinance 2021-10 as amended today, extending through September 30, 2021, a moratorium on industrial hemp cultivation and processing; DIRECTED staff to provide a status report on the matter by June 30, 2021, with the report including information of those growers with licenses scheduled to expire before September 2021.

ATTACHMENTS

HempMoratorium



ORDINANCE NO. 2021-10

AN URGENCY INTERIM ORDINANCE EXTENDING A MORATORIUM ON  
INDUSTRIAL HEMP CULTIVATION AND PROCESSING

The Contra Costa County Board of Supervisors ordains as follows:

**Section 1. Purpose and Findings.**

- A. The purpose of this urgency ordinance is to extend a temporary moratorium on industrial hemp cultivation and processing for commercial purposes while the County considers developing reasonable regulations to mitigate the impacts and regulate the location of the cultivation of industrial hemp, which is generally defined as the *Cannabis sativa L.* plant with a tetrahydrocannabinol (THC) concentration of 0.3% or less.
- B. In December 2018, H.R. 2, the Agriculture Improvement Act of 2018 (the 2018 Farm Bill), was signed into law, authorizing hemp cultivation more broadly than previously allowed by removing hemp from Schedule I of the federal Controlled Substances Act.
- C. The 2018 Farm Bill delegates to states and Indian tribes the authority to regulate and limit the production of hemp within their borders. It requires states to submit regulatory plans to the U.S. Department of Agriculture (USDA) for review and approval. The California Department of Food and Agriculture submitted a proposed state regulatory plan to the USDA for review and approval. California's proposed state regulatory plan is under review by the USDA.
- D. Under Food and Agricultural Code sections 81003 and 81004, before cultivation, a commercial grower or seed breeder of industrial hemp must register with the county agricultural commissioner. In 2020, the Contra Costa County Agricultural Commissioner registered five commercial industrial hemp growers in the unincorporated areas of Contra Costa County. A registration is valid for one year from the date of issuance.
- E. Under state law, industrial hemp is not subject to the same regulatory provisions as cannabis. Health and Safety Code section 11018.5(b) exempts industrial hemp from regulation under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Business and Professions Code, § 26000 et seq.). Accordingly, the County's cannabis regulation ordinance, Chapter 88-28 of the County Ordinance Code, does not regulate the cultivation of industrial hemp within the unincorporated areas of Contra Costa County.
- F. The methods for distinguishing industrial hemp (the non-intoxicating *Cannabis sativa L.* plant) from cannabis (the psychotropic version of the plant) are evolving. Industrial hemp and cannabis are derivatives of the same plant, *Cannabis sativa L.* Under state law, industrial hemp is distinguished from cannabis by the amount of tetrahydrocannabinol (THC), the psychoactive chemical in the plant. If the plant has a concentration of 0.3%

THC or less, it is categorized as industrial hemp. Industrial hemp and cannabis thus may be difficult to distinguish without a chemical analysis for the presence of THC content. THC levels are difficult to test reliably until the plant is close to maturity and ready for harvest. Testing is time sensitive, and it is difficult to perform and obtain results in a timely manner. The similarities in the two types of plants present challenges for law enforcement and code enforcement when determining whether a cultivation site complies with applicable law, including Ordinance Code chapter 88-28, or has paid required taxes.

- G. Industrial hemp can serve as a host to corn earworms and other insects. The pesticides that have been approved for industrial hemp may not provide the range of control needed to prevent movement of these pests from industrial hemp to nearby crops.
- H. Without local regulation, the cultivation of industrial hemp and cannabis may create incompatibility issues due to cross-pollination if male industrial hemp plants are grown or allowed to be grown close to cannabis.
- I. The cultivation of industrial hemp without local regulations may interfere with licensed and permitted cannabis cultivation operations under Ordinance Code chapter 88-28, particularly with respect to pollen drift and pest contamination.
- J. On November 17, 2020, the Board of Supervisors adopted Ordinance No. 2020-28, an urgency interim ordinance that established a moratorium on the cultivation and processing of industrial hemp. On December 15, 2020, the Board of Supervisors adopted Ordinance No. 2020-30, an urgency interim ordinance that continued a moratorium on the cultivation and processing of industrial hemp.
- K. An extended moratorium on the cultivation and processing of industrial hemp is urgent and necessary to give the County time to continue studying and determining how best to regulate the cultivation of industrial hemp and consider appropriate zoning districts and regulatory standards, including location requirements, security standards, water supply requirements, and size limits.
- L. Section 3 of this ordinance authorizes existing industrial hemp growers that meet specified criteria to continue cultivating industrial hemp at their existing sites. Allowing cultivation at existing sites under the location criteria and restrictions specified in Section 3 is appropriate because this restricted cultivation will result in minimal odor and lighting impacts on residential properties.

**Section 2. Definitions.** For purposes of this ordinance, the following terms have the following meanings:

- (a) “Established agricultural research institution” has the meaning set forth in Food and Agricultural Code section 81000(a)(4).

- (b) “Industrial hemp” has the meaning set forth in Food and Agricultural Code section 81000(a)(6).
- (c) “Nursery stock” has the meaning set forth in Food and Agricultural Code section 5005.

**Section 3. Cultivation and Processing of Industrial Hemp Prohibited.** The moratorium established by Ordinance No. 2020-28 and continued by Ordinance No. 2020-30 is extended through March 9, 2022.

- (a) During the term of this interim ordinance, including any extensions:
  - (1) No person or entity, including any established agricultural research institution, may grow or process industrial hemp for any purpose within the unincorporated area of Contra Costa County.
  - (2) No County permit, registration, or approval of any type shall be issued for industrial hemp cultivation or processing.
  - (3) No County building permit or approval of any type shall be issued for a greenhouse, hoop house, or any other structure, used or intended to be used for industrial hemp cultivation or processing.
- (b) During the term of this interim ordinance, including any extensions:
  - (1) The Contra Costa County Agricultural Commissioner will not issue a registration to any applicant pursuant to Food and Agricultural Code sections 81003 and 81004, or otherwise.
  - (2) The Contra Costa County Agricultural Commissioner will not renew the registration of any applicant pursuant to Food and Agricultural Code sections 81003 and 81004, or otherwise.
- (c) Notwithstanding subdivisions (a) and (b) of this section, growers of industrial hemp that had, as of the adoption date of Ordinance No. 2020-28, an active registration issued by the County Agricultural Commissioner may grow industrial hemp consistent with, and subject to, the terms set forth in that registration, including, but not limited to, the location and size of the registered grow. Cultivation allowed under this Section 3(c) is allowed only for the term of that registration. The registration is not subject to renewal except as otherwise provided in Section 4 of this ordinance.
- (d) Cultivation or processing of industrial hemp in violation of this interim ordinance is a public nuisance. This ordinance may be enforced by any remedy allowed under the Contra Costa County Ordinance Code and any other remedy allowed by law.

#### **Section 4. Exemptions.**

- (a) The prohibitions set forth in Section 3 do not apply to a grower of industrial hemp that has an active registration issued by the County Agricultural Commissioner as long as the grower meets either of the following criteria:
  - (1) The grower's existing cultivation site is located more than one mile outside the Urban Limit Line.
  - (2) The grower's existing cultivation site is located within an existing, legally established greenhouse. A hoop house is not a greenhouse.
  
- (b) A grower that meets the criteria specified in subsection (a) of this section may continue cultivation of industrial hemp under this interim ordinance if the grower meets the following requirements and complies with the following restrictions:
  - (1) The grower must obtain a new registration for a one-year term from the County Agricultural Commissioner pursuant to Food and Agricultural Code sections 81003 and 81004.
  - (2) The cultivation of nursery stock is prohibited.
  - (3) The movement of plants from the site at any time prior to harvest is prohibited.
  - (4) Artificial lighting at an industrial hemp cultivation site is prohibited.
  - (5) The grower must comply with all provisions of state and federal law, and associated regulations, that apply to industrial hemp cultivation, including requirements for cultivation, sampling, laboratory testing, harvesting, and crop destruction.

**Section 5. Reports.** In accordance with subdivision (d) of Government Code section 65858, ten days before this ordinance expires and any extension of it, the Department of Conservation and Development shall file with the Clerk of the Board of Supervisors a written report describing the measures taken to alleviate the conditions that led to the adoption of this urgency interim ordinance.

**Section 6. Severability.** If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other ordinance provisions or clauses or applications thereof that can be implemented without the invalid provision or clause or application, and to this end the provisions and clauses are declared to be severable.

**Section 7. Declaration of Urgency.** This ordinance is hereby declared to be an urgency ordinance necessary for the immediate preservation of the public safety, health, and welfare of the County. The facts constituting the urgency of this interim ordinance’s adoption are set forth in Section 1.

**Section 8. Effective Period.** This ordinance becomes effective immediately upon passage by four-fifths vote of the Board of Supervisors and shall continue in effect through March 9, 2022, pursuant to Government Code section 65858.

**Section 9. 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 March 9, 2021, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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

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

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

[SEAL]

H:\2021\Agriculture\urgency ordinance - industrial hemp - extend2.final.docx



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 9, 2021

Subject: Accept a Grant Deed of Development Rights for minor subdivision MS13-00005, Martinez area

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2021/64 to accept and AUTHORIZE the Chair, Board of Supervisors, to sign the Grant Deed of Development Rights for minor subdivision MS13-00005 for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (District V)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Grant Deed of Development Rights (Creek Structure Setback) is required per Condition of Approval No. 45, for minor subdivision MS13-00005.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Grant Deed of Development Rights, as required for Condition of Approval No. 45, will not be accepted.

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

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

Contact: Randolph Sanders (925)  
313-2111

By: Stacey M. Boyd, Deputy

AGENDA ATTACHMENTS

Resolution No. 2021/64

Grant Deed of Development Rights

MINUTES ATTACHMENTS

Signed: Resolution No. 2021/64

Signed: Grant Deed of Development  
Rights

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

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

Adopted this Resolution on 03/09/2021 by the following vote:

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

NO:

ABSENT: Candace Andersen, District II Supervisor

ABSTAIN:

RECUSE:

---

Resolution No. 2021/64

IN THE MATTER OF accepting the Grant Deed of Development Rights for minor subdivision MS13-00005, for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (District V)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED.

INSTRUMENT: Grant Deed of Development Rights

REFERENCE: APN 367-170-006

GRANTOR: James Scott Busby and Margaret Mary Busby

AREA: Martinez

DISTRICT: V

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

ATTESTED: March 9, 2021

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

Contact: Randolph Sanders (925) 313-2111

By: Stacey M. Boyd, Deputy

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Gary Kupp - DCD Planning, Joshua Laranang- Engineering Services, James Scott Busby & Margaret Mary Busby, SureTec Insurance Company, Renee Hutchins - Records, Karen Piona- Record



**RECORDED AT THE REQUEST OF, AND  
AFTER RECORDING, RETURN TO:**

Contra Costa County  
Public Works Department  
Engineering Services Division  
Records Section  
255 Glacier Drive  
Martinez, CA 94553

APN: 367-170-006

---

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**GRANT DEED OF DEVELOPMENT RIGHTS**  
(Creek Structure Setback Area)

This Grant Deed of Development Rights is made by and between the Grantors, James Scott Busby and Margaret Mary Busby and their successors and assigns ("Grantors"), and the Grantee, CONTRA COSTA COUNTY, a political subdivision of the State of California, and its successors and assigns ("County").

**RECITALS**

- A. On April 20, 2015, the Contra Costa County Zoning Administrator ("Zoning Administrator") conditionally approved an application (MS13-0005) by James Scott Busby ("Subdivider") to subdivide an approximately 2.62-acre site located at 5324 Alhambra Valley Road in an unincorporated area near Martinez, in the County of Contra Costa, State of California, into two single-family residential lots.
- B. The subdivision property referenced in Recital A is owned by the Grantors.
- C. Arroyo Del Hambre Creek, an unimproved earth channel, traverses the northern portion of the subdivision, and will be referred to as the "Creek."
- D. Under County Ordinance Code Sections 914-14.012(a) and 914-14.014, no permanent structures other than drainage structures may be constructed within, under or over any structure setback area of an unimproved earth channel located in a subdivision. Section 914-14.012(a) also requires the development rights for the portion of a lot within a structure setback area of an unimproved earth channel to be offered for dedication to the County.
- E. In accordance with Section 914-14.012(a), Condition of Approval #45 of MS13-0005 requires development rights for the portion of the subdivision within the structure setback area of the Creek to be conveyed to the County by grant deed. The

structure setback area of unimproved earth channels is defined by Section 914-14.012, subdivisions (b) and (c), of the County Ordinance Code.

- F. On February 16, 2020, Subdivider applied for an exception under Section 92-6.002 of the County Ordinance Code to reduce the size of the structure setback area. On June 15, 2020, the Zoning Administrator made the required findings and approved the exception.
- G. The area described in Exhibit A and depicted as Parcel One and Parcel Two collectively in Exhibit B (the "Property") is structure setback area authorized under the approved exception. Exhibits A and B are attached hereto and incorporated herein by this reference.
- H. Grantors desires to evidence their intent and ensure that the obligations specified herein are covenants, conditions and restrictions that run with the land and are for the benefit of the County.

NOW, THEREFORE, for good and valuable consideration, including but not limited to the agreements contained herein, the receipt and sufficiency of which is hereby acknowledged, Grantors hereby grant to the County, and its successors and assigns, on the terms and conditions set forth below, all the Development Rights within, on, and over the Property.

1. **Recitals.** The recitals are intended to be and shall be part of this Grant Deed.
2. **Development Rights.** "Development Rights" are defined to mean and refer to the right to construct permanent structures on all or any portion of the Property.
3. **Negative Easement.** This Grant Deed of Development Rights is in the form of a negative easement, which shall run with the Property and shall bind the Grantors and any future owners of all or any portion of the Property. This Grant Deed is an agreement in writing affecting the title or possession of the Property.
4. **Development Restrictions.** Except for drainage structures, Grantors shall not construct permanent structures on any portion of the Property, and Grantors agree that no building permits or other permits shall be issued for the purpose of constructing such permanent structures on any portion of the Property. Grantors hereby waive and relinquish any rights they might otherwise have to such permits.
5. **Covenants Running With Land.** This Grant Deed shall be binding on the parties hereto and the provisions hereof shall be covenants running with the land and shall inure to the benefit of and be binding on the heirs, successors and assigns of the Grantors and County, all of the Property and all other parties having or acquiring any right, title or interest in any part of the Property.

6. Remedies. If Grantors violate any of the provisions hereof, the County shall be entitled to all rights and remedies available at law or in equity, including without limitation, an order enjoining the activity in violation hereof and an order requiring the removal of the improvements constructed in violation hereof. In addition, the County shall be entitled to an award of all expenses incurred by the County in pursuing such violation(s), including costs, interest, attorney's fees and other litigation expenses.

IN WITNESS WHEREOF, this Grant Deed of Development Rights is signed and executed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

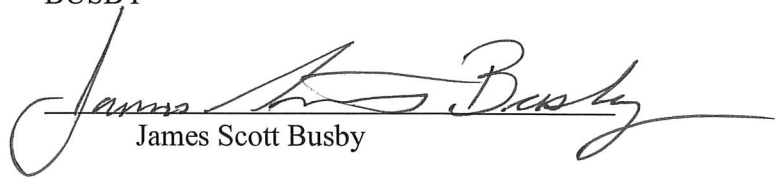
GRANTEE

GRANTORS

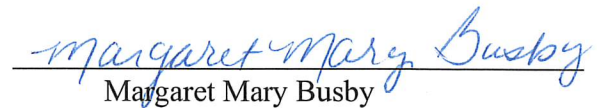
CONTRA COSTA COUNTY

JAMES SCOTT BUSBY AND MARGARET BUSBY

By: \_\_\_\_\_  
Chair, Board of Supervisors

  
James Scott Busby

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

  
Margaret Mary Busby

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

[Note: All Property Owner signatures must be notarized.]

Approved as to form:

Sharon L. Anderson  
County Counsel

By:   
Deputy County Counsel

Attachments:

- Exhibit A: Legal Description
- Exhibit B: Plat to Accompany Legal Description
- Acknowledgment

**EXHIBIT'A'**  
**LEGAL DESCRIPTION**  
**CREEK STRUCTURE SETBACK AND RESTRICTED DEVELOPMENT AREA**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PARCEL ONE**

BEING A PORTION OF THE PARCEL OF LAND DESCRIBED IN THE GRANT DEED RECORDED ON MAY 13, 2013 AS DOCUMENT NO. 2013-0117962-00 AND SHOWN ON THAT RECORD OF SURVEY FILED ON OCTOBER 17, 1989 IN BOOK 91 OF LICENSED SURVEYORS MAPS AT PAGE 50 (91 LSM 50) IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL (91 LSM 50) THENCE SOUTH 00°14'00" EAST, 19.00 FEET;

THENCE SOUTH 18°13'00" WEST, 36.06 FEET;

THENCE SOUTH 00°14'00" EAST, 15.27 FEET;

THENCE NORTH 76°28'29" WEST, 52.13 FEET;

THENCE SOUTH 55°02'26" WEST, 64.42 FEET;

THENCE SOUTH 86°00'31" WEST, 75.72 FEET;

THENCE NORTH 65°30'21" WEST, 6.81 FEET;

THENCE NORTH 12°16'32" WEST, 59.36 FEET;

THENCE NORTH 49°41'47" WEST, 118.82 FEET;

THENCE NORTH 58°00'10" EAST, 52.10 FEET;

THENCE SOUTH 75°20'40" EAST, 263.97 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 27,002 SQUARE FEET OR 0.62 ACRES OF LAND, MORE OR LESS.

**PARCEL TWO**

BEING A PORTION OF THE PARCEL OF LAND DESCRIBED IN THE GRANT DEED RECORDED ON MAY 13, 2013 AS DOCUMENT NO. 2013-0117962-00 AND SHOWN ON THAT RECORD OF SURVEY FILED ON OCTOBER 17, 1989 IN BOOK 91 OF LICENSED SURVEYORS MAPS AT PAGE 50 (91 LSM 50) IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF SAID PARCEL (91 LSM 50), SAID POINT BEING THE MOST NORTHEASTERLY CORNER OF THE PARCEL OF LAND SHOWN ON THAT RECORD OF SURVEY FILED ON APRIL 29, 1964 IN BOOK 27 OF LICENSED SURVEYORS MAPS AT PAGE 24 (27 LSM 24) IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, THENCE SOUTH 89°46'10" WEST, 80.31 FEET;

THENCE NORTH 21°27'13" EAST, 139.93 FEET;

THENCE NORTH 80°35'10" EAST, 42.00 FEET;

THENCE NORTH 32°15'10" EAST, 46.15 FEET;

THENCE NORTH 58°00'10" EAST, 57.37 FEET;

THENCE SOUTH 49°41'47" EAST, 118.82 FEET;

THENCE SOUTH 12°16'32" EAST, 59.36 FEET;

THENCE NORTH 65°30'21" WEST, 63.16 FEET;

THENCE SOUTH 88°33'46" WEST, 15.46 FEET;

THENCE SOUTH 14°54'32" WEST, 7.63 FEET;

THENCE SOUTH 88°59'12" WEST, 51.46 FEET;

THENCE SOUTH 55°09'51" WEST, 29.90 FEET;

THENCE SOUTH 05°58'03" WEST, 41.59 FEET;

THENCE SOUTH 25°40'44" WEST, 51.00 FEET;

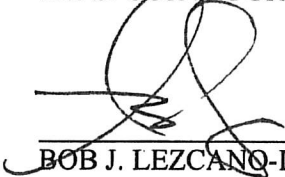
THENCE NORTH 36°30'39" WEST, 19.34 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 25,063 SQUARE FEET OR 0.58 ACRES OF LAND, MORE OR LESS.

PARCELS ONE AND TWO DESCRIBED ABOVE ARE SHOWN ON THE MAP OF  
SUBDIVISION MS 13-0005

END OF DESCRIPTION

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR  
UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL  
LAND SURVEYORS ACT

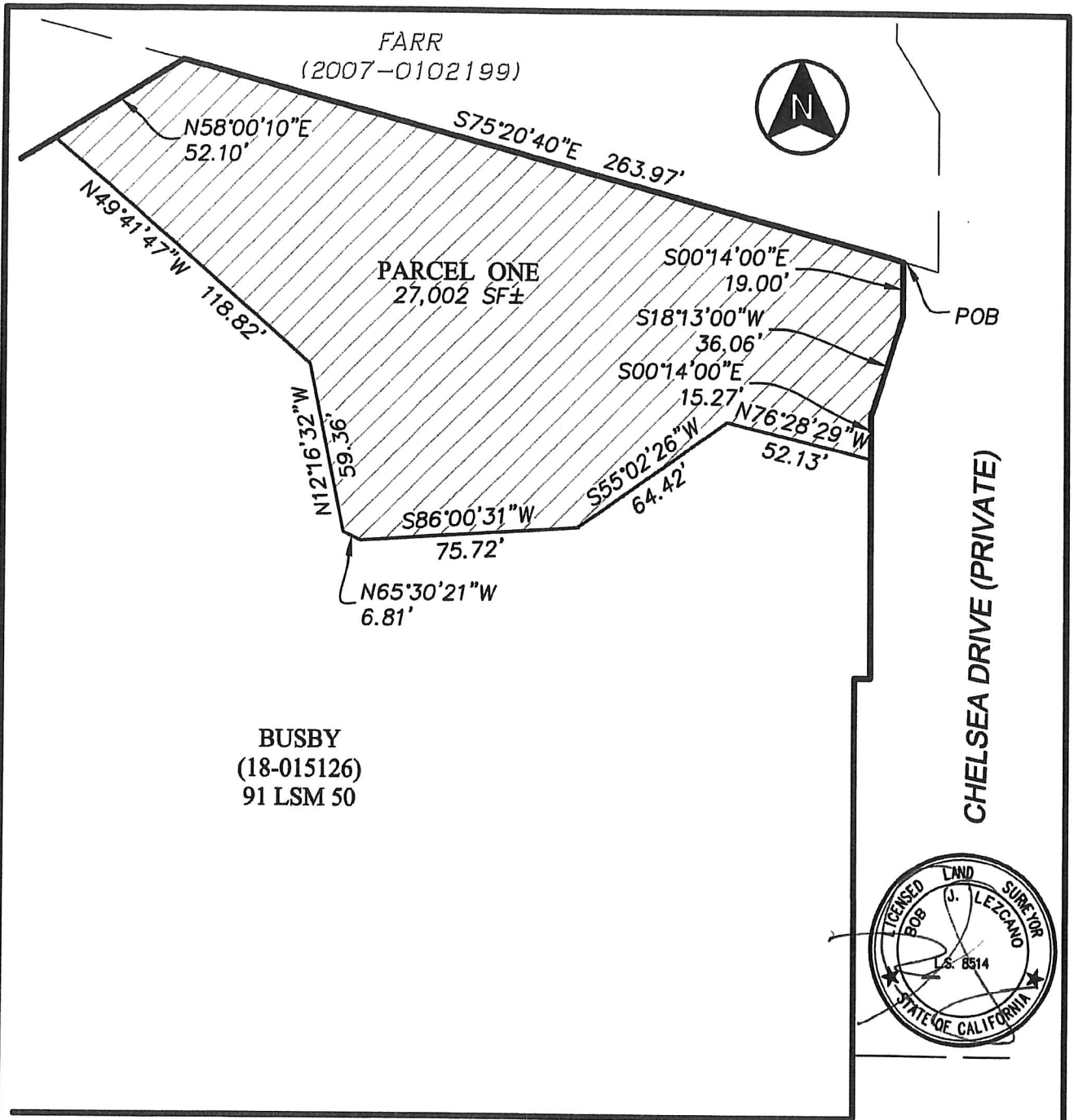


BOB J. LEZCANO-LS8514

10-13-2020

DATE





**LEGEND**

- POB POINT OF BEGINNING
- MS 13-0005 CREEK STRUCTURE SETBACK & RESTRICTED DEVELOPMENT AREA

817 Arnold Drive Ste. 50  
Martinez, CA 94553  
Ph: (925) 476-8499

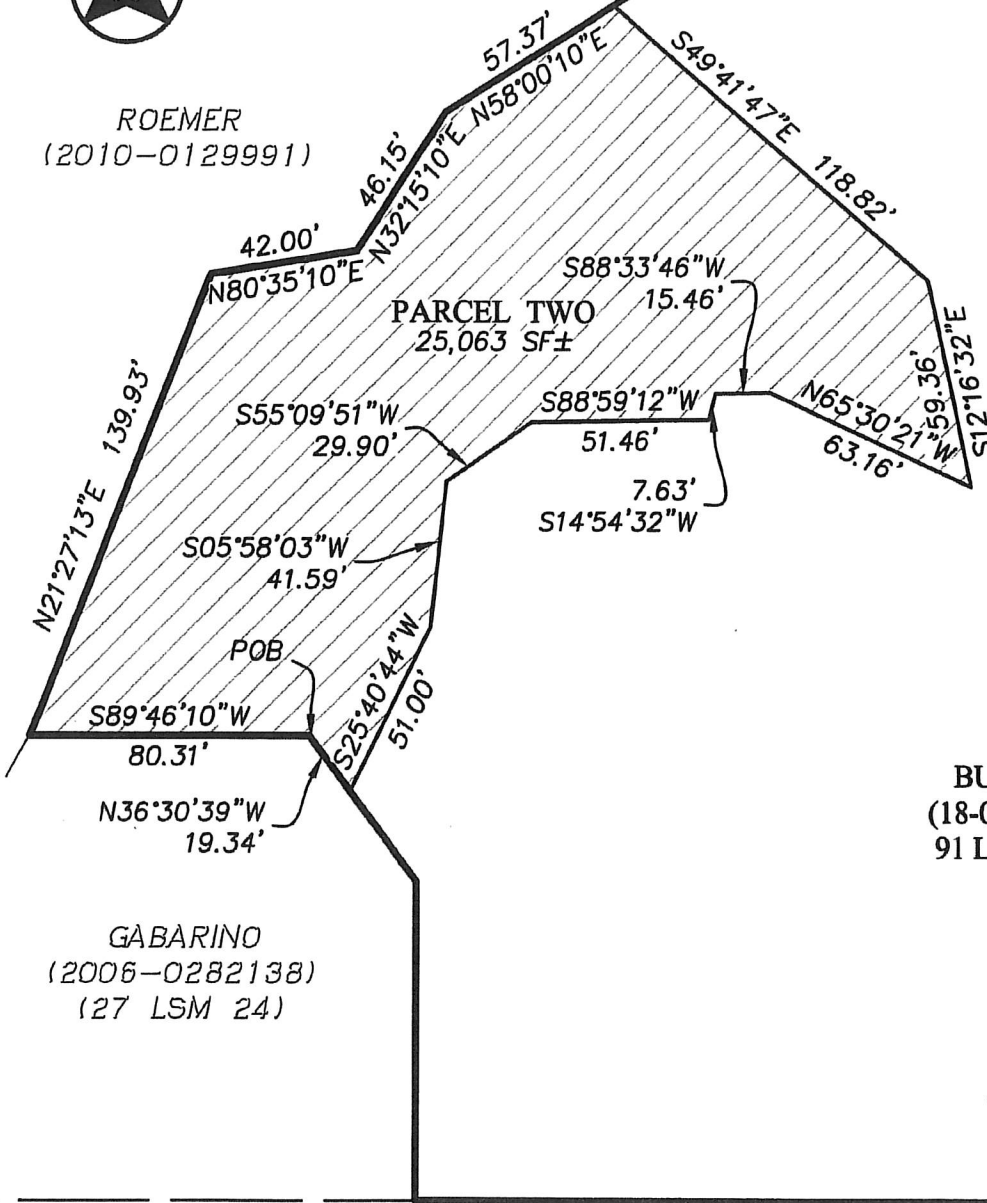
**EXHIBIT 'B'**  
PLAT TO  
ACCOMPANY LEGAL  
DESCRIPTION

DRAWN BY: BJL	SHEET 1 OF 2
PROJECT NO: 13019	DATE: 10-13-2020
SCALE: 1"=50'	



ROEMER  
(2010-0129991)

FARR  
(2007-0102199)




BUSBY  
(18-015126)  
91 LSM 50

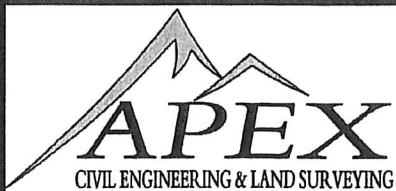
GABARINO  
(2006-0282138)  
(27 LSM 24)



ALHAMBRA VALLEY RD

**LEGEND**

- POB POINT OF BEGINNING
-  MS 13-0005 CREEK STRUCTURE SETBACK & RESTRICTED DEVELOPMENT AREA



817 Arnold Drive Ste. 50  
Martinez, CA 94553  
Ph: (925) 476-8499

**EXHIBIT 'B'**  
PLAT TO  
ACCOMPANY LEGAL  
DESCRIPTION

DRAWN BY: BJL	SHEET 2 OF 2
PROJECT NO: 13019	DATE: 10-13-2020
SCALE: 1"=50'	



**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 02/10/2021, before me, TERRY L. EDWARDS, NOTARY PUBLIC,

Notary Public, personally appeared JAMES SCOTT BUSTON, Jr.

MARGARET MARY BUSTON

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

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

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Signature of Notary Public

(SEAL)

Recorded at the request of: Clerk of the Board  
Return To: Public Works Dept- Simone Saleh

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

Adopted this Resolution on 03/09/2021 by the following vote:

**AYE:** John Gioia, District I Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor  
**NO:**   
**ABSENT:** Candace Andersen, District II Supervisor  
**ABSTAIN:**   
**RECUSE:**

Resolution No. 2021/64

IN THE MATTER OF accepting the Grant Deed of Development Rights for minor subdivision MS13-00005, for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (District V)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED.

INSTRUMENT: Grant Deed of Development Rights

REFERENCE: APN 367-170-006

GRANTOR: James Scott Busby and Margaret Mary Busby

AREA: Martinez

DISTRICT: V

Contact: Randolph Sanders (925) 313-2111

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

ATTESTED: March 9, 2021

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

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

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Gary Kupp - DCD Planning, Joshua Laranang- Engineering Services, James Scott Busby & Margaret Mary Busby, SureTec Insurance Company, Renee Hutchins - Records, Karen Piona- Record

**RECORDED AT THE REQUEST OF, AND  
AFTER RECORDING, RETURN TO:**

Contra Costa County  
Public Works Department  
Engineering Services Division  
Records Section  
255 Glacier Drive  
Martinez, CA 94553

APN: 367-170-006

---

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**GRANT DEED OF DEVELOPMENT RIGHTS  
(Creek Structure Setback Area)**

This Grant Deed of Development Rights is made by and between the Grantors, James Scott Busby and Margaret Mary Busby and their successors and assigns (“Grantors”), and the Grantee, CONTRA COSTA COUNTY, a political subdivision of the State of California, and its successors and assigns (“County”).

**RECITALS**

- A. On April 20, 2015, the Contra Costa County Zoning Administrator (“Zoning Administrator”) conditionally approved an application (MS13-0005) by James Scott Busby (“Subdivider”) to subdivide an approximately 2.62-acre site located at 5324 Alhambra Valley Road in an unincorporated area near Martinez, in the County of Contra Costa, State of California, into two single-family residential lots.
- B. The subdivision property referenced in Recital A is owned by the Grantors.
- C. Arroyo Del Hambre Creek, an unimproved earth channel, traverses the northern portion of the subdivision, and will be referred to as the “Creek.”
- D. Under County Ordinance Code Sections 914-14.012(a) and 914-14.014, no permanent structures other than drainage structures may be constructed within, under or over any structure setback area of an unimproved earth channel located in a subdivision. Section 914-14.012(a) also requires the development rights for the portion of a lot within a structure setback area of an unimproved earth channel to be offered for dedication to the County.
- E. In accordance with Section 914-14.012(a), Condition of Approval #45 of MS13-0005 requires development rights for the portion of the subdivision within the structure setback area of the Creek to be conveyed to the County by grant deed. The

structure setback area of unimproved earth channels is defined by Section 914-14.012, subdivisions (b) and (c), of the County Ordinance Code.

- F. On February 16, 2020, Subdivider applied for an exception under Section 92-6.002 of the County Ordinance Code to reduce the size of the structure setback area. On June 15, 2020, the Zoning Administrator made the required findings and approved the exception.
- G. The area described in Exhibit A and depicted as Parcel One and Parcel Two collectively in Exhibit B (the "Property") is structure setback area authorized under the approved exception. Exhibits A and B are attached hereto and incorporated herein by this reference.
- H. Grantors desires to evidence their intent and ensure that the obligations specified herein are covenants, conditions and restrictions that run with the land and are for the benefit of the County.

NOW, THEREFORE, for good and valuable consideration, including but not limited to the agreements contained herein, the receipt and sufficiency of which is hereby acknowledged, Grantors hereby grant to the County, and its successors and assigns, on the terms and conditions set forth below, all the Development Rights within, on, and over the Property.

1. **Recitals.** The recitals are intended to be and shall be part of this Grant Deed.
2. **Development Rights.** "Development Rights" are defined to mean and refer to the right to construct permanent structures on all or any portion of the Property.
3. **Negative Easement.** This Grant Deed of Development Rights is in the form of a negative easement, which shall run with the Property and shall bind the Grantors and any future owners of all or any portion of the Property. This Grant Deed is an agreement in writing affecting the title or possession of the Property.
4. **Development Restrictions.** Except for drainage structures, Grantors shall not construct permanent structures on any portion of the Property, and Grantors agree that no building permits or other permits shall be issued for the purpose of constructing such permanent structures on any portion of the Property. Grantors hereby waive and relinquish any rights they might otherwise have to such permits.
5. **Covenants Running With Land.** This Grant Deed shall be binding on the parties hereto and the provisions hereof shall be covenants running with the land and shall inure to the benefit of and be binding on the heirs, successors and assigns of the Grantors and County, all of the Property and all other parties having or acquiring any right, title or interest in any part of the Property.

**6. Remedies.** If Grantors violate any of the provisions hereof, the County shall be entitled to all rights and remedies available at law or in equity, including without limitation, an order enjoining the activity in violation hereof and an order requiring the removal of the improvements constructed in violation hereof. In addition, the County shall be entitled to an award of all expenses incurred by the County in pursuing such violation(s), including costs, interest, attorney's fees and other litigation expenses.

IN WITNESS WHEREOF, this Grant Deed of Development Rights is signed and executed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

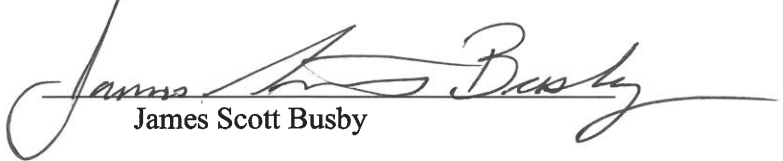
GRANTEE

GRANTORS


CONTRA COSTA COUNTY

JAMES SCOTT BUSBY AND MARGARET BUSBY

By:   
Chair, Board of Supervisors

  
James Scott Busby

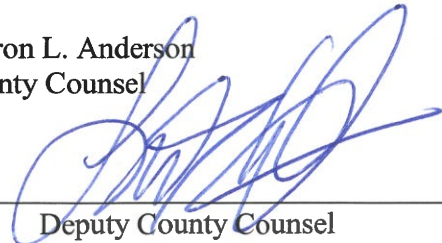
Attest: Monica Nino, Clerk of the Board of Supervisors and County Administrator

  
Margaret Mary Busby

By:   
Deputy

[Note: All Property Owner signatures must be notarized.]

Approved as to form:

Sharon L. Anderson  
County Counsel  
By:   
Deputy County Counsel

Attachments:  
Exhibit A: Legal Description  
Exhibit B: Plat to Accompany Legal Description  
Acknowledgment

**EXHIBIT'A'**  
**LEGAL DESCRIPTION**  
**CREEK STRUCTURE SETBACK AND RESTRICTED DEVELOPMENT AREA**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PARCEL ONE**

BEING A PORTION OF THE PARCEL OF LAND DESCRIBED IN THE GRANT DEED RECORDED ON MAY 13, 2013 AS DOCUMENT NO. 2013-0117962-00 AND SHOWN ON THAT RECORD OF SURVEY FILED ON OCTOBER 17, 1989 IN BOOK 91 OF LICENSED SURVEYORS MAPS AT PAGE 50 (91 LSM 50) IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL (91 LSM 50) THENCE SOUTH 00°14'00" EAST, 19.00 FEET;

THENCE SOUTH 18°13'00" WEST, 36.06 FEET;

THENCE SOUTH 00°14'00" EAST, 15.27 FEET;

THENCE NORTH 76°28'29" WEST, 52.13 FEET;

THENCE SOUTH 55°02'26" WEST, 64.42 FEET;

THENCE SOUTH 86°00'31" WEST, 75.72 FEET;

THENCE NORTH 65°30'21" WEST, 6.81 FEET;

THENCE NORTH 12°16'32" WEST, 59.36 FEET;

THENCE NORTH 49°41'47" WEST, 118.82 FEET;

THENCE NORTH 58°00'10" EAST, 52.10 FEET;

THENCE SOUTH 75°20'40" EAST, 263.97 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 27,002 SQUARE FEET OR 0.62 ACRES OF LAND, MORE OR LESS.

**PARCEL TWO**

BEING A PORTION OF THE PARCEL OF LAND DESCRIBED IN THE GRANT DEED RECORDED ON MAY 13, 2013 AS DOCUMENT NO. 2013-0117962-00 AND SHOWN ON THAT RECORD OF SURVEY FILED ON OCTOBER 17, 1989 IN BOOK 91 OF LICENSED SURVEYORS MAPS AT PAGE 50 (91 LSM 50) IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF SAID PARCEL (91 LSM 50), SAID POINT BEING THE MOST NORTHEASTERLY CORNER OF THE PARCEL OF LAND SHOWN ON THAT RECORD OF SURVEY FILED ON APRIL 29, 1964 IN BOOK 27 OF LICENSED SURVEYORS MAPS AT PAGE 24 (27 LSM 24) IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, THENCE SOUTH 89°46'10" WEST, 80.31 FEET;

THENCE NORTH 21°27'13" EAST, 139.93 FEET;

THENCE NORTH 80°35'10" EAST, 42.00 FEET;

THENCE NORTH 32°15'10" EAST, 46.15 FEET;

THENCE NORTH 58°00'10" EAST, 57.37 FEET;

THENCE SOUTH 49°41'47" EAST, 118.82 FEET;

THENCE SOUTH 12°16'32" EAST, 59.36 FEET;

THENCE NORTH 65°30'21" WEST, 63.16 FEET;

THENCE SOUTH 88°33'46" WEST, 15.46 FEET;

THENCE SOUTH 14°54'32" WEST, 7.63 FEET;

THENCE SOUTH 88°59'12" WEST, 51.46 FEET;

THENCE SOUTH 55°09'51" WEST, 29.90 FEET;

THENCE SOUTH 05°58'03" WEST, 41.59 FEET;

THENCE SOUTH 25°40'44" WEST, 51.00 FEET;

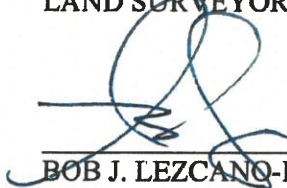
THENCE NORTH 36°30'39" WEST, 19.34 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 25,063 SQUARE FEET OR 0.58 ACRES OF LAND, MORE OR LESS.

PARCELS ONE AND TWO DESCRIBED ABOVE ARE SHOWN ON THE MAP OF  
SUBDIVISION MS 13-0005

END OF DESCRIPTION

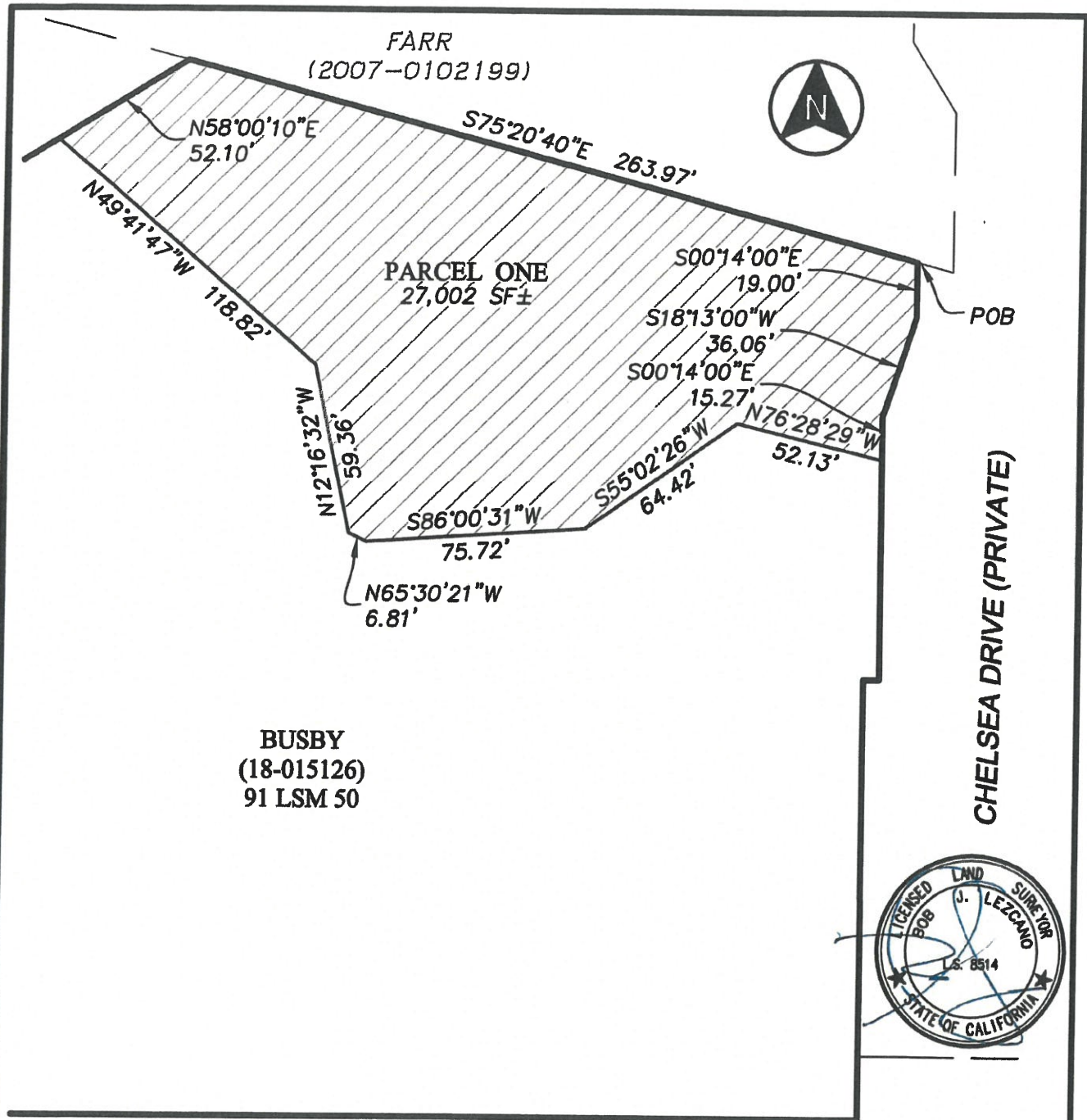
THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR  
UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL  
LAND SURVEYORS ACT

  
\_\_\_\_\_  
BOB J. LEZCANO-LS8514

10-13-2020  
\_\_\_\_\_  
DATE







**LEGEND**

POB POINT OF BEGINNING



MS 13-0005 CREEK STRUCTURE SETBACK  
& RESTRICTED DEVELOPMENT AREA



817 Arnold Drive Ste. 50  
Martinez, CA 94553  
Ph: (925) 476-8499

**EXHIBIT 'B'**  
PLAT TO  
ACCOMPANY LEGAL  
DESCRIPTION

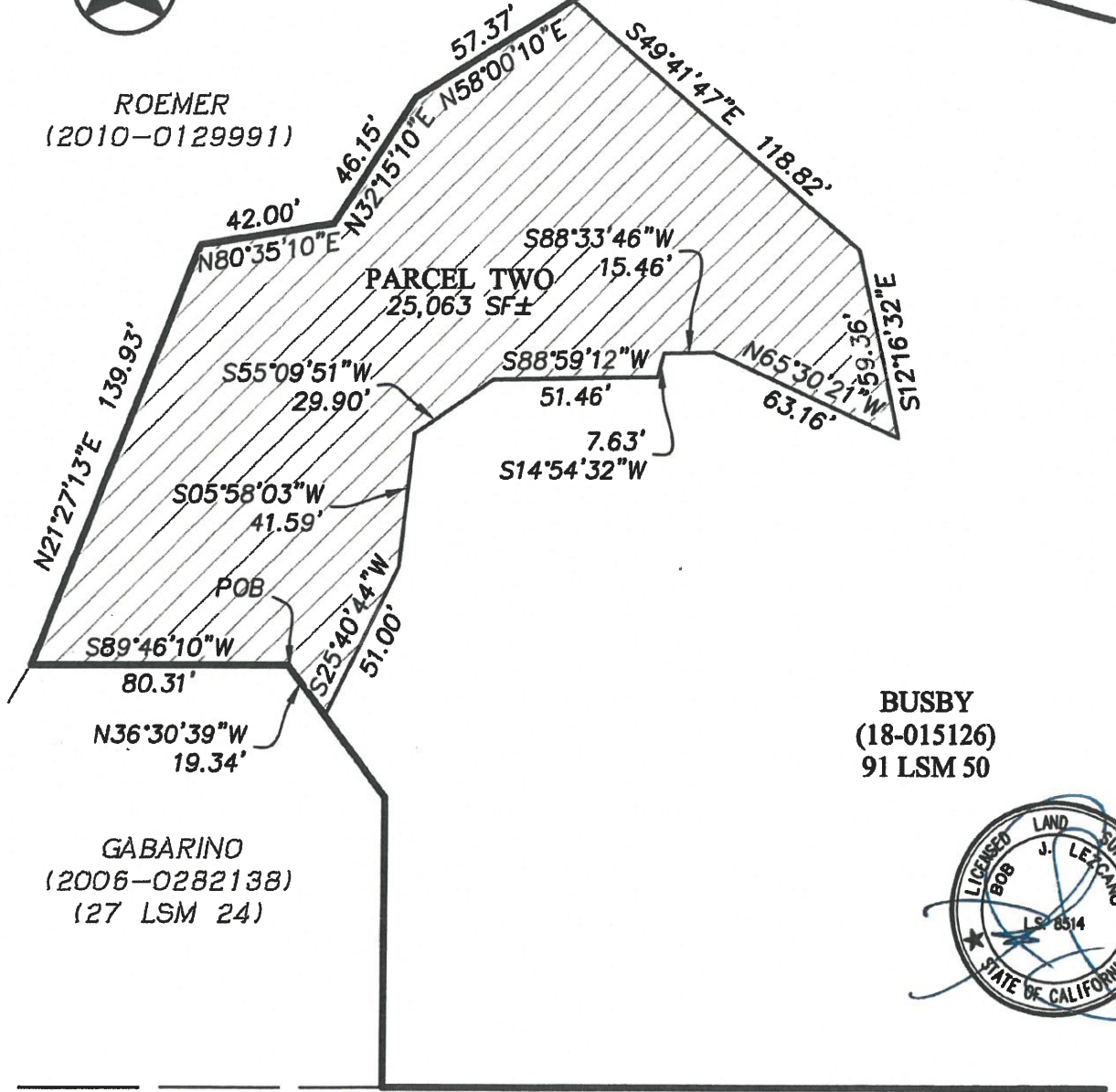
DRAWN BY:  
BJL  
PROJECT NO:  
13019  
SCALE:  
1"=50'

SHEET  
1 OF 2  
DATE:  
10-13-2020



FARR  
(2007-0102199)

ROEMER  
(2010-0129991)




BUSBY  
(18-015126)  
91 LSM 50

GABARINO  
(2006-0282138)  
(27 LSM 24)



ALHAMBRA VALLEY RD

**LEGEND**

- POB POINT OF BEGINNING
-  MS 13-0005 CREEK STRUCTURE SETBACK & RESTRICTED DEVELOPMENT AREA



817 Arnold Drive Ste. 50  
Martinez, CA 94553  
Ph: (925) 476-8499

**EXHIBIT 'B'**  
PLAT TO  
ACCOMPANY LEGAL  
DESCRIPTION

DRAWN BY: BJL	SHEET 2 OF 2
PROJECT NO: 13019	DATE: 10-13-2020
SCALE: 1"-50'	

**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 02/10/2021, before me, TERESA L. EDWARDS, NOTARY PUBLIC,

Notary Public, personally appeared JAMES SCOTT BUSTON, Jr.

MARGARET WARE BUSTON

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

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

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Signature of Notary Public

(SEAL)



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 9, 2021

Subject: Accept an Offer of Dedication for Roadway Purposes for minor subdivision MS13-00005, Martinez area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2021/65 accepting Offer of Dedication for Roadway Purposes for minor subdivision MS13-00005, for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (District V)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Offer of Dedication for Roadway Purposes is required per Condition of Approval No. 37, for minor subdivision MS13-00005.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Offer of Dedication for Roadway Purposes, as required for Condition of Approval No. 37, will not be accepted.

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

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

Contact: Randolph Sanders (925)  
313-2111

By: Stacey M. Boyd, Deputy

AGENDA ATTACHMENTS

Resolution No. 2021/65

Offer of Dedication - Road

Purposes

MINUTES ATTACHMENTS

Signed: Resolution No. 2021/65

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

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

Adopted this Resolution on 03/09/2021 by the following vote:

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

NO:

ABSENT: Candace Andersen, District II Supervisor

ABSTAIN:

RECUSE:

Resolution No. 2021/65

IN THE MATTER OF accepting an Offer of Dedication for Roadway Purposes for minor subdivision MS13-00005, for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (District V)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: Offer of Dedication for Roadway Purposes

REFERENCE: APN 367-170-006

GRANTOR: James Scott Busby and Margaret Mary Busby

AREA: Martinez

DISTRICT: V

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

ATTESTED: March 9, 2021

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

Contact: Randolph Sanders (925) 313-2111

By: Stacey M. Boyd, Deputy

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Joshua Laranang- Engineering Services, Renee Hutchins - Records, Karen Piona- Record, Gary Kupp - DCD Planning, James Scott Busby & Margaret Mary Busby, SureTec Insurance Company

**Recorded at the request of:**

Contra Costa County  
Board of Supervisors

**Return to:**

Public Works Department  
Engineering Services Division  
Records Section

**Area:** Martinez

**Road:** Alhambra Valley Road

**Co. Road No.:** 1481

**Development No.:** MS13-0005

**APN:** 367-170-006

**OFFER OF DEDICATION - ROAD PURPOSES**

James Scott Busby and Margaret Mary Busby, husband and wife as joint tenants, the undersigned, being the present title owner of record of the herein described parcel of land, do hereby make an irrevocable offer of dedication to **Contra Costa County**, a political subdivision of the State of California and its successors or assigns, for street, highway landscaping and other public purposes, including maintenance thereof, the fee title to real property situated in the County of Contra Costa, State of California, as described in Exhibit "A" (written description) attached hereto.

It is understood and agreed that **Contra Costa County** and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein, until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of **Contra Costa County** and its successors or assigns and will be binding upon the title owner of record and that owner's heirs, successors or assigns.

The undersigned executed this instrument on 2 - 17 - 21  
(Date)

(signature)

  
(print name/title) James Scott Busby, Owner

(signature)

  
(print name/title) Margaret Mary Busby, Owner

(See attached notary)

JD:lad:rm

G:\GrpData\EngSvc\Forms\OF WORD\OF-6.doc

Rev. May 1, 2003

Approved by County Counsel - 4/29/03

**Minor Subdivision MS13-0005:  
Offer of Dedication -Road Purposes  
and Releasing of Abutter's Rights**

**EXHIBIT "A"**

All that real property situated in the County of Contra Costa, State of California, described as follows:

A portion of Parcel "A" and Parcel "B" as shown on the parcel map of Minor Subdivision MS13-0005, on file at the County Recorder's Office as follows:

Those portions of Parcel "A" and Parcel "B" designated as "6.00' Wide Dedication in Fee to Contra Costa County for Roadway Purposes" on the map of Minor Subdivision MS13-0003, filed:

**Date:** \_\_\_\_\_

**Book:** \_\_\_\_\_

**Page:** \_\_\_\_\_



# California All-Purpose Certificate of 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 } s.s.

On 02/17/2021 before me, TERRY L. EDWARDS, NOTARY PUBLIC  
Name of Notary Public, Title

personally appeared JAMES SCOTT BUSBY;  
Name of Signer (1)

MARGARET MARY BUSBY  
Name of Signer (2)

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]  
Signature of Notary Public



Seal

## OPTIONAL INFORMATION

*Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.*

## Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of OFFER of DEDICATION - Road purposes containing 1 pages, and dated 02/17/2021.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) \_\_\_\_\_  
Title(s)
- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) Entity(ies) Signer is Representing

## Additional Information

### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:  
 form(s) of identification     credible witness(es)

Notarial event is detailed in notary journal on:  
 Page # \_\_\_\_\_ Entry # \_\_\_\_\_

Notary contact: \_\_\_\_\_

### Other

- Additional Signer     Signer(s) Thumbprints(s)
- \_\_\_\_\_

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

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

Adopted this Resolution on 03/09/2021 by the following vote:

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

NO:

ABSENT: Candace Andersen, District II Supervisor

ABSTAIN:

RECUSE:

Resolution No. 2021/65

IN THE MATTER OF accepting an Offer of Dedication for Roadway Purposes for minor subdivision MS13-00005, for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (District V)

NOW, THEREFORE, BE IT RESOLVED that the following instrument is hereby ACCEPTED FOR RECORDING ONLY:

INSTRUMENT: Offer of Dedication for Roadway Purposes

REFERENCE: APN 367-170-006

GRANTOR: James Scott Busby and Margaret Mary Busby

AREA: Martinez

DISTRICT: V

Contact: Randolph Sanders (925) 313-2111



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

ATTESTED: March 9, 2021

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

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

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Joshua Laranang- Engineering Services, Renee Hutchins - Records, Karen Piona- Record, Gary Kupp - DCD Planning, James Scott Busby & Margaret Mary Busby, SureTec Insurance Company



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 9, 2021

Subject: Approve the Parcel Map for minor subdivision MS13-00005, Martinez area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2021/66 approving the Parcel Map for minor subdivision MS13-00005, for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (District V)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Public Works Department has reviewed the conditions of approval for minor subdivision MS13-00005 and has determined that all conditions of approval for Parcel Map approval have been satisfied.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Parcel Map will not be approved and recorded. The relevant conditions of approval required per Zoning Administration's actions on April 20, 2015 and June 15, 2020 having been satisfied, the subdivision of property will remain incomplete.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

Contact: Randolph Sanders (925)  
313-2111

By: Stacey M. Boyd, Deputy

AGENDA ATTACHMENTS

Resolution No. 2021/66

Parcel Map

Tax Letter & Bond

MINUTES ATTACHMENTS

Signed: Resolution No.

2021/66

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

Adopted this Resolution on 03/09/2021 by the following vote:

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

**NO:**           

**ABSENT:**     **Candace Andersen**

**ABSTAIN:**  

**RECUSE:**   



**Resolution No. 2021/66**

IN THE MATTER OF approving the Parcel Map for minor subdivision MS13-00005, for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (District V)

WHERE AS, the following documents were presented for board approval this date:

The Parcel Map of minor subdivision MS13-00005, property located in the Martinez area, Supervisorial District V, said map having been certified by the proper officials.

Said document was accompanied by:

1. Letter from the County Tax Collector stating that there are no unpaid County taxes heretofore levied on the property included in said map and that the 2020-2021 tax lien has been paid in full and the 2021-2022 tax lien, which became a lien on the first day of January 2021, is estimated to be \$20,090.00.
2. Security to guarantee the payment of taxes, as required by Title 9 of the County Ordinance Code, in the form of a surety bond, No. 4442220, issued by SureTec Insurance Company, with James Scott Busby and Margaret Mary Busby as principal, in the amount: \$20,090.00, guaranteeing the payment of the estimated tax.

NOW, THEREFORE, BE IT RESOLVED:

1. That all conditions of approval for Parcel Map approval have been satisfied.
2. That said subdivision, together with the provisions for its design and improvement, is DETERMINED to be consistent with the County's general and specific plans.
3. That said Parcel Map is APPROVED and this Board does hereby *accept subject to installation* on behalf of the public any of the streets, paths, or easements shown thereon as dedicated to public use.

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: Randolph Sanders (925) 313-2111**

**ATTESTED: March 9, 2021**

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

By: Stacey M. Boyd, Deputy

**cc:** Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Joshua Laranang- Engineering Services, Gary Kupp - DCD Planning, James Scott Busby & Margaret Mary Busby, Old Republic Title Company

**OWNER'S STATEMENT**

THE UNDERSIGNED, BEING THE ONLY PARTIES HAVING A RECORD TITLE INTEREST IN THE LANDS DESCRIBED HEREIN, HAVE CONSIDERED THE MAKING AND RECORDATION OF THIS MAP, AND HAVE HEREBY DEDICATED IN FEE TO THE PUBLIC FOR PUBLIC USE AND TO THE COUNTY OF CONTRA COSTA, FOR ROADWAY PURPOSES THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS "6.00' WIDE DEDICATION IN FEE TO CONTRA COSTA COUNTY FOR ROADWAY PURPOSES".

PORTIONS OF PARCELS "A" AND "B" ARE DESIGNATED "RESTRICTED DEVELOPMENT AREA" (CHECK STRUCTURE SETBACK), THE DEVELOPMENT RIGHTS FOR THIS AREA ARE GRANTED TO PUBLIC UTILITIES FOR UNDERGROUND ELECTRIC, GAS, CABLE TV, TELEPHONE, FIBER OPTIC, STREET LIGHT, SIDEWALKS AND OTHER RELATED APPURTENANCES, INCLUDING THE CONSTRUCTION, ACCESS AND MAINTENANCE OF THE IMPROVEMENTS.

THE AREAS DESIGNATED "PUBLIC UTILITIES EASEMENT" OR "P.U.E." ARE HEREBY DEDICATED TO PUBLIC UTILITIES FOR UNDERGROUND ELECTRIC, GAS, CABLE TV, TELEPHONE, FIBER OPTIC, STREET LIGHT, SIDEWALKS AND OTHER RELATED APPURTENANCES, INCLUDING THE CONSTRUCTION, ACCESS AND MAINTENANCE OF THE IMPROVEMENTS.

THE UNDERSIGNED FURTHER RELINQUISHES TO THE COUNTY OF CONTRA COSTA ALL ABUTTER'S RIGHTS OF ACCESS ALONG THE PROPERTY LINES ADJACENT TO THOSE AREAS DEPICTED HEREON BY THE SYMBOL |||||

THIS MAP SHOWS ALL EASEMENTS ON THE PREMISES OR OF RECORD.

JAMES S. BUSBY & MARGARET M. BUSBY, HUSBAND AND WIFE

AS JOINT TENANTS

BY: \_\_\_\_\_

BY: \_\_\_\_\_

**OWNER'S ACKNOWLEDGMENT**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES THAT THE IDENTITIES OF THE INDIVIDUALS WHO SIGNED THIS MAP, AND THAT THIS CITY, STATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA )  
COUNTY OF CONTRA COSTA ) SS

ON \_\_\_\_\_ PERSONALLY APPEARED \_\_\_\_\_, 2020, BEFORE ME, \_\_\_\_\_ A

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/HEY 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 IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE NOTARY: \_\_\_\_\_

NAME (PRINTED OR TYPED): \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

COUNTY OF NOTARY: \_\_\_\_\_

PRINCIPAL PLACE OF BUSINESS: \_\_\_\_\_

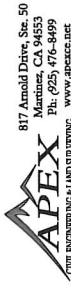
JOB NO. 13019

**PARCEL MAP**

**SUBDIVISION MS 13-0005**

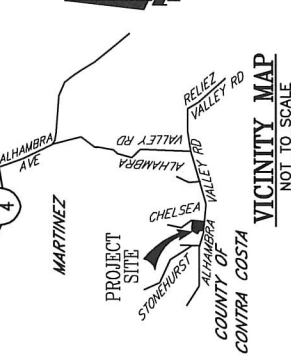
A PARCEL OF LAND SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 91 OF LICENSED SURVEYORS MAPS AT PAGE 50, BEING A PORTION OF THE RANCHO BOCA DE LA CANADA DEL PINOLE

CONTRA COSTA COUNTY, CALIFORNIA



AUGUST, 2020

817 Arnold Drive, Ste. 50  
Martinez, CA 94553  
Ph: (925) 976-8499  
www.apexce.net



VICINITY MAP  
NOT TO SCALE

**CLERK OF THE BOARD OF SUPERVISORS' CERTIFICATE**

STATE OF CALIFORNIA,  
CONTRA COSTA COUNTY

I, DAVID TWA, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR OF CONTRA COSTA COUNTY, HAVE EXAMINED THE RECORD OF SURVEY AND THE PARCEL MAP ENTITLED "PARCEL MAP AS 13-0005" WAS PRESENTED TO SAID BOARD OF SUPERVISORS, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, AND THAT SAID BOARD OF SUPERVISORS DID THEREUPON BY RESOLUTION DULY PASSED AND ADOPTED AT SAID MEETING APPROVE SAID MAP AND DID ACCEPT SUBJECT TO INSTALLATION AND ACCEPTANCE OF IMPROVEMENTS ON BEHALF OF THE PUBLIC ALL OF THE STREETS, ROADS, AVENUES OR EASEMENTS SHOWN THEREON AS DEDICATED TO PUBLIC USE.

I FURTHER CERTIFY THAT ALL TAX LIENS HAVE BEEN SATISFIED AND THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP HAVE BEEN APPROVED BY THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, AND FILED IN MY OFFICE.

IN WITNESS WHEREOF, I HAVE HEREIN TO SET MY HAND THIS DAY \_\_\_\_\_ OF \_\_\_\_\_, 20\_\_\_\_.

DAVID TWA  
CLERK OF THE BOARD OF SUPERVISORS AND  
COUNTY ADMINISTRATOR  
CONTRA COSTA COUNTY  
STATE OF CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY CLERK

**COUNTY SURVEYOR'S STATEMENT**

THIS MAP WAS EXAMINED BY ME AND IS SUBSTANTIALLY THE SAME AS IT APPEARS ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREON ARE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP. HAVE BEEN COMPLIED WITH, AND I AM SATISFIED THAT THE SAME IS TECHNICALLY CORRECT.

DATE: \_\_\_\_\_ BY: JAMES A. STEIN, LS 6571  
COUNTY SURVEYOR

**SURVEYOR'S STATEMENT**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF BUSBY CONSTRUCTION, IN MARCH OF 2014. HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONAL APPROVED TENTATIVE MAP. IF ANY, ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BOB J. LEZCANO, LS 8614

DATED \_\_\_\_\_



**COUNTY RECORDER'S STATEMENT**

THIS MAP ENTITLED "SUBDIVISION MS 13-0005" IS HEREBY ACCEPTED FOR RECORDATION SHOWING A CLEAR TITLE PER LETTER OF THE COUNTY CLERK AND AFTER EXAMINING THE SAME, I DEEM THAT SAID MAP COMPLIES IN ALL RESPECTS WITH THE PROVISIONS OF STATE LAW AND LOCAL ORDINANCES GOVERNING THE FILING OF SUBDIVISION MAPS.

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF PARCEL MAPS, AT PAGE \_\_\_\_\_, AT THE REQUEST OF OLD REPUBLIC TITLE COMPANY.

DEBORAH COOPER  
COUNTY RECORDER  
CONTRA COSTA COUNTY  
STATE OF CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY COUNTY RECORDER

APN 367-170-006

# PARCEL MAP

## SUBDIVISION MS 13-0005

A PARCEL OF LAND SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 91 OF LICENSED SURVEYORS MAPS AT PAGE 50, BEING A PORTION OF THE RANCHO BOCA DE LA CANADA DEL PINOLE CONTRA COSTA COUNTY, CALIFORNIA



817 Arnold Drive, Ste. 50  
Martinez, CA 94553  
Ph: (925) 476-8699  
www.apexce.com



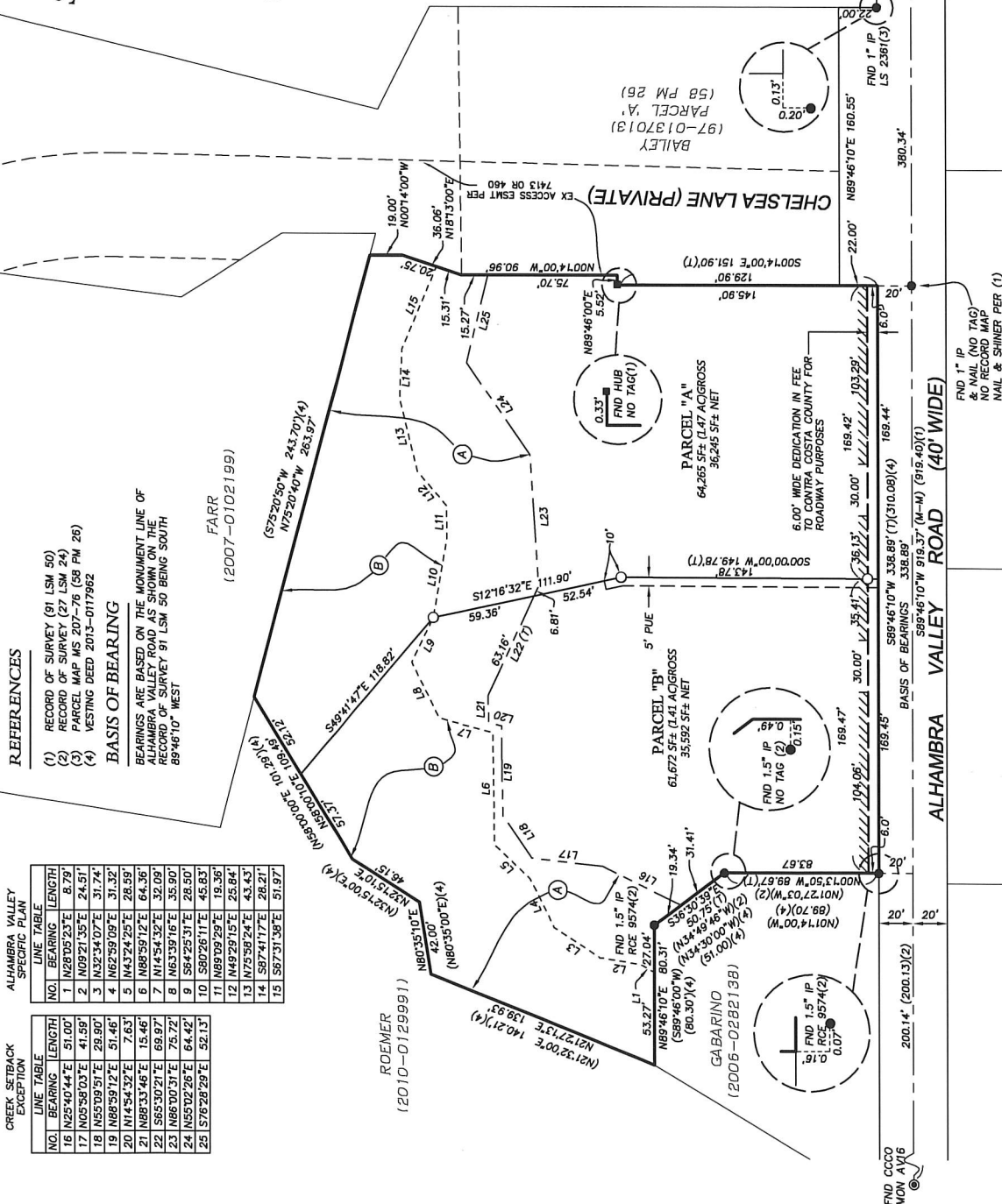
### LEGEND

- SUBDIVISION BOUNDARY LINE
- EXISTING RIGHT-OF-WAY LINE
- LOT LINE
- CENTERLINE
- EASEMENT LINE
- CREEK STRUCTURE SETBACK LINE
- ALHAMBRA VALLEY SPECIFIC PLAN LINE

- FND STD COUNTY MONUMENT
- FND IRON PIPE MONUMENT AS NOTED
- SET 1/2" REBAR AND CAP, LS 8514 MONUMENT TO MONUMENT
- (M-M) TOTAL
- (T) RECORD DATA
- ( ) CALC
- ESMT EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- IP IRON PIPE

RESTRICTED DEVELOPMENT AREA (CREEK STRUCTURE SETBACK LINE) DEVELOPMENT RIGHTS TO CONTRA COSTA COUNTY AS NOTED IN OWNERS STATEMENT

ALHAMBRA VALLEY SPECIFIC PLAN CREEK SETBACK LINE IS SHOWN FOR REFERENCE ONLY



### REFERENCES

- (1) RECORD OF SURVEY (91 LSM 50)
  - (2) RECORD OF SURVEY (27 LSM 24)
  - (3) PARCEL MAP MS 207-76 (58 PM 26)
  - (4) VESTING DEED 2013-0117962
- BASIS OF BEARING**
- BEARINGS ARE BASED ON THE MONUMENT LINE OF ALHAMBRA VALLEY ROAD AS SHOWN ON THE RECORD OF SURVEY 91 LSM 50 BEING SOUTH 89°46'10" WEST

### CREEK SETBACK EXCEPTION

NO.	BEARING	LENGTH
1	N28°05'23"E	8.79'
2	N09°21'35"E	24.51'
3	N32°34'07"E	31.74'
4	N62°59'09"E	31.32'
5	N43°24'25"E	28.59'
6	N88°50'12"E	64.36'
7	N14°54'35"E	32.00'
8	N63°39'16"E	35.90'
9	S84°25'31"E	28.50'
10	S80°26'11"E	45.83'
11	N69°09'29"E	19.36'
12	N49°29'15"E	25.64'
13	N75°59'24"E	43.43'
14	S87°41'17"E	28.21'
15	S67°31'38"E	51.97'

3/14/21

N/A

\$ 47.00

**Tax Collector's Office**  
625 Court Street  
Finance Building, Room 100  
P. O. Box 631  
Martinez, California 94553-0063  
(925) 957-5280  
(925) 957-2898 (FAX)

# Contra Costa County

**Russell V. Watts**  
County Treasurer-Tax Collector  
  
**Brice B. Bins**  
Chief Deputy Treasurer-Tax Collector  
  
**Lulis Lopez**  
Assistant Tax Collector



Date: 1/28/2021

IF THIS TRACT IS NOT FILED PRIOR TO THE DATE TAXES ARE OPEN FOR COLLECTION (R&T CODE 2608) ***THIS LETTER IS VOID.***

This will certify that I have examined the map of the proposed subdivision entitled:

<u>Tract / MS #</u>	<u>City</u>	<u>T.R.A.</u>
13-0005	Martinez	76004

Parcel #: 367-170-006-4

and have determined from the official tax records that there are no unpaid County taxes heretofore levied on the property included in the map.

The 2020-2021 tax lien has been paid in full. Our estimate of the 2021-2022 tax lien, which became a Lien on the **1st day of January, 2021** is :

**\$20,090.00**

This tract is not subject to a 1915 Act Bond.

The amount calculated is **void** 45 days from the date of this letter, unless this letter is accompanied with security approved by the Contra Costa County Tax Collector **Subdivision bond must be presented to the County Tax Collector for review and approval of adequacy of security prior to filing with the Clerk of the Board of Supervisors.**

RUSSEL V. WATTS  
Treasurer-Tax Collector

By:



**BOND FOR PAYMENT OF TAXES IN SUBDIVISION OF LAND**

**Executed in Duplicate**

07/01/21-06/30/22 Tax Year

Bond No. 4442220

Premium: \$402.00

**KNOW ALL MEN BY THESE PRESENTS**

THAT WE, James Scott Busby and Margaret Mary Busby as Principal(s), and SureTec Insurance Company as Surety, are held and firmly bound unto Contra Costa County, State of California, in the penal sum of Twenty Thousand Ninety and no/100 (\$ \$20,090.00 ) for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, executors, successors and assigns, jointly and severally, by these presents:

THE CONDITION of the above obligation is such that whereas, the owner(s) of a division of land representing a certain subdivision of real estate, to-wit:

APN No.'s 367-170-006-4,

Tentative Map No. MS 13-0005,

intend(s) to file a map thereof with the Registrar-Recorder County Clerk's Office.

AND WHEREAS, the provisions of the State Codes require that this bond be filed with the Clerk of the Board of Supervisors of said County.

NOW THEREFORE, if the said principal(s) shall pay, or cause to be paid, when due, all taxes, and all special assessments collected like taxes, which at the time of filing said map, are a lien against such subdivision, or any part thereof, but not yet payable or for which a tax bill has not been prepared, then this obligation shall cease and be void, otherwise it shall remain in full force and effect until said taxes, which include amounts shown on the regular assessment roll and any supplemental roll, are paid in full, including any penalties and interest incurred. If legal action is required to recover under this bond, the protection afforded by it shall cover the payment of reasonable attorney's fees. The provisions of Section 2845 of the Civil Code are not a condition precedent to the surety's obligation hereunder and are hereby waived by the surety.

IN WITNESS thereby, the PRINCIPAL and SURETY caused this bond to be executed on this date of February 2, 2021

(Seal)

Principal: James Scott Busby and Margaret Mary Busby

By: James Scott Busby  
Margaret Mary Busby

Surety: SureTec Insurance Company

Address: 2103 City West Blvd., Ste. #1300, Houston, TX 77042

By: Elizabeth Collodi  
Elizabeth Collodi, Attorney In Fact



DATE: 2/4/21  
BOND REVIEWED AND APPROVED  
CONTRA COSTA COUNTY  
TREASURER - TAX COLLECTOR  
BY: [Signature]

# 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.

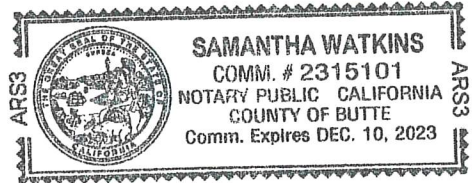
State of California  
County of Butte)

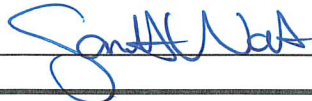
On February 02, 2021 before me, Samantha Watkins, Notary Public  
(insert name and title of the officer)

personally appeared Elizabeth Collodi,  
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)

# SureTec Insurance Company

## LIMITED POWER OF ATTORNEY

**Know All Men by These Presents**, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

John Hopkins, Elizabeth Collodi, Sara Walliser, Renee Ramsey, Marissa Robinson, Deanna Quintero, K. Corey Ward, John J. Weber, Joseph H. Weber, Stephanie Agapoff, Claudine Gordon, Kristie Phillips, Michael K. Feeney, Bill Rapp, Matthew Foster, Tony Clark, Jason March, Samantha Watkins, Mary Collins

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for, providing the bond penalty does not exceed

Fifteen Million and 00/100 Dollars (\$15,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

*Attorney-in-Fact* may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20<sup>th</sup> of April, 1999.)

**In Witness Whereof**, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 1<sup>st</sup> day of February A.D. 2021 .

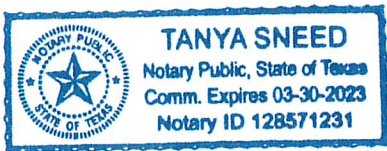


SURETEC INSURANCE COMPANY

By: *Michael C. Keimig*  
Michael C. Keimig, President

State of Texas                      ss:  
County of Harris

On this 1<sup>st</sup> day of February A.D. 2021 before me personally came Michael C. Keimig, to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.



*Tanya Sneed*  
Tanya Sneed, Notary Public  
My commission expires March 30, 2023

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 2<sup>nd</sup> day of February, 2021, A.D.

*M. Brent Beaty*  
M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity. 510038  
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:30 am and 5:00 pm CST.

# California All-Purpose Certificate of 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 } s.s.

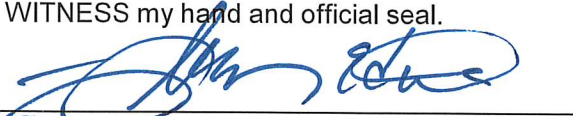
On 02/17/2021 before me, TERRY L. EDWARDS, NOTARY PUBLIC  
Name of Notary Public, Title

personally appeared JAMES SCOTT BUSBY }  
Name of Signer (1)

MARGARET MARY BUSBY  
Name of Signer (2)

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

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

WITNESS my hand and official seal.  
  
Signature of Notary Public



**OPTIONAL INFORMATION**

*Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.*

**Description of Attached Document**

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of BOND FOR  
FORFEIT  
 containing 3 pages, and dated 02/04/2021.

- The signer(s) capacity or authority is/are as:
- Individual(s)
  - Attorney-in-fact
  - Corporate Officer(s) \_\_\_\_\_  
Title(s)
  - Guardian/Conservator
  - Partner - Limited/General
  - Trustee(s)
  - Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) Entity(ies) Signer is Representing

Additional Information
Method of Signer Identification
Proved to me on the basis of satisfactory evidence: <input type="checkbox"/> form(s) of identification <input type="checkbox"/> credible witness(es)
Notarial event is detailed in notary journal on: Page # _____ Entry # _____
Notary contact: _____
Other
<input type="checkbox"/> Additional Signer <input type="checkbox"/> Signer(s) Thumbprints(s)
<input type="checkbox"/> _____

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**

**and for Special Districts, Agencies and Authorities Governed by the Board**

Adopted this Resolution on 03/09/2021 by the following vote:

		<b>John Gioia</b>
<b>AYE:</b>	<input type="checkbox"/> 4	<b>Diane Burgis</b>
		<b>Karen Mitchoff</b>
		<b>Federal D. Glover</b>
<b>NO:</b>	<input checked="" type="checkbox"/>	
<b>ABSENT:</b>	<input type="checkbox"/> 1	<b>Candace Andersen</b>
<b>ABSTAIN:</b>	<input checked="" type="checkbox"/>	
<b>RECUSE:</b>	<input checked="" type="checkbox"/>	



**Resolution No. 2021/66**

IN THE MATTER OF approving the Parcel Map for minor subdivision MS13-00005, for a project being developed by James Scott Busby and Margaret Mary Busby, as recommended by the Public Works Director, Martinez area. (District V)

WHERE AS, the following documents were presented for board approval this date:

The Parcel Map of minor subdivision MS13-00005, property located in the Martinez area, Supervisorial District V, said map having been certified by the proper officials.

Said document was accompanied by:

1. Letter from the County Tax Collector stating that there are no unpaid County taxes heretofore levied on the property included in said map and that the 2020-2021 tax lien has been paid in full and the 2021-2022tax lien, which became a lien on the first day of January 2021, is estimated to be \$20,090.00.
2. Security to guarantee the payment of taxes, as required by Title 9 of the County Ordinance Code, in the form of a surety bond, No. 4442220, issued by SureTec Insurance Company, with James Scott Busby and Margaret Mary Busby as principal, in the amount: \$20,090.00, guaranteeing the payment of the estimated tax.

NOW, THEREFORE, BE IT RESOLVED:

1. That all conditions of approval for Parcel Map approval have been satisfied.
2. That said subdivision, together with the provisions for its design and improvement, is DETERMINED to be consistent with the County's general and specific plans.
3. That said Parcel Map is APPROVED and this Board does hereby *accept subject to installation* on behalf of the public any of the streets, paths, or easements shown thereon as dedicated to public use.

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

**ATTESTED: March 9, 2021**

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

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

Contact: **Randolf Sanders (925) 313-2111**

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Joshua Laranang- Engineering Services, Gary Kupp - DCD Planning, James Scott Busby & Margaret Mary Busby, Old Republic Title Company



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 9, 2021

Subject: Approve the Stormwater Management Facilities Operation and Maintenance Agreement for subdivision SD18-09495, Concord area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2021/70 approving the Stormwater Management Facilities Operation and Maintenance Agreement for subdivision SD18-09495, for a project being developed by Chicken Farm Associates, LLC, as recommended by the Public Works Director, Concord area. (District IV)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Stormwater Management Facilities Operation and Maintenance Agreement is required by Condition of Approval No. 58 for subdivision SD18-09495.

**CONSEQUENCE OF NEGATIVE ACTION:**

The agreement will not be recorded and Contra Costa County may not be in full compliance with its National Pollutant Discharge Elimination System (NPDES) permit and Stormwater Management Discharge Control Ordinance.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

ABSENT: Candace Andersen, District II Supervisor

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

Contact: Randolph Sanders (925)  
313-2111

By: Stacey M. Boyd, Deputy

AGENDA ATTACHMENTS

Resolution No. 2021/70

Agreement

MINUTES ATTACHMENTS

Signed: Resolution No.  
2021/70

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept- Simone Saleh

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

Adopted this Resolution on 03/09/2021 by the following vote:

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

NO:

ABSENT: Candace Andersen, District II Supervisor

ABSTAIN:

RECUSE:

Resolution No. 2021/70

IN THE MATTER OF approving the Stormwater Management Facilities Operation and Maintenance Agreement for subdivision SD18-09495 (APN 117-040-086), Concord area. (District IV)

WHEREAS the Public Works Director has recommended that he be authorized to execute the Stormwater Management Facilities Operation and Agreement with Chicken Farm Associates, LLC, as required by the Conditions of Approval for SD18-09495. This agreement would ensure the operation and maintenance of the stormwater facilities in accordance with the approved Stormwater Control Plan and approved Operation and Maintenance Plan for SD18-09495, which is located at 5175 Laurel Drive in the Concord area.

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

Contact: Randolph Sanders (925) 313-2111

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

ATTESTED: March 9, 2021

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

By: Stacey M. Boyd, Deputy

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Brian Louis- Engineering Services, Michelle Mancuso- Watershed Program, Flood Control, Chicken Farm Associates, LLC



**Recording Requested By:  
COUNTY OF CONTRA COSTA**

**When Recorded, Return To:  
COUNTY OF CONTRA COSTA  
Contra Costa County Public Works Department  
Attn: Engineering Services  
255 Glacier Drive  
Martinez, CA 94553**

---

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**Document Title**

**COUNTY OF CONTRA COSTA**

**COVENANT RUNNING WITH THE LAND,  
STORMWATER MANAGEMENT FACILITIES OPERATION  
AND MAINTENANCE AGREEMENT, AND RIGHT OF ENTRY**

**PROJECT: SD18-9495**

**PROPERTY OWNER(S): Chicken Farm Associates, LLC**

**ASSESSOR'S PARCEL NUMBER(S): 117-040-086**

**COVENANT RUNNING WITH THE LAND,  
STORMWATER MANAGEMENT FACILITIES  
OPERATION AND MAINTENANCE AGREEMENT,  
AND RIGHT OF ENTRY**

This Covenant Running with the Land, Stormwater Management Facilities Operation and Maintenance Agreement, and Right of Entry ("Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by and between Chicken Farm Associates, LLC, and the County of Contra Costa, a political subdivision of the State of California.

**DEFINITIONS**

The following terms used in this Agreement have the meanings specified below:

**County:** The term "**County**" means the County of Contra Costa and its authorized officers, agents, and employees.

**County Engineer:** The term "**County Engineer**" means the Public Works Director for the County or his/her designee.

**Lot:** The term "**Lot**" and "**Lots**" means the individual lots or parcels shown on the Map.

**Map:** The term "**Map**" means the final map or parcel map of the Project filed in the Official Records of the Contra Costa County Recorder.

**Maintain:** The terms "**maintain**," "**maintained**," or "**maintenance**" mean taking all actions reasonably necessary to keep the Stormwater Facilities in first-class operation, condition, and repair, as described in the Stormwater Control Plan and the Operation and Maintenance Plan, which actions include but are not limited to annual inspection and reporting, painting, cleaning, refinishing, repairing, replacing, and reconstructing the Stormwater Facilities, the payment of any applicable County fees, and in the case of landscaping, plant replacement, mulch replacement, irrigating, trimming, mowing, and fertilizing the landscaping.

**NPDES Permit:** The term "**NPDES Permit**" means the National Pollutant Discharge Elimination System (NPDES) Permit No. CAS612008 issued to the County and other co-permittees by the San Francisco Regional Water Quality Control Board, as amended, and as may be superseded by subsequent NPDES permits that are issued from time to time.

**Operation and Maintenance Plan:** The term "**Operation and Maintenance Plan**" means the Stormwater Control Operation and Maintenance Plan for the Property prepared by APEX Civil Engineering & Land Surveying, Inc., and deemed consistent with the Ordinance by the County, which may only be modified when, upon written application for such changes, the County Engineer, in his/her sole discretion, provides written consent to such changes. The Operation and Maintenance Plan and any approved changes are on file at the County Public Works Department.

**Ordinance:** The term "**Ordinance**" means Division 1014 of Title 10 of the Contra Costa County Code (Stormwater Management and Discharge Control), as may be amended from time to time.

**Project:** The term "**Project**" means SD18-9495, which is being developed on the Property by the Property Owner.

**Property:** The term "**Property**" means that real property, including all Lots, shown on the Map and described in Exhibit A attached to this Agreement.

**Property Owner:** The terms "**Property Owner**" and "**Property Owners**" mean Chicken Farm Associates, LLC, and all heirs, successors, executors, administrators, and assigns of any interest in the Property, it being the intent of the parties that the obligations under this Agreement, as provided in Civil Code Section 1468, run with the Lots shown on the Map.

**Stormwater Control Plan:** The term "**Stormwater Control Plan**" means the Stormwater Control Plan prepared by APEX Civil Engineering & Land Surveying, Inc, and deemed consistent with the Ordinance by the County, which may only be modified when, upon written application for such changes, the County Engineer, in his/her sole discretion, provides written consent to such changes. The Stormwater Control Plan and any approved changes are on file at the County Public Works Department.

**Stormwater Facilities:** The term "**Stormwater Facilities**" means the permanent stormwater management facilities and appurtenant design features located and constructed on the Property, as described in the Stormwater Control Plan and/or the Operation and Maintenance Plan.

## RECITALS

This Agreement is made and entered into with reference to the following facts:

- A. The Property Owner is the owner of the Property and intends to develop the Property with impervious surfaces.
- B. The County is the owner of a portion of the northern lane of Laurel Drive in the vicinity of the Property and intersecting with Ayers Road in the unincorporated area of Concord in Contra Costa County, northwest of the Project, and the County is required to ensure that stormwater runoff from the Property meets the requirements of the NPDES Permit.
- C. To meet its obligations under the NPDES Permit, the County has required the Property Owner to construct the Stormwater Facilities.
- D. To meet its obligations under the NPDES Permit, the County has approved the Property Owner's Operation and Maintenance Plan and the Stormwater Control Plan for the Stormwater Facilities.
- E. To meet the County's obligations under the NPDES Permit, the County's Ordinance requires proper operation and maintenance in perpetuity of the Stormwater Facilities constructed on the Property.

- F. The Operation and Maintenance Plan and/or the Stormwater Control Plan include an annual inspection and reporting requirement and a continuing maintenance requirement for the Stormwater Facilities constructed on the Property.

## **AGREEMENT**

**NOW, THEREFORE**, in consideration of the above premises, the sufficiency of which is acknowledged, the mutual covenants contained in this Agreement, and the following terms and conditions, the County and the Property Owner agree as follows:

### **SECTION 1**

**Responsibility for Operation and Maintenance:** The Property Owner represents and warrants that the Stormwater Facilities have been designed and installed in strict accordance with the Stormwater Control Plan, the Operation and Maintenance Plan, and the Ordinance. No portion of the Stormwater Facilities may be altered in any manner that is inconsistent with the Stormwater Control Plan or the Operation and Maintenance Plan without the prior, written consent of the County Engineer. The Property Owner shall continuously maintain the Stormwater Facilities in first-class operating condition, in strict accordance with the Stormwater Control Plan, the Operation and Maintenance Plan, and the Ordinance, and in compliance with all applicable federal, state, and local laws and regulations, as they may be amended from time to time.

The Property Owner shall engage a licensed landscape contractor or other licensed professional acceptable to the County Engineer to undertake the following maintenance activities on the Property, unless the Property Owner receives prior, written approval of an alternative method from the County Engineer:

1. Diagnosis and correction of the Stormwater Facilities malfunctions that cannot be corrected through routine maintenance,
2. Application of fertilizer and/or pest control products within, under, or above the Stormwater Facilities,
3. Repair of private drainage system (including rain gutters, downspouts, area drains, risers, inlets, outlets, overflows, clean-outs, connectors, earthen and concrete conveyance swales, check dam/retaining walls, and catch basins),
4. Maintenance of irrigation system that may affect stormwater reaching the Stormwater Facilities,
5. Modification of site topography through yard and driveway grading that may affect stormwater reaching the Stormwater Facilities,
6. Subdrain cleaning/replacement (including perforated drain pipe), and
7. Replacement of engineered soil and mulch.

The County Engineer may, at any time, revoke approval of an alternate method for the maintenance of the Stormwater Facilities and require the Property Owner to hire a licensed landscape contractor or other licensed professional acceptable to the County Engineer to undertake any of the activities mentioned in this section.

If a dispute should arise between the Property Owner with respect to the necessity for maintenance, the standard of maintenance, the contractor(s) to be engaged to perform any repair or maintenance work, or any other matters pertaining to the operation or maintenance of the Stormwater Facilities, the dispute may be submitted to the County Engineer, in which case the decision of the County Engineer shall be final.

The County recognizes that the Operation and Maintenance Plan may provide for the allocation of Property Owner responsibilities for the maintenance of Stormwater Facilities located on various Lots. However, regardless of the allocation of maintenance responsibilities, the Property Owner of each Lot is responsible for compliance with all of the obligations contained in this Agreement, and all Property Owners will be jointly and severally liable for failure to comply with the terms and conditions set forth in this Agreement and in the Ordinance.

The County may require the Property Owner to amend the Stormwater Control Plan and/or the Operation and Maintenance Plan whenever the County deems amendments necessary to maintain compliance with the NPDES Permit. In that case, the Property Owner shall have the amendments prepared by a licensed engineer and promptly submit the amendments to the County Engineer for review and approval. All amendments proposed by the Property Owner are subject to the prior, written approval of the County Engineer. Whenever the Property Owner requests amendments to the Stormwater Control Plan and/or the Operation and Maintenance Plan, the Property Owner shall pay the County in advance for all staff time spent reviewing and taking action with respect to such request, whether or not the County Engineer approves the proposed amendments. All approved amendments to the Stormwater Control Plan and the Operation and Maintenance Plan will be kept on file at the County Public Works Department. The Property Owner shall promptly comply with all requirements of the Stormwater Control Plan and the Operation and Maintenance Plan, including any approved amendments.

## **SECTION 2**

**Inspection by Property Owner:** The Property Owner shall inspect, at least annually, the Stormwater Facilities in accordance with this Agreement, including the requirements of the Operation and Maintenance Plan, the Stormwater Control Plan, and the Ordinance. The annual inspection shall include completion of the reporting form(s) required by the County, which form(s) will be provided annually to the Property Owner by the County. The Property Owner or a licensed landscape contractor or other licensed professional acceptable to the County Engineer must submit the reporting form(s) to the County Engineer no later than the deadline indicated on the form(s). Upon review, the County may require additional information from either the Property Owner or an appropriately-licensed contractor.

## **SECTION 3**

**Right of Entry and Stormwater Facilities Inspection by the County:** The Property Owner hereby grants permission to the County and its contractors and other agencies with an interest in the Stormwater Facilities, such as the Contra Costa County Flood Control and Water Conservation District, the Contra Costa Mosquito and Vector Control District, and the Regional Water Quality Control Board, to enter upon the Property at any reasonable time to inspect, assess, or observe the Stormwater Facilities for the purpose of ensuring that the Stormwater Facilities are being properly maintained and are continuing to perform in an adequate manner to protect water quality and the public health and safety. This includes the right to enter upon the Property whenever the County or other agency has a reasonable basis to believe that a violation of

this Agreement, the Operation and Maintenance Plan, the Stormwater Control Plan, the Ordinance, or the NPDES Permit has occurred or is threatening to occur. It also includes the right for the County and its contractors to enter upon the Property to perform any maintenance or other obligations required of the Property Owner under this Agreement or to abate any nuisance in connection with the Stormwater Facilities. The County and the other agencies shall endeavor to provide reasonable notice to the Property Owner before entering the Property.

#### **SECTION 4**

**Failure to Perform Required Stormwater Facilities Repairs or Maintenance by the Property Owner:** If the Property Owner fails to maintain the Stormwater Facilities in good working order and in accordance with the approved Operation and Maintenance Plan, the Stormwater Control Plan, and the Ordinance, the County, with prior notice, may enter the Property to return the Stormwater Facilities to good working order. The County is under no obligation to maintain or repair the Stormwater Facilities, and this Agreement may not be construed to impose any such obligation on the County. If the County, under this section, performs any work to return Stormwater Facilities to good working order, the Property Owner shall reimburse the County for all the costs incurred by the County, including administrative costs. The County will provide the Property Owner with an itemized invoice of the County's costs and the Property Owner will have 30 days to pay the invoice. If the Property Owner fails to pay the invoice within 30 days, the County may secure a lien against the Property in the amount of such costs. In addition, the County may make the cost of abatement of the nuisance caused by the failure to maintain the Stormwater Facilities a special assessment against the Property, which assessment may be collected on the tax roll in accordance with applicable law. This section does not prevent the County from pursuing other remedies against the Property or the Property Owner, including but not limited to those in the Ordinance and the nuisance abatement procedures in Division 14 of Title 1 (or successor provisions) of the Contra Costa County Ordinance Code.

If the Property Owner fails to maintain the Stormwater Facilities in accordance with this Agreement, the Operation and Maintenance Plan, the Stormwater Control Plan, or the Ordinance, the Property Owner shall be responsible for: (a) the costs of any code enforcement or nuisance abatement actions commenced by the County; and (b) the payment of, or reimbursement to the County for, any fines or penalties that may be levied against the County by the Regional Water Quality Control Board or any other regulatory agency, to the extent that the fines or penalties result from the Property Owner's failure to properly maintain the Stormwater Facilities. The County may recover such costs, fines, or penalties from the Property Owner in the same manner as provided in the preceding paragraph.

#### **SECTION 5**

**Indemnity:** The Property Owner agrees to defend, indemnify, save, and hold harmless the County and its governing board from any and all demands, losses, claims, costs, suits, liabilities, and expenses for any property damage, personal injury, or death arising directly or indirectly from or connected with the design, construction, use, operation or maintenance of the Stormwater Facilities by the Property Owner or the presence or existence of the Stormwater Facilities on the Property, except for claims, costs, or liabilities resulting from the sole negligence or sole willful misconduct of the County. The Property Owner's obligations under this section shall include the payment of penalties, fines, attorneys' fees, experts' fees, costs, and litigation expenses, as well as liability for the release or existence of any hazardous materials on, under, or in the Property. If any action or proceeding is brought against any of the indemnitees, the

Property Owner shall reimburse the indemnitees for any expenditures, including reasonable attorneys' fees and costs, incurred by the indemnitees and, if requested by any of the indemnitees, shall defend the action or proceeding at the Property Owner's sole expense with counsel reasonably acceptable to the indemnitees.

#### **SECTION 6**

**Covenant Running with the Land:** The covenants of the Property Owner set forth above shall run with the land, and the burdens of the covenants shall be binding upon each and every part of the Property and the Lots and upon the Property Owner and the Property Owner's successors and assigns in ownership (on any interest in the Property) for the benefit of a portion of the northern lane of Laurel Drive in the vicinity of the Property and intersecting with Ayers Road in the unincorporated area of Concord in Contra Costa County, northwest of the Project, and each and every part thereof. Said covenants shall inure to the benefit of and be enforceable by the County and its successors and assigns in ownership of each and every part of the above referenced road.

#### **SECTION 7**

**Severability:** Invalidation of any one of the provisions of this Agreement shall in no way affect any other provisions and all other provisions shall remain in full force and effect.

#### **SECTION 8**

**No Dedication for Public Use:** The provisions of this Agreement shall not be construed to constitute a dedication for public use, either express or implied, and any actions by the County to enforce this Agreement, including without limitation code enforcement or nuisance abatement actions, shall not be deemed to involve the exercise by the County of dominion or control over the Stormwater Facilities or the Property.

#### **SECTION 9**

**Notices:** All notices required by this Agreement or by law shall be in writing and shall be delivered in person or sent by certified mail, postage pre-paid.

Notices required to be given to the County shall be addressed as follows:

Contra Costa County Public Works Department  
Attention: County Watershed Program  
255 Glacier Drive  
Martinez, CA 94553

Notices required to be given to the Property Owner, including any heirs, successors, or assigns, will be sent to the mailing address for the Property Owner that is on file with the Contra Costa

County Assessor. The Property Owner may request in writing that notices be sent to an additional address.

Any party may change its address or contact person by notice in writing to the other party and thereafter notices shall be addressed and transmitted to the new address and/or new contact person.

**SECTION 10**

**Effective Date and Modification:** This Agreement is effective upon the date stated at the beginning of this Agreement. This Agreement shall not be modified except by written instrument executed by the County and the Property Owner at the time of modification. Such modifications shall be effective upon the date of execution and shall be recorded.

**County of Contra Costa**

**Property Owner**

By: \_\_\_\_\_  
Brian M. Balbas, Public Works Director

By: Lenox Homes, LLC  
Manager, Chicken Farm Associates, LLC

RECOMMENDED FOR APPROVAL:  
  
Brian M. Balbas, Public Works Director

By: Focus Realty Services, Inc.  
Manager, Lenox Homes, LLC

By: \_\_\_\_\_  
Deputy Public Works Director

By: \_\_\_\_\_  
Daniel J. Freeman  
President

APPROVED AS TO FORM:

Sharon L. Anderson  
County Counsel

By: \_\_\_\_\_  
Daniel J. Freeman  
Secretary

By: \_\_\_\_\_  
Deputy County Counsel

[Note: All Property Owner signatures must be notarized. If Property Owner is a limited liability company, Property Owner must sign in accordance with one of the following, as applicable: (1) Two managers must sign, or, if the articles of organization indicate that the limited liability company is managed by only one manager, one manager must sign (Corp. Code, § 17703.01, subd. (d)); or (2) subject to the articles of organization, two officers must sign, the first being the chairperson of the board, president or any vice president and the second being any secretary, any assistant secretary, the chief financial officer or any assistant treasurer. (Corp. Code, § 17704.07, subd. (w).)]

Attachments: Exhibit A (Legal Description)  
Exhibit B (Plat Map)  
Acknowledgment



**EXHIBIT 'A'**  
**LEGAL DESCRIPTION**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, BEING PORTIONS OF LOTS 67 AND 66 AS SHOWN ON THE MAP OF AYERS RANCH SUBDIVISION, FILED JULY 2, 1912 IN BOOK 7 OF MAPS, PAGE 170 CONTRA COSTA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(THE BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE CENTERLINE OF LAUREL DRIVE BETWEEN FOUND MONUMENTS AS SHOWN ON THE CONTRA COSTA COUNTY RIGHT OF WAY DWG F 5167 E-71)

BEING ALL OF THAT PARCEL OF LAND DESCRIBED IN THE DEED TO CHICKEN FARM ASSOCIATES, LLC RECORDED ON OCTOBER 15, 2020 UNDER RECORDERS SERIES NUMBER 2020-0239006 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHEASTERLY CORNER OF SAID PARCEL (20-0012289) THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF LAUREL DRIVE NORTH 58°41'36" WEST, 389.00 FEET;

THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 31°18'24" EAST, 402.66 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF TRACT 7934 FILED ON JUNE 2, 2000 IN BOOK 420 OF MAPS AT PAGE 26 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA;

THENCE ALONG SAID SOUTHERLY LINE AND THE EASTERLY PROLONGATION THEREOF SOUTH 58°41'36" EAST, 389.00 FEET;

THENCE SOUTH 31°18'24" WEST, 402.66 FEET TO THE **POINT OF BEGINNING**.

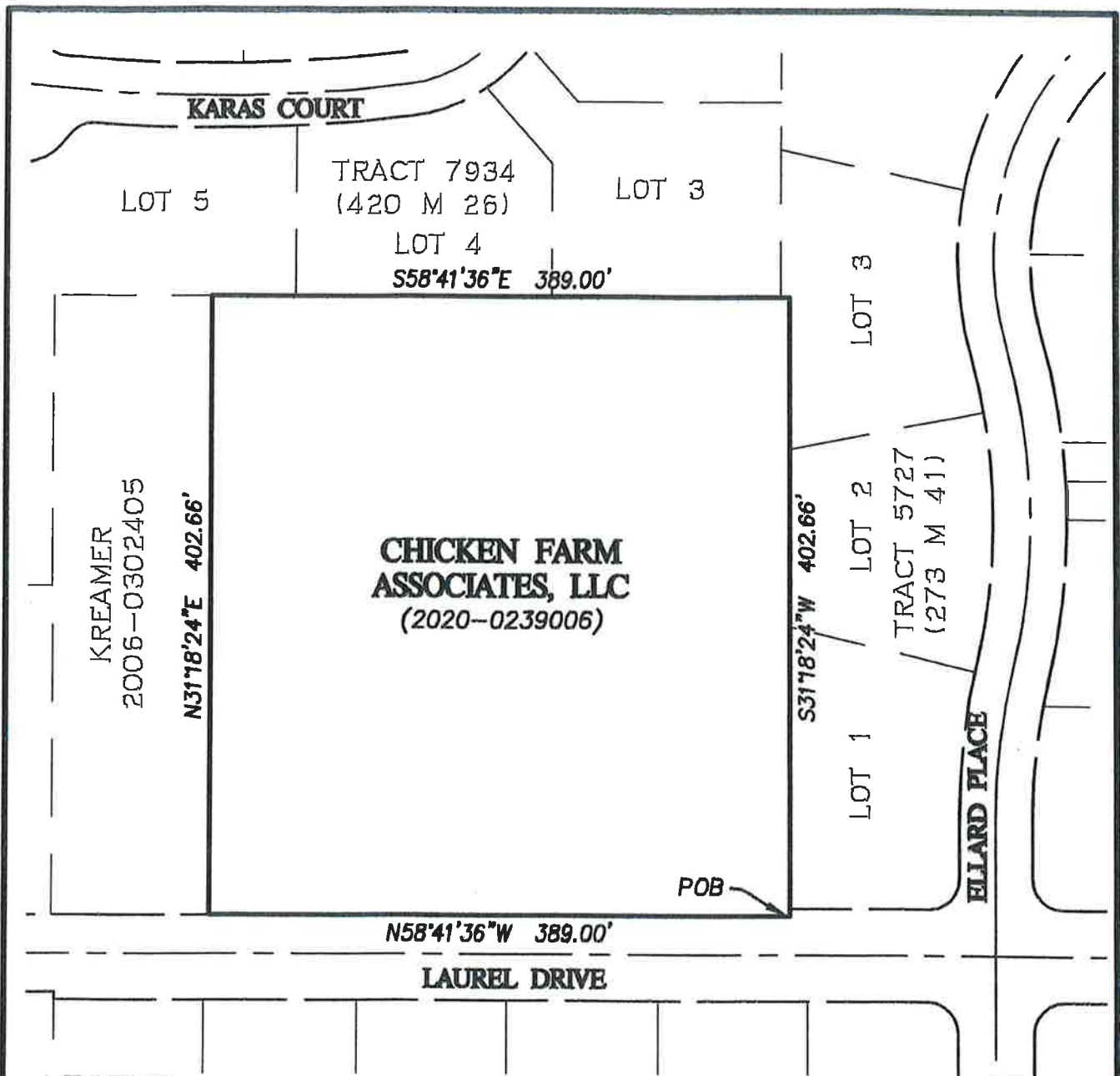
CONTAINING 3.60 ACRES OF LAND, MORE OR LESS.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT




  
BOB J. LEZCANO-LS8514

11-18-20





**LEGEND**

-  BOUNDARY LINE
-  EX RIGHT OF WAY
-  POINT OF BEGINNING



**BASIS OF BEARINGS**

BEARINGS ARE BASED ON THE CENTERLINE OF LAUREL DRIVE BETWEEN FOUND MONUMENTS AS SHOWN ON THE CONTRA COSTA COUNTY RIGHT OF WAY DWG F 5167 E-71 TAKEN AS NORTH 58°41'36" WEST



11-18-20



817 Arnold Drive Ste. 50  
Martinez, CA 94553  
Ph: (925) 476-8499

**EXHIBIT 'B'**  
PLAT TO  
ACCOMPANY LEGAL  
DESCRIPTION

DRAWN BY:  
BJL  
PROJECT NO:  
16119  
SCALE:  
1"=100'

SHEET  
1 OF 1  
DATE:  
7-30-2020

**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 February 17, 2021, before me, Kimberlee Jiannalone

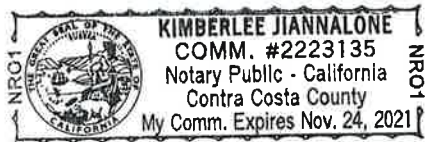
Notary Public, personally appeared Daniel J. Freeman

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.

Kimberlee Jiannalone  
Signature of Notary Public



(SEAL)

Recorded at the request of: Clerk of the Board  
Return To: Public Works Dept- Simone Saleh

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

Adopted this Resolution on 03/09/2021 by the following vote:

- AYE: John Gioia, District I Supervisor Diane Burgis, District III Supervisor Karen Mitchoff, District IV Supervisor Federal D. Glover, District V Supervisor
- NO:
- ABSENT: Candace Andersen, District II Supervisor
- ABSTAIN:
- RECUSE:

Resolution No. 2021/70

IN THE MATTER OF approving the Stormwater Management Facilities Operation and Maintenance Agreement for subdivision SD18-09495 (APN 117-040-086), Concord area. (District IV)

WHEREAS the Public Works Director has recommended that he be authorized to execute the Stormwater Management Facilities Operation and Agreement with Chicken Farm Associates, LLC, as required by the Conditions of Approval for SD18-09495. This agreement would ensure the operation and maintenance of the stormwater facilities in accordance with the approved Stormwater Control Plan and approved Operation and Maintenance Plan for SD18-09495, which is located at 5175 Laurel Drive in the Concord area.

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

Contact: Randolph Sanders (925) 313-2111

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

ATTESTED: March 9, 2021

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

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

cc: Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Brian Louis- Engineering Services, Michelle Mancuso- Watershed Program, Flood Control, Chicken Farm Associates, LLC



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 9, 2021

Subject: Approve the Final Map and Subdivision Agreement for subdivision SD18-09495, Concord area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2021/71 approving the Final Map and Subdivision Agreement for subdivision SD18-09495, for a project being developed by Chicken Farm Associates, LLC, as recommended by the Public Works Director, Concord area. (District IV)

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The Public Works Department has reviewed the conditions of approval for subdivision SD18-09495 and has determined that all conditions of approval for Final Map approval have been satisfied.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Final Map and the Subdivision Agreement will not be approved and recorded. The relevant conditions of approval required per the Board of Supervisor's action on October 22, 2019 having been satisfied, the subdivision of the property will remain incomplete.

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

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

ABSENT: Candace Andersen, District II Supervisor

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

Contact: Randolph Sanders (925)  
313-2111

By: Stacey M. Boyd, Deputy

AGENDA ATTACHMENTS

Resolution No. 2021/71

Final Map

Subdivision Agreement & Improvement Security Bond

Tax Letter & Surety Bond

MINUTES ATTACHMENTS

Signed: Resolution No. 2021/71

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

Adopted this Resolution on 03/09/2021 by the following vote:

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



**Resolution No. 2021/71**

IN THE MATTER OF approving the Final Map and Subdivision Agreement for subdivision SD18-09495, for a project being developed by Chicken Farm Associates, LLC, as recommended by the Public Works Director, Concord area. (District IV)

WHERE AS, the following documents were presented for board approval this date:

I. Map

The Final Map of subdivision SD18-09495, property located in the Concord area, Supervisorial District IV, said map having been certified by the proper officials.

II. Subdivision Agreement

A subdivision agreement with Chicken Farm Associates, LLC, principal, whereby said principal agrees to complete all improvements as required in said subdivision agreement within 2 years from the date of said agreement. Accompanying said subdivision agreement is security guaranteeing completion of said improvements as follows:

A. Cash Bond

Performance amount: \$6,520.00

Auditor's Deposit Permit No. 822207 Date: 1/25/2021

Submitted by: Chicken Farm Associates, LLC

B. Surety Bond

Bond Company: The Ohio Casualty Insurance Company

Bond Number: 38K008258 Date: 12/20/2020

Performance Amount: \$645,480.00

Labor & Materials Amount: \$326,000.00

Principal: Chicken Farm Associates, LLC

III. Tax Letter

Letter from the County Tax Collector stating that there are no unpaid County taxes heretofore levied on the property included in said map and that the 2020-2021 tax lien has been paid in full and the 2021-2022 tax lien, which became a lien on the first day of January 2021, is estimated to be \$45,590.00, with security guaranteeing payment of said tax lien as follows:

● Tax Surety

Bond Company: The Ohio Casualty Insurance Company

Bond Number: 38K008260 Date: 1/8/2021

Amount: \$45,590.00

Submitted by/Principal: Chicken Farm Associates, LLC

NOW, THEREFORE, BE IT RESOLVED:

1. That said subdivision, together with the provisions for its design and improvement, is DETERMINED to be consistent with the County's general and specific plans.
2. That said Final map is APPROVED and this Board does hereby *accept subject to installation and acceptance of improvements* on behalf of the public any of the streets, paths, or easements shown thereon as dedicated to public use.
3. That said subdivision agreement is also 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.

**ATTESTED: March 9, 2021**

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

**Contact: Randolph Sanders (925) 313-2111**

By: Stacey M. Boyd, Deputy

**cc:** Larry Gossett- Engineering Services, Randolph Sanders- Engineering Services, Renee Hutchins - Records, Karen Piona- Records, Chris Hallford -Mapping , Michael Mann- Finance, Cinda Tovar- Design & Construction, Francisco Avila- DCD, Chicken Farm Associates, LLC, The Ohio Casualty Insurance Company, T-01/09/2022

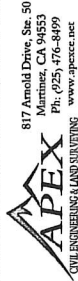




**SUBDIVISION 9495  
"LAUREL PLACE IV"**

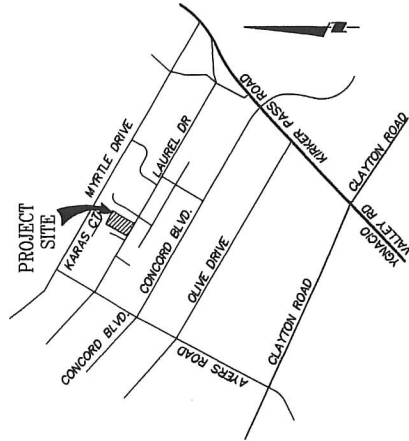
BEING A SUBDIVISION OF THAT PARCEL OF LAND DESCRIBED IN THE GRANT DEED RECORDED UNDER RECORDERS SERIES NUMBER 2020-0012289 CONTRA COSTA COUNTY RECORDS, A PORTION OF THE RANCHO MONTE DEL DIABLO

CONTRA COSTA COUNTY, CALIFORNIA



817 Arnold Drive, Ste. 30  
Martinez, CA 94553  
Ph: 925-476-8499  
www.apexce.net

DECEMBER, 2020



VICINITY MAP  
NOT TO SCALE

**CLERK OF THE BOARD OF SUPERVISORS' CERTIFICATE**

STATE OF CALIFORNIA,  
CONTRA COSTA COUNTY

I, DAVID TWA, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR OF CONTRA COSTA COUNTY, CALIFORNIA, HEREBY CERTIFY THAT THE BOARD OF SUPERVISORS HAS APPROVED THE SUBDIVISION MAP, RECORDS SERIES NUMBER 2020-0012289, PRESENTED TO THE BOARD OF SUPERVISORS, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND THAT SAID BOARD OF SUPERVISORS DID THEREUPON BY RESOLUTION DULY PASSED AND ADOPTED AT SAID MEETING APPROVE SAID MAP, AND DID ACCEPT SUBJECT TO INSTALLATION AND ACCEPTANCE OF IMPROVEMENTS, ON BEHALF OF THE PUBLIC ALL OF THE STREETS, ROADS, AVENUES OR EASEMENTS SHOWN THEREON AS DEDICATED TO PUBLIC USE.

I FURTHER CERTIFY THAT ALL TAX LIENS HAVE BEEN SATISFIED AND THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP HAVE BEEN APPROVED BY THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, AND FILED IN MY OFFICE.  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS DAY \_\_\_\_\_ OF \_\_\_\_\_, 20\_\_\_\_.

DAVID TWA  
CLERK OF THE BOARD OF SUPERVISORS AND  
COUNTY ADMINISTRATOR  
CONTRA COSTA COUNTY  
STATE OF CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY CLERK

**COUNTY SURVEYOR'S STATEMENT**

THIS MAP WAS EXAMINED BY ME AND IS SUBSTANTIALLY THE SAME AS IT APPEARS ON THE MAP AS PREPARED BY THE SURVEYOR. I HAVE REVIEWED THE RECORDS AND THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND I AM SATISFIED THAT THE SAME IS TECHNICALLY CORRECT.

DATE: \_\_\_\_\_ BY: JAMES A. STEIN, LS 6571  
COUNTY SURVEYOR

**PLANNING COMMISSION'S STATEMENT**

I HEREBY STATE THAT THE PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, HAS APPROVED THE TENTATIVE MAP OF THIS SUBDIVISION UPON WHICH THIS FINAL MAP IS BASED.

ARJUNA BHAT  
DEPUTY DIRECTOR  
DEPARTMENT OF CONSERVATION AND DEVELOPMENT  
COMMUNITY DEVELOPMENT DIVISION

BY: Arjuna Bhat DATE: 1/05/2021

**BUILDING INSPECTION STATEMENT**

A GEOTECHNICAL INVESTIGATION REPORT, PREPARED BY BERLOGAR, DATED FEBRUARY 15, 2017, JOB NO. 3833, 100, HAS BEEN RECEIVED AND APPROVED. THE REPORT IS ON FILE IN THE BUILDING INSPECTION DIVISION, CONTRA COSTA COUNTY.

JASON CRAPO  
DEPUTY DIRECTOR  
DEPARTMENT OF CONSERVATION AND DEVELOPMENT  
BUILDING INSPECTION DIVISION

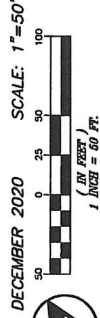
BY: Jason Crapo DATE: 1/19/21

# SUBDIVISION 9495 "LAUREL PLACE IV"

BEING A SUBDIVISION OF THAT PARCEL OF LAND DESCRIBED IN THE GRANT DEED RECORDED UNDER RECORDERS SERIES NUMBER 2020-0012289, CONTRA COSTA COUNTY RECORDS, A PORTION OF THE RANCHO MONTE DEL DIABLO CONTRA COSTA COUNTY, CALIFORNIA



817 Arnold Drive, Ste. 30  
Martinez, CA 94553  
Ph: (925) 476-8499  
www.apexce.net



- LEGEND**
- SUBDIVISION BOUNDARY LINE
  - EXISTING RIGHT-OF-WAY LINE
  - LOT LINE
  - CENTERLINE
  - EXISTING EASEMENT LINE
  - COUNTY BOUNDARY LINE
  - FND STANDARD STREET MONUMENT
  - ⊙ MONUMENT TO CENTERLINE
  - ⊙ MONUMENT TO MONUMENT
  - (T) TOTAL
  - ( ) RECORD DATA
  - CALC CALCULATED
  - ESMT EASEMENT

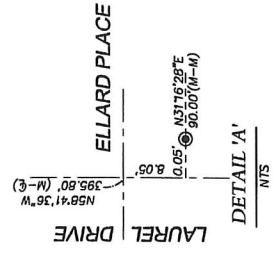
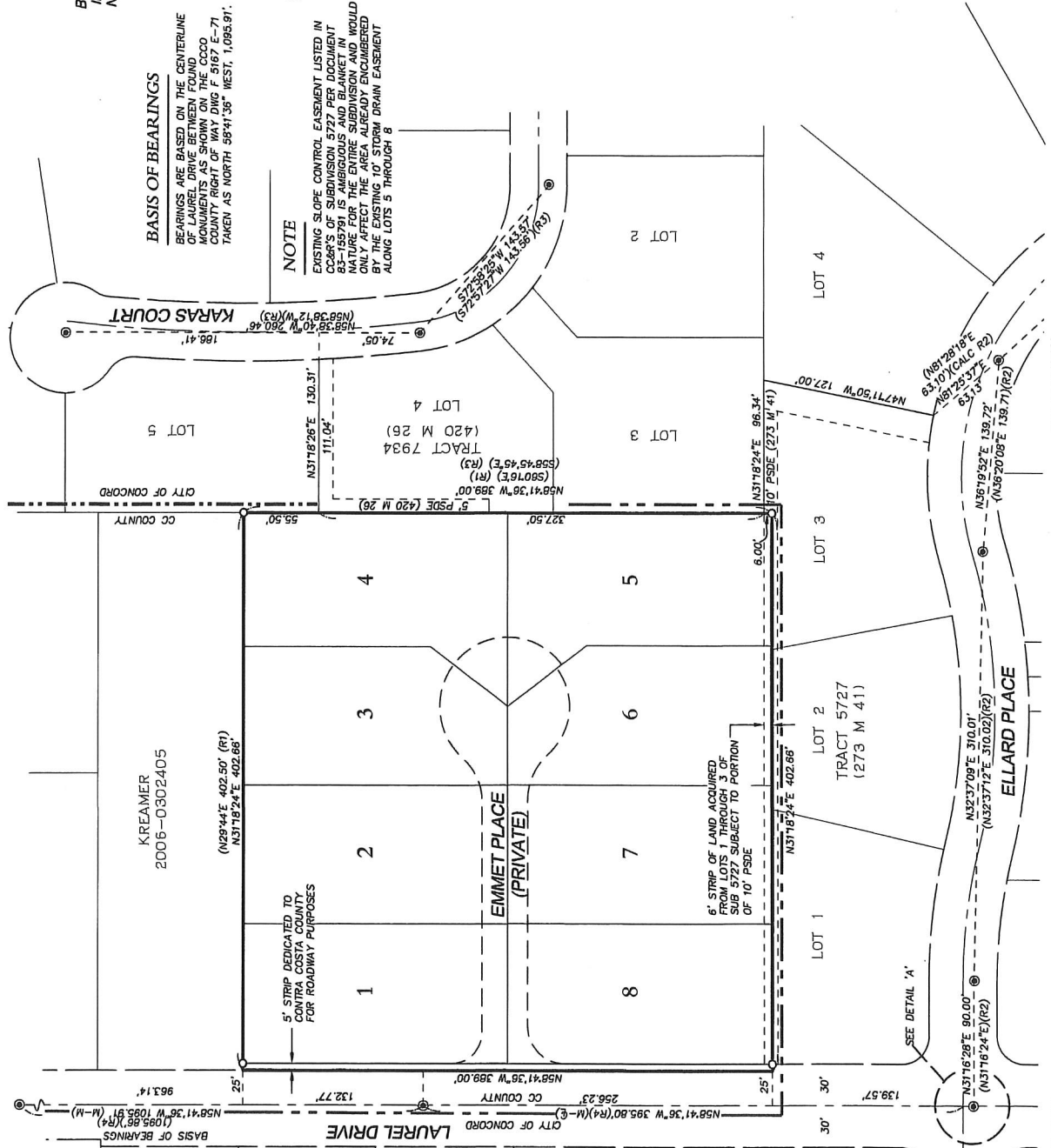
- REFERENCES**
- (R1) VESTING DEED 2009-0276472
  - (R2) SUB 5727-273 M 41
  - (R3) SUB 7934-420 M 26
  - (R4) SUB 4465-159 M 23

**BASIS OF BEARINGS**

BEARINGS ARE BASED ON THE CENTERLINE OF LAUREL DRIVE. MONUMENTS ARE SHOWN ON THE COCO COUNTY RIGHT OF WAY DING F 5187 E-71 TAKEN AS NORTH 58°41'36" WEST, 1,095.91'.

**NOTE**

EXISTING SLOPE CONTROL EASEMENT LISTED IN THE RECORDS OF THE COUNTY OF CONTRA COSTA, PARCEL 2005-0302405, NATURE FOR THE ENTIRE SUBDIVISION AND WOULD ONLY AFFECT THE AREA ALREADY ENCOMBERED BY THE EXISTING 10' STORM DRAIN EASEMENT ALONG LOTS 5 THROUGH 8



# SUBDIVISION 9495 "LAUREL PLACE IV"

BEING A SUBDIVISION OF THAT PARCEL OF LAND DESCRIBED IN THE GRANT DEED RECORDED UNDER RECORDERS SERIES NUMBER 2020-001289, CONTRA COSTA COUNTY RECORDS, A PORTION OF THE RANCHO MONTE DEL DIABLO CONTRA COSTA COUNTY, CALIFORNIA



817 Arnold Drive, Ste. 50  
Martinez, CA 94553  
Ph: (925) 776-8199  
www.apexce.net

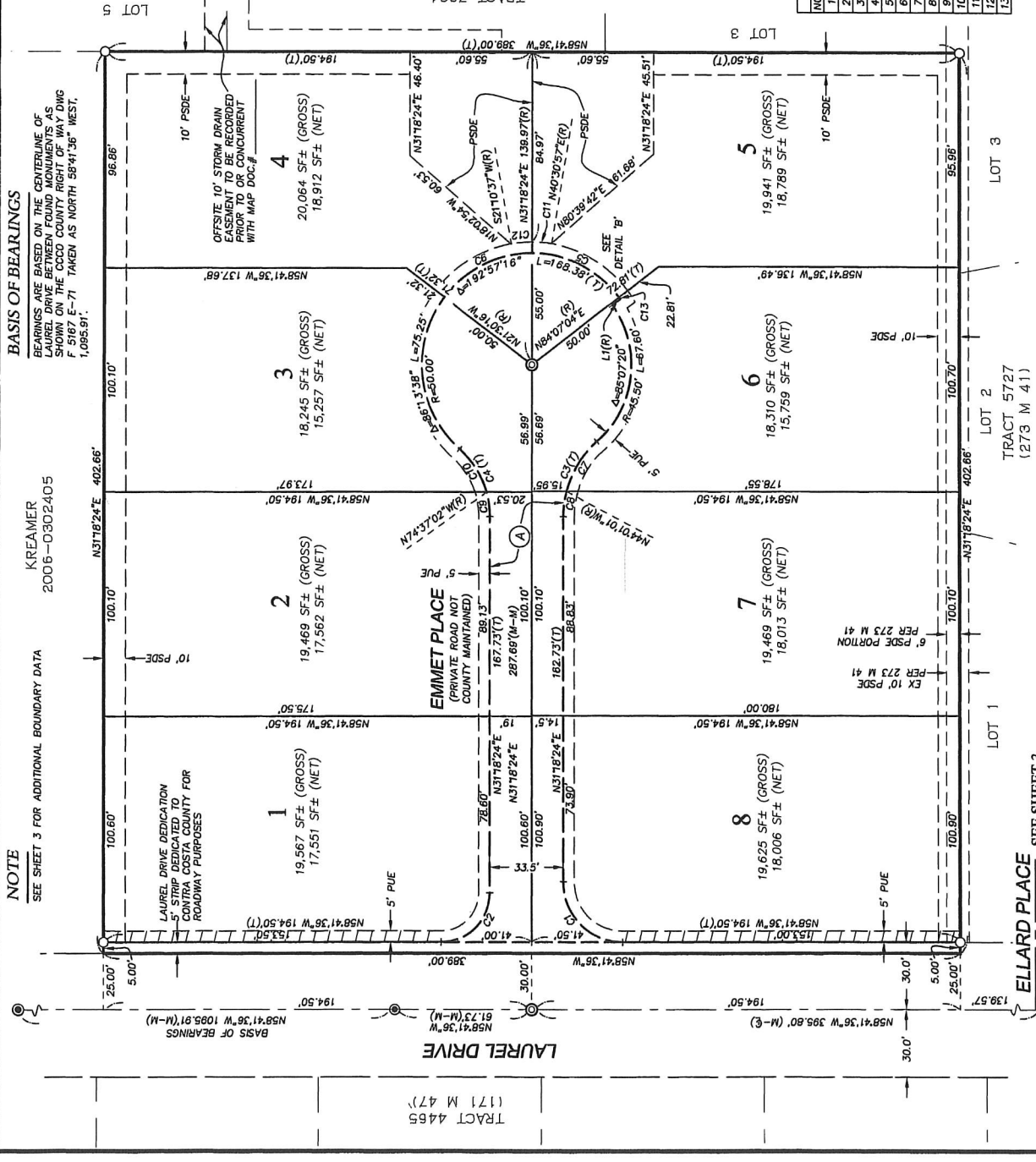
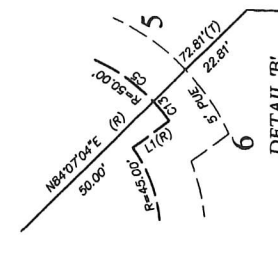


LEGEND

- SUBDIVISION BOUNDARY LINE
- EXISTING RIGHT-OF-WAY LINE
- LOT LINE
- PRIVATE ACCESS & UTILITY ESMT
- CENTERLINE
- NEW EASEMENT LINE
- EXISTING EASEMENT LINE
- DENOTES RELINQUISHMENT OF ABUTTER'S RIGHTS
- FND STD COUNTY MONUMENT
- SET STANDARD MON. LS 8514
- SET 1/2" REBAR AND CAP. LS 8514
- MONUMENT TO MONUMENT
- TOTAL
- RADIAL
- RECORD DATA
- CALCULATED
- EMERGENCY VEHICLE ACCESS EASEMENT
- EVAE
- PAUE
- PRIVATE ACCESS & UTILITY EASEMENT
- PRIVATE STORM DRAIN EASEMENT
- PUBLIC UTILITY EASEMENT
- PRIVATE SANITARY SEWER EASEMENT
- WATER LINE EASEMENT
- DENOTES EVAE, PUE, PSSE, PSDE, MILL, PAUE

LINE NO.	BEARING	LENGTH
1	S85°13'22"W	4.50'

CURVE NO.	RADIUS	DELTA	LENGTH
1	27.00'	90°00'00"	42.41'
2	22.00'	90°00'00"	34.56'
3	44.50'	49°02'18"	38.09'
4	40.00'	49°02'18"	34.24'
5	50.00'	52°48'40"	46.09'
6	50.00'	52°48'40"	46.09'
7	44.50'	34°21'43"	26.66'
8	44.50'	14°40'35"	11.40'
9	40.00'	19°35'26"	17.12'
10	40.00'	15°05'52"	23.12'
11	55.00'	09°12'33"	8.94'
12	55.00'	10°07'47"	9.72'
13	50.00'	07°08'18"	0.95'



NOTE  
SEE SHEET 3 FOR ADDITIONAL BOUNDARY DATA  
KREAMER  
2006-0302405

BASIS OF BEARINGS  
BEARINGS ARE BASED ON THE CENTERLINE OF LAUREL DRIVE BETWEEN FOUND MONUMENTS AS SHOWN ON THE CCCO COUNTY RIGHT OF WAY Dwg F 5167 E-71 TAKEN AS NORTH 58°41'36" WEST, 1,095.91'.

LAUREL DRIVE DEDICATION  
TO THE STATE OF CALIFORNIA  
CONTRA COSTA COUNTY  
FOR ROADWAY PURPOSES

OFFSITE 10' STORM DRAIN  
AS SHOWN ON MAP Dwg F 5167 E-71  
PRIOR TO OR CONCURRENT  
WITH MAP DOC.#

**SUBDIVISION AGREEMENT**  
(Gov. Code, §§ 66462 and 66463)

Subdivision: SD18-9495

Effective Date: Date approved by BOS

Subdivider: Chicken Farm Associates, LLC

Completion Period: 2-years

THESE SIGNATURES ATTEST TO THE PARTIES' AGREEMENT HERETO:

CONTRA COSTA COUNTY

Brian M. Balbas, Public Works Director

SUBDIVIDER CHICKEN FARM ASSOCIATES, LLC  
A California limited liability company

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


~~Print Name~~ By: Lenox Homes, LLC, a California limited liability  
~~Print Title~~ company, its manager

RECOMMENDED FOR APPROVAL:

By: Focus Realty Services, Inc., a California Corporation, its manager

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

Engineering Services Division

  
Print Name: Daniel Freeman

Print Title: President

FORM APPROVED: Silvano B. Marchesi, County Counsel

[Note: If Subdivider is a corporation, two officers must sign. The first must be the chairman of the board, president or any vice president; the second must be the secretary, assistant secretary, chief financial officer or any assistant treasurer. (Corp. Code, § 313; Civ. Code, § 1190.) If Subdivider is a limited liability company, Subdivider shall sign in the manner required of corporations, or by two managers, or by one manager, pursuant to the articles of organization (see Corp. Code, §§17151, 17154, 17157.) If Subdivider is a partnership, any authorized partner may sign. Signatures by Subdivider must be notarized.]

1. PARTIES & DATE. Effective on the above date, the County of Contra Costa, California (hereinafter "County"), and the above-mentioned Subdivider mutually promise and agree as follows concerning this Subdivision:

2. IMPROVEMENTS. Subdivider agrees to install certain road improvements (both public and private), drainage improvements, signs, street lights, fire hydrants, landscaping and such other improvements (including appurtenant equipment) as required in the improvement plans for this Subdivision as reviewed and on file with the Contra Costa County Public Works Department, as required by the Conditions of Approval for this Subdivision, and in conformance with the Contra Costa County Ordinance Code, including future amendments thereto (hereinafter "Ordinance Code").

Subdivider shall complete said improvements (hereinafter "Work") within the above completion period from date hereof, as required by the California Subdivision Map Act (Gov. Code, §§ 66410 et. seq.) in a good workmanlike manner, in accordance with accepted construction practices and in a manner equal or superior to the requirements of the Ordinance Code and rulings made thereunder; and where there is a conflict among the improvement plans, the Conditions of Approval and the Ordinance Code, the stricter requirements shall govern.

3. IMPROVEMENTS SECURITY. Upon executing this Agreement, the Subdivider shall, pursuant to Gov. Code § 66499 and the County Ordinance Code, provide as security to the County:

A. For Performance and Guarantee: \$ 6,520.00 cash, plus additional security, in the amount of \$ 645,480.00, which together total one hundred percent (100%) of the estimated cost of the Work. Such additional security is presented in the form of:

- Cash, certified check or cashier's check.
- Acceptable corporate surety bond.
- Acceptable irrevocable letter of credit.

With this security, Subdivider guarantees performance under this Agreement and maintenance of the Work for one year after its completion and acceptance against any defective workmanship or materials or any unsatisfactory performance.

B. For Payment: Security in the amount: \$ 326,000.00, which is fifty percent (50%) of the estimated cost of the Work. Such security is presented in the form of:

- Cash, certified check, or cashier's check
- Acceptable corporate surety bond.
- Acceptable irrevocable letter of credit.

With this security, Subdivider guarantees payment to the contractor, to its subcontractors and to persons renting equipment or furnishing labor or materials to them or to the Subdivider.

Upon acceptance of the Work as complete by the Board of Supervisors and upon request of Subdivider, the amounts held as security may be reduced in accordance with Sections 94-4.406 and 94-4.408 of the Ordinance Code.

Form Approved by County Counsel  
[Rev. 8/08]

4. GUARANTEE AND WARRANTY OF WORK. Subdivider guarantees that the Work shall be free from defects in material or workmanship and shall perform satisfactorily for a period of one (1) year from and after the Board of Supervisors accepts the Work as complete in accordance with Article 96-4.6, "Acceptance," of the Ordinance Code. Subdivider agrees to correct, repair, or replace, at Subdivider's expense, any defects in said Work.

The guarantee period does not apply to road improvements for private roads that are not to be accepted into the County road system.

5. PLANT ESTABLISHMENT WORK. Subdivider agrees to perform plant establishment work for landscaping installed under this Agreement. Said plant establishment work shall consist of adequately watering plants, replacing unsuitable plants, doing weed, rodent and other pest control and other work determined by the Public Works Department to be necessary to ensure establishment of plants. Said plant establishment work shall be performed for a period of one (1) year from and after the Board of Supervisors accepts the Work as complete.

6. IMPROVEMENT PLAN WARRANTY. Subdivider warrants the improvement plans for the Work are adequate to accomplish the Work as promised in Section 2 and as required by the Conditions of Approval for the Subdivision. If, at any time before the Board of Supervisors accepts the Work as complete or during the one year guarantee period, said improvement plans prove to be inadequate in any respect, Subdivider shall make whatever changes are necessary to accomplish the Work as promised.

7. NO WAIVER BY COUNTY. Inspection of the Work and/or materials, or approval of the Work and/or materials or statement by any officer, agent or employee of the County indicating the Work or any part thereof complies with the requirements of this Agreement, or acceptance of the whole or any part of said Work and/or materials, or payments therefor, or any combination or all of these acts, shall not relieve the Subdivider of its obligation to fulfill this Agreement as prescribed; nor shall the County be thereby stopped from bringing any action for damages arising from the failure to comply with any of the terms and conditions hereof.

8. INDEMNITY. Subdivider shall defend, hold harmless and indemnify the indemnitees from the liabilities as defined in this section:

A. The indemnitees benefitted and protected by this promise are the County and its special districts, elective and appointive boards, commissions, officers, agents and employees.

B. The liabilities protected against are any liability or claim for damage of any kind allegedly suffered, incurred or threatened because of actions defined below, and including personal injury, death, property damage, inverse condemnation, or any combination of these, and regardless of whether or not such liability, claim or damage was unforeseeable at any time before County reviewed said improvement plans or accepted the Work as complete, and including the defense of any suit(s), action(s), or other proceeding(s) concerning said liabilities and claims.

C. The actions causing liability are any act or omission (negligent or non-negligent) in connection with the matters covered by this Agreement and attributable to Subdivider, contractor, subcontractor, or any officer, agent, or employee of one or more of them.

D. Non-Conditions. The promise and agreement in this section are not conditioned or dependent on whether or not any indemnitee has prepared, supplied, or approved any plan(s) or specification(s) in connection with this Work or Subdivision, or has insurance or other indemnification covering any of these matters, or that the alleged damage resulted partly from any negligent or willful misconduct of any indemnitee.

9. COSTS. Subdivider shall pay, when due, all the costs of the Work, including but not limited to the costs of relocations of existing utilities required thereby; inspections; material checks and tests; and other costs incurred by County staff arising from or related to the Work, and prior to acceptance of the Work as complete or expiration of any applicable warranty periods, whichever is later.

10. SURVEYS. Subdivider shall set and establish survey monuments in accordance with the filed map and to the satisfaction of the County Road Commissioner-Surveyor before acceptance of the Work as complete by the Board of Supervisors.

11. NON-PERFORMANCE AND COSTS. If Subdivider fails to complete the Work within the time specified in this Agreement, and subsequent extensions, or fails to maintain the Work, County may proceed to complete and/or maintain the Work by contract or otherwise and Subdivider agrees to pay all costs and charges incurred by County (including, but not limited to, engineering, inspection, surveys, contract, overhead, etc.) immediately upon demand.

Once action is taken by County to complete or maintain the Work, Subdivider agrees to pay all costs incurred by County, even if Subdivider subsequently completes the Work.

Should County sue to compel performance under this Agreement or to recover costs incurred in completing or maintaining the Work, Subdivider agrees to pay all attorney's fees, staff costs and all other expenses of litigation incurred by County in connection therewith, even if Subdivider subsequently proceeds to complete the Work.

12. INCORPORATION/ANNEXATION. If, before the Board of Supervisors accepts the Work as complete, the Subdivision is included in territory incorporated as a city or is annexed to an existing city, except as provided in this paragraph, County's rights under this Agreement and/or any deposit, bond, or letter of credit securing said rights shall be transferred to the new or annexing city. Such city shall have all the rights of a third party beneficiary against Subdivider, who shall fulfill all the terms of this Agreement as though Subdivider had contracted with the city originally. The provisions of paragraph 8 (Indemnity) shall continue to apply in favor of the indemnitees listed in paragraph 8.A. upon any such incorporation or annexation.

13. RECORD MAP. In consideration hereof, County shall allow Subdivider to file and record the final map or parcel map for said Subdivision.

14. RIGHT OF ENTRY. Subdivider hereby consents to entry onto the Subdivision property, and onto any other property over which Subdivider has land rights and upon which any portion of the Work is to be installed pursuant to the improvement plans, by County and its forces, including contractors, for the purpose of inspection, and, in the event of non-performance of this Agreement by Subdivider, completion and/or maintenance of the Work.

# CALIFORNIA CERTIFICATE OF 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 January 6, 2021 before me, Kimberlee Jiannalone, Notary Public,  
(here insert name and title of the officer)

personally appeared Daniel Freeman

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

Kimberlee Jiannalone

(Seal)

## Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of \_\_\_\_\_

containing \_\_\_\_\_ pages, and dated \_\_\_\_\_

The signer(s) capacity or authority is/are as:

- Individual(s)  
 Attorney-in-Fact  
 Corporate Officer(s) \_\_\_\_\_  
Title(s) \_\_\_\_\_

- Guardian/Conservator  
 Partner - Limited/General  
 Trustee(s)  
 Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) or Entity(ies) Signer is Representing

### Additional Information

#### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:  
 form(s) of identification  credible witness(es)

Notarial event is detailed in notary journal on:  
Page # \_\_\_\_\_ Entry # \_\_\_\_\_

Notary contact: \_\_\_\_\_

#### Other

- Additional Signer(s)  Signer(s) Thumbprint(s)  
 \_\_\_\_\_

Subdivision: SD18-9495  
Bond No.: 38K008258  
Premium: \$6,455.00 Subject to Renewal.  
Any claim under this Bond should be sent  
to the following address:  
The Ohio Casualty Insurance Company  
1610 Arden Way, Suite 299  
Sacramento, CA

IMPROVEMENT SECURITY BOND  
FOR SUBDIVISION AGREEMENT  
(Performance, Guarantee and Payment)  
(Gov. Code, §§ 66489-66499.10)

1. **RECITAL OF SUBDIVISION AGREEMENT.** The Principal has executed an agreement with the County of Contra Costa (hereinafter "County") to install and pay for street, drainage and other improvements in Subdivision 18-9495 as specified in the Subdivision Agreement, and to complete said work within the time specified for completion in the Subdivision Agreement, all in accordance with State and local laws and rulings thereunder in order to satisfy conditions for filing of the Final Map or Parcel Map for said subdivision. Under the terms of the Subdivision Agreement, Principal is required to furnish a bond to secure the faithful performance of the Subdivision Agreement and payment to laborers and materialmen.

2. **OBLIGATION.** Chicken Farm Associates, LLC, as Principal, and The Ohio Casualty Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and authorized to transact surety business in California, as Surety, hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns to the County of Contra Costa, California to pay it:

(A. Performance and Guarantee) SIX HUNDRED FORTY FIVE THOUSAND FOUR HUNDRED EIGHTY AND 00/100 Dollars (\$ 645,480.00) for itself or any city assignee under the above Subdivision Agreement.

(B. Payment) THREE HUNDRED TWENTY SIX THOUSAND AND 00/100 Dollars (\$ 326,000.00) to secure the claims to which reference is made in Title XV (commencing with Section 3082) of Part 4 of Division III of the Civil Code of the State of California.

3. **CONDITION.** This obligation is subject to the following condition.

A. The condition of this obligation as to Section 2.(A) above is such that if the above bounded Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the County of Contra Costa (or city assignee), its officers, agents and employees, as therein stipulated, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the County of Contra Costa (or city assignee) in successfully enforcing such obligation, and to be taxed as costs and included in any judgment rendered.

B. The condition of this obligation, as to Section 2.(B) above, is such that said Principal and the undersigned as corporate surety are held firmly bound unto the County of Contra Costa and all contractors, subcontractors, laborers, materialmen and other persons employed in the performance of the aforesaid Subdivision Agreement and referred to in the aforesaid Civil Code for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, and that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the County of Contra Costa (or city assignee) in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

C. No change, extension of time, alteration, or addition to the terms of said Subdivision Agreement or the work to be performed thereunder or any plan or specifications of said work, agreed to by the Principal and the County of Contra Costa (or city assignee) shall relieve any Surety from liability on this bond, and consent is hereby given to make such change, extension of time, alteration or addition without further notice to or consent by Surety; and Surety hereby waives the provisions of Civil Code Section 2619 and holds itself bound without regard to and independently of any action against the Principal whenever taken.

SIGNED AND SEALED on December 30, 2020

Principal: Chicken Farm Associates, LLC

Address: 3675 Mt. Diablo Blvd., #350

Lafayette, CA Zip: 94549

By: [Signature]

Print Name: Daniel Freeman

Title: President

Surety: The Ohio Casualty Insurance Company

Address: 1610 Arden Way, Suite 299

Sacramento, CA Zip: 95815

By: [Signature]

Print Name: Renato F Reyes

Title: Attorney-In-Fact

(Note: All signatures must be acknowledged. For corporations, two officers must sign. The first signature must be that of the chairman of the board, president, or vice-president; the second signature must be that of the secretary, assistant secretary, chief financial officer, or assistant treasurer. (Civ. Code, § 1189 and Corps. Code, § 313.)

Form Approved by County Counsel  
[Rev. 1/06]



## 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 Orange )

On DEC 30 2020 before me, Sara Sinining  
(insert name and title of the officer)

personally appeared Renato F Reyes,  
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 Sara Sinining (Seal)



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.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8203288-976053

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Renato F. Reyes, Jackie Riola, Sara Sinining

all of the city of Los Angeles 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 12th day of March, 2020.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

State of PENNSYLVANIA ss
County of MONTGOMERY

On this 12th day of March, 2020 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, 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 King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions 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 execution of any such instruments and to attach thereto the seal of the Corporation. When so 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.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company 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 Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

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, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company 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 DEC 30 2020.



By: Renee C. Llewellyn, 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.

# CALIFORNIA CERTIFICATE OF 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 January 6, 2021 before me, Kimberlee Jiannalone, Notary Public,  
(here insert name and title of the officer)

personally appeared Daniel Freeman

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 Kimberlee Jiannalone

(Seal)

## Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of \_\_\_\_\_

containing \_\_\_\_\_ pages, and dated \_\_\_\_\_.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-Fact
- Corporate Officer(s) \_\_\_\_\_  
Title(s)

- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) or Entity(ies) Signer is Representing

### Additional Information

#### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

- form(s) of identification     credible witness(es)

Notarial event is detailed in notary journal on:

Page # \_\_\_\_\_ Entry # \_\_\_\_\_

Notary contact: \_\_\_\_\_

#### Other

- Additional Signer(s)     Signer(s) Thumbprint(s)

\_\_\_\_\_

**Tax Collector's Office**  
 625 Court Street  
 Finance Building, Room 100  
 P. O. Box 631  
 Martinez, California 94553-0063  
 (925) 957-5280  
 (925) 957-2898 (FAX)

# Contra Costa County

**Russell V. Watts**  
 County Treasurer-Tax Collector

**Brice B. Bins**  
 Chief Deputy Treasurer-Tax Collector

**Lulis Lopez**  
 Assistant Tax Collector



Date: 2/22/2021

IF THIS TRACT IS NOT FILED PRIOR TO THE DATE TAXES ARE OPEN FOR COLLECTION (R&T CODE 2608) **THIS LETTER IS VOID.**

This will certify that I have examined the map of the proposed subdivision entitled:

<u>Tract / MS #</u>	<u>City</u>	<u>T.R.A.</u>
9495	Concord	79036
Parcel #: 117-040-086-3		

and have determined from the official tax records that there are no unpaid County taxes heretofore levied on the property included in the map.

The 2020-2021 tax lien has been paid in full. Our estimate of the 2021-2022 tax lien, which became a Lien on the **1st day of January, 2021** is :

**\$24,400.00**

Our estimate for Supplementals taxes is:

**\$21,190.00**

This tract is not subject to a 1915 Act Bond.

The amount calculated is **void** 45 days from the date of this letter, unless this letter is accompanied with security approved by the Contra Costa County Tax Collector **Subdivision bond must be presented to the County Tax Collector for review and approval of adequacy of security prior to filing with the Clerk of the Board of Supervisors.**

RUSSEL V. WATTS  
 Treasurer-Tax Collector

By: 

<u>PRINCIPAL</u>	<u>TITLE COMPANY</u>	<u>SURETY</u>
<u>Chicken Farm Associates, LLC</u>	<u>Old Republic Title Company</u>	<u>The Ohio Casualty Insurance Company</u>
<u>3675 Mt. Diablo Blvd., #350</u> Street Address	<u>1000 Burnett Ave., #400</u> Street Address	<u>1610 Arden Way, Suite 299</u> Street Address
<u>Lafayette, CA 94549</u> City, State, Zip	<u>Concord, CA 94520</u> City, State, Zip	<u>Sacramento, CA 95815</u> City, State, Zip
<u>Marsha J Boyette</u> Contact Person	<u>Dawn Cabral</u> Contact Person	<u>Peggy Roy</u> Contact Person
<u>(925) 283-8470</u> Phone Number	<u>(925) 687-7880</u> Phone Number	<u>(916) 830-6075</u> Phone Number

**BOND AGAINST TAXES**

**KNOW ALL MEN BY THESE PRESENTS:**


THAT Chicken Farm Associates, LLC, as Principal and The Ohio Casualty Insurance Company, as Surety, a corporation organized and existing under the laws of the State of New Hampshire and authorized to transact surety business in California are held and firmly bound unto the County of Contra Costa, State of California, in the penal sum of **FOURTY FIVE THOUSAND FIVE HUNDRED NINETY DOLLARS (\$45,590.00)**, to be paid to the said County of Contra Costa, for the payment of which will and truly be made, we and each of us bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 8th day of January, 2021.

The conditions of the above obligation is such that WHEREAS, the above bound Principal is about to file map(s) entitled **SUBDIVISION 9495** covering a subdivision of a tract of land in said County of Contra Costa, and there are certain liens for taxes and special assessments collected as taxes, for the 2021-2022 tax year, against said tract of land covered by said map(s), which taxes and special assessments collected as taxes, are not as yet due or payable.

**NOW THEREFORE**, if said Principal shall pay all of the taxes and special assessments collected as taxes which are a lien against said tract of land covered by said map, at the time of the filing of said map, then this obligation shall be void and of no effect. Otherwise it shall remain in full force and effect.

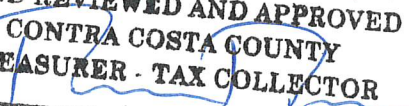
PRINCIPAL: Chicken Farm Associates, LLC  
Lenox Homes LLC, its manager  
By: By: Focus Realty Services Inc, its manager

SURETY: The Ohio Casualty Insurance Company  


By:   
President

Renato F Reyes, Attorney-In-Fact

(ALL SIGNATURES MUST BE NOTARIZED)

DATE: 2/22/2021  
**BOND REVIEWED AND APPROVED**  
**CONTRA COSTA COUNTY**  
**TREASURER - TAX COLLECTOR**  
BY: 

# 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.

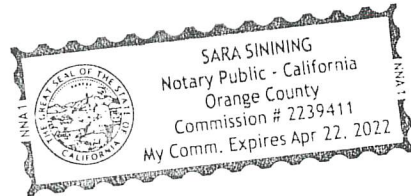
State of California  
County of Orange )

On JAN 08 2021 before me, Sara Sinining, Notary Public  
(insert name and title of the officer)

personally appeared Renato F Reyes  
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 Sara Sinining (Seal)



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.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8203288-976053

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Renato F. Reyes, Jackie Riola, Sara Sinining

all of the city of Los Angeles 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 12th day of March, 2020.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company
By: David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 12th day of March, 2020 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, 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 King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
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-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions 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 execution of any such instruments and to attach thereto the seal of the Corporation. When so 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.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company 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 Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

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, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company 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 JAN 08 2021 day of



By: Renee C. Llewellyn, 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.

# CALIFORNIA CERTIFICATE OF 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 January 11, 2021 before me, Kimberlee Jiannalone, Notary Public,  
(here insert name and title of the officer)

personally appeared Daniel Freeman

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

Kimberlee Jiannalone

(Seal)

## Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of \_\_\_\_\_

containing \_\_\_\_\_ pages, and dated \_\_\_\_\_

The signer(s) capacity or authority is/are as:

- Individual(s)  
 Attorney-in-Fact  
 Corporate Officer(s) \_\_\_\_\_ Title(s)

- Guardian/Conservator  
 Partner - Limited/General  
 Trustee(s)  
 Other: \_\_\_\_\_

representing: \_\_\_\_\_  
Name(s) of Person(s) or Entity(ies) Signer is Representing

### Additional Information

#### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:  
 form(s) of identification  credible witness(es)

Notarial event is detailed in notary journal on:  
Page # \_\_\_\_\_ Entry # \_\_\_\_\_

Notary contact: \_\_\_\_\_

#### Other

- Additional Signer(s)  Signer(s) Thumbprint(s)  
 \_\_\_\_\_



C.5

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

Adopted this Resolution on 03/09/2021 by the following vote:

		<b>John Gioia</b>
<b>AYE:</b>	<input type="checkbox"/> 4	<b>Diane Burgis</b>
		<b>Karen Mitchoff</b>
		<b>Federal D. Glover</b>
<b>NO:</b>	<input checked="" type="checkbox"/>	
<b>ABSENT:</b>	<input type="checkbox"/> 1	<b>Candace Andersen</b>
<b>ABSTAIN:</b>	<input checked="" type="checkbox"/>	
<b>RECUSE:</b>	<input checked="" type="checkbox"/>	



**Resolution No. 2021/71**

IN THE MATTER OF approving the Final Map and Subdivision Agreement for subdivision SD18-09495, for a project being developed by Chicken Farm Associates, LLC, as recommended by the Public Works Director, Concord area. (District IV)

WHERE AS, the following documents were presented for board approval this date:

I. Map

The Final Map of subdivision SD18-09495, property located in the Concord area, Supervisorial District IV, said map having been certified by the proper officials.

II. Subdivision Agreement

A subdivision agreement with Chicken Farm Associates, LLC, principal, whereby said principal agrees to complete all improvements as required in said subdivision agreement within 2 years from the date of said agreement. Accompanying said subdivision agreement is security guaranteeing completion of said improvements as follows:

A. Cash Bond

Performance amount: \$6,520.00

Auditor's Deposit Permit No. 822207 Date: 1/25/2021

Submitted by: Chicken Farm Associates, LLC

B. Surety Bond

Bond Company: The Ohio Casualty Insurance Company

Bond Number: 38K008258 Date: 12/20/2020

Performance Amount: \$645,480.00

Labor & Materials Amount: \$326,000.00

Principal: Chicken Farm Associates, LLC

III. Tax Letter

Letter from the County Tax Collector stating that there are no unpaid County taxes heretofore levied on the property included in said map and that the 2020-2021 tax lien has been paid in full and the 2021-2022 tax lien, which became a lien on the first day of January 2021, is estimated to be \$45,590.00, with security guaranteeing payment of said tax lien as follows:

• Tax Surety

Bond Company: The Ohio Casualty Insurance Company

Bond Number: 38K008260 Date: 1/8/2021

Amount: \$45,590.00

Submitted by/Principal: Chicken Farm Associates, LLC

NOW, THEREFORE, BE IT RESOLVED:

1. That said subdivision, together with the provisions for its design and improvement, is DETERMINED to be consistent with the County's general and specific plans.
2. That said Final map is APPROVED and this Board does hereby *accept subject to installation and acceptance of improvements* on behalf of the public any of the streets, paths, or easements shown thereon as dedicated to public use.
3. That said subdivision agreement is also 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: **Randolf Sanders (925) 313-2111**

**ATTESTED: March 9, 2021**

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



By: Stacey M. Boyd, Deputy

**cc:** Larry Gossett- Engineering Services, Randolf Sanders- Engineering Services, Renee Hutchins - Records, Karen Piona- Records, Chris Hallford -Mapping , Michael Mann- Finance, Cinda Tovar- Design & Construction, Francisco Avila- DCD, Chicken Farm Associates, LLC, The Ohio Casualty Insurance Company, T-01/09/2022



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 9, 2021

Subject: Notice of Completion for the Buchanan Field Airport Runway 14L-32R Rehabilitation Project, Concord area.

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2021/79 accepting as complete the contracted work performed by Ghilotti Bros., Inc., for the Buchanan Field Airport Runway 14L-32R Rehabilitation Project, as recommended by the Public Works Director, Concord area. County Project No. 4855-4661-SAS-6X5324 (District IV)

**FISCAL IMPACT:**

The Project was funded by 91% Federal Aviation Administration Airport Improvement Program (FAA AIP) Funds, 4% Caltrans, 5% Airport Enterprise Funds.

**BACKGROUND:**

The Public Works Director reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of March 5, 2021.

**CONSEQUENCE OF NEGATIVE ACTION:**

The contractor will not be paid and acceptance notification will not be recorded.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Stacey M. Boyd, Deputy

Contact: Kevin Emigh,  
925.313.2233

cc:

AGENDA ATTACHMENTS

Resolution No. 2021/79

MINUTES ATTACHMENTS

Signed: Resolution No.

2021/79

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept., Design/Construction Division

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

Adopted this Resolution on 03/09/2021 by the following vote:

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

NO:

ABSENT: Candace Andersen, District II Supervisor

ABSTAIN:

RECUSE:

Resolution No. 2021/79

The Board of Supervisors RESOLVES that:

Owner (sole): Contra Costa County, 255 Glacier Drive, Martinez, CA 94553

Nature of Stated Owner: Fee and/or easement

Project No.: 4855-4661-SAS-6X5324

Project Name: Buchanan Field Airport Runway 14L-32R Rehabilitation Project

Date of Work Completion: March 5, 2021

Description: Contra Costa County on October 22, 2019 contracted with Ghilotti Bros., Inc., for the work generally consisting of rehabilitating asphalt concrete pavement, full width, on Runway 14L-32R, with the exception of the Runway 1L-19R intersection, all in accordance with the plans, drawings, special provisions and/or specifications prepared by or for the Public Works Director and in accordance with the accepted bid proposal. The project was located in the Concord area, with the Hartford Fire Insurance Co., as surety, for work to be performed on the grounds of the County; and

The Public Works Director reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of March 5, 2021.

Identification of real property: Concord area at: Buchanan Field Airport

Fees: none

Legal References: none

Comments: none

Contact: Kevin Emigh, 925.313.2233

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

ATTESTED: March 9, 2021

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

By: Stacey M. Boyd, Deputy

**cc:**

Recorded at the request of: Clerk of the Board

Return To: Public Works Dept., Design/Construction Division

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

Adopted this Resolution on 03/09/2021 by the following vote:

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

NO:

ABSENT: Candace Andersen, District II Supervisor

ABSTAIN:

RECUSE:

Resolution No. 2021/79

The Board of Supervisors RESOLVES that:

Owner (sole): Contra Costa County, 255 Glacier Drive, Martinez, CA 94553

Nature of Stated Owner: Fee and/or easement

Project No.: 4855-4661-SAS-6X5324

Project Name: Buchanan Field Airport Runway 14L-32R Rehabilitation Project

Date of Work Completion: March 5, 2021

Description: Contra Costa County on October 22, 2019 contracted with Ghilotti Bros., Inc., for the work generally consisting of rehabilitating asphalt concrete pavement, full width, on Runway 14L-32R, with the exception of the Runway 1L-19R intersection, all in accordance with the plans, drawings, special provisions and/or specifications prepared by or for the Public Works Director and in accordance with the accepted bid proposal. The project was located in the Concord area, with the Hartford Fire Insurance Co., as surety, for work to be performed on the grounds of the County; and

The Public Works Director reports that said work has been inspected and complies with the approved plans, special provisions and standard specifications and recommends its acceptance as complete as of March 5, 2021.

Identification of real property: Concord area at: Buchanan Field Airport

Fees: none

Legal References: none

Comments: none

Contact: Kevin Emigh, 925.313.2233

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

ATTESTED: March 9, 2021

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

By: Stacey M. Boyd, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: Monica Nino, County Administrator  
Date: March 9, 2021

Subject: Claims

---

**RECOMMENDATION(S):**

DENY claims filed by Dedra Kinney, Anthony Robert Johnson and Kelly Corbitt.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

Kelly Corbitt: Property claim for damage to personal property in the amount of \$637.47

Anthony Robert Johnson: Personal injury claim for bicycle accident in the amount of \$6,000,000.

Dedra Kinney: Property claim for damaged cement in the amount of \$550.

**CONSEQUENCE OF NEGATIVE ACTION:**

.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

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

ABSENT: Candace Andersen, District II Supervisor

By: Stacey M. Boyd, Deputy

Contact: Scott Selby  
925.335.1400

cc:





Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Recognizing Dr. Jack Rosenfeld on his 30 years of service to Contra Costa County

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2021/72 to recognize Dr. Jack Rosenfeld on the occasion of his 30 years of service to Contra Costa County as a Dentist.

**FISCAL IMPACT:**

There is no fiscal impact for this action.

**BACKGROUND:**

After graduating from the University of California, San Francisco School of Dentistry, Dr. Jack Rosenfeld began his career as a Licensed Dentist in 1976. For years, he worked in several community clinics and Native American reservations throughout California, providing services to patients in underserved populations. Dr. Rosenfeld joined the Contra Costa County workforce as a permanent intermittent Dentist in 1990, and was transitioned into a permanent part-time position in 2007. He has spent decades providing a wide array of dental services in clinics throughout West, Central and East Contra Costa County. To thank him for his contributions over the years, the Health Services department would like to congratulate Dr. Rosenfeld on achieving a great milestone of 30 years of service dedicated to dental needs of the patients served by Contra Costa County.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Joellen Bergamini, Deputy

Contact: Lauren Ludwig,  
925-957-5269

cc:

ATTACHMENTS

Resolution

2021/72

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

In the matter of:

**Resolution No. 2021/72**

**Honoring Dr. Jack Rosenfeld upon the occasion of 30 years of service to Contra Costa County**

WHEREAS, Dr. Rosenfeld began his career as an electrical engineer, a profession which brought him from New York to California. After 7 years as an electrical engineer, he attended the UCSF School of Dentistry; and

WHEREAS, Dr. Rosenfeld practiced dentistry in underserved populations at several community clinics and Native American reservations throughout California; and

WHEREAS, Dr. Rosenfeld applied his engineering background to develop a dental safety device, which is still in production; and

WHEREAS, Dr. Rosenfeld worked for 5 years at the Mission Neighborhood Health Center, prior to embarking on a career as a Dentist with Contra Costa Health Services; and

WHEREAS, Dr. Rosenfeld began working at Contra Costa as a permanent intermittent Dentist in 1990 and became a permanent part-time Dentist with the County in 2007; and

WHEREAS, Dr. Rosenfeld has worked at various clinics throughout West, Central and East Contra Costa County, providing a wide array of dental services to the community; and

WHEREAS, Dr. Rosenfeld has achieved a great milestone of 30 years of service dedicated to dental needs of the patients served by Contra Costa Health Services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby recognize Dr. Jack Rosenfeld for his loyalty, commitment and contributions to Contra Costa County.

\_\_\_\_\_  
**DIANE BURGIS**

Chair, District III Supervisor

\_\_\_\_\_  
**JOHN GIOIA**

District I Supervisor

\_\_\_\_\_  
**CANDACE ANDERSEN**

District II Supervisor

\_\_\_\_\_  
**KAREN MITCHOFF**

District IV Supervisor

\_\_\_\_\_  
**FEDERAL D. GLOVER**

District V Supervisor

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

ATTESTED: March 9, 2021

Monica Nino, County Administrator

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



Contra  
Costa  
County

To: Board of Supervisors  
From: Diane Burgis, District III Supervisor  
Date: March 9, 2021

Subject: American Red Cross Month

---

**RECOMMENDATION(S):**

PRESENTATION recognizing March 2021 as American Red Cross month in Contra Costa County. (Briana Taylor, Volunteer and Board Member for the American Red Cross Northern California Coastal Region)

**FISCAL IMPACT:**

None.

**BACKGROUND:**

None

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Lea Castleberry  
925-252-4500

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

ATTESTED: March 9, 2021

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

By: Joellen Bergamini, Deputy

cc:

ATTACHMENTS

Resolution  
2021/85

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

Adopted this Resolution on 03/09/2021 by the following vote:

**AYE:**

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2021/85**

In the matter of recognizing March 2021 as American Red Cross month in Contra Costa County

**WHEREAS;** March is American Red Cross Month, a special time to honor the kindness of our volunteers and neighbors who aid families in need every day in Contra Costa County, across the United States and around the world. Their dedication touches millions of lives each year as they carry out the organization’s 140-year mission of preventing and alleviating suffering; and **WHEREAS;** despite the difficult challenges presented by the COVID-19 pandemic, people have stepped up to help others in need, whether it was responding to this year’s record-breaking wildfires and hurricanes across the country, rolling up their sleeves to give blood when our country faced a severe blood shortage or supporting local partners to address urgent COVID-19 needs in our communities; and **WHEREAS;** last year in Contra Costa County, local families affected by 115 home fires, relied on **American Red Cross volunteers for comfort and hope**, providing emotional support, addressing immediate needs and helping families recover with emergency financial assistance or community resources; Contra Costa County residents donated 17,350 units of lifesaving blood; hosted 142 blood drives; 3,459 local community members took classes to learn skills that save lives; 719 military members and their families received support and services; and humanitarian aid was provided internationally; and **WHEREAS;** during last year’s COVID-19 pandemic, American Red Cross worked tirelessly beside its Government, Public Health and Community partners to coordinate training efforts and a shelter exercise to plan for response during high fire danger and a pandemic, while safeguarding the health and wellbeing of our volunteers, partners and the people we serve; and **WHEREAS;** when large disasters like the Lightning Complex Fire started in Contra Costa County, the American Red Cross and local partners were prepared to respond by opening Temporary Evacuation Sites and non-congregate shelters to provide lodging, food and services until our evacuated residents could return home. As these devastating wildfires broke out around Northern California, Contra Costa Red Cross volunteers deployed virtually and in person to help neighbors in other counties and around the country; and **WHEREAS;** this lifesaving work is vital to strengthening our community’s resilience. Nearly 200 years since the birth of American Red Cross founder Clara Barton, we dedicate this month of March to all those who continue to advance her noble legacy, and we ask others to join in their commitment to care for people in need.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Contra Costa County does hereby proclaim March 2021 as “American Red Cross Month” and does encourage all Americans to reach out and support its humanitarian mission.

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: Lea Castleberry 925-252-4500**

**ATTESTED: March 9, 2021**

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

By: , Deputy

**cc:**



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: March 9, 2021

Subject: APPOINTMENT TO THE COUNTY SERVICE AREA P-5 CITIZENS ADVISORY COMMITTEE

---

**RECOMMENDATION(S):**

APPOINT Donald Maghaes, Alamo resident, to the Appointee 1 seat on the County Service Area P-5 Citizens Advisory Committee for two-year term with an expiration date of December 31, 2022, as recommended by Supervisor Candace Andersen.

**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.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Stacey M. Boyd, Deputy

Contact: Jill Ray, 925-957-8860

CONSEQUENCE OF NEGATIVE ACTION:

The committee will have a difficult time attaining quorum.

CHILDREN'S IMPACT STATEMENT:

NONE





Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: March 9, 2021

Subject: APPOINTMENT TO THE ALAMO-LAFAYETTE CEMETERY DISTRICT BOARD OF DIRECTORS

---

**RECOMMENDATION(S):**

REAPPOINT Carolyn Thiessen, Alamo, CA 94507, to the Trustee 3 Seat of the Alamo-Lafayette Cemetery District Board of Directors for a four-year term with an expiration date of January 4, 2025, as recommended by Supervisor Candace Andersen.

**FISCAL IMPACT:**

NONE

**BACKGROUND:**

Established by the Board of Supervisors on April 5, 1937, the purpose of the Alamo-Lafayette Cemetery District Board of Directors is to establish rates to be charged for burials within the cemeteries of the district which will allow the grave to be maintained on a self-supporting basis; to prepare and maintain maps detailing information about the lots; to keep records of all remains interred in the cemeteries. (Health and Safety Code, Section 8961.4 and 8963).

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Stacey M. Boyd, Deputy

Contact: Jill Ray, 925-957-8860

BACKGROUND: (CONT'D)

Membership is comprised of three trustees who must live in the district. Terms are for four years with an expiration date of the first Monday in January. Due to redistricting, all three Trustee Seats fall within District Two, therefore the District Two Supervisor is responsible for the recruitment and recommendations for appointment to the Board of Supervisors for all three seats.

Ms. Thiessen has done an excellent job in her role as a Trustee. Supervisor Andersen would like to reappoint her for another term.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will be vacant.



Contra  
Costa  
County

To: Board of Supervisors  
From: Candace Andersen, District II Supervisor  
Date: March 9, 2021

Subject: APPOINTMENT TO THE CONTRA COSTA COUNTY SUSTAINABILITY COMMISSION

---

**RECOMMENDATION(S):**

APPOINT the following people to the following seats on the Contra Costa County Sustainability Commission for a four-year term starting April 1, 2021 with an expiration date of March 31, 2025, as recommended by Supervisor Candace Andersen:

District 2 Seat

Victoria Smith  
Orinda, CA 94563

District 2 Alternate Seat

Christopher Easter  
Lafayette, CA 94549

**FISCAL IMPACT:**

NONE

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

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

ABSENT: Candace Andersen, District II Supervisor

By: Stacey M. Boyd, Deputy

Contact: Jill Ray, 925-957-8860

**BACKGROUND:**

Established by Board Order on November 15, 2016 to advise the Board of Supervisors on the County's implementation of the County Action Plan; advise the Board on opportunities to increase equity and fairness in the County's sustainability programs; provide recommendations to increase public outreach and participation in sustainability issues and implementation of the Climate Action Plan.

**CONSEQUENCE OF NEGATIVE ACTION:**

The seats will be vacant

**CHILDREN'S IMPACT STATEMENT:**

NONE



Contra  
Costa  
County

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: March 9, 2021

Subject: RE-APPOINT Members to the Western Contra Costa Transit Authority

---

**RECOMMENDATION(S):**

RE-APPOINT the following individuals to the Three District V Seats on the Western Contra Costa Transit Authority for the stated terms of each seat, as recommended by Supervisor Federal D. Glover.

- 1) Aleida Andrino-Chavez (Rodeo Representative) Term to Expire 01/01/2023
- 2) Thomas Hansen (Crockett Representative) Term to Expire 01/01/2023
- 3) Maureen Powers (San Pablo Representative) Term to Expire 01/01/2023

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Western Contra Costa Transit Authority (WestCAT) owns, operates and maintains a public transit system in an effort to meet public transportation needs in Western Contra Costa County. WestCAT is governed by a seven-member Board of Directors. The cities of Pinole and Hercules are each represented by two members appointed by their City Councils, while the unincorporated communities of Crockett, Rodeo, and MonTaraBay each have one representative, appointed by the Contra Costa Board of Supervisors.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Vincent Manuel (925)  
608-420

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

ATTESTED: March 9, 2021

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

By: Stacey M. Boyd, Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Positions would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.



Contra  
Costa  
County

To: Board of Supervisors  
From: Federal D. Glover, District V Supervisor  
Date: March 9, 2021

Subject: RE-APPOINT Members to the Sustainability Commission

---

**RECOMMENDATION(S):**

RE-APPOINT the following individuals to the District V Seat and the District V Alternate Seat on the Sustainability Commission for the stated terms of each seat, as recommended by Supervisor Federal D. Glover.

- 1) Charles Davidson (District V Seat) Term to Expire 03/31/2025
- 2) Renee Fernandez-Lipp (District V Alternate) Term to Expire 03/31/2025

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The Sustainability Commission provides advice to staff and the Board on successful implementation of the Climate Action Plan, advise the Board on opportunities to realize equity and fairness across the diverse communities of CCC in sustainability programs, and provides suggestions on how to engage CCC residents and businesses on sustainability issues.

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

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

ABSENT: Candace Andersen, District II Supervisor

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

Contact: Vincent Manuel (925)  
608-4200

By: Stacey M. Boyd, Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Positions would remain vacant.

CHILDREN'S IMPACT STATEMENT:

None.





Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: March 9, 2021

Subject: Staff Appointments to the Contra Costa Transportation Authority's Technical Coordinating Committee

---

**RECOMMENDATION(S):**

1. APPOINT Jamar Stamps (Department of Conservation and Development) and Will Nelson (Department of Conservation and Development) as the County's staff representatives on the Technical Coordinating Committee of the Contra Costa Transportation Authority; and APPOINT John Cunningham (Department of Conservation and Development) and Aruna Bhat (Department of Conservation and Development) as their alternates, respectively, for the period March 31, 2021 to March 31, 2023.
2. APPOINT Jerry Fahy (Public Works Department) as the County's staff representative on the Technical Coordinating Committee of the Contra Costa Transportation Authority; and APPOINT Nancy Wein (Public Works Department) as his alternate, for the period March 31, 2021 to March 31, 2023.

**FISCAL IMPACT:**

None. The staff costs associated with participating on the Technical Coordinating Committee are included in the budgets of each department.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Stacey M. Boyd, Deputy

Contact: Jamar Stamps, (925)  
877-8250

cc:

**BACKGROUND:**

The Contra Costa Transportation Authority (Authority) convenes its Technical Coordinating Committee (TCC) monthly to advise the Authority on technical issues pertaining to the Countywide Transportation Plan and Growth Management Program and the Authority's work as the Countywide Congestion Management Agency. The TCC is composed of three representatives from the County, three representatives from each of the four regional transportation planning committees, and one representative each from the Metropolitan Transportation Commission, the City/County Engineering Advisory Committee, the public transit agencies, Caltrans, and the Bay Area Air Quality Management District. The terms of the current appointments expire on March 31, 2021, and the standard procedure is for member agencies to make new appointments or reappointments every other year for a two-year period.

If the recommendations of this report are acted on, the following would be the County's representation in the three categories of TCC membership for the two-year term that will run from March 31, 2021, to March 31, 2023:

- Land Use Planning: Will Nelson, Aruna Bhat (Alternate), Department of Conservation and Development
- Transportation Engineering: Jerry Fahy, Nancy Wein (Alternate), Public Works Department
- Transportation Planning: Jamar Stamps, John Cunningham (Alternate), Department of Conservation and Development

**CONSEQUENCE OF NEGATIVE ACTION:**

Should the Board elect not to approve the recommendation, the County will not have full representation on the Technical Coordinating Committee, which influences the plans, decisions, and policies of the Contra Costa Transportation Authority.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Keith Freitas, Airports Director  
Date: March 9, 2021

Subject: APPOINT RICHARD CELESTRE TO THE CITY OF PLEASANT HILL SEAT ON THE AVIATION ADVISORY COMMITTEE

---

**RECOMMENDATION(S):**

APPOINT Richard Celestre to the City of Pleasant Hill seat on the Aviation Advisory Committee (AAC) to a term beginning March 1, 2021 and expiring on February 29, 2024, as recommended by the Pleasant Hill City Council.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

The AAC was established by the Board of Supervisors (Board) to provide advice and recommendations to the Board on the aviation issues related to the economic viability and security of airports in Contra Costa County (County). The AAC is mandated to cooperate with local, state, and national aviation interests for the safety and orderly operation of airports; advance and promote the interests of aviation; and protect the general welfare of the people living and working near the airport and the County in general.

The AAC may initiate discussions, observations, or investigations and may hear comments on airport and aviation matters from the public

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

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

ABSENT: Candace Andersen, District II Supervisor

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)  
681-4200

cc:

BACKGROUND: (CONT'D)

or other agencies in order to formulate recommendations to the Board. In conjunction with all the above, the AAC provides a forum for the Director of Airports regarding policy matters at and around the airport.

The AAC comprises 13 members who must work and/or reside in Contra Costa County: one appointed by each Supervisor; one from and nominated to the Board by the City of Concord; one from and nominated to the Board by the City of Pleasant Hill; one from and nominated to the Board by the Contra Costa County Airports Business Association; one from the community of Pacheco and nominated to the Board by the Airport Committee; one from the vicinity of Byron Airport (Brentwood, Byron, Knightsen or Discovery Bay) and nominated to the Board by the Airport Committee; and three at large to represent the general community, to be nominated by the Airport Committee.

CONSEQUENCE OF NEGATIVE ACTION:

The City of Pleasant Hill seat on the Aviation Advisory Committee will be vacant.

ATTACHMENTS

AAC Appointment Letter-R Celestre



RECEIVED  
BUCHANAN  
AIRPORT

2021 FEB 24 A 8:09

## City of Pleasant Hill

February 23, 2021

Mr. Keith Freitas, Director of Airports  
Contra Costa County Airports  
550 Sally Ride Drive  
Concord, CA 94520

Re: Pleasant Hill Appointment of Richard Celestre to CC Aviation Advisory Committee

Dear Mr. Freitas:

The Pleasant Hill City Council, at its meeting of February 22, 2021, approved forwarding a recommendation to the Contra Costa County Board of Supervisors to nominate Richard Celestre for appointment to the Contra Costa Aviation Advisory Committee. Enclosed is a copy of Mr. Celestre's application for your records. The appointment term, if approved by the Board, will expire at the end of February, 2024.

Please provide confirmation of the Board's final appointment to my attention at:

City of Pleasant Hill  
Attn: Juanita Davalos, Administrative Analyst  
100 Gregory Lane  
Pleasant Hill, CA 94523

If you have any questions, feel free to contact me at 925-671-5283 or [jdavalos@pleasanthillca.org](mailto:jdavalos@pleasanthillca.org).

Thank you for your attention to this matter.

Sincerely,

Juanita Davalos  
Administrative Analyst/Deputy City Clerk

Enclosure

cc: Mr. Richard Celestre



Contra  
Costa  
County

To: Board of Supervisors  
From: Diane Burgis, District III Supervisor  
Date: March 9, 2021

Subject: Reappointment to Aviation Advisory Committee

---

**RECOMMENDATION(S):**

REAPPOINT Ron Reagan to the District 3 seat on the Aviation Advisory Committee to term expiring February 28, 2024, as recommended by Supervisor Diane Burgis.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

The AAC was established by the Board of Supervisors (Board) to provide advice and recommendations to the Board on the aviation issues related to the economic viability and security of airports in Contra Costa County (County). The AAC is mandated to cooperate with local, state, and national aviation interests for the safety and orderly operation of airports; advance and promote the interests of aviation; and protect the general welfare of the people living and working near the airport and the County in general.

The AAC may initiate discussions, observations, or investigations and may hear comments on airport and aviation matters from the public or other agencies in order to formulate recommendations to the Board. In conjunction with all the above, the AAC provides a forum for the Director of

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Stacey M. Boyd, Deputy

Contact: Lea Castleberry  
925-252-4500

cc:

BACKGROUND: (CONT'D)

Airports regarding policy matters at and around the airport.

The AAC comprises 13 members who must work and/or reside in Contra Costa County: one appointed by each Supervisor; one from and nominated to the Board by the City of Concord; one from and nominated to the Board by the City of Pleasant Hill; one from and nominated to the Board by the Contra Costa County Airports Business Association; one from the community of Pacheco and nominated to the Board by the Airport Committee; one from the vicinity of Byron Airport (Brentwood, Byron, Knightsen or Discovery Bay) and nominated to the Board by the Airport Committee; and three at large to represent the general community, to be nominated by the Airport Committee.

The term for this seat expired February 28, 2021. Applications were accepted and the recommendation to reappoint the above individual was then determined.

CONSEQUENCE OF NEGATIVE ACTION:

The District 3 seat would be vacant.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Medical Staff Appointments and Reappointments – February 2021

---

**RECOMMENDATION(S):**

APPROVE the new medical staff, affiliates and tele-radiologist appointments and reappointments, additional privileges, medical staff advancement, and voluntary resignations as recommend by the Medical Staff Executive Committee, at their February 22, 2021 meeting, and by the Health Services Director.

**FISCAL IMPACT:**

There is no fiscal impact for this action.

**BACKGROUND:**

The Joint Commission on Accreditation of Healthcare Organizations has requested that evidence of Board of Supervisors approval for each Medical Staff member will be placed in his or her Credentials File. The above recommendations for appointment/reappointment were reviewed by the Credentials Committee and approved by the Medical Executive Committee.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this action is not approved, the Contra Costa Regional Medical and Contra Costa Health Centers' medical staff would not be appropriately credentialed and not be in compliance with the Joint Commission.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

Contact: Jaspreet Benepal,  
925-370-5501

By: Stacey M. Boyd, Deputy



ATTACHMENTS

Provider List- February 22,  
2021

Anna M. Roth, R.N., M.S., M.P.H.  
Health Services Director

---

Samir B. Shah, M.D., F.A.C.S.  
Chief Executive Officer  
Contra Costa Regional Medical Center  
and Health Centers  
& Chief Medical Officer  
Contra Costa Health Services



Contra Costa Regional  
Medical Center  
& Health Centers  
2500 Alhambra Avenue  
Martinez, California 94553-3156  
Ph 925-370-5000

**A. New Medical Staff Members**

Klein, Carolina, MD	Psychiatry/Psychology
McQuade, Jennifer, MD	Psychiatry/Psychology

**B. Application for Staff Affiliation**

Jenkins, Vuthy, FNP	DFAM
---------------------	------

**C. 1st year Residents**

None

**D. Travis Residents-Family Medicine**

None

**E. Request for Additional Privileges**

None

**Department**

**Requesting**

**F. Request to change Primary Department**

None

**Original Department**

**Requesting Department**

**G. Advance to Non-Provisional**

Fedderson, Michael, MD	Psychiatry/Psychology
Kuennemeier, Brian, PsyD	Psychiatry/Psychology
Levy, Jennifer, MD	Pediatrics (Neonatology)

**H. Biennial Reappointments**

Beaton, Melina, MD	DFAM	A
Berlingieri, William, MD	Psychiatry/Psychology	A
Chin, Joanna, MD	Pediatrics	A
D'Souza, Preeti, DDS	Dental	A
Etwaru, Gupta, MD	Surgery	A
Feierabend, Susan, MD	OB/GYN	A
Forman, Stuart, MD	Critical Care	A
Jester, Geena, MD	Hospital Medicine	A
Kuri, Mauricio, MD	Surgery	A
Law, Jason, MD	Internal Medicine	A
Lee, David, MD	DFAM	A
Madrigal, Teresa, MD	DFAM	A
Malik, Bhavna, MD	Internal Medicine	C
Meyer, George, MD	Internal Medicine	C
Sandegard, Erik, MD	Psychiatry/Psychology	A
Scott, Malaika, MD	DFAM	A
Siddiqui, Zakaria, MD	Psychiatry/Psychology	C

**I. Biennial Renewal of Privileges**

Miller, Laura, NP	DFAM	AFF
Rosett, Debra, NP	Surgery	AFF

**J. Teleradiologist (VRAD) Reappointments**

Fassihi, Amir, MD	Diagnostic Imaging
-------------------	--------------------

**K. UCSF Teleneurologist Reappointments**

None

**L. Voluntary Resignations**

Apfel, Brigitte, MD	Psychiatry/Psychology
Fordham, John, DO	Psychiatry/Psychology
Gardner, Randell, DDS	Dental
Kenley, Eric, MD	Emergency Medicine
Manaut, Paul, NP	DFAM
Moreno, Carlos, MD	Anesthesia
Pepper, David, MD	DFAM
Reedy, David, MD	Emergency Medicine
Roye-Madison, Marcia, NP	DFAM
Vanjani, Rachna, MD	OB/GYN



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Declare Vacancy on the Hazardous Materials Commission

---

**RECOMMENDATION(S):**

DECLARE vacant Hazardous Materials Commission Business Seat Alternate #2 previously held by Peter Dahling, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Health Services Director.

**FISCAL IMPACT:**

There is no fiscal impact for this action.

**BACKGROUND:**

The Hazardous Materials Commission was established in 1986 to advise the Board, County staff and the mayor's council members, and staffs of the cities within the County, on issues related to the development, approval, and administration of the County Hazardous Waste Management Plan. Specifically, the Board charged the Commission with drafting a hazardous materials storage and transportation plan and ordinance, coordinating the implementation of the hazardous materials release response plan and inventory program, and to analyze and develop recommendations regarding hazardous materials issues with consideration to broad public input, and report back to the Board-on-Board referrals. The bylaws of the Commission provide that Business Seat # 2 Alternate be nominated by the Industrial Association, screened by the Internal Operations committee, and appointed by the Board of Supervisors.

Peter Dahling vacated the seat because of a change in employment.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Stacey M. Boyd, Deputy

Contact: Randy Sawyer,  
925-957-2668



CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain unfilled and the primary seat holder will not have an alternate to fill in for him if he is unable to attend a meeting. This will potentially make it more difficult to achieve a quorum and will potentially lessen the viewpoint of the business community in Commission deliberations.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: FINANCE COMMITTEE  
Date: March 9, 2021

Subject: Measure X Community Advisory Committee Bylaws and Appointment Process

---

**RECOMMENDATION(S):**

ADOPT Measure X Community Advisory Board Bylaws, and ACKNOWLEDGE process to be used at Finance Committee meeting for member selection.

**FISCAL IMPACT:**

Administrative action with no specific fiscal impact at this time.

**BACKGROUND:**

The voters passed Measure X, a ½ cent sales tax levied countywide (exempting food sales), in November 2020. Collection of the sales tax will begin in April 2021 and will be available for distribution in FY 2021-22.

On February 2, 2021, the Board of Supervisors approved the creation of a 17-member Community Advisory Board to recommend funding priorities of annual revenue received under Measure X funds, directed the County Administrator to return to the Board of Supervisors by February 9, 2021 with a process to move forward in soliciting applications and seating members on the Community Advisory Board, and further directed that the Advisory Board be a Brown Act body that is staff by the County Administrator's Office.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Lisa Driscoll, County Finance  
Director 925-655-2047

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

ATTESTED: March 9, 2021

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

By: Stacey M. Boyd, Deputy

## BACKGROUND: (CONT'D)

On March 1, the Finance Committee convened and reviewed a draft set of bylaws for the Measure X Community Advisory Board that incorporated the membership and eligibility terms that the Board of Supervisors approved on February 2nd and amended on February 9th. The framework that was used to develop the draft bylaws had been used previously for the Community Corrections Partnership and Juvenile Justice Coordinating Council and provide the basics for discussion.

The Finance Committee discussed the bylaws, took public comment, and provided staff direction regarding modifications. The attached bylaws are recommended to the Board of Supervisors for adoption.

The Finance Committee discussed the process to be used to select members for appointment.

On or about March 12, the Clerk of the Board shall forward all applications to all Board members for selection of three nominees (two nominees plus one stand-by nominee). The Clerk of the Board shall provide a summary document sorted alphabetically by city of residence and then alphabetically by name within city. The summary shall include the explanation provided by the applicant of why they would like to serve on this particular board and their description of qualifications for appointment. Because these materials will be distributed to the full-Board of Supervisors, they shall be redacted and made available to the public on the date they are distributed to the Board. Prior to March 22, Board members shall forward their nominees to Finance Committee staff for inclusion in the March 29, Finance Committee packet.

The Finance Committee shall receive the nominees from Board members in their Board packet. At the March 29, meeting of the Finance Committee, the Committee shall invite each applicant wishing to make a public comment regarding their qualifications to do so. The Committee may ask follow-up questions. At the conclusion of the comment period, the Committee will deliberate and make final nominations. If the Committee should not complete the process by noon, they will reconvene on April 5.

## CONSEQUENCE OF NEGATIVE ACTION:

The Measure X Community Advisory Board will not benefit from the administrative provision of these Bylaws, which will make it difficult for the Board to function efficiently.

## ATTACHMENTS

Measure X Advisory Committee Bylaws as Recommended by the Finance Committee





**CONTRA COSTA COUNTY  
MEASURE X COMMUNITY ADVISORY BOARD**

**BYLAWS**

(adopted by the Board of Supervisors on \_\_\_\_\_, 2021)

**Article I – Purpose**

- A. The Measure X Community Advisory Board (the “Advisory Board”) was established by the Board of Supervisors on February 2, 2021 to advise the Board of Supervisors on the use of Measure X transactions and use tax funds. The main responsibilities of the Advisory Board are:
1. Overseeing an annual assessment of community needs, focusing primarily on the priority areas identified in the Needs Assessment, including emergency response (fire/medical), health care, safety net services, preventative care, affordable housing, and supports for early childhood, youth, families, and seniors.
  2. Creating detailed priority lists of the top ten service gaps (county- and community-provided) based on the results from the needs assessment.
  3. Using the assessment to make general funding priority recommendations to the Board of Supervisors on 95% of the revenue generated by Measure X.
  4. Providing an annual report on the outcomes and impact of allocated funds.
  5. The Advisory Board committee shall initially meet as needed and thereafter shall meet quarterly.

**Article II – Membership**

- A. Composition: The Advisory Board shall consist of 17 members, composed of 10 Supervisorial District appointees (2 per Supervisorial District) and seven (7) At-Large appointees.
- B. Eligibility:
1. General: The Advisory Board shall be composed of members representing broad and diverse voices, perspectives and expertise, including but not exclusive to: budget justice advocacy, children’s services, community health, consumer advocacy, faith leadership, senior services, fire and public safety protection, housing and homelessness, labor union representation, legal advocacy, local businesses, mental health services, non-partisan civic organizations, policy organizations, public health, racial justice and equity, safety net services, senior services, substance use services, taxpayers, and youth services.
  2. Live/Work Requirement: Committee members shall either live or work in Contra Costa County, with a majority being residents of the County. There is no requirement for Supervisorial District seat appointees to live or work within a specific Supervisorial District.

3. No Public Officials: Public officials, including both elected and appointed, are not eligible to serve on the Advisory Board.

C. Terms of Office:

1. Appointments: The members of the Advisory Board shall serve staggered terms of two or three years.
  - a) Supervisory District Appointments: Each of the two (2) Supervisory District seats identified in Article II(A) for each Supervisory District, shall serve a term of two (2) years.
  - b) At-Large Appointments: Each of the seven (7) At-Large seats identified in Article II(A), shall serve a term of three (3) years.
2. Term Limits: Each member is limited to serving, consecutively, for a maximum of six years.

D. Appointment Process:

1. Initial Appointments:
  - a) The Clerk of the Board of Supervisors will solicit applications to fill the 17-member Advisory Board through a single recruitment process.
  - b) Applications shall be referred to each County Supervisor to select three nominees to serve on the Advisory Board (two nominees plus one stand-by nominee).
  - c) Supervisory District nominees will be transmitted to the Finance Committee of the Board of Supervisors (the "Finance Committee") along with all remaining applications for appointment.
  - d) The Finance Committee shall review the Supervisory District nominations and select nominees for the remaining seven (7) At-Large seats taking into account the goals identified in Article II(B)(1).
  - e) In the case where the same nominee is selected for a Supervisory District appointment by multiple Supervisors, the Finance Committee shall take into consideration the stand-by nominees recommended by those Supervisors in resolving the conflict and making a final recommendation to the Board of Supervisors.
  - f) The Finance Committee shall ultimately make every effort to insure that there is representation from the broadest cross-section of stakeholders as described in Article II(B)(1) as well as geographic, racial and ethnic representation reflecting the County's diversity.
2. Subsequent Appointments: The County shall use the process outlined in Article II(C)(1) above to fill scheduled vacancies.
3. Unscheduled Vacancies:
  - a) General: Should an unscheduled vacancy occur during a member's term of office, either by death, resignation or otherwise, the Board of Supervisors shall be notified of the vacancy and shall direct the Clerk of the Board to announce the vacancy and collect applications for appointment.

- b) Supervisory District Vacancy: If the unscheduled vacancy is in a Supervisory District seat, then the applications seeking appointment will be transmitted by the Clerk of the Board to the Supervisory District responsible for making nominations for appointment to that seat. The Supervisory District will then transmit the nomination for appointment to the Board of Supervisors for consideration.
- c) At-Large Vacancy: If the unscheduled vacancy is in an At-Large seat, then the applications seeking appointment will be transmitted by the Clerk of the Board to the Finance Committee to consider making nominations for appointment to the vacant seat. The Finance Committee will then transmit the nomination for consideration and appointment to the Board of Supervisors for consideration.
- d) Resignation: Any appointed member may resign by giving written notice to the Clerk of the Board of Supervisors.

**Article III. – Advisory Board Structure & Meetings**

- A. Officers: The Advisory Board shall select a Chair and Vice Chair for purposes of officiating meetings, who shall each serve for a term of one (1) year.
- B. Regular Meetings: Regular meetings of the Advisory Board shall be held at least quarterly based on a schedule adopted by the Advisory Board and that schedule may be changed or augmented as needed. In addition, regularly scheduled meetings may be canceled by a majority vote of the Advisory Board or, for lack of business or a quorum, by the Chair.
- C. Special Meetings: Special meetings of the Advisory Board or any other committees may be called by the Chair at any time. Such meetings shall be called in accordance with the provisions of the Ralph M. Brown Act and the Contra Costa County Better Government Ordinance regarding member and public notice.
- D. Quorum: A quorum of the Advisory Board shall occur when a majority of the membership are present. A majority of the membership is defined as a majority of filled seats on the Advisory Board at any given time. For example, if only 13 seats are filled and four (4) are vacant, then a majority for purposes of establishing a quorum would require seven (7) members be present at the meeting. Similarly, if all 17 seats are filled, a majority for purposes of establishing a quorum would require nine (9) members be present at the meeting. No action shall be taken by the Advisory Board unless a majority of the members are present as defined above.
- E. Voting: Each member of the Advisory Board has one vote and a minimum of nine (9) votes of the members present are required to pass a motion.
- F. Conflict of Interest: As a general rule, no member shall participate as a member in any discussion or voting if doing so would constitute a conflict of interest.
- G. Meeting Procedure: The Chair will preside at all meetings and proceed with the business of the Advisory Board in a manner prescribed in these bylaws. The Chair will also decide questions of procedure as needed.

- H. Order of Business: The regular order of business of the Advisory Board shall be at least the following:
1. Call to order
  2. Public comment on items not on the agenda
  3. Approve Record of Action from prior meeting
  4. Consideration and action on agenda items
  5. Adjournment
- I. Public Access: All meetings of the Advisory Board shall be open and accessible to the general public in accordance with the Ralph M. Brown Act and the Contra Costa County Better Government Ordinance. Opportunity for public comment will be included in each agenda item. In the interest of facilitating the business of the Advisory Board, the Chair may set in advance of public comment reasonable time limits for oral presentation.

**Article IV. – Administration**

The Advisory Board shall obtain staff support from the County Administrator’s Office. The staff will be responsible for the compilation and distribution of Advisory Board meeting notices, agenda packets and records of action.

**Article V. – Compensation**

Members of the Advisory Board shall serve without compensation and shall not receive reimbursement for any expenses incurred while conducting official business.

**Article VI. – Changes to Bylaws**

The provisions of these Bylaws may be altered, amended or repealed within the limitations imposed by the Brown Act, the Contra Costa County Better Government Ordinance and the policies of the Contra Costa County Board of Supervisors. No such alteration, amendment or repeal shall be effective unless and until the change has been approved by the Board of Supervisors, after consideration and recommendation by the Finance Committee.



Contra  
Costa  
County

To: Board of Supervisors  
From: LEGISLATION COMMITTEE  
Date: March 9, 2021

Subject: 2021-22 Adopted State and Federal Legislative Platform Amendments

---

**RECOMMENDATION(S):**

1. AMEND the Contra Costa County Board of Supervisors' adopted [2021-22 Federal Legislative Platform](#) to include the principle from the adopted [2021-22 State Legislative Platform](#) related to COVID-19 recovery that supports climate change initiatives:

ENSURE that the recovery from the COVID-19 pandemic supports the following:

- Technologies that support the County's climate goals, including battery energy storage and microgrids, solar and wind energy, electric vehicles, and electric vehicle charging infrastructure;
- Energy efficiency programs that encourage whole house retrofits and address asthma triggers in the built environment;
- 

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

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

ABSENT: Candace Andersen, District II Supervisor

By: June McHuen, Deputy

Contact: L. DeLaney,  
925-655-2057

cc:

## RECOMMENDATION(S): (CONTD)

Planning work for adapting to rising sea levels;

- Planning and implementation of microgrids;
- Active transportation and green infrastructure programs;
- Job training for careers in clean energy, clean transportation, and green infrastructure.

2. AUTHORIZE County Administrator staff to perform administrative amendments to the adopted State and Federal Legislative Platforms that include correction of typographical errors or omissions which do not substantively alter a policy or principle.

3. AMEND the County's adopted [2021-22 State Legislative Platform](#) to include the following principles in a renamed "Finance and Administration" (formerly "General Revenues/Finance") section:

- a. ENABLE the use of Progressive Design-Build (PDB) Project Delivery for construction contracts.
- b. ENABLE local governments to continue offering opportunities for public meeting attendance, participation and accessibility through technological means after the COVID-19 pandemic emergency has ended.

## FISCAL IMPACT:

There is no direct fiscal impact to the County related to amending the County's adopted Legislative Platforms.

## BACKGROUND:

At their February 8, 2021 meeting, the Legislation Committee (Chair Burgis, Vice Chair Mitchoff) considered and voted to recommend to the Board of Supervisors the following amendments to the County's 2021-22 adopted State and Federal Legislative Platforms:

1. 2021-22 Federal Legislative Platform Amendment: As requested by the County's Sustainability Coordinator, incorporate the following language from the County's adopted 2021-22 State Legislative Platform as a federal "Priority Policy Statement":

ENSURE that the recovery from the COVID-19 pandemic supports the following:

- Technologies that support the County's climate goals, including battery energy storage and microgrids\*, solar and wind energy, electric vehicles, and electric vehicle charging infrastructure;
- Energy efficiency programs that encourage whole house retrofits and address asthma triggers in the built environment;
- Planning work for adapting to rising sea levels;
- Planning and implementation of microgrids;
- Active transportation and green infrastructure programs;
- Job training for careers in clean energy, clean transportation, and green infrastructure.

*\*Note the definition of microgrid: A microgrid is a compressed version of the larger electrical grid that provides electricity for a small geographic area, such as a few buildings or local community. Microgrids must have a source of energy to supply electricity to their users, like solar plus battery storage. Microgrids are capable of operating independently from the grid during an outage. When the grid goes down for any reason (including a*

*public safety power shutoff event), a microgrid can continue to operate on its own using local energy sources by disconnecting from the grid or "islanding."*

## 2. 2021-22 State Legislative Platform Amendments:

A. ENABLE the use of Progressive Design-Build (PDB) project delivery for construction contracts.

This amendment would allow counties to use the PDB project delivery method for construction contracts, allowing local agencies to evaluate bids on factors other than price; reduce certain risks as compared to alternative contracting methods; reduce project delivery schedules and costs; and partner with the designer during the initial phase of the process.

Design-build is a procurement methodology allowed by the Public Contract Code (PCC) sections [22160-22169](#). It allows a local agency to pre-qualify a short list of bidders for a project and then accept guaranteed maximum price bids on the project from the qualified short list. The winner is selected from those bids by using a best value to the agency approach, not necessarily the lowest bid as required by the design-bid-build standard procurement method.

Progressive design-build (PDB) allows the selection of the design-builder even earlier in the process. The design-builder is selected by the local agency primarily based on qualifications and then they work with the local agency in designing the process. Some California agencies are specifically allowed to use progressive design build, for instance in PCC section [20928.1](#), for certain projects but that specific allowance is not extended to all local agencies.

In addition, the code sections that define the procurement method do not have an allowance for selection of a design-build entity on the basis of qualifications alone, as it would need to be to use the PDB approach.

B. ENABLE local governments to continue offering opportunities for public meeting attendance, participation and accessibility through technological means after the COVID-19 pandemic emergency has ended.

This amendment emanates from Board Member and County staff expressions of interest in legislation that would enable virtual public meetings to continue in some fashion after the pandemic's emergency has ended. Existing law, the [Ralph M. Brown Act](#), requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The Governor has issued several [Executive Orders](#) during the COVID-19 pandemic enacting suspensions of certain Bagley-Keene Act and Brown Act provisions so that there is no requirement for state or local legislative bodies to make a physical location available from which the public can make public comment, so long as options to participate telephonically or electronically are provided. Local bodies must still adhere to noticing requirements and implement a procedure for resolving requests for accommodation from individuals with special needs.

As the adopted 2021-22 State Platform does not address these subjects, an amendment would be required for advocacy purposes. The "General Revenues/Finance" section (p. 13) of the 2021-22 State Legislative Platform will be retitled "Finance and Administration," and these amendments will be included therein.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Alison McKee, Interim County Librarian  
Date: March 9, 2021

Subject: Cancel one (1) Deputy County Librarian position and Add one (1) Library Services Manager position

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 25693 to cancel one (1) Deputy County Librarian (3AFE) (unrepresented) position #6241 at salary plan and grade B85 1983 (\$11,196 - \$13,609), and add one (1) Library Services Manager (3KGA) (unrepresented) position at salary plan and grade B85 1007 (\$8,928 - \$10,852) to the Library Department.

**FISCAL IMPACT:**

Upon approval, this action will result in an annual cost savings of \$17,791 to the Library Fund. No impact to the County General Fund.

**BACKGROUND:**

This request for a Library Services Manager position is one step in part of a larger internal reorganization. The plan involves a reorganization at the executive senior management levels to better facilitate management workflow.

After an evaluation of the Library’s organizational workflow, it was determined that the Library Services Manager classification is more appropriate for supervision of most of the County’s community libraries. By

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

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

Contact: Samuel Treanor at (925) 608-7702

By: June McHuen, Deputy



BACKGROUND: (CONT'D)

assigning a third Library Services Manager position these duties, the Deputy County Librarians will be better able to handle higher level responsibilities, including more complex projects. At the same time, with this reorganization, there is not a need for a third Deputy County Librarian.

The addition of the Library Services Manager position with the elimination of a Deputy County Librarian will result in cost savings.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the Library will have difficulties implementing its reorganization, creating potential service gaps. There will also be inefficiencies in workflow as at least one Deputy County Librarian will be required to maintain direct supervision of more community libraries.

AGENDA ATTACHMENTS

P300 25693 Cancel one Deputy County Librarian & Library Services Manager

MINUTES ATTACHMENTS

Signed P300 25693

**POSITION ADJUSTMENT REQUEST**

NO. 25693  
DATE 2/17/2021

Department County Library

Department No./  
Budget Unit No. 0620 Org No. 3702 Agency No. 85

Action Requested: Cancel one Deputy County Librarian (3AFE) position 6241. Add one Library Services Manager (3KGA) position.

Proposed Effective Date: 3/1/2021

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 (\$17,791.00) Net County Cost \$0.00  
Total this FY (\$5,930.00) N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT \_\_\_\_\_

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Alison McKee

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

/S/ Erin M Steffen

2/19/2021

\_\_\_\_\_  
Deputy County Administrator

\_\_\_\_\_  
Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 2/24/2021

ADOPT Position Adjustment Resolution No. 25693 to cancel one (1) Deputy County Librarian (3AFE) (unrepresented) position #6241 and add one (1) 40/40 Library Services Manager (3KGA) (unrepresented) position to the Library Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective:  Day following Board Action.

\_\_\_\_\_(Date)

Alexandra Austin

2/24/2021

\_\_\_\_\_  
(for) Director of Human Resources

\_\_\_\_\_  
Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

3/3/2021

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

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

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date \_\_\_\_\_

No. \_\_\_\_\_

1. Project Positions Requested:
  
2. Explain Specific Duties of Position(s)
  
3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)
  
4. Duration of the Project: Start Date \_\_\_\_\_ End Date \_\_\_\_\_  
Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.
  
5. Project Annual Cost
  - a. Salary & Benefits Costs: \_\_\_\_\_
  - b. Support Costs: \_\_\_\_\_  
(services, supplies, equipment, etc.)
  - c. Less revenue or expenditure: \_\_\_\_\_
  - d. Net cost to General or other fund: \_\_\_\_\_
  
6. Briefly explain the consequences of not filling the project position(s) in terms of:
  - a. potential future costs
  - b. legal implications
  - c. financial implications
  - d. political implications
  - e. organizational implications
  
7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.
  
8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted
  
9. How will the project position(s) be filled?
  - a. Competitive examination(s)
  - b. Existing employment list(s) Which one(s)? \_\_\_\_\_
  - c. Direct appointment of:
    1. Merit System employee who will be placed on leave from current job
    2. Non-County employee

Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

POSITION ADJUSTMENT REQUEST

NO. 25693
DATE 2/17/2021

Department County Library

Department No./
Budget Unit No. 0620 Org No. 3702 Agency No. 85

Action Requested: Cancel one Deputy County Librarian (3AFE) position 6241. Add one Library Services Manager (3KGA) position.

Proposed Effective Date: 3/1/2021

Classification Questionnaire attached: Yes [ ] No [X] / Cost is within Department's budget: Yes [X] No [ ]

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost (\$17,791.00) Net County Cost \$0.00
Total this FY (\$5,930.00) N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT

Department must initiate necessary adjustment and submit to CAO. Use additional sheet for further explanations or comments.

Alison McKee

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

/s/ Erin M Steffen

2/19/2021

Deputy County Administrator

Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS

DATE 2/24/2021

ADOPT Position Adjustment Resolution No. 25693 to cancel one (1) Deputy County Librarian (3AFE) (unrepresented) position #6241 and add one (1) 40/40 Library Services Manager (3KGA) (unrepresented) position to the Library Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: [X] Day following Board Action.
[ ] (Date)

Alexandra Austin

2/24/2021

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

3/3/2021

- [X] 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 [X] DISAPPROVED [ ]

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

DATE 3-09-2021

BY June McHuen

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: March 9, 2021

Subject: Add and Cancel Positions in Health Services Department

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 25698 to add one Public Administrator's Program Assistant (AXSD) position at salary plan and grade level ZB5-1392 (\$5,220.07-\$6,345.03) and cancel one vacant Ambulatory Care Clinic Coordinator (VAHB) position #13693 at salary plan and grade level K65-1453 (\$5,672-\$6,895) in the Health Services Department (represented).

**FISCAL IMPACT:**

Upon approval, this action will have an annual cost saving of approximately \$10,041 with \$3,815 in pension costs already included. The cost saving will be in the Public Administrator division.

**BACKGROUND:**

The Public Administrator reviewed vacant positions within the department and it was discovered this Ambulatory Care Clinic Coordinator position was no longer necessary. The position was vacated in March of 2020 and there has not been a departmental requirement to fill it. The department's needs have changed, and there is an increased demand for assistance in the Public Administrator's Office.  
The

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Sabrina Pearson, (925)  
957-5240

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

ATTESTED: March 9, 2021

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

By: June McHuen, Deputy

cc:

BACKGROUND: (CONT'D)

new position's responsibilities will relieve the Chief Deputy Public Administrator or designee of administrative detail and estate processing activities by participating in meetings and conferences with relatives, heirs, attorneys, banks, title companies, and other interested parties. The position will also be responsible for providing assistance with arranging the filing and publication of notices of sale, notices to creditors and other legal notices as required by state law.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the Public Administrator office will not have adequate administrative support.

AGENDA ATTACHMENTS

P300 No. 25698 HSD

MINUTES ATTACHMENTS

Signed P300 25698

**POSITION ADJUSTMENT REQUEST**

NO. 25698  
DATE 3/2/2021

Department Health Services Department Department No./  
Budget Unit No. 0454 Org No. 0454 Agency No. A18  
Action Requested: Cancel one Ambulatory Care Clinic Coordinator (VAHB) position #13693 and add one Public Administrator's Assistant (AXSD) positions in the Health Services Department.

Proposed Effective Date: 3/10/2021

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 \$10,041.48

Net County Cost \$0.00

Total this FY \$1,673.58

N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost Savings to Public Administrator Revenues

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Sabrina Pearson

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Sarah Kennard for

3/2/2021

\_\_\_\_\_  
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

3/2/2021

Approve Recommendation of Director of Human Resources

Disapprove Recommendation of Director of Human Resources

Other: Approve as recommended by the department.

Enid Mendoza

\_\_\_\_\_  
(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED  DISAPPROVED

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

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date 3/2/2021

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

NO. 25698
DATE 3/2/2021

Department Health Services Department
Department No./ Budget Unit No. 0454 Org No. 0454 Agency No. A18
Action Requested: Cancel one Ambulatory Care Clinic Coordinator (VAHB) position #13693 and add one Public Administrator's Assistant (AXSD) positions in the Health Services Department.

Proposed Effective Date: 3/10/2021

Classification Questionnaire attached: Yes [ ] No [x] / Cost is within Department's budget: Yes [x] No [ ]

Total One-Time Costs (non-salary) associated with request: \_\_\_\_\_

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$10,041.48 Net County Cost \$0.00
Total this.FY \$1,673.58 N.C.C. this FY \$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost Savings to Public Administrator Revenues

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Sabrina Pearson

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Sarah Kennard for

3/2/2021

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: [x] Day following Board Action.
[ ] \_\_\_\_\_(Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

3/2/2021

- [ ] Approve Recommendation of Director of Human Resources
[ ] Disapprove Recommendation of Director of Human Resources
[x] Other: Approve as recommended by the department.

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

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

Adjustment is APPROVED [x] DISAPPROVED [ ] XXXXX

DATE 03-09-2021

BY June McHuen

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: March 9, 2021

Subject: Increase Position Hours of one Public Health Nutritionist in the Health Services Department

---

**RECOMMENDATION(S):**

ADOPT Position Adjustment Resolution No. 25697 to increase the hours of one Public Health Nutritionist (V9WB) position #8853 at salary plan and grade level TC5-1430 (\$5,420-\$6,588) from 30/40 to 40/40 in Health Services Department. (Represented)

**FISCAL IMPACT:**

Upon approval, this action has an approximate annual increase of \$47,941 with \$18,591 in pension costs already included. This increase will be funded 100% by California Department of Public Health WIC Program revenues.

**BACKGROUND:**

The Women, Infants, and Children (WIC) Program assists families in the community by issuing social services benefits. WIC offers healthy foods and experts in nutrition, health, and breastfeeding to help families at critical periods of growth and development. Over the last few months WIC has seen a change in the demand within the community for these services. PH Nutritionist caseloads are drastically increasing and it has affected the overall services offered. This surge has resulted in the WIC Program's inability to provide food benefits to all those in the community who have reached assistance. The increase in hours will allow for additional screening to determine client eligibility, enrolling in programs to develop nutrition education and provide consultation to WIC clients.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

ABSENT: Candace Andersen, District II Supervisor

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

Contact: Sabrina Pearson, (925)  
957-5240

By: June McHuen, Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the WIC program within the Health Services Department will not have adequate staffing to oversee and issue benefits for those we serve.

AGENDA ATTACHMENTS

P300 No. 25697 HSD

MINUTES ATTACHMENTS

Signed P300 25697

**POSITION ADJUSTMENT REQUEST**

NO. 25697  
DATE 3/2/2021

Department Health Services

Department No./  
Budget Unit No. 0450 Org No. 5828 Agency No. A18

Action Requested: Increase the hours of one Public Health Nutritionist (V9WB) position #8853 from 30/40 to 40/40 in Health Services Department.

Proposed Effective Date: 3/10/21

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 \$47,941.51 Net County Cost \$0  
Total this FY \$7,990.25 N.C.C. this FY \$0

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% State funded California Department of Public Health WIC Program.

Department must initiate necessary adjustment and submit to CAO.  
Use additional sheet for further explanations or comments.

Sabrina Pearson

\_\_\_\_\_  
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Sarah Kennard for

3/2/2021

\_\_\_\_\_  
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

3/2/2021

- Approve Recommendation of Director of Human Resources
- Disapprove Recommendation of Director of Human Resources
- Other: Approve as recommended by the department.

Enid Mendoza

\_\_\_\_\_  
(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED  DISAPPROVED

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

DATE \_\_\_\_\_

BY \_\_\_\_\_

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION

Adjust class(es) / position(s) as follows:

## REQUEST FOR PROJECT POSITIONS

Department \_\_\_\_\_

Date \_\_\_\_\_

No. 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

NO. 25697
DATE 3/2/2021

Department Health Services

Department No./
Budget Unit No. 0450 Org No. 5828 Agency No. A18

Action Requested: Increase the hours of one Public Health Nutritionist (V9WB) position #8853 from 30/40 to 40/40 in Health Services Department.

Proposed Effective Date: 3/10/21

Classification Questionnaire attached: Yes [ ] No [X] / Cost is within Department's budget: Yes [ ] No [X]

Total One-Time Costs (non-salary) associated with request: \$0.00

Estimated total cost adjustment (salary / benefits / one time):

Total annual cost \$47,941.51 Net County Cost \$0
Total this FY \$7,990.25 N.C.C. this FY \$0

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% State funded California Department of Public Health WIC Program.

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Sabrina Pearson

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Sarah Kennard for

3/2/2021

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: [X] Day following Board Action.

[ ] (Date)

(for) Director of Human Resources

Date

COUNTY ADMINISTRATOR RECOMMENDATION:

DATE

3/2/2021

- [ ] Approve Recommendation of Director of Human Resources
[ ] Disapprove Recommendation of Director of Human Resources
[X] Other: Approve as recommended by the department.

Enid Mendoza

(for) County Administrator

BOARD OF SUPERVISORS ACTION:

Adjustment is APPROVED [X] DISAPPROVED [ ]

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

DATE 03-09-2021

BY June McHuen, Deputy Clerk

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: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 9, 2021

Subject: Authorize a lease amendment for office space at 309 Diablo Road, Danville, for continued use by Board of Supervisors District 2.

**RECOMMENDATION(S):**

APPROVE the Third Amendment to Lease with Gary S. Riele d/b/a SR Investments, to extend the term for four (4) years through February 28, 2025, for approximately 1,620 square feet of office space in the building located at 309 Diablo Road, Danville, for continued occupancy by the Board of Supervisors District 2. The annual rent is \$55,404 with rent increases.

AUTHORIZE the Public Works Director, or designee, to execute the lease amendment on behalf of the County, and to exercise any options to extend the lease.

**FISCAL IMPACT:**

100% General Fund.

**BACKGROUND:**

This space has served as the office for the Board of Supervisors District 2 since 1997. The District 2 Supervisor, Candace Andersen, has requested to extend the lease for four years to continue servicing the community at this location. Reasonable rent rates have been negotiated with the lessor to allow affordability of the space for the County.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: June McHuen, Deputy

Contact: Julin Perez, 925.  
957-2460

cc:

CONSEQUENCE OF NEGATIVE ACTION:

If the lease amendment is not approved, the Board of Supervisors' office for District 2 may experience interruptions in its ability to provide services to the County community, and would require finding another suitable location at increased rent, together with the associated expenses of moving and constructing new tenant improvements.

ATTACHMENTS

Lease Amendment



**THIRD AMENDMENT TO LEASE**

309 Diablo Road,  
Danville, California

This third amendment to lease is dated March 23, 2021, and is between GARY S. RIELE, DBA SR INVESTMENTS (the “**Lessor**”) and COUNTY OF CONTRA COSTA, a political subdivision of the State of California (the “**County**”).

Recitals

- A. The Lessor and County are parties to a lease dated February 15, 2005, as amended by a First Amendment dated May 19, 2009, and a Second Amendment dated April 9, 2013 (the “**Second Amendment**”), under which the County is leasing approximately 1,620 square feet in the building commonly known as 309 Diablo Road, Danville, California (the “**Lease**”).
- B. In accordance with the Second Amendment, the term of the Lease was extended to February 28, 2017, with an option to extend the term through February 28, 2021. The County exercised its option to extend the lease through February 28, 2021.
- C. The parties now desire to extend the term of the Lease through February 28, 2025, and to give the County the option to extend the term of the Lease for an additional four years.

The parties therefore amend the Lease as follows:

Agreement

- 1. Section A.3. Term of the Lease is deleted in its entirety and replaced with the following:  
  
Term. The “**Term**” of this lease is nineteen years, commencing on March 1, 2005, and ending February 28, 2025.
- 2. Section A.4. Rent of the Lease is amended by adding the following:
  - 12. Four Thousand Six Hundred Seventeen Dollars (\$4,617) per month commencing March 1, 2021 and ending February 28, 2023.
  - 13. Four Thousand Eight Hundred Dollars (\$4,800) per month commencing March 1, 2023 and ending February 28, 2025.

3. Section A.5. Extension of the Lease is deleted in its entirety and replaced with the following:

Extension. At the election of the County, this Lease may be extended on the same terms and conditions for an additional four years, with rent payable as follows:

1. Four Thousand Nine Hundred Ninety Five Dollars (\$4,995) per month commencing March 1, 2025 and ending February 28, 2027.
2. Five Thousand One Hundred Ninety Five Dollars (\$5,195) per month commencing March 1, 2027 and ending February 28, 2029.

The parties are executing this third amendment as of the date set forth in the introductory paragraph.

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

GARY S. RIELE, dba SR Investments

By: \_\_\_\_\_  
Brian M. Balbas  
Public Works Director

By: \_\_\_\_\_  
Gary S. Riele

RECOMMENDED FOR APPROVAL:

By: \_\_\_\_\_  
Jessica L. Dillingham  
Principal Real Property Agent

By: \_\_\_\_\_  
Julin Perez  
Supervising Real Property Agent

APPROVED AS TO FORM  
SHARON L. ANDERSON, COUNTY COUNSEL

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

WLP309 / T00525

\\PW-DATA\grpdata\realprop\LEASE MANAGEMENT\DANVILLE\309 DIABLO RD - T00525\LEASES\Amendment 2021\309  
Diablo Rd.\_Dist 2\_ Third Amend V2.docx



Contra  
Costa  
County

To: Board of Supervisors  
From: David O. Livingston, Sheriff-Coroner  
Date: March 9, 2021

Subject: California Highway Patrol Grant FY 2021-2022

---

**RECOMMENDATION(S):**

ADOPT Resolution No. 2021/81 authorizing the Sheriff Coroner, or designee, to apply for and accept the California Highway Patrol Grant Fiscal Year 2021-2022, in an amount not to exceed \$114,609 for the purchase of new equipment for the Toxicology Unit for the period of July 1, 2021, through the end of the grant funding.

**FISCAL IMPACT:**

\$114,609. Up to an initial amount of \$114,609 in California State Highway Patrol Revenue. There is no County in kind match requirement.

**BACKGROUND:**

The Contra Costa County Office of the Sheriff Forensic Services Division (FSD) operates an ISO 17025 ANAB Accredited Crime Laboratory able to provide County-wide Forensic Toxicological testing services. The California Highway Patrol (CHP) Grant Fiscal Year 2021-2022 is needed to purchase new equipment for the Toxicology Unit thereby increasing efficiency in the processing and analysis of driving under the influence of drugs (DUID) cases. The equipment purchased will be used for current toxicology confirmation methods including THC and its metabolites and in future method validations. The automated liquid handling system for extractions and updated testing equipment

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

, County Administrator and Clerk of the Board of Supervisors

ABSENT: Candace Andersen, District II Supervisor

By: Laura Cassell, Deputy

Contact: Chrystine Robbins,  
925-655-0008

cc:



BACKGROUND: (CONT'D)

will enable the FSD to meet recommendations for DUID testing set by the National Safety Council and address drug abuse trends, reduce the need to send cases to an outside laboratory for toxicology analysis, and provide timely information to stakeholders by reducing turnaround times for reporting toxicology results.

CONSEQUENCE OF NEGATIVE ACTION:

Without the replacement and purchase of new equipment, the laboratory will be required to send requests to an accredited outside laboratory for analysis. 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.

ATTACHMENTS

Resolution 2021/81

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

Adopted this Resolution on 03/09/2021 by the following vote:

**AYE:**  4 **John Gioia**  
**Diane Burgis**  
**Karen Mitchoff**  
**Federal D. Glover**

**NO:**

**ABSENT:**  1 **Candace Andersen**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2021/81**

IN THE MATTER OF: Applying for and accepting the California Highway Patrol Grant for Fiscal Year 2021-2022

WHEREAS the County of Contra Costa County is seeking funds available through the California Highway Patrol;

NOW, THEREFORE IT BE RESOLVED that the Board of Supervisors: Authorizes the Sheriff-Coroner, Undersheriff or the Sheriff's Commander, 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 including grant modifications and extensions provided by the California Highway Patrol.

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

**ATTESTED: March 9, 2021**

, County Administrator and Clerk of the Board of Supervisors

**Contact: Chrystine Robbins, 925-655-0008**

By: Laura Cassell, Deputy

**cc:**



Contra  
Costa  
County

To: Board of Supervisors  
From: Alison McKee, Interim County Librarian  
Date: March 9, 2021

Subject: East Bay Community Foundation Grant Funds

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Librarian, or designee, to apply for and accept a grant in the amount of \$5,000 from East Bay Community Foundation, administered by the Rodeo Municipal Advisory Council, for Rodeo Library services, pursuant to the local refinery Good Neighbor Agreement for the period July 1, 2021 through December 31, 2021.

**FISCAL IMPACT:**

No Library Fund Match.

**BACKGROUND:**

The County currently funds 18 hours of library service at the Rodeo Library. If granted, the \$5,000 from the East Bay Community Foundation, administered by the Rodeo Municipal Advisory Council, will be used to fund additional hours of library service. The proposed additional hours will provide one extra hour of Saturday service, and three extra hours of evening service two weekdays per week. These extended hours offer Rodeo residents additional opportunities to make use of the educational and recreational resources available at the Rodeo Library.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Laura Cassell, Deputy

Contact: Walt Beveridge  
925-608-7730

cc:

BACKGROUND: (CONT'D)

The expanded hours are a continuation of supplemental grant funding acquired by the Library through the East Bay Community Foundation, which has funded the expansion of hours at the Rodeo Library location since 2006. The East Bay Community Foundation awards grants on a six-month funding cycle.

CONSEQUENCE OF NEGATIVE ACTION:

If the grant proposal is not approved, the Rodeo Library will remain open for the County funded 18 hours per week, instead of the proposed 23 hours per week.

CHILDREN'S IMPACT STATEMENT:

Extending hours at the Rodeo Library will meet all five community outcomes established in the Children's Report Card. Research shows that early and positive experiences with books set the stage for a child's success in learning to read. Additionally, literacy skills are a strong predictor of health and employment status. Extending the hours at the Rodeo Library will draw more families to the library and encourage regular exposure to reading and books, thus improving the quality of life for children and families in Rodeo.





**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: March 9, 2021

Subject: Community Services Block Grant CARES Revenue, Amendment 1

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with California Department of Community Services and Development to increase the payment limit by \$40,370.00 to a new payment limit of \$1,229,551.00 for Community Services Block Grant program services from March 27, 2020 through May 31, 2022.

**FISCAL IMPACT:**

The County will receive a pass-through of 100% federal funding in the total contract amount of \$1,229,551.00 from the California Department of Community Services and Development. There is no County match requirement.

CFDA # 93.569  
State Contract Number: 20F-3646  
Amendment #1

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

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

ABSENT: Candace Andersen, District II  
Supervisor

By: Laura Cassell, Deputy

Contact: Elaine Burres 608-4960

cc:

**BACKGROUND:**

The Employment and Human Services Department received notification of supplemental funding from California Department of Community Services and Development on October 2, 2020.

As the County's Community Action Agency, the Department's Community Services Bureau regularly receives Community Services Block Grant (CSBG) funding to operate self-sufficiency programs under the advisement of the County's Economic Opportunity Council. The self-sufficiency programs have the goal of ameliorating poverty in Contra Costa County through programs that address housing, economic development and food security. Examples of programs to receive funding include those that provide employment training, housing payment assistance and food distribution.

This board order is to accept the County's allocation of \$1,229,551.00 for the 2020-2022 program year. The funding is to help prevent, prepare for, or respond to the coronavirus pandemic.

**CONSEQUENCE OF NEGATIVE ACTION:**

The Department will be hampered in its ability to operate self-sufficiency programs in the community, and to establish partnerships with community based agencies and public organizations.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Standard Agreement #28-300-7 with the California Department of Health Care Services

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Standard Agreement #28-300-7 (State #120-10010) with the California Department of Health Care Services (DHCS), to pay the County an amount not to exceed \$27,000,000, for the Medi-Cal Administrative Activities (MAA) Program, for the period from July 1, 2021 through June 30, 2024.

**FISCAL IMPACT:**

This agreement will result in an amount not to exceed \$27,000,000 from the California Department of Health Care Services to fund the MAA Program. No County match is required.

**BACKGROUND:**

The DHCS is responsible for administering the California MAA Program which is authorized by Title 42, United States Code Section 1396 and Welfare and Institutions Code Division 9, Part 3, Chapter 7 (commencing with Section 14000) and Chapter 8 (commencing with Section 14200). The Federal Social Security Act mandates cooperative arrangements between the single state agency

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Laura Cassell, Deputy

Contact: Patrick Godley,  
925-957-5410

BACKGROUND: (CONT'D)

and participating local government agencies (LGA's) responsible for providing health related administrative activities. The goal of this agreement is to ensure that Contra Costa County Medi-Cal potentially eligible individuals and their families are appropriately informed of the Medi-Cal Program, how to access it and assisted in accessing the Medi-Cal Program.

On March 27, 2018, the Board of Supervisors approved Standard Agreement #28-300-6 with the DHCS for the MAA Program, in an amount payable to the county of \$21,000,000 for the period July 1, 2018 through June 30, 2021.

Approval of this Standard Agreement #28-300-7 will allow continuous funding to the County's Health Services Department for the MAA Program, through June 30, 2024. This agreement includes agreeing to indemnify the State for any claims arising out of the County's performance under the agreement.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the County will not receive funds to continue providing the MAA Program.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Agreement #29-818-3 with Public Health Foundation Enterprises, Inc. (DBA Heluna Health)

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Grant Agreement #29-818-3 containing mutual indemnification with Public Health Foundation Enterprises, Inc. (DBA Heluna Health), a nonprofit corporation, to pay County an amount not to exceed \$24,889 for participation in the FoodNet Expanded Case Exposure Ascertainment (eCEA) Project for the period from August 1, 2020 through July 31, 2021.

**FISCAL IMPACT:**

This agreement will result in an amount not to exceed \$24,889 in funding. (No County match)

**BACKGROUND:**

The Health Services Department's Public Health Division receives hundreds of reports of Salmonellosis and Shigellosis cases annually. There are likely many cases that do not get reported because community members do not see their doctor or confirmatory testing is not performed. These infections can result in serious illness and hospitalization across the age spectrum.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Daniel Peddycord,  
925-313-6712

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy

BACKGROUND: (CONT'D)

Administering the expanded case report and the eCEA questionnaire will allow health officials to gather additional information that could result in enhanced disease prevention and control activities.

On October 22, 2019, the Board of Supervisors approved Grant Agreement #29-818-2 with Public Health Foundation Enterprises, Inc. (DBA Heluna Health) to receive funds in the amount of \$14,875 for participation in the eCEA, to study foodborne bacteria, for the period from August 1, 2019 through July 31, 2020.

Approval of Agreement #29-818-3 will allow the County to continue to receive funds to support the eCEA Project, through July 31, 2021. This agreement includes mutual indemnification.

CONSEQUENCE OF NEGATIVE ACTION:

If this agreement is not approved, the County will not receive funding to provide services for the eCEA Project.



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 9, 2021

Subject: Execute a contract amendment with Empower Programs, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with Empower Programs Inc., to increase the payment limit by \$160,000 from \$80,000 to a new payment limit of \$240,000 to provide on-call weed abatement services, and to extend the term from March 31, 2021 to March 31, 2023, Alamo, Concord, Danville, Pleasant Hill, San Ramon and Walnut Creek areas. (Districts II and IV)

**FISCAL IMPACT:**

100% Iron Horse Corridor Funds.

**BACKGROUND:**

The County Public Works Department has overall management responsibility of the Iron Horse Corridor (IHC) and performs the majority of its maintenance. The IHC, formerly known as the Southern Pacific Railroad right of way, is 18.5 miles long, traversing north-south in Central Contra Costa County. The northern terminus is at Mayette Avenue in Concord and the southern terminus is at the Alameda County line in San Ramon. The corridor varies in width from 30 to 100 feet

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021  
Monica Nino, County Administrator and Clerk of the Board of Supervisors

ABSENT: Candace Andersen, District II Supervisor

By: Laura Cassell, Deputy

Contact: Carl Roner (925)  
313-2213

BACKGROUND: (CONT'D)

and currently has a 10-foot wide, paved multi-use trail located in it that is managed by the East Bay Regional Park District.

The contractor shall provide weed abatement services in the IHC in South and Central Contra Costa County in accordance with the Contra Costa County Fire Protection District Weed Abatement Standards. These services will assist the County in meeting the Fire District's June 1st deadline for completion of mowing along the IHC. The Public Works Department's Maintenance Division will continue to mow County properties in unincorporated County. This arrangement allows more resources to be allocated to other County unincorporated areas to meet the mowing deadline.

In addition to providing weed abatement services in the IHC, the contractor shall also provide on-call weed abatement services for various locations throughout the County as directed by the County Maintenance Supervisor.

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, there may be delays in weed abatement services along the Iron Horse Corridor and the County Public Works Department may not be able to meet the Fire District's June 1st deadline for completion of mowing.





**Contra  
Costa  
County**

To: Board of Supervisors  
From: Ann Elliott, Interim Human Resources Director  
Date: March 9, 2021

Subject: Contract Extension of Fiduciary Consulting Services with Segal Advisors for the County's 457 Deferred Compensation plan

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Human Resources Director, or designee, to execute a contract amendment with Segal Advisors, Inc. including modified indemnification language, to extend the term from March 31, 2021 through March 31, 2022, and increase the payment limit by \$60,000 to a new payment limit of \$210,000 .

**FISCAL IMPACT:**

The program is funded through plan participant fees. There is no fiscal impact beyond overhead administration support costs which is reimbursed annually through the plan

**BACKGROUND:**

Segal Advisors provides fiduciary consulting services for the County. These services assist the County with performance evaluation, measurement allocation and investment strategy for the County's 457 Deferred Compensation plan. Pursuant to the parties' contract, Segal Advisors performs the following advisory and fiduciary consulting services, among others,: 1) attendance at meetings; 2) investment management search and selection; 3) investment performance

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

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

ABSENT: Candace Andersen, District II  
 Supervisor

By: Laura Cassell, Deputy

Contact: Ann Elliot 9256552176

cc:

BACKGROUND: (CONT'D)

monitoring; 4) administrative services monitoring; and 5) general consulting.

Following the expiration of this extension, an additional option to renew the contract for one more year will remain under the parties' contact.

CONSEQUENCE OF NEGATIVE ACTION:

If this extension is not approved, the County will be not be able to access the expertise and support of Segal Advisors to assist the County in measurement allocation and investment strategy for the County's 457 Deferred Compensation plan.



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: March 9, 2021

Subject: Amended Exclusive Negotiating Agreement-Rodeo Plaza

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute an amendment to the Exclusive Negotiating Agreement between the County and City Ventures Homebuilding, LLC, dated March 26, 2019, to extend its term through March 26, 2022.

**FISCAL IMPACT:**

No impact to the General Fund. Staff project costs are covered by the Housing Successor budget.

**BACKGROUND:**

The County and City Ventures Homebuilding, LLC (Developer), entered into an exclusive negotiating agreement dated March 26, 2019, under which the County granted the Developer an exclusive right, through March 26, 2021, to determine the feasibility of developing a project on County-owned property located at 223 Parker Avenue in Rodeo, California, and to negotiate a disposition and development agreement for the acquisition of the property by the Developer. If the Developer acquires the property, the Developer plans to construct a mixed-use development, consisting of 24 townhomes and approximately 2,000 square feet of commercial space, and a public plaza on the property.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Laura Cassell, Deputy

Contact: Maureen Toms,  
925-674-7878

cc:

BACKGROUND: (CONT'D)

The disposition and development agreement between the County and the Developer has not been completed. The amendment that is the subject of this board order will extend the term of the exclusive negotiating agreement for one year to enable the parties to finalize the terms of the transfer of the property.

Because the vacant property is a housing asset of the former Redevelopment Agency, its disposition is governed by the County in its capacity as Housing Successor.

CONSEQUENCE OF NEGATIVE ACTION:

Development of a Housing Successor asset will be delayed.

ATTACHMENTS

March 26 2019 ENA

EXCLUSIVE NEGOTIATING RIGHTS AGREEMENT  
(RODEO TOWN CENTER)

This Exclusive Negotiating Rights Agreement (“Agreement”) is dated March 26, 2019 (the “Effective Date”), and is between the COUNTY OF CONTRA COSTA, a political subdivision of the State of California (the “County”), and CITY VENTURES, LLC, a Delaware limited liability company (the “Developer”).

RECITALS

- A. The County, in its capacity as housing successor to the Contra Costa County Redevelopment Agency, is the owner of approximately 1.16 acres of real property located at 223 Parker Avenue in Rodeo, California, having Assessor’s Parcel Numbers 357-161-001, 357-161-002, and 357-161-013, as more particularly described in Exhibit A (the “Property”).
- B. The County desires the Property to be developed in a manner that will result in a mixed-use residential neighborhood with 24 units of for-sale townhomes and 2,000 square feet of commercial space and a public plaza (together, the “Development”).
- C. Developer has developed projects similar to the proposed Development, including the development of a 36-unit mixed-use project on approximately 2 acres in Union City, California; a 25-unit mixed-use project on approximately 1.2 acres in Milpitas, California, and a 35-unit mixed-use project on approximately 1.7 acres in South San Francisco.
- D. The purpose of this Agreement is twofold. First, it is intended to enable the parties to assess the feasibility of the Development. Second, if the Development is determined to be feasible, it is intended to enable the parties to negotiate a disposition and development agreement (a “DDA”). Under the DDA, the Property would be conveyed to the Developer for construction of the Development.
- E. Because the property is a housing asset of the former Redevelopment Agency, its disposition is governed by the County, in its capacity as housing successor, and is subject to the requirements of Health and Safety Code Section 34176.

The parties therefore agree as follows:

AGREEMENT

Exclusive Negotiations

- 1. Good Faith Negotiations. The County and the Developer shall negotiate diligently and in good faith during the Negotiating Period (defined below), the terms of a DDA for the development of the Development on the Property.

Among the issues to be addressed in the negotiations are: (i) the price to be paid by the Developer for the Property, (ii) the physical and land title conditions of the Property, (iii) the type of entitlements necessary for the Development, (iv) the design, density, and mix of uses within the Development, (v) the development schedule for the Development, (vi) financing of the Development; (vii) the marketing of, sales process associated with, and management of the Development, (viii) housing affordability and the nature of affordability controls, (ix) the provision of public improvements related to the Development, (x) and the green building components of the Development.

2. Negotiating Period. The "Negotiating Period" under this Agreement is comprised of (i) an initial period of six months, beginning on the Effective Date, and, (ii) if agreed to by the parties in writing, three six-month renewal periods. The County's Director of Conservation and Development (the "Director") will make the determination for the County with respect to whether the Negotiating Period will be extended through the renewal periods. The Director's decision will be based on his reasonable judgment as to whether sufficient progress has been made toward a mutually acceptable DDA to merit further negotiations.
  - a. Subject to Section 2.b. below, if a DDA is not executed by the parties prior to the expiration of the Negotiating Period, this Agreement will terminate and neither party will have any further rights or obligations under this Agreement (with the exception of Section 22 (waiver of lis pendens), Section 23(d) (indemnity) and Section 25 (no commissions), all of which survive the termination of this Agreement). Upon the execution of a DDA by the County and the Developer, this Agreement will terminate and all rights and obligations of the parties with respect to the Development will be governed by the DDA.
  - b. Notwithstanding anything to the contrary in this Agreement, if at the end of the Negotiating Period, a form of DDA has been mutually agreed upon by the Developer and the Director but the DDA has not been approved by the parties' governing bodies, the Director may extend the Negotiating Period to the date on which the County holds a public hearing to consider approving the DDA.
3. Exclusive Negotiations. During the Negotiating Period, the County may only negotiate with the Developer regarding development of the Property and may not solicit or entertain bids or proposals for such development from any other entity.
4. Party Representatives. The Developer's representative to negotiate the DDA is Patrick Hendry, its Senior Vice President of Northern California. The County's representative to negotiate the DDA is Maureen Toms, its Deputy Director of Conservation and Development.

## NEGOTIATION TASKS

5. Overview. To facilitate negotiation of the DDA, the parties shall use reasonable good faith efforts to accomplish the negotiation tasks set forth below in an effort to (i) determine the feasibility of the Development, and (ii) complete the negotiation and execution of a mutually acceptable DDA prior to the expiration of the Negotiating Period.
6. Financing and Costs of Development. Within ninety days of the Effective Date, the Developer shall prepare and submit to the County a detailed financial proforma for the Development containing matters typically contained in such proformas, including (without limitation) a detailed development cost budget and tax credit funding analysis. The development cost budget will be used to evaluate the financial feasibility of the Development and to identify financing sources for the Development. The Developer shall cause the financial proformas to include (i) an analysis of the affordable units to be constructed as part of the Development, and (ii) Developer's obligation to pay prevailing wages in connection with the construction of the Development.
7. Purchase Price for the Property. The County and the Developer shall seek to agree upon a purchase price for the Property. The proposed purchase price for the Property will be subject to approval by the County's Board of Supervisor following a noticed hearing conducted in accordance with Health and Safety Code Section 33433.
8. Site and Architectural Plans. The Developer shall prepare and submit to the County a proposed site plan, including massing diagram and a rendering that identifies the location, general configuration and proposed design characteristics of the buildings, parking spaces, landscaping, and other aspects of the Development. During the Negotiating Period the Developer shall prepare appropriate refinements and modifications to the site plan, diagram and renderings for the County's review and approval. During the Negotiating Period, the Developer shall affirmatively outreach to the local community to obtain and consider community input regarding the design of the Development.
9. Planning Approvals. The Developer acknowledges that the Development requires approvals and entitlements from the County (together, such approvals and entitlements are the "Planning Approvals"). During the Negotiating Period, the Developer shall submit conceptual site plans and preliminary designs for the Development to the appropriate County departments for their informal review. During the Negotiation Period, the Developer shall submit applications for those components, if any, of the Planning Approvals that are required to be submitted in accordance with the schedule of performance described in Section 10 below.
10. Schedule of Performance. Within sixty (60) days after the Effective Date, the Developer shall provide the County with a proposed detailed schedule of performance for the Development which is to include, but is not limited to: The dates for obtaining Planning Approvals and financing commitments for the Development, the date for the submittal of construction plans to the City, the date for satisfaction of all preconditions to conveyance

of the Property, the dates for close of escrow and conveyance of the Property, and the dates for the commencement and completion of construction of the Development.

11. Due Diligence. During the Negotiating Period, the Developer shall conduct any and all investigations it deems necessary to enable it to negotiate those aspects of the DDA that relate to the physical condition of the Property at the time of conveyance.
12. Utilities. The Developer shall consult with the utility companies serving the Property to determine if construction of the Development will require existing utility facilities to be expanded, relocated or placed underground. The County shall assist and cooperate with the Developer in such consultations.
13. Reports. The County shall provide the Developer with copies of all reports, studies, analyses, correspondence and similar documents (collectively, "documents"), exclusive of detailed property appraisals, prepared or commissioned by the County with respect to this Agreement and the Development, promptly following execution of this Agreement with respect to documents then in its possession or under its reasonable control, and promptly upon their completion with respect to any subsequently prepared documents.

The Developer acknowledges that the County needs sufficient detailed information about the proposed Development (including, without limitation, the financial information described in Section 6) to make informed decisions regarding the DDA.

14. Organizational Documents; Financial Statements. The Developer shall provide the County with copies of its organizational documents evidencing that the Developer has been duly organized, is in good standing and is able to perform its obligations under this Agreement and the DDA. The Developer shall provide the County will copies of its audited financial statements for the three years preceding the Effective Date, along with evidence of its 501(c)(3) status.
15. Environmental Review. The County shall prepare or cause to be prepared the appropriate environmental documentation required by the California Environmental Quality Act ("CEQA") for consideration of approval of the DDA, provided that nothing in this Agreement may be construed to compel the County to approve or make any particular findings with respect to such CEQA documentation. The Developer shall provide any information about the Development that the County requires to enable it to prepare, or cause to be prepared, CEQA-required documents, and shall generally cooperate with the County to complete CEQA-related tasks.
16. Section 33433 Report. The County shall prepare the documentation that is required to be submitted to the County Board and the County Board of Supervisors in conjunction with the County's and the County's consideration of any DDA, in accordance with Section 33433(a)(2)(B) of the California Health and Safety Code. The Section 33433 report will contain the estimated value of the Property determined (i) at its highest and best use, and (ii) at the use and with the conditions, covenants and development costs required pursuant to the DDA.



17. Progress Reports. From time to time as reasonably agreed upon by the parties, each party shall make oral or written progress reports advising the other party on studies being made and matters being evaluated by the reporting party with respect to this Agreement and the Development.
18. Outreach. The Developer shall prepare and submit to the County a plan for community outreach associated with the development of the Development. During the Negotiating Period, the Developer shall prepare appropriate refinements and modifications to the community outreach plan that are reasonably requested by the County.

#### GENERAL PROVISIONS

20. Limitation on Effect of Agreement. This Agreement does not obligate either the County or the Developer to enter into a DDA. By execution of this Agreement, the County is not committing itself to or agreeing to undertake acquisition, disposition or exercise of control over any parcels in the Property. Execution of this Agreement by the County is merely an agreement to conduct a period of exclusive negotiations in accordance with the terms hereof, reserving for subsequent County Board of Supervisors action, the final discretion and approval regarding the execution of a DDA and all proceedings and decisions in connection therewith. Any DDA resulting from negotiations pursuant to this Agreement will be effective only if it is considered and approved by the County Board of Supervisors in accordance with all legally required procedures, and if it is executed by duly authorized representatives of the County and the Developer. Until and unless a DDA is approved by the County Board and executed by the County and the Developer, no agreement drafts, actions, deliverables or communications arising from the performance of this Agreement will impose any legally binding obligation on either party to enter into or support entering into a DDA or be used as evidence of any oral or implied agreement by either party to enter into any other legally binding document.
21. Notices. Any notices required or permitted under this Agreement (other than day to day routine communications) must be in writing and sent by overnight or personal delivery with delivery receipt. Such notices are to be sent to the address listed below:

County:           Contra Costa County, Housing Successor  
                      30 Muir Road  
                      Martinez, CA 94553  
                      Attn: Maureen Toms, Deputy Director

Developer:       City Ventures  
                      444 Spear Street, Suite 200  
                      San Francisco, CA 94105  
                      Attn: Patrick Hendry, Senior Vice President

At any time, either party may designate in writing a substitute address for an address set forth above and thereafter notices are to be directed to such substituted address. Notices

will be deemed received as follows: on the date shown on the delivery receipt as the date of delivery, the date delivery was refused, or the date the item was returned as undeliverable. If the date on the delivery receipt is not a business day, notice will be deemed received on the following business day.

22. Waiver of Lis Pendens. It is expressly understood and agreed by the parties that no lis pendens may be filed against any portion of the Property by reason of this Agreement or any dispute or act arising from this Agreement.
23. Right of Entry. If the Developer or its consultants enter upon the Property, the Developer shall:
  - (a) Give the County seventy-two (72) hours' notice of intent to enter the Property and the purpose of the entry.
  - (b) Repair and restore any damage it may cause.
  - (c) Deliver to the County, within ten (10) days of receipt thereof, a complete copy of any investigation, test, report or study that the Developer conducts, or causes to be conducted, with respect to the Property.
  - (d) Indemnify, defend and hold the County and its directors, officers, employees and agents harmless from any and all claims, liabilities, damages, losses, expenses, costs and fees (including attorneys' fees and costs) that may proximately arise out of the Developer's entry upon the Property or the investigation(s) and test(s) the Developer may conduct.
  - (e) Prior to entry, cause the County to be named as an additional insured on a Commercial General Liability insurance policy with limits not less than Two Million Dollars (\$2,000,000) each occurrence combined single limit for Bodily Injury and Property Damage, including coverage from Contractual Liability, Personal Injury, Broadform Property Damage, Products and Completed Operations. The required insurance is to be provided under an occurrence form by an insurer authorized and licensed to provide such insurance in the State of California, and the Developer shall maintain such coverage for not less than two (2) years after the expiration of the Negotiating Period.
24. Costs and Expenses. Except as otherwise set forth in this Agreement, each party is responsible for the costs and expenses it incurs as a result of activities and negotiations undertaken in connection with, and the performance of its obligations under, this Agreement.
25. No Commissions. The County is not liable for any real estate commissions or brokerage fees that may arise as a result of this Agreement or a DDA. The County represents that it has not engaged a broker, agent or finder in connection with this transaction and the

Developer agrees to defend and hold the County harmless from the claims of any broker, agent or finder retained by the Developer.

26. Default and Remedies. Failure by either party to negotiate in good faith or to fulfill its obligations under this Agreement is an event of default hereunder. At the non-defaulting party's election, the non-defaulting party may give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default. If the default remains uncured fifteen days after receipt of the notice by the defaulting party, the non-defaulting party may terminate this Agreement.
- a. Following a default and termination, neither party will have any further right, remedy or obligation under this Agreement, except that the obligations under Section 22 (waiver of lis pendens), Section 23(d) (indemnity) and Section 25 (no commissions), all survive the termination of this Agreement.
  - b. Except as expressly provided above, if there is a default under this Agreement, (i) neither party will be liable to the other party for damages or otherwise, and (ii) neither party will have any other claims with respect to performance under this Agreement. Each party specifically waives and releases any such rights or claims it may otherwise have at law or in equity.
27. Governing Law. The laws of the State of California govern all matters arising out of this Agreement.
28. Entire Agreement; Counterparts. This Agreement constitutes the entire agreement between the parties regarding the subject matter of this Agreement. This Agreement may be executed in counterparts.
29. Assignment. The Developer may not transfer or assign any or all of its rights or obligations under this Agreement.

[Remainder of Page Intentionally Left Blank]

30. No Third Party Beneficiaries. This Agreement is made and entered into solely for the benefit of the County and the Developer and no other person has any right of action under or by reason of this Agreement.


The parties are signing this Agreement as of the date set forth in the introductory paragraph.

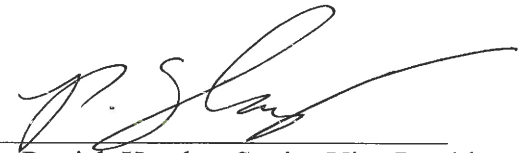
COUNTY

DEVELOPER

Contra Costa County, a political subdivision of the State of California

City Ventures, LLC, a Delaware limited liability company

By:   
Maureen Toms, Deputy Director

By:   
Patrick Hendry, Senior Vice President

H:\Community Dev - Former Redev\Rodeo Town Center - ENA V1.docx

g:\odbg-redev\redev\rodeo rda\town plaza development\town plaza rfq rfp process\city ventures\ena\rodeo town center - clean.docx

## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

Real property in the unincorporated area of the County of Contra Costa, State of California, described as follows:

LOTS 5 TO 12, 14, 16, 24, 25, 26 AND 27, IN BLOCK 2W, AS SHOWN ON THE MAP ENTITLED "MAP OF RODEO, CONTRA COSTA, COUNTY, CA.", WHICH MAP WAS FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, ON FEBRUARY 5, 1892, IN BOOK D OF MAPS, AT PAGE 91.

EXCEPTING FROM LOTS 24, 25, 26 AND 27 THAT PARCEL OF LAND DESCRIBED IN THE DEED FROM S. J. CLAEYS, ET UX, TO MANUEL O. FERNANDEZ, DATED AUGUST 6, 1931 IN BOOK 282 OF OFFICIAL RECORDS, AT PAGE 352, AS FOLLOWS:

"THE MOST NORTHERLY 50' OF LOTS 24, 25, 26 AND 27 IN BLOCK 2W, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, 'MAP OF RODEO, CONTRA COSTA COUNTY, CALIFORNIA', FILED ON THE 5TH DAY OF FEBRUARY, 1892 IN MAP BOOK 'D' PAGE 91, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA. HAVING A FRONTAGE ON SECOND STREET OF ONE HUNDRED FEET AND DEPTH ON PARKER AVE. OF FIFTY FEET."

APN: 357-161-013-2

Real property in the unincorporated area of the County of Contra Costa, State of California, described as follows:

LOTS 1, 2, 3, AND 4, BLOCK 2W, MAP OF RODEO, FILED JANUARY 5, 1892, MAP BOOK D, PAGE 91, CONTRA COSTA COUNTY RECORDS.

APN: 357-161-001-7 and 357-161-002-5



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Contract #77-217-2 with Healthrisk Resource Group, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-217-2 with Healthrisk Resource Group, Inc., a corporation, in an amount not to exceed \$600,000, to provide claims processing and negotiation services to Contra Costa Health Plan (CCHP), for the period from March 1, 2021 through February 29, 2024.

**FISCAL IMPACT:**

This contract will result in contractual service expenditures of up to \$600,000 over a 3 year period and will be funded 100% by CCHP Enterprise Fund II. (No rate increase)

**BACKGROUND:**

Healthrisk Resource Group, Inc. has been providing claims processing and negotiation services for CCHP since March 2019. Contractor acts as a billing agent to negotiate discount rates, review documentation of medical claims and electronic claims from out of network medical providers services, which results in saving dollars for CCHP.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Sharron Mackey,  
925-313-6104

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy

BACKGROUND: (CONT'D)

On March 12, 2019 the Board of Supervisors approved Contract #77-217 in an amount of \$300,000 to provide claims processing services and negotiation services for CCHP for the period from March 1, 2019 through February 28, 2021. On December 10, 2019, the Board of Supervisors approved Amendment Agreement #77-217-1 to increase the payment limit by \$300,000 to a new payment limit of \$600,000 to provide additional claims processing services and negotiation services through February 28, 2021.

Approval of Contract #77-217-2 will allow the contractor to continue providing claims processing services and negotiation services through February 29, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, CCHP will not have access to contractor's negotiation, claims processing and price factoring services.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Marc Shorr, Chief Information Officer  
Date: March 9, 2021

Subject: APPROVE and AUTHORIZE the Chief Information Officer, DoIT, to execute a contract Amendment/Extension agreement with CSI Telecommunications, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Information Officer, Department of Information Technology, or designee, to execute an amendment to a contract with CSI Telecommunications, Inc. to increase the payment limit by \$250,000 to a new payment limit of \$1,330,000 and to extend the termination date from January 31, 2021 to January 31, 2023 to provide continued Federal Communication Commission radio licensing and microwave frequency coordination, as needed by the Department of Information Technology.

**FISCAL IMPACT:**

The cost of this contract is recovered through user fees charged through DoIT's billing system.

**BACKGROUND:**

The Department of Information Technology's Microwave Division is responsible for maintaining the County's Microwave System, including frequency coordination and licensing. CSI Telecommunications, Inc. provides

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Laura Cassell, Deputy

Contact: Marc Shorr,  
925-608-4071



BACKGROUND: (CONT'D)

telecommunications permitting assistance services including, without limitation, Federal Communications Commission ("FCC") license application engineering/frequency coordination for the County's Microwave and Public Safety Radio Systems.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract amendment/extension is not approved, DoIT will be unable to ensure the integrity of the County's Microwave system. Proper maintenance of the system is essential for public safety.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Contract #77-317 with Availity, LLC

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-317 with Availity, LLC, a limited liability company, in an amount not to exceed \$1,100,000, to provide electronic claims processing services for the Contra Costa Health Plan (CCHP) for the period March 1, 2021 through February 28, 2022.

**FISCAL IMPACT:**

This contract will result in contractual service expenditures of up to \$1,100,000 over a one-year period and will be funded 100% by CCHP Enterprise Fund II revenues.

**BACKGROUND:**

CCHP has an obligation to provide certain specialized health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. CCHP requires the most current electronic claims processing services to reimburse CCHP providers for services rendered to CCHP members.

Under Contract #77-317, the contractor will provide electronic claims processing services for CCHP providers for reimbursement of services rendered to CCHP members for the period March 1, 2021 through February 28, 2022.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Sharron Mackey,  
925-313-6104

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, electronic claims processing services will not be available for CCHP providers to submit electronic claims for services rendered to CCHP members.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Contract #27-622-9 with Young M. Kim, M.D. (dba Young's OB/GYN)

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-622-9 with Young M. Kim, M.D., (dba Young's OB/GYN), a sole proprietor, in an amount not to exceed \$750,000, to provide obstetrics-gynecology (OB-GYN) services to Contra Costa Health Plan (CCHP) members for the period March 1, 2021 through February 29, 2024.

**FISCAL IMPACT:**

This contract will result in contractual service expenditures of up to \$750,000 over a three-year period and will be funded 100% by CCHP Enterprise Fund II revenues. (No rate increase)

**BACKGROUND:**

CCHP has an obligation to provide certain specialized health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network since March 1, 2006.

On February 26, 2019, the Board of Supervisors approved Contract #27-622-8 with Young M. Kim, M.D. (dba Young's OB/GYN), in an amount not to exceed \$500,000, to provide OB/GYN services to CCHP members, for the period from March 1, 2020 through February 28, 2021.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Sharron Mackey,  
925-313-6104

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy

BACKGROUND: (CONT'D)

Approval of Contract #27-622-9 will allow the contractor to continue providing OB/GYN services for CCHP members through February 29, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized health care services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Monica Nino, County Administrator  
Date: March 9, 2021

Subject: RATIFY AMENDMENT OF EMERGENCY BLANKET PURCHASE ORDER IN RESPONSE TO THE COVID-19 PANDEMIC

---

**RECOMMENDATION(S):**

RATIFY amendment of an emergency blanket purchase order authorized by the County Administrator to secure critical services and supplies necessary to respond to the COVID-19 pandemic in Contra Costa County by increasing the payment limit by \$5,000,000 to a new payment limit of \$30,000,000 with no change to the term through June 30, 2021.

**FISCAL IMPACT:**

Additional \$5,000,000, up to \$30,000,000. 100% General Fund. A portion of this amount may end up being reimbursable by state or federal government disaster reimbursement programs.

**BACKGROUND:**

The County Administrator, in the capacity of Administrator of Emergency Services (County Code Section 42-2.602) issued an emergency blanket purchase order in the amount of \$20 million on Friday, March 20, 2020 for the procurement of services and supplies necessary to facilitate the COVID-19 response within the County. This emergency procurement is authorized as part of the County Administrator's emergency powers outlined in County Code Section 42-2.808(c), among other authorities. The issuance of this emergency blanket purchase order expedites the acquisition

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Timothy Ewell, (925)  
655-2043

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

ATTESTED: March 9, 2021

, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassell, Deputy

cc:

BACKGROUND: (CONT'D)

of goods and services for faster deployment to the field. To track these costs, three cost centers have been operationalized to track County costs related to the emergency response; one in the Hospital Enterprise Fund I for Health Services department related costs and two in the General Fund: one to track non-Enterprise Fund Health Services Department costs and one to track all other County departments. As purchases are made, suppliers have been provided requisition requests together with documentation establishing the requisition is being made under the blanket purchase order, to ensure that the terms of the blanket purchase order apply to each purchase. The Board of Supervisors ratified issuance of the emergency blanket purchase order on March 31, 2020.

On December 22, 2020, the County Administrator increased the blanket purchase order amount by \$5,000,000, to a new payment limit of \$25,000,000. The Board subsequently ratified the amended blanket purchase order on January 5, 2021.

When practicable, services necessary to respond to this emergency have been and will continue to be procured using existing or new service contracts. In emergency and time-sensitive situations, services can be purchased under the blanket purchase order and charged against the above emergency blanket purchase order authorization.

Today's action requests the Board of Supervisors ratify an additional increase of \$5,000,000 to the emergency action of the County Administrator issuing an emergency blanket purchase order for COVID-19 response activities within the County for a new total of \$30,000,000 with no change to the termination date of June 30, 2021. The County Administrator amended the emergency purchase order on February 26, 2021 to ensure no interruptions to procurement during current COVID-19 response activities.

CONSEQUENCE OF NEGATIVE ACTION:

The emergency blanket purchase order as originally approved in March 2020 and subsequently amended in December 2020 will be exhausted. This will result in departments needing to originate individual purchase orders for supplies and materials not covered by an existing purchase order resulting in more time to take delivery on those items.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Contract #27-154-17 with Steven Cloutier (dba Alhambra Valley Counseling Associates)

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-154-17 with Steven Cloutier (dba Alhambra Valley Counseling Associates), a sole proprietor, in an amount not to exceed \$450,000, to provide outpatient psychotherapy services to Contra Costa Health Plan (CCHP) members for the period from March 1, 2021 through February 29, 2024.

**FISCAL IMPACT:**

This contract will result in contractual service expenditures of up to \$450,000 over a three-year period and will be funded 100% by CCHP Enterprise Fund II revenues. (No rate increase)

**BACKGROUND:**

CCHP has an obligation to provide certain specialized health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network since 1996.

On February 12, 2019, the Board of Supervisors approved Contract #27-154-14 in the amount of \$350,000 for Alhambra Valley Counseling Associates to provide outpatient psychotherapy services to CCHP members, for the period from March 1, 2019 through February 28, 2021. On January 14, 2020, the Board of Supervisors approved Contract Amendment Agreement #27-154-15 with no change in the

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Sharron Mackey,  
925-313-6104

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy



BACKGROUND: (CONT'D)

payment limit of \$350,000 to modify the compensation page to include additional psychotherapy services for CCHP members through February 28, 2021. On November 17, 2020, the Board of Supervisors approved Contract Amendment Agreement #27-154-16 with no change in the payment limit of \$350,000 to modify the compensation page to include additional psychotherapy services for CCHP members through February 28, 2021.

Approval of Contract #27-154-17 will allow this contractor to continue providing outpatient psychotherapy services to CCHP members through February 29, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized health care services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Contract #27-687-8 with Hilltop Radiology, LLC

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-687-8 with Hilltop Radiology, LLC, a limited liability company, in an amount not to exceed \$1,050,000 to provide diagnostic imaging services for Contra Costa Health Plan (CCHP) members and County recipients for the period from March 1, 2021 through February 29, 2024.

**FISCAL IMPACT:**

This contract will result in contractual service expenditures of up to \$1,050,000 over a 3-year period and will be funded 100% by Contra Costa Health Plan Enterprise Fund II revenues.

**BACKGROUND:**

CCHP has an obligation to provide certain specialized health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network since March 1, 2007.

On February 26, 2019, the Board of Supervisors approved Contract #27-687-7 with Hilltop Radiology, LLC, in an amount not to exceed \$1,000,000,

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Sharron Mackey,  
925-313-6104

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy

BACKGROUND: (CONT'D)

to provide diagnostic imaging services for CCHP members, for the period from March 1, 2019 through February 28, 2021.

Approval of Contract #27-687-8 will allow this contractor to continue providing diagnostic imaging services for CCHP members through February 29, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized health care services for CCHP members and County recipients under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Contract #27-368-17 with John Patrick Leonard Kirby (dba River Counseling Center)

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-368-17 with John Patrick Leonard Kirby (dba River Counseling Center), a sole proprietor, in an amount not to exceed \$330,000, to provide outpatient psychotherapy services for the Contra Costa Health Plan (CCHP) members for the period from March 1, 2021 through February 29, 2024.

**FISCAL IMPACT:**

This contract will result in contractual service expenditures of up to \$330,000 over a three-year period and will be funded 100% by CCHP Enterprise Fund II revenues. (Rate increase)

**BACKGROUND:**

CCHP has an obligation to provide certain specialized health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor has been a part of the CCHP Provider Network since 1998.

On February 12, 2019, the Board of Supervisors approved Contract #27-368-16 with John Patrick Leonard Kirby (dba River Counseling Center), in the amount of \$200,000, to provide outpatient psychotherapy services for CCHP members for the period from March 1, 2019 through February 28, 2021.

Approval of Contract #27-368-17 will allow the contractor to continue to provide outpatient psychotherapy services through February 29, 2024.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Sharron Mackey,  
925-313-6104

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy



CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, certain specialized health care services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Amendment #74-526-10 with Community Options for Families and Youth, Inc.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #74-526-10 with Community Options for Families and Youth, Inc., a non-profit corporation, effective July 1, 2020, to amend Novation Contract #74-526-9, to increase the payment limit by \$85,800, from \$2,267,013, to a new payment limit of \$2,352,813 with no change in the original term of July 1, 2020 through June 30, 2021, and to increase the automatic extension payment limit by \$42,900, from \$1,133,506 to a new payment limit of \$1,176,406 through December 31, 2021.

**FISCAL IMPACT:**

Approval of this amendment will result in increased annual expenditures of up to \$85,800 and will be funded as budgeted by the department in FY 2020-21, by 100% Mental Health Services Act funds.

**BACKGROUND:**

This contract meets the social needs of county's population by providing mental health services, including individual, group, and family counseling, assessment, case management, and rehabilitation support services to seriously and emotionally disturbed adolescents who are involved in the Juvenile Justice System. County has been contracting with Community Options for Families and Youth, Inc. for Functional Family Therapy (FFT) services since July 2016. Expected program outcomes include an increase in positive social and

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Suzanne Tavano, Ph.D.,  
925-957-5212

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy

BACKGROUND: (CONT'D)

emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).

On December 8, 2020, the Board of Supervisors approved Novation Contract #74-526-9 with Community Options for Families and Youth, Inc. in the amount of \$2,267,013 for the provision of mental health and FFT services for youth who have had serious contact with the Juvenile Justice System for the period from July 1, 2020 through June 30, 2021, which included a six-month automatic extension through December 31, 2021,

Approval of Contract Amendment Agreement #74-526-10 will allow the contractor to provide additional services through June 30, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, the contractor will not be able to provide additional mental health and FFT services to County youth.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: (1) Children Ready for and Succeeding in School; (4) Families that are Safe, Stable and Nurturing; and (5) Communities that are Safe and Provide a High Quality of Life for Children and Families.

ATTACHMENTS





Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: March 9, 2021

Subject: Contract with Contra Costa ARC (dba Commercial Support Services), Countywide.

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract with Contra Costa ARC (dba Commercial Support Services), in an amount not to exceed \$280,000 to provide car washing and janitorial services, for the period April 1, 2021 through March 31, 2024, Countywide.

**FISCAL IMPACT:**

Custodial Services and Fleet Services Budget. (75% General Fund, 25% Fleet Internal Service Fund)

**BACKGROUND:**

California Welfare and Institute Code section 19404 ("Section 19404") gives the County the authority to purchase services from non-profit corporations who operate community rehabilitation programs and meet the criteria of Section 19404 without advertising or calling for bids, provided that the services meet the specifications and needs of the County and are purchased at a fair market price, as determined by the County.

Contra Costa ARC (CCARC) is a California 501(c)(3) non-profit corporation, doing business as Community Support Services. CCARC meets the requirements of Section 19404 in that: (1) the work to be performed under the contract will primarily

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

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

ATTESTED: March 9, 2021

, County Administrator and Clerk of the Board of Supervisors

ABSENT: Candace Andersen, District II  
Supervisor

By: Laura Cassell, Deputy

Contact: Carlos Velasquez, (925)  
313-7072

cc:

BACKGROUND: (CONT'D)

(at least 75% of it) be performed by a labor force comprised of persons with disabilities; (2) CCARC makes elections under the federal Insurance Contributions Act to provide social security and unemployment benefits to its employees; (3) maintains Articles of Incorporation requiring that at least two directors on its Board of Directors are persons with disabilities or the parents, guardians, or conservators of persons with disabilities; and (4) provides disabled employees substantially equal benefits that are provided to CCARC's organized employees.

CCARC has a client in training/contractor relationship with its workers and provides sick time and vacation. CCARC does not commit unfair labor practices and abides by the provisions of the Federal Fair Labor Standards Act, the Walsh-Healy Public Contract Act, the Wagner O'Day Act, and the regulations of the State Division of Industrial Welfare. Work performed by CCARC includes car washing and minor custodial work. Fleet Management has hired Commercial Support Services to deliver several car washers with supervision to the Waterbird Service Center daily to conduct county vehicle washing. Vehicles coming in for repair are chosen for washing first, so customers pick up a clean, well-running car. Facilities Services has several remote building sites which the Board of Supervisors has approved to receive sublet custodial services. Two of these sites are the Antioch and Walnut Creek libraries. Facilities Services has hired Commercial Support Services to provide minor custodial services to these buildings.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, car washing and janitorial services with CCARC will be discontinued.



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Amendment #74-475-78(4) with Remarkable Marriage and Family Institute

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County, Contract Amendment Agreement #74-475-78(4) with Remarkable Marriage and Family Institute, effective January 1, 2021, to amend Contract #74-475-78(3), to increase the payment limit by \$370,000, from \$930,000 to a new payment limit of \$1,300,000, with no change in the term of July 1, 2019 through June 30, 2021.

**FISCAL IMPACT:**

Approval of this amendment will result in additional contractual service expenditures of up to \$370,000 over a 2-year period and will be funded 50% by Federal Medi-Cal (\$185,000) and 50% by State Mental Health Realignment (\$185,000) revenues. (Rate increase)

**BACKGROUND:**

On January 14, 1997, the Board of Supervisors adopted Resolution #97/17, authorizing the Health Services Director to contract with the State Department of Mental Health, (now known as the Department of Health Care Services) to assume responsibility for Medi-Cal specialty mental health services. Responsibility for outpatient specialty mental health services involves contracts with individual, group and organizational providers to deliver these services. The County has been contracting with Remarkable Marriage and Family Institute for Medi-Cal services since February 2018.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Suzanne Tavano, Ph. D,  
925-957-5169

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy

BACKGROUND: (CONT'D)

On July 23, 2019, the Board of Supervisors approved Contract #74-475-78(3) with Remarkable Marriage and Family Institute for the provision of Medi-Cal specialty mental health services for the period from July 1, 2019 through June 30, 2021. At the time of negotiations, the payment limit was based on target levels of utilization. However, the utilization during the term of the contract was higher than originally anticipated. Approval of Contract Amendment Agreement #74-475-78(4) will allow the contractor to provide additional mental health services through June 30, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, services provided to Contra Costa Mental Health Plan Medi-Cal beneficiaries could be negatively impacted, including access to services, choice of providers, cultural competency, language capacity, geographical locations of service providers, and waiting lists.

CHILDREN'S IMPACT STATEMENT:

The recommendation supports the following children's outcomes: (4) Families that are Safe, Stable and Nurturing; and (5) Communities that are Safe and Provide a High Quality of Life for Children and Families.

ATTACHMENTS



Contra  
Costa  
County

To: Board of Supervisors  
From: Monica Nino, County Administrator  
Date: March 9, 2021

Subject: AUTHORIZATION FOR DESTRUCTION OF RECORDS

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the County Administrator, or designee, to execute an order for the destruction of County collections and deposit records maintained by the Superior Court that are over five (5) years old and are no longer necessary or required for County or Court purposes, pursuant to Government Code section 26202 and Trial Court Financial Policies and Procedures Manual.

**FISCAL IMPACT:**

No fiscal impact.

**BACKGROUND:**

Under the terms of a Memorandum of Understanding between the County and the Superior Court, the Court administers, on behalf of the County, a collection program for court-ordered debt. In order to efficiently manage the volume of records continuously generated and received, the Court must dispose of unnecessary records and documents. According to the Trial Court Financial Policies and Procedures Manual, FIN 12.01, 6.1.5, the Court is required to retain receipts for fines, fees, penalties collected and other collection receipts for the current year plus four additional years (or from the close date of the State Controller's Office audit), whichever is longer. The Court has identified 41 boxes of collection and deposit records from FY 2012/13 and 2013/14 meeting this criterion.

---

APPROVE
  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR
  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

Contact: Julie DiMaggio Enea (925)  
655-2056

By: Laura Cassell, Deputy

BACKGROUND: (CONT'D)

Government Code section 26202 provides that any record more than two (2) years old may be destroyed without being photographed, microfilmed or otherwise reproduced if:

1. It is not required by state statute or county charter to be prepared or received; or
2. It is prepared or received pursuant to state statute or county charter, but it is not expressly required by law to be filed or preserved, and the board determines by four-fifths (4/5) vote that the retention of such document is no longer necessary or required for county purposes.

Approval is requested to destroy the specified 41 boxes of records identified by the Court (see attached list). Passage of this order requires a four-fifths (4/5) vote of the Board of Supervisors.

CONSEQUENCE OF NEGATIVE ACTION:

Negative action would decrease the Court's ability to efficiently manage the volume of records continuously generated and received by the Collections Compliance Unit.

ATTACHMENTS

Records Destruction Authorization 2021

**Superior Court of California  
County of Contra Costa**

**AUTHORIZATION FOR DESTRUCTION  
OF RECORDS**

Pursuant to the *Trial Court Financial Policies and Procedures Manual*, FIN 12.01, 6.3.1, it is hereby authorized to professionally destroy the records identified in the following attached listing titled "Financial Services Division FY 2012-2013 and 2013-2014 CCU Records for Destruction".

\_\_\_\_\_  
Kate Bieker  
Court Executive Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Julie Enea  
Senior Deputy County Administrator

\_\_\_\_\_  
Date

Financial Services Division  
 FY 2012-2013 and 2013-2014 CCU Records for Destruction

Num	Type of Document	Time Period Covered	Fiscal Year
1	CCU TELLER'S REPORTS	JULY 2012	2012-2013
2	CCU TRAFFICING BALANCING REPORTS	JULY - AUGUST 2012	2012-2013
3	CCU TELLER'S REPORTS (also includes KB's 08-09 CCU Criminal Interest/Time Study/AOC Report and Lost/Destroyed Warrants from County)	SEPTEMBER 2012	2012-2013
4	CCU TELLER'S REPORTS	AUGUST 2012	2012-2013
5	CCU OVERPAYMENTS, VR,	07/1/11 - 06/29/12	2012-2013
6	CUBS VS AMORS REPORT	SEPTEMBER - OCTOBER 2012	2012-2013
7	CCU NEW ASSIGNMENTS	JULY 2012 - DECEMBER 2012	2012-2013
8	CCU TELLER'S REPORTS	NOVEMBER 2012	2012-2013
9	CCU CUBS VS AMORS	NOVEMBER - DECEMBER 2012	2012-2013
10	CCU CUBS VS AMORS	JANUARY - FEBRUARY 2013	2012-2013
11	CCU TELLER'S REPORTS	DECEMBER 2012	2012-2013
12	CCU TELLER'S REPORTS	JANUARY 2013	2012-2013
13	CCU TELLER'S REPORTS/CUBS CRIM ACCOUNTS	FEBRUARY - MARCH 2013	2012-2013
14	CCU CUBS VS AMORS	MAY 2013	2012-2013
15	CCU CUBS VS AMORS	JUNE 2013	2012-2013
16	CCU MONTH END REPORTS/VICTIM RESTITUTION/CUBS TRUST TRANSFER	07/11/2012-06/2013	2012-2013
17	CCU DAILY PACKETS	APRIL - MAY 2013	2012-2013
18	CCU DAILY PACKETS	JUNE 2013	2012-2013
19	CCU JOURNAL ENTRIES	07/01/2012-06/30/2013	2012-2013
20	CCU new accounts manually set up	12/28/12-06/25/13	2012-2013
21	CCU criminal cases load for court CCU AO at counter reports	01/02/13-06/30/13 01/04/13-06/10/13	2012-2013
22	CCU traffic balancing reports	03/01/13-04/30/13	2012-2013
23	CCU MONTH END REPORTS, TAX INTERCEPT 04/13-06/13, CCU ME 10/11	FY 12-13, 04/13-06/13	2012-2013
24	CCU TELLER'S REPORTS	JULY 2013	2013-2014
25	CCU TELLER'S REPORTS	AUGUST 2013	2013-2014
26	CCU TELLER'S REPORTS	SEPTEMBER 2013	2013-2014
27	CCU TELLER'S REPORTS	OCTOBER 2013	2013-2014
28	CCU TELLER'S REPORTS	JANUARY 2014	2013-2014
29	CCU TELLER'S REPORTS	FEBRUARY 2014	2013-2014
30	CCU TELLER'S REPORTS	MARCH 2014	2013-2014
31	CCU TELLER'S REPORTS	APRIL 2014	2013-2014
32	CCU TELLER'S REPORTS	MAY 2014	2013-2014
33	CCU OVRPYMT ACH & DISBSMT JE'S	JULY 2013 - JUNE 2014	2013-2014
34	CCU MONTH-END BACKUP REPORTS & NEW CUBS ACCOUNTS	MARCH - JUNE 2014	2013-2014
35	AO @ CTR DEL 07/13, CRIM 07/13-11/13, NEW ACCOUNTS (5/14-6/14), TXI (7/13-6/14)	JULY 2013 - JUNE 2014	2013-2014
36	CCU TELLER'S REPORTS	JUNE 2014	2013-2014
37	CCU DAILY PACKETS	6/2-6/6/2014	2013-2014
38	CCU DAILY PACKETS	6/9-6/13/2014	2013-2014
39	CCU DAILY PACKETS	6/23/6/27/2014	2013-2014
40	CCU DAILY PACKETS	6/16-6/20/2014	2013-2014
41	Trust bail Cards, Distribution	JULY 2013 - JUNE 2014	2013-2014





Contra  
Costa  
County

To: Board of Supervisors  
From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE  
Date: March 9, 2021

Subject: Acceptance of the Northern Waterfront Short-Line Railroad Feasibility Study

---

**RECOMMENDATION(S):**

ACCEPT the Northern Waterfront Short-Line Railroad Feasibility Study.

**FISCAL IMPACT:**

No impact.

**BACKGROUND:**

One of the recommendations from the 2019 Northern Waterfront Economic Development Initiative Strategic Action Plan and prior economic development studies is to conduct a short-line railroad feasibility study in the Northern Waterfront area. In May 2018, the County was awarded \$37,500 in grant funding from the U.S. Economic Development Administration to conduct the Northern Waterfront Short-Line Railroad Feasibility Study ("Study"), which would cost a total of \$75,000. The Northern Waterfront Economic Development Initiative Ad Hoc Committee ("Northern Waterfront Committee") concurred with providing a 50% match (\$37,500) from the Northern Waterfront implementation funds to fund the shortfall.

The Study, which was completed on September 28, 2020, evaluated the feasibility of implementing a short-line railroad in the Wilbur Avenue Corridor ("Study Area"), which encompasses an area from the Fulton Shipyard in Antioch east to the Contra Costa Logistics Center in Oakley, and from the waterfront south to about 18th Street in Antioch. This area was selected for having the most opportunity sites within

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

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Robert Sarmiento (925)  
674-7822

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy

## BACKGROUND: (CONT'D)

close proximity of existing Class II rail lines. The proposed short-line railroad would transport goods between businesses located in the Study Area and the Class I railroads.

The County coordinated with staff from the Cities of Antioch and Oakley during development of the Study.

Both the Transportation, Water, and Infrastructure Committee and the Northern Waterfront Committee reviewed and accepted the Study at their meetings on November 9, 2020 and December 17, 2020, respectively. Both committees directed staff to bring the Draft Final Study to the Board of Supervisors for acceptance as a final report, which will close out this effort.

The Draft Final Study (Exhibit A) consists of three parts:

- Assessment of Existing Conditions,
- Market Analysis, and
- Findings and Conclusions

The **Assessment of Existing Conditions** (“Assessment”) analyzes four components:

- Engineering Feasibility,
- Environmental Concerns,
- Commercial/Economic Development Conditions, and
- Transportation System

The Assessment identifies five parcels along the waterfront in the Study Area, which were previously served by railroads, that have the greatest potential to be developed as railroad-served businesses. The Assessment provides cost estimates to re-establish a rail connection to each of the five parcels. Four of the five parcels are currently in the process of environmental remediation. As parcels are developed, additional evaluation of the impact on wildlife would be needed. The Assessment determines that the existing businesses in the Study Area rely primarily on trucks to transport goods. Finally, the Assessment provides information on the existing roadway network, Class I railroads (Burlington Northern Santa Fe [BNSF] and Union Pacific [UP]), and maritime facilities in the Study Area, along with the goods movement that occur on each of these transportation facilities.

The **Market Analysis** evaluates the following:

- Customer Types,
- Land Development Opportunities,
- Short-Line Railroad Operators, and
- Relationships with Class I Railroads

The Market Analysis determines that businesses seeking a location with lower land and business costs and good connections with water, Class I railroads, and highways would be attracted to the parcels in the Study Area. For the five parcels that have the greatest potential for short-line railroad service, the Market Analysis provides details on each parcel's characteristics that make it attractive for business development. The Market Analysis identifies five short-line railroad operators that would be good candidates to serve a short-line railroad operation in the Study Area. The Market Analysis notes that BNSF does not support an independent short-line railroad operation in the Study Area, but instead prefers to provide in-house railroad service to the individual parcels in the Study Area. The Market

Analysis determines that a new railroad connection from the UP railroad line just south of the Study Area would be too costly to build and limited in providing short-line railroad service in comparison to BNSF.

The **Findings and Conclusions** states that a new independent short-line railroad operation is not feasible in the Study Area for the following reasons:

1. the lack of support from BNSF for an independent short-line railroad operation that would connect to its track,
2. the infeasibility of constructing a separate railroad line to connect the five parcels due to the lack of available right-of-way, and
3. the high cost to construct a new railroad connection from the UP line.

The Findings and Conclusions recommends that economic development staff from both the County and the two cities establish ongoing communication with BNSF economic development staff to stay informed and coordinate on development opportunities that have potential railroad access in the Study Area. At the December 17, 2020 meeting, the Northern Waterfront Committee directed staff to reach out to BNSF to set up a meeting to discuss potential opportunities to coordinate with BNSF to provide short-line rail service to land developments in the Northern Waterfront. The meeting would include the Northern Waterfront Committee, County economic development staff, and BNSF economic development staff.

<sup>1</sup> Class I refers to large railroad companies with operating revenue in excess of \$490 million annually.

#### CONSEQUENCE OF NEGATIVE ACTION:

If the Study is not accepted, the County will not be able to complete final reporting requirements for the U.S. Economic Development Administration grant award. In addition, the County would not be fulfilling one of the recommendations from the Northern Waterfront Economic Development Initiative Strategic Action Plan.

#### ATTACHMENTS

Exhibit A - FINAL DRAFT Northern Waterfront Short-Line Railroad Feasibility Study



# SHORT-LINE FEASIBILITY STUDY **DRAFT**

Prepared for:  
**CONTRA COSTA COUNTY DEPARTMENT OF  
CONSERVATION AND DEVELOPMENT**

Prepared by:  
**R.L. BANKS & ASSOCIATES, INC.**

**SEPTEMBER 28, 2020**



## Table of Contents

Section	Page
Executive Summary	ii
1 Introduction	1
1.1 Project Purpose	1
1.2 Historical Content	1
1.3 Study Area	1
1.4 Existing Conditions	3
2 Assessment of Existing Conditions	3
2.1 Purpose	3
2.2 Commercial/Economic Development Analysis	4
2.3 Engineering Analysis	4
2.4 Environmental Analysis	5
2.4.1 Environmental Due Diligence Review	5
2.4.2 Ecological Evaluation	5
2.5 Transportation Analysis	5
2.5.1 Highways and Local Roads	6
2.5.2 Rail	8
2.5.3 Maritime	9
2.6 Findings and Conclusions	11
3 Market Analysis	11
3.1 Purpose	11
3.2 Potential Customer Types in the Study Area	11
3.3 Potential Land Development Opportunities in the Study Area	12
3.3.1 Fulton Shipyard	13
3.3.2 Kemwater Chemical Company	13
3.3.3 Amports	13
3.3.4 NRG Marsh Landing Generating Station	13
3.3.5 Contra Costa Logistics Center	14
3.4 Short-Line Railroads	14
3.4.1 Overview of the Rail Industry	14
3.4.2 Benefits of Using Short-Line Railroads	14
3.4.3 Potential Short-Line Railroad Operators in the Study Area	15
3.5 Class I Railroads	15
3.5.1 BNSF Railway	15
3.5.2 Union Pacific	16
4 Findings and Conclusions	16
4.1 Feasibility of Establishing a Short-Line Railroad	16



## Figures and Exhibits

<b>Item</b>	<b>Page</b>
Figure 1 - Study Area Map	2
Figure 2 - Summary of Existing Businesses and Private Stakeholder Interviews	4
Figure 3 - Cost to Re-Establish Rail Service to Previously Rail Served Parcels	5
Figure 4 - Contra Costa County Transportation System Map	7
Figure 5 - San Francisco Bay Area Seaport Map	10
Figure 6 - Cost to Construct a New Rail Line Connecting the Union Pacific with the Study Area	16
<b>Exhibit A - Site Maps</b>	<b>19</b>
Figure A-1 - Fulton Shipyard	20
Figure A-2 - Kemwater	21
Figure A-3 - Amports	22
Figure A-4 - NRG	23
Figure A-5 - Contra Costa Logistics Center	24
<b>Exhibit B - Assessment of Existing Conditions</b>	<b>25</b>
Table B-0 - East Contra Costa Marine Terminals and Wharfs	39
Exhibit B-A - Short-Line Railroad Feasibility Interviews	41
Table B-1 - Regulatory Database Listings	42-50
Table B-2 - Database Listings Indicative of Release	51-54
Table B-3 - Endangered, Threatened and Rare Species	55
Table B-4 - Migratory and Nesting Birds	56
Figure B-1 - Site Location Map	57
Figure B-2 - Medium Risk Database Listing	58
Figure B-3 - National Wetlands Inventory Map	59
Figure B-4 - Regionally Occuring Special-Status Species	60
Figure B-5 - WSFWS Critical Habitat	61
<b>Exhibit C - Market Analysis</b>	<b>62</b>
Table C1 - Commodities Handled by Bay Area Ports	64
Table C2 - Types of Commodities Handled by Short-Line Railroads in the United States in 2015	72



## Executive Summary

### Background

As a result of the 2014 Northern Waterfront Economic Development Initiative, a Contra Costa County-led effort to create jobs along its waterfront, the Contra Costa County Department of Conservation and Development declared the need to commission a study that focused on the feasibility of a short-line railroad in the Northern Waterfront.

The study will determine the feasibility of operating a short-line railroad in the Study Area, a corridor along Wilbur Avenue in Antioch and Oakley that includes a BNSF railroad line and several parcels with potential rail and waterfront access. The study includes:

- an Assessment of Existing Conditions,
- a Market Analysis, and
- Findings and Conclusions regarding the Feasibility of Operating a Short-Line Railroad.

### Assessment of Existing Conditions

The existing conditions assessment evaluates elements related to: 1) engineering feasibility, 2) environmental concerns, 3) commercial/economic development conditions, and 4) the transportation system as it relates to goods movement.

#### *Engineering Feasibility*

Five parcels in the Study Area, which previously enjoyed rail service, have the most potential to be developed into businesses that could benefit from rail access in the future. A cost estimate was developed to determine the cost to re-establish rail service between the BNSF mainline and the property line of each of these parcels.

#### *Environmental Analysis*

An Environmental Due Diligence Review showed that soil and water contamination areas in four of the five parcel are being remediated, allowing the sites to be redeveloped in the future. An Ecological Evaluation determined that many sensitive bird and flower habitats in the Study Area would need to be studied in more detail before development could occur.

#### *Commercial/Economic Development Analysis*

Interviews, first, with economic development staff from Contra Costa County, the City of Antioch, and the City of Oakley, and second, with existing businesses and private stakeholders, resulted in identifying only one new potential rail customer- Ampports, Inc.

#### *Transportation Analysis*

A goods movement analysis determined that most of the businesses within the Study Area are utilizing trucks to move both their inbound and outbound shipments. There is an excellent highway system close



to the Study Area that provides trucks with efficient movement of goods through the Bay Area.

Two Class 1 railroads serve Contra Costa County: the Burlington Northern-Santa Fe (BNSF), whose Stockton Subdivision mainline bisects the Study Area, and the Union Pacific Railroad (UP), whose Tracy Subdivision, which connects the City of Martinez with the City of Lathrop, runs just south of the Study Area, parallel to State Route 4 (SR 4).

Ports and maritime activities still play an important goods movement role in Eastern Contra Costa County. A number of parcels in the Study Area have active maritime facilities.

### **Market Analysis**

The market analysis evaluated the following: 1) Customer Types, 2) Land Development Opportunities, 3) Short-Line Railroad Operators, and 4) Relationships with Class I Railroads.

#### *Customer Types*

The waterfront along the Study Area, with its access to rail, highways and waterways, could potentially provide businesses the ability to handle the following commodities:

- Dry bulk, such as cement, lumber, recycled materials, coal, petroleum coke and ores,
- Break bulk, which includes individually bagged, boxed, drummed or palletized dry goods,
- Hazardous liquid bulk, such as crude oil, ethanol, liquefied natural gas,
- Non-hazardous liquid bulk, such as cooking oils, wine and juice, and
- Roll on/roll off vehicles, including automobiles, trucks, construction and farm equipment.

#### *Land Development Opportunities*

Five formerly rail-served sites were evaluated in detail in regards to their ability to provide rail access to businesses interested in shipping or receiving freight by rail. Amports, Inc. is planning to develop a maritime transload facility for new vehicles from Asia at the former Forestar Parcel. NorthPoint Development Company is planning to construct a primarily truck-served warehouse and distribution center at the Contra Costa Logistics Center in Oakley. The three remaining vacant parcels, Fulton Shipyard, Kemwater and NRG, are going through environmental cleanup and are for sale. The NRG parcel is of particular interest because it has an active heavy rail spur connected to BNSF and offers waterfront access.

#### *Short-Line Railroads*

A short-line railroad is a small or mid-sized railroad company that operates over a short distance relative to larger, national railroad networks. Of the 21 short-line railroads operating in California, five would potentially be well-suited to the unique rail transportation conditions and opportunities in the Study Area:

- 1) Genesse & Wyoming, Inc.,
- 2) Omnitrax, Inc.,
- 3) Watco Transportation Services,
- 4) Sierra Northern Railway, and





5) San Francisco Bay Railroad.

*Class I Railroads*

If deemed more efficient and economically advantageous, BNSF may engage a short-line railroad or rail switching contractor to provide switching services that it normally would undertake itself. However, BNSF has stated that “it would not likely support a separate, short-line railroad operation in the Study Area,” since at the present time, sufficient rail business exists in close proximity to the Study Area and enough growth potential for it to provide direct rail service without engaging a short-line railroad operator to act in an intermediary capacity.

The cost of building a new rail connection from the UP mainline to the Study Area is estimated to be \$34.2 million and would be difficult to justify, given that the BNSF mainline is located adjacent to the waterfront parcels with rail access readily available.

**Findings and Conclusions**

Several major obstacles make the feasibility of a new, independent, short-line operation unlikely, to service the Study Area, including:

- BNSF’s position that it would not likely support a short-line railroad operating in the Study Area, as it would be providing direct rail shipping service to Amport, Inc. and potentially to other businesses in the Study Area that desire rail shipping service,
- The challenges to constructing an independent rail corridor that would traverse through several parcels in the Study Area or along Wilbur Avenue, and
- The very large capital investment needed to construct a new rail corridor to connect the Study Area with the UP mainline.

*Recommendation*

BNSF has communicated a desire to assist in the development of rail served businesses in the Study Area as part of this study. It has already been in discussions with several potential rail customers looking at moving to the Study Area. Contra Costa County, the City of Antioch and the City of Oakley should establish an on-going dialogue with the BNSF Economic Development office in San Bernardino, CA. These communications will allow all entities the ability to stay informed and coordinate on potential development opportunities that would be mutually beneficial in attracting new businesses to the Study Area.



## 1 Introduction

### 1.1 Project Purpose

As a result of the larger 2014 Northern Waterfront Economic Development Initiative, a Contra Costa County-led effort to create jobs along its waterfront, the Contra Costa County Department of Conservation and Development determined that a study that focused on the feasibility of a short-line railroad in the Northern Waterfront as one of the actions to advance the economic development of the overall waterfront.

The intent of the study is to determine the feasibility of operating a short-line railroad in the Wilbur Avenue Corridor (“Study Area”). This study consists of four parts, including:

- Part 1: Introduction;
- Part 2: Assessment of Existing Conditions and Environmental Due Diligence and Ecological Evaluation;
- Part 3: Market Analysis; and
- Part 4: Findings and Conclusions.

### 1.2 Historical Content

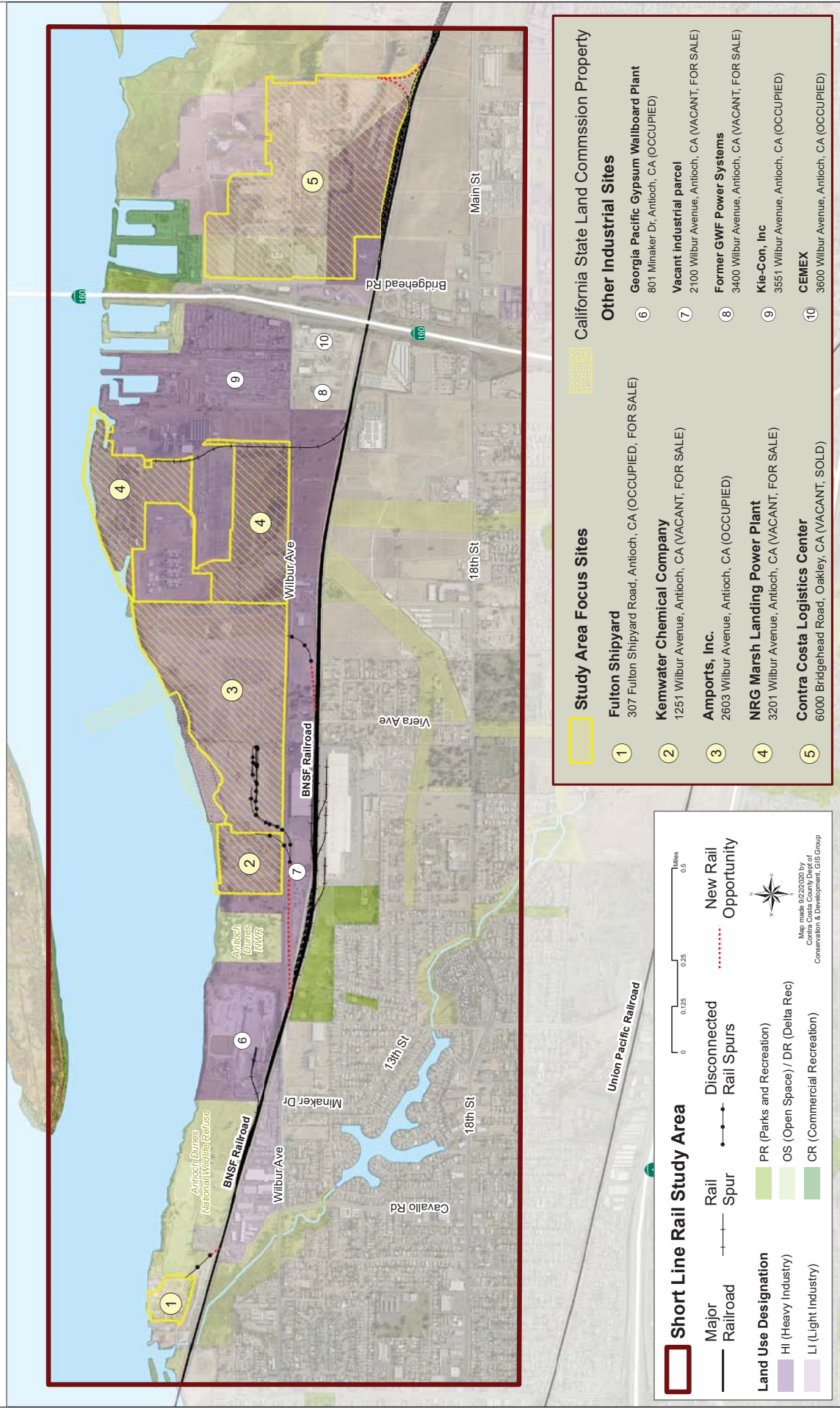
Eastern Contra Costa County once played a significant role in providing jobs and economic development, especially with its waterfront, deep-water channels and proximity to two major railroads. Since the early 1900’s, manufacturing began to move to Eastern Contra Costa County. The availability of inexpensive land and labor as well as access to the waterfront, combined with the development of better highway and railroad access, facilitated the economic development of Eastern Contra Costa County. However, beginning in the 1990’s, manufacturing began to decline in the area as a result of stricter environmental laws, forcing many companies to install expensive pollution control devices, making their plants less competitive. The cost of doing business in Eastern Contra Costa County kept increasing, forcing manufacturing plants along the waterfront to close, leaving behind vacant brownfield sites requiring soil remediation before the land could be redeveloped.

### 1.3 Study Area

The Study Area (Figure 1) encompasses an area approximately one-mile wide, extending between the San Joaquin River on the north and East 18th Street on the south, and three and one-half miles long, extending between the Fulton Shipyard in the City of Antioch and the Contra Costa Logistics Center, just east of State Route 160 (SR 160) in the City of Oakley. It includes the jurisdictions of Contra Costa County, the City of Antioch and the City of Oakley. The Study Area includes Wilbur Avenue, the main east/west roadway, and the Burlington Northern Santa Fe Railway (BNSF), a Class I (major) railroad, both of which traverse the entire length of the Study Area. Wilbur Avenue provides good truck access to SR 160 and State Route 4 (SR 4). The Study Area includes a mix of residential, commercial/industrial and agricultural land. Within this area are vacant former industrial parcels of land that have the potential to host industrial development or reuse. These parcels of land have access to the San Joaquin River and have existing rail connections, both active and inactive, to the BNSF rail line. Approximately one mile south of the Study Area is an inactive rail line owned by another Class I railroad, the Union Pacific Railroad (UP).



Figure 1 - Study Area Map





## 1.4 Existing Conditions

An overview of the existing conditions was first conducted virtually to become better acquainted with the Study Area. The overview helped determine which areas in particular needed to be included in the site visit.

A number of vacant parcels along Wilbur Avenue were identified as having the potential of being served by rail. In particular, five of these parcels were originally rail-served at one time and could easily be re-connected to the BNSF mainline (Exhibit A). In the City of Antioch, there are four vacant parcels of land north of Wilbur Avenue that have the potential of being served by rail. Also, there are two vacant parcels located south of Wilbur Avenue and adjacent to the BNSF Mainline. These two parcels do not currently have rail access, but could easily become be connected due to the close proximity to the BNSF mainline. In the City of Oakley, there is one parcel at the former DuPont site, now known as the Contra Costa Logistics Center. Each of these parcels was evaluated for their potential to be used as rail-served developments.

## 2 Assessment of Existing Conditions

### 2.1 Purpose

Part 2 presents a summary of the “Assessment of Existing Conditions” Technical Memorandum. The purpose of this section is to provide a more detailed assessment of the existing conditions in the Study Area to determine if a short-line railroad is feasible. Key components of the assessment evaluate elements related to: 1) commercial/economic development conditions, 2) engineering feasibility and cost, 3) environmental concerns and 4) the transportation system as it relates to goods movement. Each component evaluates the issues and concerns related to the potential operation of a short-line railroad and the improvements that would be required to allow rail access to the Wilbur Avenue Corridor.

A meeting was held at the City of Antioch City Hall with public works staff from Contra Costa County, the City of Antioch and the City of Oakley to get information on the existing engineering conditions/concerns within the Study Area. A site visit was also conducted by an engineering team to evaluate the following:

- Feasibility of constructing a rail corridor to connect to each of the five vacant parcels of land that once enjoyed rail service and
- Cost to reconstruct the rail infrastructure to provide these parcels with the ability to be served by rail.

The following businesses were also contacted to assess the need for rail service:

- Fulton Shipyard – 307 Fulton Shipyard Road, Antioch, CA;
- Former Kemwater Chemical Company – 1251 Wilbur Avenue, Antioch, CA;
- Amports, Inc. (under construction) – 2603 Wilbur Avenue, Antioch, CA;
- Former NRG Marsh Landing Power Plant – 3201 Wilbur Avenue, Antioch, CA;
- Kie-Con, Inc. – 3551 Wilbur Avenue, Antioch, CA;
- CEMEX – 3600 Wilbur Avenue, Antioch, CA and
- Contra Costa Logistics Center (under construction) – 6000 Bridgehead Road, Oakley, CA.



The following vacant parcels also were identified as potential locations for new rail-served customers in the Study Area:

- A vacant 4-acre industrial parcel - 2100 Wilbur Avenue, Antioch, CA and
- Former GWF Power Systems 9-acre parcel - 3400 Wilbur Avenue, Antioch, CA. This parcel is currently going through the planning approval process to develop a cannabis manufacturing and distribution warehouse development.

A summary of these assessments are described in the following sections.

### 2.2 Commercial/Economic Development Analysis

Two sets of interviews were conducted to identify opportunities to meet the needs of new, potential, rail-served customers and other redevelopment opportunities in the industrial portions of the Study Area. The first set consisted of an interview with economic development staff from Contra Costa County, the City of Antioch and the City of Oakley. As detailed in Figure 2, the second set of interviews consisted of interviews with existing businesses and private stakeholders. These interviews only identified one new rail shipper, Amports, Inc. It will be utilizing rail to ship new automobiles to their final destinations. This was not surprising given that most of the existing businesses in the Study Area fall into the truck-served category. In addition, many of the existing businesses located adjacent to the BNSF mainline are not utilizing the rail access available outside their doors.

**Figure 2  
Summary of Existing Businesses and Private Stakeholder Interviews**

Stakeholder	Activity in Study Area
BNSF Railway	Rail operator in Study Area
NorthPoint Development	Developer of Contra Costa Logistics Center in Study Area
Amports, Inc.	Builder of new automotive transloading facility in Study Area
Cushman & Wakefield	Realtor handling disposition of 3201 Wilbur Ave. (ex-NRG parcel)
Summit CFS	Logistics provider considering acquiring 3201 Wilbur Ave. for marine transloading
Kie-Con, Inc.	Manufacturer of concrete products in Study Area
CEMEX	Producer of cement in Study Area

### 2.3 Engineering Analysis

There are five parcels within the Study Area that enjoyed rail service in the past. With the exception of the NRG Marsh Landing spur, the other four rail connections were disconnected from the BNSF mainline due to lack of use. The engineering team determined that the parcels which previously enjoyed rail service have the most potential to be developed into businesses that could benefit from rail access in the future. The engineering analysis only evaluated the cost of re-establishing rail service from the BNSF mainline to the property line of each of these parcels. The cost of re-establishing rail service to the subject parcels is expressed in Figure 3.



**Figure 3**  
**Cost to Re-Establish Rail Service to Previously Rail Served Parcels**

Name	Address	Cost to Re-Establish
Fulton Shipyard	307 Fulton Shipyard Road, Antioch, CA	\$ 355,000
Kemwater Chemical Company	1251 Wilbur Avenue, Antioch, CA	\$ 1,037,880
Amports*	2603 Wilbur Avenue, Antioch, CA	\$ 765,536
NRG Energy, Inc.**	3201 Wilbur Avenue, Antioch, CA	\$ -
Contra Costa Logistics Center	6000 Bridgehead Road, Oakley, CA	\$ 220,800

\* Cost to rebuild the rail connection to the east end of the Amports parcel.

\*\* Because the spur into the NRG Parcel is still in place and serviceable, there would be no additional cost to re-establish rail service to this parcel.

## 2.4 Environmental Analysis

A desktop environmental constraints assessment was performed, consisting of two parts, an Environmental Due Diligence Review and an Ecological Evaluation. The Environmental Due Diligence Review consisted of reviewing environmental databases, historical aerial photograph imagery, topographic maps and fire insurance maps to provide a ranking of sites that may pose potential concerns in connection with future development. The Ecological Evaluation included a review of U.S. Fish and Wildlife Service (US-FWS) and Department of Fish and Wildlife (CDFW) databases.

The results of these reviews are described below.

### 2.4.1 Environmental Due Diligence Review

The Study Area is a historically agricultural and industrial area with documented impacts to soil and groundwater, particularly between the San Joaquin River and the BNSF railroad tracks. The environmental desktop assessment revealed that soil and ground water contamination exists within the Study Area. Due to the potential these impacts could have on future developments, additional investigations may be required during the design phase to identify the potential for special soil and groundwater handling requirements during construction. Construction would also require oversight by State and local regulatory agencies.

### 2.4.2 Ecological Evaluation

Ecological wetlands and critical habitats of threatened or endangered species are present throughout the Study Area. A variety of threatened and endangered species and other special-status species also may be present throughout the Study Area. A formal jurisdiction determination/wetland delineation and focused biological surveys would be required to determine the potential impacts of the proposed project on sensitive biological resources.

The complete Assessment of Environmental Due Diligence Review and Ecological Evaluation can be found in the “Assessment of Existing Conditions” Technical Memorandum.

## 2.5 Transportation Analysis

Local distribution and service activity comprises an important component of the Contra Costa County goods movement economy in terms of tons moved, value of products and traffic impacts on the region’s



roadways. Measured in terms of value, commodities such as construction materials, manufactured goods and consumer electronics comprise a large amount of what moves into and within the Study Area. Urban goods movement is conducted almost exclusively by trucks and includes a high volume small delivery and 5-axle trucks used in long-haul intercity and interstate movements. Changes in the economy also contribute to the growing importance of local urban goods movement. Shifts away from manufacturing towards the service sector, especially professional, technical, and information services, equates to a higher level of small package movements via integrators and less emphasis on long-haul movements of manufactured products.

Compared to the rest of the Bay Area, Eastern Contra Costa County features lower land costs, lower wages and good access to highways, rail and maritime service. Having direct access to three separate transportation modes makes the vacant parcels in the Study Area much more desirable than most other locations in the area. To better understand the how each of the transportation modes improves access to the Study Area, the goods movement system in Eastern Contra Costa County was examined in more detail.

### **2.5.1 Highways and Local Roads**

There are two State highways, State Route 4 (SR 4) and State Route 160 (SR 160), in close proximity to the Study Area (Figure 4).

Two major surface street truck routes provide access to these State highways, East 18th Street and Wilbur Avenue. The following routes are designated as Routes of Regional Significance by the Contra Costa Transportation Authority:

- SR 4, between Interstate 80 in Hercules and the San Joaquin County Line;
- SR 160, between SR 4 in Antioch and the Sacramento County Line;
- East 18th Street, between A Street and SR 160 and
- Wilbur Avenue, between A Street and SR 160<sup>1</sup>.

The SR 4 highway corridor is a major east-west route approximately 31 miles in length, providing inter-regional commercial travel between the Central Valley and the Bay Area.

The SR 4 corridor serves local and intercity truck and heavy automobile travel in surrounding communities such as Hercules, Martinez, Concord, Pittsburg, Antioch, Oakley and Brentwood. Additionally, it provides access to Interstate 680 in Concord and Interstate 80 in Hercules, a major east-west interstate commerce route. SR 4 also connects to Interstate 5 in Stockton, a major north-south interstate commerce route. Truck and heavy vehicle traffic make up four to seven percent of the daily vehicle trips along the SR 4 Corridor<sup>2</sup>.

SR 160 is a minor north-south route approximately 50 miles in length. It connects SR 4 in the City of Antioch with Business Interstate 80 in the City of Sacramento. Because the highway follows the Sacramento River, there are truck length restrictions on this route, eliminating most 5-axle trucks from us-

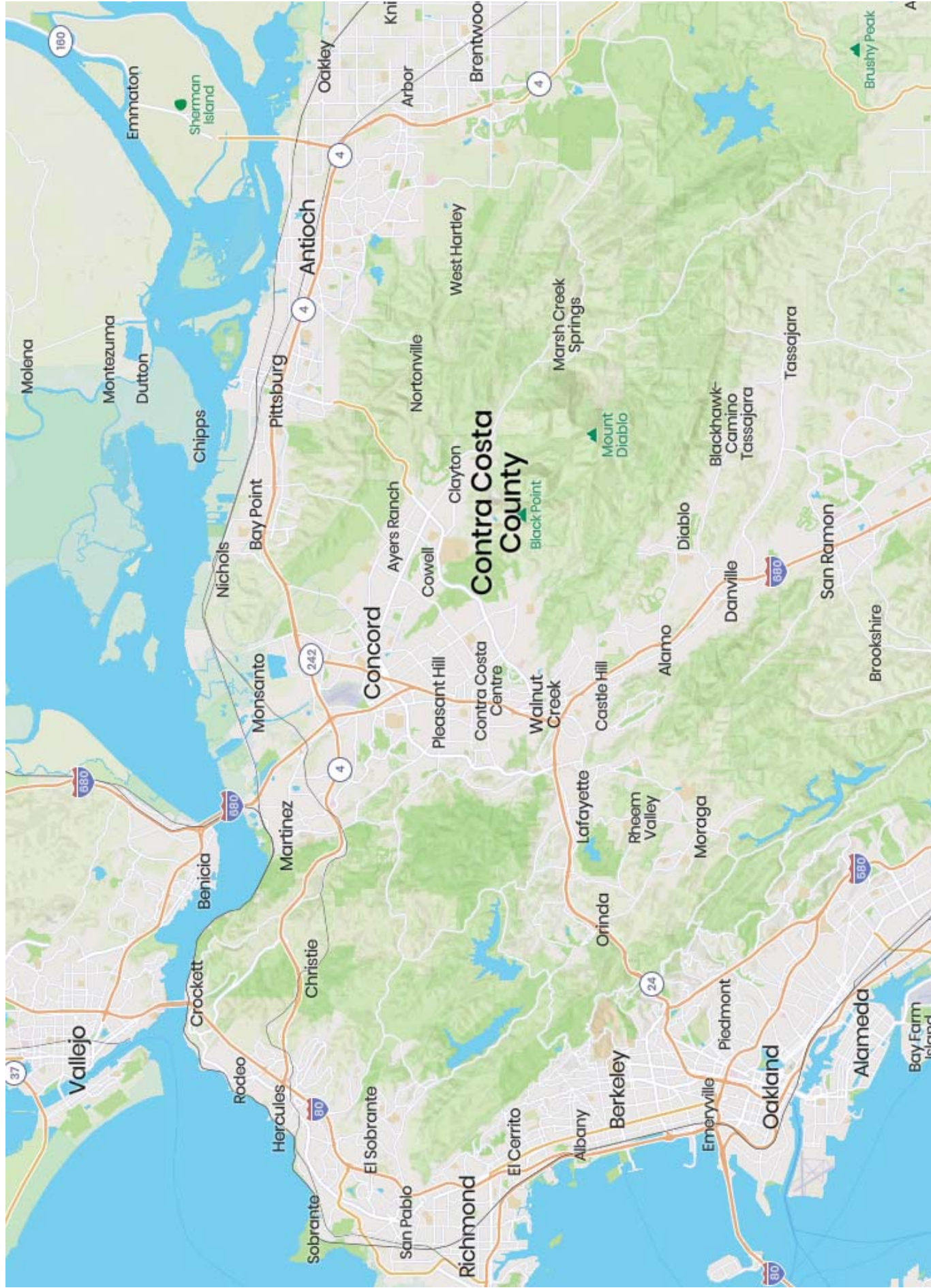
---

1 East County Action Plan for Routes of Regional Significance, Contra Costa Transportation Authority, September 2017, p.10.

2 SR-4 Integrated Corridor Analysis, Contra Costa Transportation Authority, July 2012, p. 5.



**Figure 4**  
**Contra Costa County Transportation System Map**







ing this route. Most long-haul trucks use Interstate 680 in Concord or Interstate 5 in Stockton to make north-south movements to/from Eastern Contra Costa County. Trucks using this route constitute only 11 percent of the total average daily traffic volume.

In contrast, truck volumes along SR 4 make up a significant portion of total traffic near the Study Area. Many of the 5-axle trucks are making longer distance trips between the Bay Area and the Central Valley. For SR 4, the average daily 5-axle truck volume is 2,531 trucks or 43 percent of total truck volume. The next highest truck volumes are the 2-axle pickup and delivery van type at 2,440 per day or 42 percent of all trucks.

Additionally, there is an extensive network of arterial roadways and local streets that provide access to SR 4 and serve local travel throughout the corridor<sup>3</sup>. Within the Study Area along Wilbur Avenue, 5-axle trucks also make up a significant portion of the total truck volume at 377 trucks per day or 50% of all truck volumes. This indicates that most of the businesses within the Study Area are utilizing trucks to move both their inbound and outbound shipments<sup>3</sup>.

### **2.5.2 Rail**

The railroad infrastructure in the Bay Area was initially constructed to provide a more efficient transportation system to move inbound freight from seaports in San Francisco and Oakland to points inland. During the industrial development era of the late 1800's, more and more manufacturing facilities were constructed in the Bay Area, further increasing the demand for low-cost transportation of raw materials and finished goods. The rail system continued to expand with connections to Los Angeles, Portland and the rest of the national rail network. This network of railroads increased the Bay Area's ability to grow into becoming the largest manufacturing region in Northern California.

Manufacturing reached its peak during the mid-1900's as businesses began to merge and manufacturing began moving off shore. Railroads today are seeing resurgence in growth by utilizing a very different business model. Trucks have made significant progress in gaining business by providing faster connections to localized markets. Today, railroads are generally only able to compete with trucks on a move that is greater than 500 miles. Many of the current businesses in Bay Area ship and receive goods from markets that are too close for railroads to compete against in terms of timely delivery and flexibility. However, railroads still hold an advantage when moving heavy bulk commodities and cargo long distances.

The trend over the last decade has been for Class 1 railroads to shift their focus to "hooking and hauling" long trains rather than providing switching and other "retail" transport service to customers with small volumes of rail cars and intermodal marine containers<sup>4</sup>. The adoption of that strategy has increased freight velocity and improved the profitability of the railroads though it has reduced rail volumes compared to what they would have been. Furthermore, this operating model puts rail customers at a disadvantage when it comes to getting timely local switching services.

There are two Class 1 railroads serving Contra Costa County, the BNSF and the Union Pacific Railroad (UP). Each railroad serves the Ports of Oakland, Richmond and Stockton. The UP exclusively serves the

---

<sup>3</sup> 2013 Daily Truck Traffic Database, Department of Public Works, City of Antioch.

<sup>4</sup> Contra Costa County Northern Waterfront Initiative Market Assessment, April 2013, p. 22



Ports of San Francisco, Redwood City and Benicia. In addition, BNSF serves a United Parcel Service intermodal Yard in the City of Richmond. BNSF Railway's Stockton Subdivision mainline bisects the Study Area. BNSF is the nation's second largest Class 1 railroad, connecting the Bay Area with the national railroad system, moving freight to/from the cities of Chicago, Kansas City, Dallas and Houston. The rail system provides an important link between the Bay Area and the rest of the national rail system. The BNSF also hosts ten daily Amtrak San Joaquin trains between the Bay Area and Bakersfield.

Paralleling SR 4 just south of the Study Area is the Union Pacific Railroad's (UP) Tracy Subdivision, connecting Martinez with Lathrop. Currently the line only hosts local freight movements between Martinez and Pittsburg, but could be used in the future as a freight or passenger rail connection to/from Tracy if rail demand warranted it.

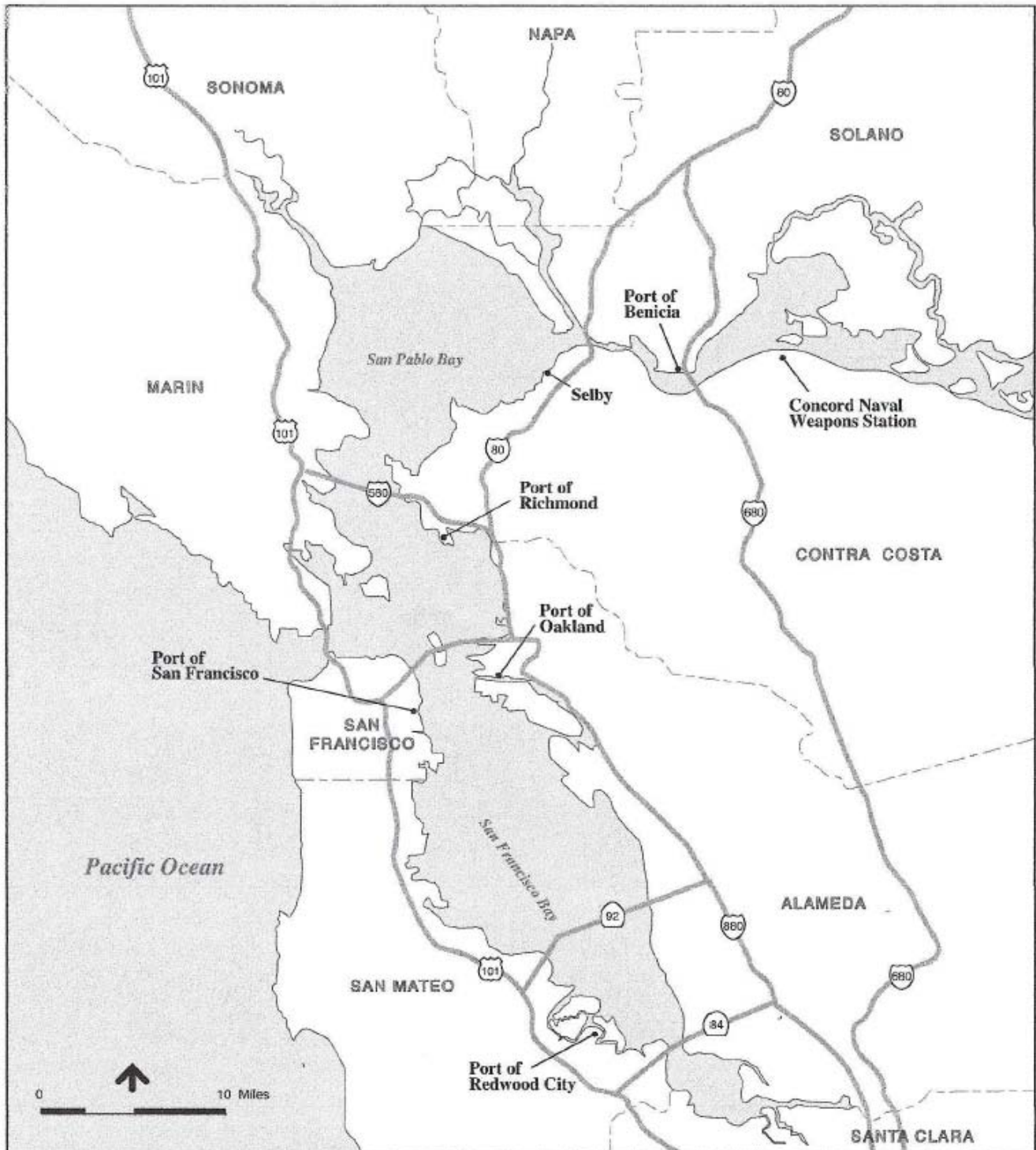
### **2.5.3 Maritime**

The Bay Area ranks as the fourth largest exporting region in the U.S. in terms of tonnage. While the Port of Oakland handles 82% of the region's maritime trade, the Bay Area's ports at Richmond, Benicia, San Francisco and Redwood City, plus the inland port at Stockton, also handle significant maritime trade (Figure 5). The Port of Stockton is the primary Northern California port handling bulk cargo, with the remainder handled at San Francisco, Richmond and Redwood City. In 2011, 3,826 vessels arrived at regional berths. Most of the arrivals were bulk cargo vessels (50.6%). Containerized cargo, which is primarily processed through the Port of Oakland, accounts for over 50% of vessel capacity.

Ports and maritime activities still play an important goods movement role in Eastern Contra Costa County. Maritime facilities are still being used at the Fulton Shipyard to repair vessels. The Georgia Pacific Gypsum Plant still receives import cargo ships of bulk gypsum manufactured into wallboard for building construction and the Kie-Con Wharf utilizes its waterfront facility to transport large concrete bridge structural members to parts of the Bay Area, Hawaii and Guam. The wharf at the Amports parcel will be used for a proposed automotive transload facility, and the NRG Marsh Landing wharf also has the potential of being developed into maritime transload operation because of its good access to rail and highways.



**Figure 5**  
**San Francisco Bay Area Seaport Map**





## 2.6 Findings and Conclusions

There are five parcels north of Wilbur Avenue that were formerly connected to the BNSF tracks. The rail connections could easily be restored if any of these five businesses were interested in re-establishing a rail option. There are two vacant parcels south of Wilbur Avenue that could easily be connected to the BNSF tracks.

The soil and water contamination issues at a number of parcels have already been identified and are in the process of being cleaned up. The only outstanding issue is to evaluate the impacts any new development would have on the ecological habitats in the Study Area.

Based on interviews conducted by R.L. Banks and Associates and a field review of the Study Area, most businesses are utilizing trucks for transporting inbound and outbound shipments of goods. Because of the nature of these businesses primarily serving Northern California customers, it is unlikely the rail option would be utilized.

The Study Area features excellent highway, rail and water access. These connections provide many opportunities for businesses looking for multiple transportation modes to expand business potential. SR 4 provides excellent connectivity to the rest of the Bay Area and the Central Valley. The BNSF provides direct long haul rail service between the Bay Area and the transportation hubs in Chicago, Kansas City and Dallas. The Study Area also has a waterfront that includes a number of active wharves and inactive wharves that can easily be put back into service.

## 3 Market Analysis

### 3.1 Purpose

Part 3 presents a summary of the “Marketing Analysis” Technical Memorandum. The purpose of this section is to conduct a marketing analysis to identify opportunities for the freight rail mode to serve new customers and to determine the feasibility of a new short-line railroad service in the Study Area. The analysis evaluated the following elements: 1) Potential Customer Types, 2) Potential Land Development Opportunities, 3) Potential Short Line Operators, and 4) Relationships with Other Railroads.

### 3.2 Potential Customer Types in the Study Area

To illustrate the potential types of businesses that could be interested in developing property along waterfront in the Study Area, an evaluation of the various seaports in the San Francisco Bay Area was undertaken. Examples of Northern California automobile transload operations can be seen at the Port of San Francisco, the Port of Richmond and the Port of Benicia. The import and export of bulk commodities also play a major role at port facilities throughout the Bay Area region. However, these ports are constrained by the existing size of their facilities and will not be able to accommodate all of the maritime transload growth necessary to meet the Bay Area’s future demand. Many of the jobs that have traditionally operated near seaports as service activities related to port operations are moving further east to take advantage of lower land and business expenses to remain competitive. The waterfront parcels in the Study Area offer new opportunities for maritime-related businesses to move to a more favorable location or take advantage of better rail transportation rates because of the location’s close proximity to highway and rail access. This capability is a big advantage in attracting new businesses to the Study Area.



The waterfront along the Wilbur Avenue Corridor, with its accessibility to rail and highways, could potentially provide businesses the ability to handle the following types of commodities:

- Dry bulk, such as cement, lumber, recycled materials, coal, petroleum coke and ores;
- Break bulk, which includes individually bagged, boxed, drummed or palletized dry goods;
- Hazardous liquid bulk, such as; crude oil, ethanol, liquefied natural gas;
- Non-Hazardous liquid bulk, such as cooking oils, wine and juice and
- Roll on/roll off vehicles, including automobiles, trucks, construction and farm equipment.

A shipper survey was conducted of existing businesses in the Study Area showed that existing businesses currently being served by trucks would not change if the rail option was available to them. Most of these businesses receive raw materials and ship their finish products to Northern California markets by truck. Despite the fact that many of the existing businesses are located along the BNSF mainline, many choose to ship by truck because it is the most cost-effective mode to handle its specific transportation needs.

The one exception is the Georgia Pacific (GP) Gypsum Wallboard Plant in Antioch. GP receives bulk gypsum by barge from Mexico and manufactures gypsum wallboard panels for commercial and residential use. The finished products are shipped out by truck and rail depending on the most efficient and cost effective transport mode available. However, because GP is located between two parts of the Antioch Dunes National Wildlife Refuge, it would not be possible to construct an independent rail line to connect to this plant without utilizing a portion of the BNSF right-of-way.

There are five vacant parcels in the Study Area that at one time had rail service and could easily be re-connected to the BNSF mainline (See Exhibit A). An engineering team conducted a field review to determine the cost of reconnecting each parcel.

In terms of new developments in the Study Area, Amports, Inc. is planning to develop a maritime transload facility at the former Forestar Parcel. This operation will unload ships of new vehicles from Asia and transport them by truck and rail to their final destinations. In addition, NorthPoint Development Company is planning to construct the Contra Costa Logistics Center, a warehouse and distribution center at the former DuPont Parcel. This planned development will be mostly truck served, with a rail option available to any tenant requiring this mode option. The three remaining vacant parcels are going through environmental cleanup and are for sale. The NRG parcel, in particular, has generated some interest from potential buyers looking for a maritime transload site. Businesses that were interviewed expressed an interest in this parcel of land because of the waterfront access that would allow for bulk commodity transloading onto and off ships. Given the fact that many existing Bay Area maritime transload operations are at or near capacity, the Study Area is in an ideal location at which to attract these types of businesses.

### **3.3 Potential Land Development Opportunities in the Study Area**

Many businesses that locate near waterfront property generally need rail service because of the heavy bulk commodities associated with waterfront transload operations. The vacant parcels evaluated for land development opportunities all have good truck access via Wilbur Avenue to SR 4 and SR 160. The BNSF mainline crosses the Study Area just below Wilbur Avenue, allowing easy rail access to potential business opportunities along the waterfront. A field investigation of the Study Area revealed the following conditions: there are five rail spurs that provide rail access to vacant parcels within the Study Area (Figure 1).



As discussed in Section 2.3 – Engineering Analysis, rail access for four of the five parcels is still in place and only requires re-establishing the rail infrastructure to the BNSF mainline. The fifth parcel, the NRG Marsh Landing Generating Station, has an existing rail spur that is still serviceable and does not need any upgrading. This makes all five parcels attractive for future business development. The sites investigated, from west to east, include:

### **3.3.1 Fulton Shipyard, 307 Fulton Shipyard Road, Antioch, CA**

This 10-acre parcel is currently being used to store equipment and is for sale. Two rail tracks inside the property provide access to the ship yard building and an outside construction yard. This parcel is separated from the rest of the parcels in the Study Area by the Antioch Dunes National Wildlife Refuge, complicating the ability to connect this parcel to the other parcels via rail except via BNSF's right-of-way. Once this parcel is remediated, it would be a very desirable property to a business needing rail access. There is an existing 525-foot wharf available that provides easy access to/from ships.

### **3.3.2 Kemwater Chemical Company, 1251 Wilbur Avenue, Antioch, CA**

This 18-acre parcel is currently being used to support what appears to be a metal recycling facility. This 18-acre parcel once had a rail connection with the BNSF but it has been dismantled. The street crossing is still in place but 2,009 feet of new rail and ties would have to be replaced to restore the connection to the BNSF mainline. Access is available to the San Joaquin River but a wharf would need to be constructed if a potential business is interested in developing a maritime transload facility.

### **3.3.3 Amports (formerly the Forestar Site), 2603 Wilbur Avenue, Antioch, CA**

This 110-acre parcel was the site of the former Gaylord Container Corporation, which manufactured pulp and paper products. The Forestar Parcel is currently under a 20-year lease with Amports, Inc., a global auto logistics company that receives new automobiles by ship and arranges for transportation by truck or rail to its final destination. The site once enjoyed two rail connections. One of the rail connections is located along the western border of the property and is connected to the same dismantled rail spur that served the Kemwater Chemical Company. This parcel is already going through the environmental and State Land Commission approval process to become a maritime transload facility. Once this project receives the necessary approvals, construction is expected to begin in late 2020.

### **3.3.4 NRG Marsh Landing Generating Station (Contra Costa Power Plant), 3201 Wilbur Avenue, Antioch, CA**

This 86-acre parcel is the site of a former coal-fired power plant. The plant was shut down in 2013, after NRG Energy, Inc. opened its new state-of-the-art natural gas power plant adjacent to the old facility. The total available land available to develop is comprised of the 39-acre former Marsh Landing Power Plant and an adjacent 47-acre undeveloped parcel. Due to the heavy rail cars that once brought petroleum coke to this power plant, there is an existing heavy rail connection to the BNSF mainline that is still serviceable. No additional rail work would be necessary at this location to begin shipping by rail again. There is a 150-foot wharf available on this parcel providing easy access to/from ships. Once the old power plant is removed, this parcel would make an ideal maritime transload facility.



### **3.3.5 Contra Costa Logistics Center (formerly known as the DuPont Site), 6000 Bridgehead Road, Oakley, CA**

This 345-acre parcel is the location of the former DuPont Chemical Manufacturing Oakley Plant. The parcel is the largest parcel available to develop in the Study Area. A wye rail connection is still in place but will need to be extended back into the property to serve any new businesses requiring rail access. This site underwent corrective action through the Resource Conservation and Recovery Act. Remediation was completed in 2020. This parcel does not have direct access to the San Joaquin River because approximately 200-acres along the northern portion are designated as an environmentally sensitive area.

## **3.4 Short-Line Railroads**

### **3.4.1 Overview of the Rail Industry**

A company's ability to use rail is just one part of its ultimate decision to actually utilize rail service. The growing inclination of businesses to consider rail results from changes in the economics of transportation nationally. Four discernable trends suggest a growing role to be played by freight rail in the near future:

- Demands on existing surface transportation infrastructure have never been greater;
- Large railroads are enjoying a period of relative prosperity;
- The relatively high cost of fuel, until very recently due to Covid-19 and
- Increasingly stringent environmental regulations and resistance of property owners to new highway construction in urban settings limiting the amount of highway expansion possible and focusing attention on alternatives to private motor vehicles.

With respect to such matters, rail competes extremely well, with a reputation for having a “light environmental footprint” when compared with highways. The very fact that rail development must follow rail alignments reduces the potential for sprawl. Greater use of the rail mode has proved to be one area where environmentalists and economic developers have found significant common ground.

### **3.4.2 Benefits of Using Short-Line Railroads**

A short-line railroad is a small or mid-sized railroad company that operates over a short distance relative to larger, national railroad networks. Short-line railroads generally exist for one of three reasons: 1) to link two industries requiring rail freight together (for example, a coal mine and a power plant; 2) to interchange revenue traffic with other, usually larger, railroads or 3) to operate a tourist-oriented, passenger train service. Some short-lines exist for all three of these reasons. In general, short-line railroads provide many benefits to shippers. Among them are:

- When a Class I carrier's service deteriorates, they offer alternative rail options if they connect to multiple Class I carriers;
- They are a means to gain competitive rates when they connect to multiple, Class I carriers;
- They provide quality and timely service;
- They make decisions at the local level and
- They provide links to local communities and companies.



### 3.4.3 Potential Short-Line Railroad Operators in the Study Area

In California, there are 21 short-line railroads and 7 switching and terminal railroads, of which five are publicly owned. Of the 21 short-line railroads in California, there are at least five potential operators that would be well suited to the unique conditions and opportunities associated with rail transportation in the Study Area. These operators are very familiar with railroad industry operating standards and agreements with Class I railroads, businesses and public agencies. These operators are:

- 1) **Genesee & Wyoming, Inc. (GWRR)**, headquartered in Darien, CT. This short-line railroad company operates 113 short-line and regional freight railroads in 42 U.S. states and four Canadian provinces, including six short-lines in California: the Central Oregon & Pacific Railroad (CORP), the California Northern Railroad (CFNR), the San Joaquin Valley Railroad (SJVR), the Ventura County Railroad (VCRR), the San Diego & Imperial Valley Railroad (SDIY) and the Arizona & California Railroad (ARZC). GWRR is experienced with waterfront transload operations; it works in close coordination with publicly-owned seaports and rail ferry services at forty seaports world-wide.
- 2) **OmniTRAX, Inc. (OmniTRAX)**, headquartered in Denver, CO. OmniTRAX is experienced with barge terminal and transload operations. In California, OmniTRAX operates the Stockton Terminal & Eastern Railroad (STE) in Stockton.
- 3) **Watco Transportation Services (Watco)**, headquartered in Pittsburg, KS. This short-line railroad company operates 43 short-line railroads in 23 states. Watco is experienced with seaport and transload operations in many of its short-line railroad operations in the U.S. In California, Watco operates the Pacific Sun Railroad (PSRR) in San Diego County.
- 4) **Sierra Northern Railway (SERA)**, headquartered in Woodland, CA. SERA operates a railroad between West Sacramento and Woodland, including the maritime transload facility at the Port of Sacramento. The railroad also serves rail customers between Sonora, Oakdale and Riverbank, including the 170-acre Riverbank Industrial Complex. SERA interchanges traffic with both the Union Pacific Railroad and the BNSF Railway. In addition, it is the contract railroad operator at the Department of Defense's Concord Naval Weapons Station, located a few miles west of the Study Area.
- 5) **San Francisco Bay Railroad (SFBR)**, headquartered in San Francisco, CA. This short-line railroad has been in operation since 2000 and operates over five miles of track in San Francisco, serving the maritime transload facility at the Port of San Francisco. The railroad provides all of the switching services supporting the automobile and bulk commodity transload shipments at the Port of San Francisco.

## 3.5 Class I Railroads

### 3.5.1 BNSF Railway

BNSF has a long history of partnering with short-line railroads. Currently, BNSF has 209 short-line railroad partners in 27 states. BNSF, as a common carrier, has an obligation to serve businesses that require rail service near its rail system. In most cases, BNSF's prefers providing direct rail service to its customers. However, if deemed more efficient and economically advantageous, BNSF may engage a short-line





railroad or rail switching contractor to provide the necessary switching services it normally would undertake itself.

BNSF has stated that “it would not likely support a separate, short-line railroad operation in the Study Area.” BNSF’s position, at the present time, is that there exists sufficient rail business in close proximity to the Study Area and enough growth potential for it to provide direct rail service without engaging a short-line railroad operator to act in an intermediary capacity. However, those decisions could change and will be made on a case-by-case basis as it evaluates each proposed business opportunity. The final decision will be made based on what makes the most economic sense to BNSF and the potential rail customer.

### 3.5.2 Union Pacific

Paralleling SR 4 south of the Study Area is the Union Pacific Railroad’s (UP) Tracy Subdivision, connecting Martinez with Lathrop. Currently, the line only hosts local freight movements between Martinez and Pittsburg, CA. To access this rail line as a rail alternative, a major financial undertaking would be necessary. Building a rail connection between the UP and the Study Area would require purchasing a two-mile long, 50-foot right-of-way corridor to construct this new rail connection. The only opportunity to construct a new rail corridor would be adjacent to SR 160. It would require preparing a California Environmental Quality Act (CEQA) document and hiring an engineering firm to develop the plans and estimated cost to construct the new rail connection. In addition, the new rail corridor would have to cross the BNSF mainline near Wilbur Avenue, which would require extensive negotiations with BNSF, who would resist enabling a competitor to access a market it traverses. This crossing likely would require the construction of a rail-to-rail grade separation to avoid conflicts with BNSF freight traffic and the busy Amtrak San Joaquin passenger rail service.

**Figure 6**  
**Cost to Construct a New Rail Line Connecting the Union Pacific with the Study Area**

Item	Quantity	Cost
Right-of-Way Acquisition	2 miles	\$ 2,000,000
Construct Track Infrastructure to NRG	2 miles	\$ 2,000,000
Install Mainline Switch	1	\$ 150,000
Construct Grade Separation	1	\$ 30,000,000
<b>Total Cost</b>		<b>\$ 34,150,000</b>

The cost of building a new rail connection to the UP to/from the Study Area (Figure 6) would be hard to justify given the BNSF mainline is located adjacent to the waterfront parcels with rail access readily available. Any business wanting to utilize the UP would be faced with a very large capital investment and only attain the ability to access the UP on a branch line offering only limited weekly service today. Meanwhile BNSF can provide much better service because it has ready access to each parcel in the Study Area.

## 4 Findings and Conclusions

### 4.1 Feasibility of Establishing a New Short-Line Railroad

Short-Line railroads have the ability of provide low cost rail service to make shipping by rail an attractive option. The five formerly rail-served parcels of industrial property along the waterfront in the



Study Area still have the potential to attract new businesses and create new jobs. However, several major obstacles make the feasibility of a new independent short-line rail operation unlikely, including:

- **Amports Shipping Operations:** Upon completion of the interviews and the field investigation, R.L. Banks and Associates determined the former Forestar Parcel is under a long-term lease by Amports to develop a marine transload facility to unload vehicles from Asia and ship them by truck and rail to their final destinations. In addition, Amports has already made arrangements for BNSF to directly provide the necessary rail service to its facility.
- **BNSF Railway Unlikely to Support a Short-Line Railroad Operation:** The biggest drawback for a short-line railroad operation is the inability to operate without a Class I railroad partner. As mentioned in Section 3.5.1, BNSF has stated that “it would not likely support a separate, short-line operation” in the Study Area. At the present time, BNSF’s position is there exists sufficient rail business in close proximity to the Study Area and enough growth potential for BNSF to provide direct rail service without engaging a short-line railroad operator to act in an intermediary capacity. Because BNSF will be providing direct long haul rail service for Amports, it will have the ability to give very favorable rail rates to Amports that a short-line railroad operator would not be able to match. Similarly, BNSF can provide very efficient and cost-effective service at a lower cost to the other potential rail customers in the Study Area.
- **The Ability to Construct an Independent Rail Corridor to Connect Each of the Rail-Served-Parcels:** A field investigation led to RLBA’s determination that it was not possible to install an independent rail connection to the Fulton Shipyard because it is located west of the Antioch Dunes National Wildlife Refuge and can only be accessed by the BNSF mainline. BNSF’s opposition to a short-line operation in the Study Area blocks the ability of any new alignment to access BNSF’s mainline.

The Amports facility lies in the middle of the Study Area, between the Kemwater and NRG Parcels. A discussion was held with Amports regarding the possibility of constructing a rail connection across its property. Amports stated it was not willing to allow any other railroad operations on its property because it needed all the available to space to conduct its business at that site. This eliminated the possibility to construct an independent rail corridor to connect the Kemwater parcel to the NRG Parcel.

An inquiry was made of the City of Antioch regarding the possibility of constructing a rail connection on the north side of Wilbur Avenue. The City was unable to accommodate a 50-foot wide strip of land in which to construct a railroad because it needs all of the available right-of-way to accommodate a planned expansion of Wilbur Avenue to four lanes. This eliminated the option to construct an independent rail corridor along Wilbur Avenue to connect the Kemwater Parcel with the NRG Marsh Landing Parcel.

The engineering team also investigated the possibility of constructing a rail line to connect the NRG Parcel to the Contra Costa Logistics Center. The only way this could be accomplished would be by utilizing an existing highway undercrossing. However, this undercrossing also hosts the SR 160 highway interchange, and there is insufficient land available to accommodate a rail line and the highway facility at this location.



- **The Ability to Connect the UP to the Study Area:** Building a rail connection between the UP and the Study Area would require purchasing a two-mile long, 50-foot right-of-way corridor to construct this new rail connection. The estimated cost to construct the new rail connection is \$34.2 million. This crossing likely would require the construction of a rail-to-rail grade separation to avoid conflicts with BNSF freight traffic and the busy Amtrak San Joaquin passenger rail service. The expensive initial capital costs to build this connection would be hard to justify connecting to a branch line railroad with limited weekly service. The service and cost would not be competitive to what BNSF can offer businesses that ship directly through them.

Since BNSF desires to serve rail shippers in the Study Area directly and the cost to connect the Study Area to the UP would be very costly, a short-line railroad operation would not be cost competitive at the present time.

- **Recommendation:** BNSF has a desire to assist in the development of rail served businesses in the Study Area. It has already been in discussions with several potential rail shippers looking at moving to the Study Area. Contra Costa County, the City of Antioch and the City of Oakley should establish an on-going dialogue with the BNSF Economic Development office in San Bernardino, CA. This will allow all entities the ability to stay informed and coordinate on potential development opportunities that would be mutually beneficial in attracting new businesses to the Study Area. The rail business climate is dynamic and can change over time. What might not be possible today may become a reasonable alternative in the future. R.L. Banks and Associates can help facilitate those discussions with BNSF or other railroad companies, if necessary.



## EXHIBIT A SITE MAPS



**FIGURE A-1  
FULTON SHIPYARD**





**FIGURE A-2  
KEMWATER**

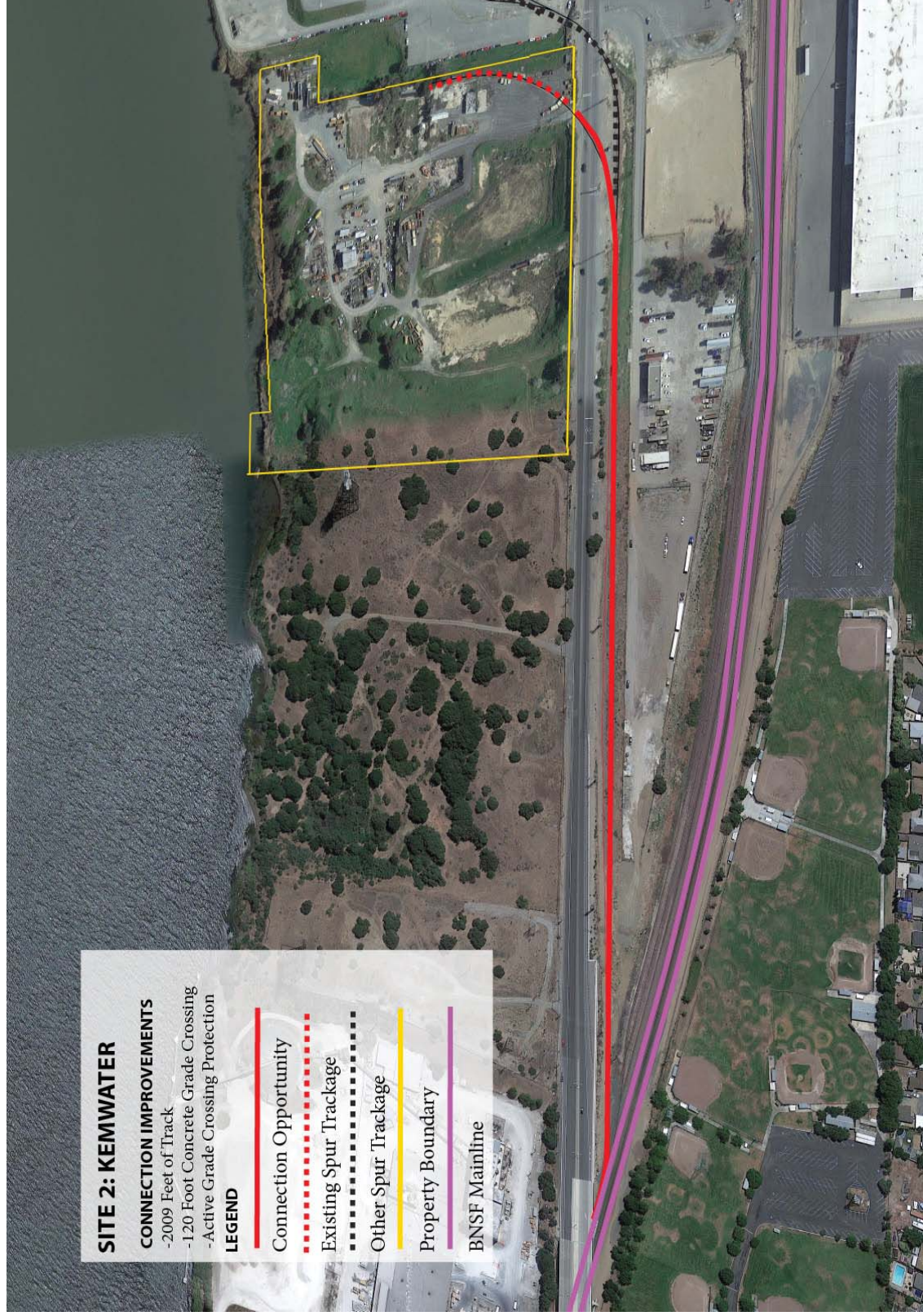




FIGURE A-3  
AMPORTS





FIGURE A-4  
NRG

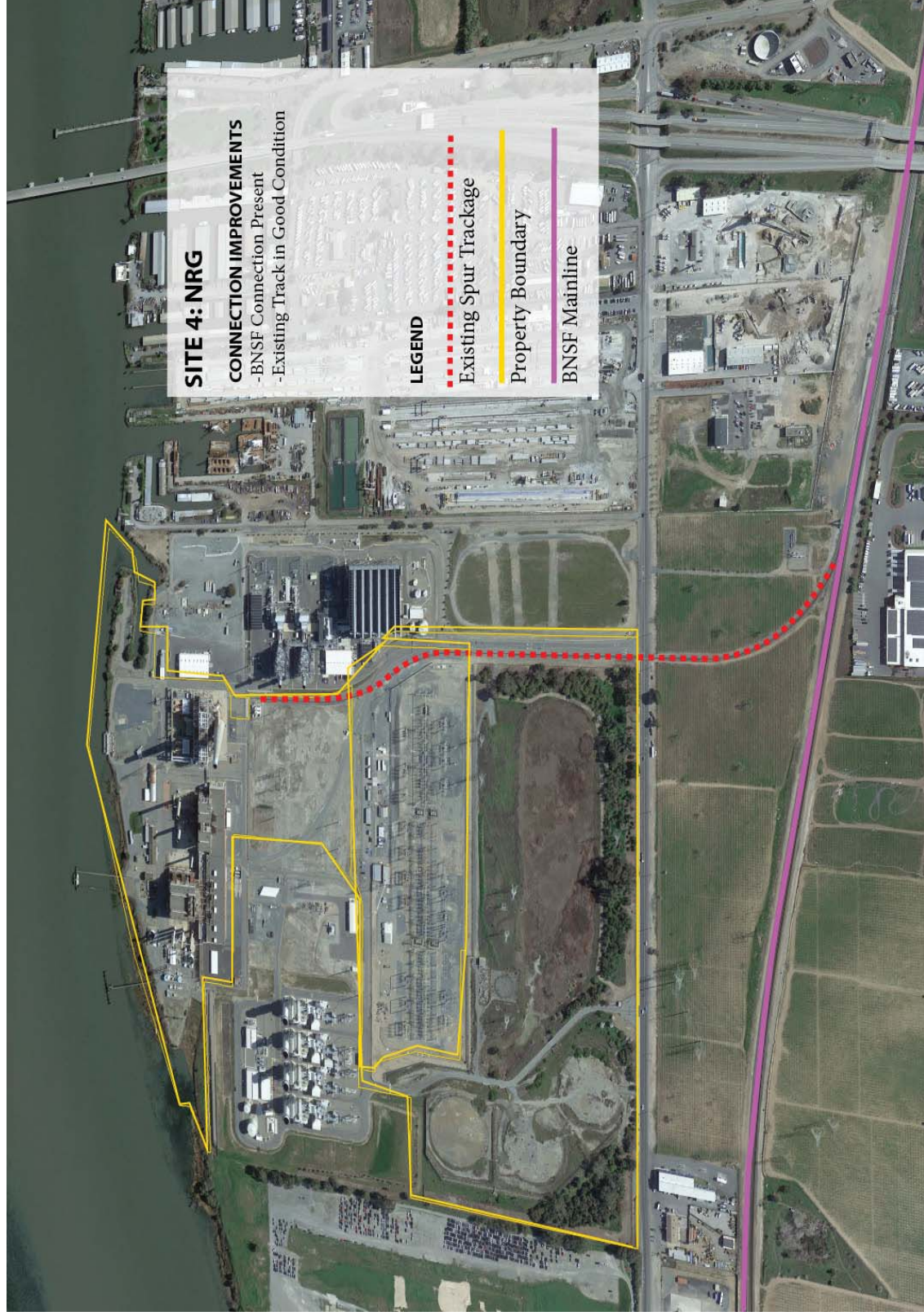
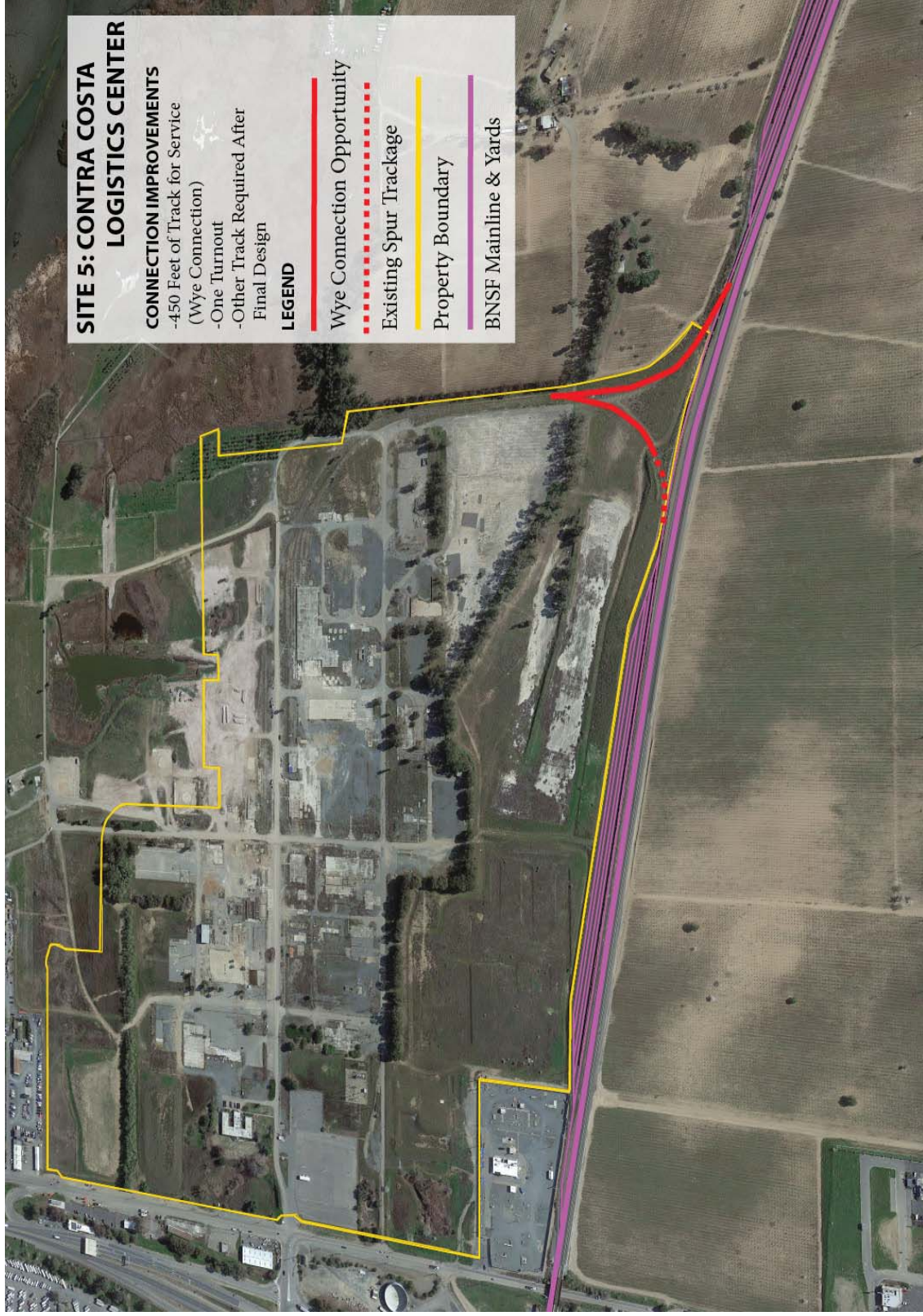






FIGURE A-5  
CONTRA COSTA LOGISTICS CENTER





## **EXHIBIT B ASSESSMENT OF EXISTING CONDITIONS**



## R.L. BANKS & ASSOCIATES, INC.

ECONOMICS | ENGINEERING | SERVICE PLANNING



December 12, 2019

**SUBJECT:            TASK #3 TECHNICAL MEMORANDUM – ASSESSMENT OF EXISTING CONDITIONS**

This Memorandum presents the results of Task 3, Assessment of Existing Conditions. The purpose of this memo is to provide an overview of the existing conditions in the Study Area, so as to provide a sound foundation on which to make well-informed decisions. The assessment includes engineering, environmental, commercial and transportation concerns.

### Introduction

Eastern Contra Costa County once played a significant role in providing jobs and economic development, especially with its waterfront, deep-water channels and proximity to predecessors of today's BNSF Railway (BNSF). Since the early 1900's, manufacturing began to move to Eastern Contra Costa County to take advantage of inexpensive land, access to the waterfront and cheap labor. The area was very desirable as its location enabled businesses to take full advantage of regional, national and international markets. Agricultural land was transformed into shipbuilding, paper and chemical manufacturing, as well as electrical generation. With plenty of land, a skilled workforce and close proximity to the growing markets further west in the East Bay, Eastern Contra Costa County thrived. With the development of better highways and a nearby railroad to connect to the national rail network, the area provided many advantages to businesses looking to find a more economical climate than in the rest of the Bay Area.

These advantages led to the development several large manufacturing industries; such as DuPont Chemical and Kemwater Chemical, Gaylord Paper, Fiberboard Kraft Pulp and the Fulton Shipyard. However, beginning in the 1990's, manufacturing began to decline in the area as a result of stricter environmental laws, forcing many companies to install expensive pollution control devices making their plants less competitive. The cost of doing business in Eastern Contra Costa County kept increasing, forcing manufacturing plants along the waterfront to close, leaving behind vacant brownfield sites requiring soil remediation before the land could be redeveloped. As a follow up to the January 2014, "Revitalizing Contra Costa's Northern Waterfront" Study, the Contra Costa County Department of Conservation and Development has commissioned a feasibility study of developing a short-line railroad along the Wilbur Avenue Corridor in Eastern Contra Costa County. Wilbur Avenue is a sub-region of the Northern Waterfront, a larger area within Contra Costa County identified as a focus for economic development.

### Purpose

The purpose of this study is to determine if a short-line railroad is feasible along the Wilbur Avenue Corridor. The intent is to explore the possibility of improving rail access to the vacant former industrial parcels along the Wilbur Avenue Corridor, increase their attractiveness to potential businesses looking for

### WASHINGTON, D.C. AREA OFFICE

2107 Wilson Boulevard, Suite 750 | Arlington, VA 22201 | Tel: 703.276.7522 | Fax: 571.223.5217 | [www.rlbadc.com](http://www.rlbadc.com)



R.L. BANKS & ASSOCIATES, INC.

rail-served parcels to relocate to and bring new jobs to Eastern Contra Costa County. The short-line railroad would be a component of the Northern Waterfront Economic Development Initiative, a Contra Costa County-led effort to create jobs.

### Existing Conditions

The City of Antioch with a population of approximately 113,000 in 2019 encompasses approximately 50 square miles, including the area of its jurisdictional boundaries as well as its sphere of influence. It is the second largest city in Contra Costa County after Concord. The City is situated between the San Francisco Bay Area and the Central Valley. State Route 4 (SR 4) Corridor is a critical east/west corridor connecting the San Joaquin Valley and the Bay Area for commute, recreational and commercial traffic. It also serves a significant level of locally generated demand from the cities along the route. SR 4 bisects the City of Antioch and provides a freeway connection to the west for travel to/from Concord, Martinez and other parts of the Bay Area and connections to the east for travel to/from Stockton and other parts of the Central Valley. The City has experienced several decades of growth as a predominately residential community. With the exception of the northeastern and waterfront portions of the City, residential areas, particularly, single-family detached residential, are the most prominent land use in the City. Commercial uses are distributed throughout the City along major thoroughfares and in higher concentrations on 18th Street and A Street corridors. The area along the northeast corner of the City is dominated by active and inactive industrial lands that reflect the City's industrial roots and the potential for a resurgence of industrial users and accompanying jobs, while balancing existing open space.

The Study Area encompasses an area approximately one mile wide extending between the San Joaquin River on the north, and East 18<sup>th</sup> Street on the south and three and one-half miles long extending between the former Fulton Shipyard in the City of Antioch and the former DuPont Chemical Plant at Live Oak Avenue in the City of Oakley. It includes the jurisdictions of Contra Costa County, the City of Antioch and the City of Oakley. Within the City of Antioch are a number of sites with existing industrial uses or the potential for industrial development or reuse. Recently, large land development firms saw the value of these vacant waterfront properties and began buying them for future development. In addition, on July 26, 2018, the City of Antioch passed a city ordinance creating a cannabis overlay over most of the industrial area along Wilbur Avenue Corridor. The overlay extends between the Fulton Shipyard and State Route 160, excluding the residential areas and the Antioch Dunes National Wildlife Refuge. The overlay allows cannabis companies to apply for a conditional use permit for all facets of the cannabis industry to conduct business within the overlay.

### Engineering

One in-person meeting was held with public works officials from Contra Costa County and the City of Antioch to determine what engineering issues/barriers might be encountered by developing a short-line railroad along the Wilbur Avenue Corridor.

Public Works officials pointed out that the City of Antioch is planning to enlarge Wilbur Avenue to four lanes in the future to accommodate the projected increase in traffic along the corridor. This will include



R.L. BANKS & ASSOCIATES, INC.

all of the necessary drainage and safety requirements that go along with roadway expansion projects. Currently the city is not experiencing congestion along the Wilbur Avenue Corridor but is interested in knowing the potential trip generation that these new developments will create so it can plan the necessary infrastructure to accommodate this growth. One concern that was raised was the potential of trains blocking Wilbur Avenue, especially during peak travel periods. Officials also pointed out that any new developments in the Study Area should be required to pay for any necessary street improvements to accommodate the traffic impacts along Wilbur Avenue.

An onsite engineering physical inspection of the Study Area was conducted by R.L. Banks & Associates (RLBA) to determine the feasibility and associated costs of reactivating rail service to five, previously rail-served sites and the potential that additional rail construction could facilitate bringing rail service to other vacant parcels of land. Each available parcel along Wilbur Avenue was investigated and an engineering estimate was developed to restore rail service between the BNSF main line and the associated rail entrance points of the properties. The five sites where engineering estimates were developed on site maps with a description of each rail connection:

- **Site 1: Fulton Shipyard, 307 Fulton Shipyard Road, Antioch.** The Fulton Shipyard parcel enjoys existing rail infrastructure within the property limits of the shipyard. Inside the property, two rail tracks still provide access to the shipyard erection building and a construction yard. The rail is light weight and should be replaced to handle the heavier rail cars in service today. Outside the property line, the mainline turnout and the single track between the BNSF main line and the property line, has been removed. The existing track also crosses an entrance to a parcel of property which is not rail-served. Installation of an at-grade, motor vehicle crossing would be necessary to achieve ingress and egress to the adjacent property. Passive crossing protection with grade crossing signs (cross bucks) at facing street quadrants would be sufficient. The cost to remove and dispose of the existing track which is not suitable for reuse, net of salvage value, was reflected in the cost estimate. The cost to implement the improvements above is \$178,808. The estimate includes track construction cost between the BNSF right-of-way line and the entrance to the shipyard property. Note that the BNSF would have to relocate a signal case, install a mainline turnout and construct track to its northern right-of-way line at an estimated cost of \$176,000, bringing the total project cost to \$354,808.
- **Site 2: Kemwater Chemical Company, 1251 Wilbur Avenue, Antioch.** The Kemwater parcel was previously rail served with a track over 2,000 feet in length from the BNSF mainline. The majority of the track has been removed up to a point just south of Wilbur Avenue where the track apparently split to serve two separate parcels. The reactivation of Site 2 from the BNSF right-of-way line to the southerly property line will require construction of 2,009 feet of new track, installation of 128 feet of concrete grade crossing and installation of new active grade crossing protection. The estimated cost of the aforementioned items would be \$1,037,880. Included in the estimate is funding of new grade crossing protection across Wilbur Avenue in the event the existing equipment cannot be reused or upgraded. Also, contingencies allow for the removal of track considering its disposal cost and salvage value as the existing track is not suitable for reuse. The BNSF will have to restore a section of roadbed, install a mainline turnout and construct track to its northerly right-of-way line at an estimated cost of \$225,000, yielding a total project cost of \$1,262,880.



R.L. BANKS & ASSOCIATES, INC.

- **Site 3: Amports (formally Forestar), 2603 Wilbur Avenue, Antioch.** This parcel was the location of a large corrugated paper manufacturing plant owned by the Gaylord Container Corporation. It had two rail connections, one at southwest corner (3A) and one at the southeast corner (3B) of the property. Access to the southwest corner of the property was along the same rail spur that connected to the Kemwater parcel. The engineering team conducted inspections of both rail connections. However, during an on-site interview with Amports, Inc., the team was advised that it only wished to utilize the rail connection at the southeast corner of its property and did not wish to reactivate the western rail connection. Therefore, an engineering estimate to restore the Amports rail connection to the BNSF mainline was only provided for the southeast connection (3B). There is evidence of two connections at this site and RLBA is in agreement with lessor that the southeast connection provides the best alignment geometry for the type of rail cars that will be operating into this parcel. The southeast rail connection is comprised of a turnout and grade crossing. The turnout should be replaced with a standard track section and the grade crossing should be reconstructed. The track work proposed from the northerly right-of-way line of the BNSF to the property line north of Wilbur Avenue will require construction of 684 feet of track and installation of 44 feet of concrete grade crossing. The estimated cost of the aforementioned items is \$615,536. Included in the estimate is funding of new grade crossing protection in the event the existing equipment cannot be reused or upgraded. Also, contingencies cover the cost of track removal, considering both disposal costs and salvage values as the existing track is not suitable for reuse. The BNSF will have to install a mainline turnout and track to its northerly right-of-way line at an estimated cost of \$150,000, resulting in a total project cost of \$765,536.
  
- **Site 4: NRG Energy, Inc., 3201 Wilbur Avenue, Antioch.** The NRG site still has an existing rail spur between the former Marsh Landing coal-fired power plant and the BNSF mainline. The rail spur features heavy rail to accommodate the prior loaded coke trains that used to supply the Marsh Landing Power Plant with fuel to generate electricity. No additional track work will be required at this location.
  
- **Site 5: Oakley Logistics Center (formally DuPont Chemical Company), 6000 Bridgehead Road, Oakley.** BNSF provided rail service to DuPont by use of a wye connection to facilitate switching from both the easterly and westerly directions. Because of the large amount of rail traffic that operated into and out of this facility, there is a rail storage yard just west of the wye. The cost to re-construct the wye connection to the Oakley Logistics Center property line is estimated at \$210,800. The design of rail service to the parcel depends on the location of rail-dependent customers. The cost of BNSF track upgrades to the northerly right-of-way line would be approximately \$10,000, resulting in a total estimated project cost of \$220,800.

### Environmental

A desktop environmental constraints assessment was performed, consisting of two parts, an environmental due diligence review (Part 1) and an ecological evaluation (Part 2). The Part 1 environmental due diligence review consisted of reviewing environmental databases, historical aerial



R.L. BANKS & ASSOCIATES, INC.

photograph imagery, topographic maps and fire insurance maps to provide a ranking of sites that may pose potential concerns in connection with future development. The Part 2 ecological evaluation included a review of U.S. Fish and Wildlife Service (USFWS) and Department of Fish and Wildlife (CDFW) databases.

The methodologies and findings for the desktop reviews are described below.

### Part 1: Environmental Due Diligence Review

The environmental due diligence review consisted of a focused desktop assessment intended to identify facilities or issues with a high likelihood of environmental liabilities that could represent constraints for the proposed project. The standard environmental database records were reviewed in an attempt to identify facilities of concern. Historical aerial photographs, topographic maps, and Sanborn maps were reviewed to assess the potential for environmental impacts associated with historical land uses.

### Findings

#### **Historical Records**

The earliest documented industrial use in the Study Area was by the California Distillery Company, which was depicted on an 1884 fire insurance map in the northwest corner in the vicinity of the current location of the Fulton Shipyard. Sparse residential development is depicted throughout the Study Area, and historical records indicate the area was in use for agricultural purposes by the early 1900s. By 1926, the Fulton's Shipyard is depicted on a fire insurance map and residences are also depicted to the south of the ship yard down to Wilbur Avenue.

By 1953, the area between the San Joaquin River and Atchison Topeka & Santa Fe Railroad, (predecessor to the BNSF Railway), began a transition towards industrial use. The 1953 topographic map depicts numerous sand pits and industrial buildings, including an oil tank farm, along the shoreline. The 1959 aerial photograph shows the operations of the former DuPont Chemical Company (operated from 1956 to 1999), the former Contra Costa Power Plant (operated from 1953 to 2013), the former Gaylord Container Corporation (operated from the 1940s to the 1990s), and Georgia Pacific Gypsum (continues to operate), among other industrial operations and deep sea harbors. By 1968, a reservoir (Lake Alhambra) was constructed along an unnamed stream near the southwest corner of the Study Area, and by 1976, the Antioch Bridge was constructed across the Antioch River.

Historical topographic maps depict a number of features of environmental concern, including sewage disposal and industrial waste ponds in the current Antioch Dunes Wildlife Refuge area in the 1970s. Throughout the 1960s, 1970s, and 1980s, industrialization of the waterfront continued, and areas south of Wilbur Street in the western portion of the Study Area transitioned from agricultural to dense residential and commercial land uses. Agricultural use of the southeastern portion of the Study Area persists to the present day.



R.L. BANKS & ASSOCIATES, INC.

### **Database Search**

Environmental Risk Information Systems (ERIS) Incorporated was contracted to complete a search of regulatory databases in an effort to identify potential environmental concerns within the search radius defined by ASTM E1527-13. The search results yielded 1,155 individual records within the Study Area. The full database search report will be included in the Appendix of the Short-Line Feasibility Study.

A review was performed on each of the potential environmental concerns listed in the database. It should be noted, that although the database listings individually do not pose significant environmental issues with the potential to impact the proposed project, they cumulatively represent an area with a long history of industrial use. Many of the legacy historical industrial operations continue to operate and have not been subject to activities, such as property transfers, that would typically trigger environmental investigations.

The presence of soil and groundwater contamination throughout the Study Area is well- documented. Due to the potential for these impacts to affect future development of the parcels along the Wilbur Avenue Corridor, additional investigations may be required during design to identify the potential for special soil and groundwater handling requirements during construction. This may result in additional project costs, worker safety considerations and coordination with and oversight by regulatory agencies such as the Regional Water Quality Board and the Department of Toxic Substances Control. To the extent practical, adjusting the proposed railroad alignment outside of the most heavily impacted areas may reduce project costs.

### **Part 2: Ecological Evaluation**

A desktop study of publicly available mapping resources was conducted to identify potential ecological constraints within the Study Area, including the extent of jurisdictional waters and wetlands, sensitive biological species, critical habitat for threatened and endangered species and other environmentally sensitive features.

### **Findings**

The Study Area includes a mix of developed rural and industrial areas and undeveloped areas with the potential for industrial reuse or development. Designated open space areas and parks, including the Antioch Dunes National Wildlife Refuge, Alhambra Lake, and the Antioch Youth Sports Complex are also present. The northern portion of the Study Area overlaps the San Joaquin River and associated wharf, marina, harbor and tidal wetland areas.

### **Jurisdictional Waters and Wetlands**

The Study Area is within the Sacramento-San Joaquin Delta of Contra Costa County, an expansive inland river delta and estuary formed by the confluence of the Sacramento and San Joaquin Rivers. The mapped





R.L. BANKS & ASSOCIATES, INC.

wetlands are concentrated around the San Joaquin River and associated wharf, harbor and marina areas, with some additional wetlands further south throughout the Study Area. The mapped wetlands include tidal wetlands, non-tidal wetlands, and freshwater pond habitats.

### **Endangered, Threatened, and Endangered Species**

The Sacramento-San Joaquin Delta area provides habitat for various Federal and State-listed threatened and endangered species, as well as California rare plants. The Study Area includes highly sensitive biological areas that contain various threatened, endangered, rare and endemic species, including mammals, birds, reptiles, amphibians, fishes, insects, crustaceans, and plants. Most of these species are limited to certain habitat types and known occurrences are concentrated within the northern portion of the Study Area within open waters, wetlands, and undeveloped areas such as the Antioch Dunes National Wildlife Refuge. To fully determine potential impacts to protected species, the proposed project will require site-specific biological surveys to identify suitable habitats and the likelihood of the presence or absence of protected species within the proposed project area.

### **Migratory and Nesting Birds**

In addition to the threatened and endangered species listed above, various species of migratory and nesting birds may be present within the Study Area during certain times of the year. Migratory and nesting birds are protected under the Migratory Birds Treaty Act of 1918 and the Bald and Golden Eagle Protection Act of 1940. Actions must be taken to avoid or lessen impacts to migratory or nesting birds.

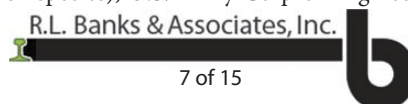
## Conclusions

### **Part 1 – Environmental**

The Study Area is a historically agricultural and industrial area with documented impacts to soil and groundwater, particularly between the Joaquin River and the BNSF railroad tracks. Numerous sites throughout the Study Area are currently undergoing voluntary and mandated cleanups. A detailed environmental investigation of the final project area would be necessary in order to plan for environmental issues that may be encountered during construction and could result in increased costs, additional worker safety considerations, and coordination with regulatory agencies.

### **Part 2 – Environmental Due Diligence Review**

Ecological Wetlands and critical habitats for threatened or endangered species are present throughout the Study Area. A variety of threatened and endangered species and other special-status species may also be present throughout the Study Area. A formal, jurisdiction determination/wetland delineation and focused biological surveys would be required to determine the potential impacts of the proposed project on sensitive biological resources. If focused biological surveys determined that the project would have impacts on sensitive ecological resources, consultation with regulatory agencies including, but not limited to, the USFWS (Federal endangered species), National Oceanic and Atmospheric Administration Fisheries (Federal endangered fish species), U.S. Army Corp of Engineers (Federal jurisdictional waters)





R.L. BANKS & ASSOCIATES, INC.

and CDFW (State endangered and special-status species and the State jurisdictional waters) would be required to assess permitting and mitigation requirements.

### Commercial/Economic Development

RLBA conducted interviews to identify opportunities to meet the needs of new potential rail-served customers and other redevelopment opportunities in the industrial portions of the Study Area. A full list of interviews and attendees is featured in Exhibit A.

A telephone interview was conducted with economic development officials from Contra Costa County, the City of Antioch and the City of Oakley. The interview was designed to identify the goals, concerns and visions of stakeholders regarding the Study Area and identify opportunities that could benefit from having a short-line railroad provide service to the Study Area.

Key results of the interview with economic development staff are listed below:

- Contra Costa County adopted the Northern Waterfront Strategic Plan in January of 2019. The goal is to attract and preserve jobs;
- There is a cannabis overlay over much of this area, or green zone, approved by the Antioch City Council in 2018. The area covers the heavy industrial zoned areas from the San Joaquin River to east 18th street, covering the area's railroad and spur lines. Any and all cannabis business is allowed within the green zone, from production through extraction to dispensaries, although dispensaries are not forecasted to be the most prevalent use. The current zoning in the majority of the corridor is M2-Heavy Industrial;
- In the City of Oakley, there has been significant change since 2014. The cleanup process of the Oakley Logistics Center is slated to be completed in 2021. The developer is working with the city to obtain entitlements to develop this property and making final decisions on the development aspects of this proposed new development.
- In the City of Antioch, the Fulton Shipyard is a small industrial park where an inactive rail spur exists. Inside the property line, there are two railroad tracks, one leads into the existing building and the second provides a loading track alongside the building. This shipyard property is on the market but it is contaminated from the original shipyard operation and is listed by the EPA a superfund site.
- Also in the City of Antioch, there is a 10-acre parcel for sale with an existing building on-site at 3400 Wilbur Avenue that could potentially be developed into a rail served business. The parcel is on the south side of Wilbur Avenue adjacent to the BNSF mainline.
- A very small part of the Study Area, between Maritime Way and SR 160, lies in the unincorporated portion Contra Costa County. This area was the subject of an unsuccessful



R.L. BANKS & ASSOCIATES, INC.

attempt to annex by the City of Antioch a few years ago.

Six additional interviews were conducted by RLBA with BNSF officials, existing industries in the Study Area and prospective rail-served customers. The interviews were designed to:

- 1) Introduce the concept of starting a short-line railroad service in the Study Area;
- 2) Identify the goals, concerns and visions of perspective users of the short-line railroad service and
- 3) Identify opportunities to provide rail service to businesses located within the Study Area.

The following companies were interviewed:

- 1) BNSF Railway - BNSF was glad to hear the county is conducting a short-line railroad study as a coordinated effort. It is willing to work with the economic development staff in Antioch, Oakley and Contra Costa County to help with the development of these parcels. BNSF has held discussions with NorthPoint Development regarding the Oakley Logistics Center (DuPont) and Amports (Forestar) regarding their proposed projects. BNSF also is aware of a potential buyer for the former NRG March Landing Power Plant Site and has had discussions with Cushman & Wakefield, the real estate company handling the sale of this parcel.
- 2) NorthPoint Development - NorthPoint is a large commercial development company based in Kansas City MO. The company has developed similar light manufacturing and distribution centers in 21 states. NorthPoint plans to construct a 2 million square-foot complex at the former DuPont Site in the City of Oakley. The new development will be called the Oakley Logistics Center. Five buildings are scheduled to be built and will feature; warehousing, distribution, e-commerce fulfillment and light manufacturing.
- 3) Amports, Inc. – Amports is a global automotive logistics company. It operates an auto transload facility across the delta in in the City of Benicia on the Union Pacific Railroad. Amports has signed a twenty-year lease with the owners of the Forestar parcel. It is currently going through the environmental process and working with the State Lands Commission to obtain a permit to rebuild the wharf in conjunction with a roll-on-roll-off auto transload facility. Amports has filed the necessary permits and expects to start construction on the wharf site in 2020. Once the wharf is completed, it will begin constructing a rail connection and a rail yard on its property. Amports will be off-loading new vehicles imports from Asia and shipping them by truck and rail to their final destinations.
- 4) NRG parcel – Cushman & Wakefield is the commercial realtor handling the sale of the NRG property (Marsh Landing Power Plant) and is working with potential buyers interested in developing a marine transload facility on this site. The waterfront access and the existing rail spur into this site, makes it a very attractive site for businesses looking for water access with a rail connection.
- 5) Summit CFS – A logistics company based in Oakland is looking for a site that has rail and water



R.L. BANKS & ASSOCIATES, INC.

access to develop a marine transload facility. One of the sites they are looking at is the NRG property. They are interested in bring in ore by rail and exporting by ship.

- 6) Kie-Con, Inc. – Kie-Con is a manufacturer of pre-stressed, pre-cast concrete products. Its customers are generally located in the San Francisco Bay Area and Nevada. While its products are shipped primarily by truck, it also uses barges to ship oversize shipments to California, Hawaii and Guam. Kie-Con makes its own concrete on site. Its customers are not located far enough away to make rail service a viable option.
  
- 7) CEMEX – The Antioch Concrete Plant receives its raw materials from local sources, aggregate from Clayton and cement from Pleasanton by truck. The plant produces concrete which is delivered by truck to local construction sites in Contra Costa County. CEMEX generally provides concrete to customers located in Contra Costa County and therefore, does not have a need for rail service.

### Transportation

Transportation plays an integral role in moving people and goods to and through the Study Area. Trucks make up a significant number of vehicle movements along the Wilbur Avenue Corridor. Within the Study Area, there are two major east west roadways, Wilbur Avenue and East 18<sup>th</sup> Street. The majority of the land adjacent to Wilbur Avenue is zoned heavy industrial. In contrast, the majority of the land adjacent to East 18th Street is zoned residential. Along the far eastern section of the Study Area lies one north-south route, State Route 160, connecting Eastern Contra Costa County with Sacramento County.

### Goods Movement Analysis

Local distribution and service activity comprises an important component of the Contra Costa County goods movement economy in terms of tons moved, value of product and traffic impacts on the region's roadways. Major economic activities include warehousing and distribution of goods from warehouses to retailers and consumers, movement of construction materials to support the housing and commercial real estate markets and local parcel and courier services. Measured in terms of value, commodities such as construction materials, manufactured goods, and consumer electronics comprise a large amount of what moves into and within the Study Area. In addition, traffic from service vehicles (for example, trash and waste collection) generates a significant amount of local goods movement activity. Urban goods movement is conducted almost exclusively by trucks and includes a high volume small delivery and 5-axle trucks used in long-haul, intercity, interstate movements. Urban goods movement also involves high volumes of package and parcel pickup and delivery that support the large service sector in Contra Costa County<sup>1</sup>.

Changes in the economy also contribute to the growing importance of local urban goods movement. Shifts away from manufacturing towards the service sector, especially professional, technical, and

---

<sup>1</sup> Contra Costa County Northern Waterfront Initiative Market Assessment, Croft Consulting Group, August 2013.



R.L. BANKS & ASSOCIATES, INC.

information services, equates to a higher level of small package movements via integrators and less emphasis on long-haul movements of manufactured products. Industries generate local truck movements with food, laundry and other general supplies that must operate in dense urban centers. Products from construction trades and related industries such as gravel and sand operations rank among the top commodities moving in Contra Costa County by weight.<sup>2</sup>

### Highways

The State Route 4 (SR 4) highway corridor is an east-west route approximately 31 miles in length, providing interregional commercial travel between the Central Valley and the Bay Area. The SR 4 corridor serves local and intercity truck and heavy automobile travel in surrounding communities such as Hercules, Martinez, Concord, Pittsburg, Antioch, Oakley and Brentwood. Additionally, it provides access to Interstate 680 in Concord and Interstate 80 in Hercules, a major east-west interstate commerce route. SR 4 also connects to Interstate 5 in Stockton, a major north-south interstate commerce route. Truck and heavy vehicle traffic make up four to seven percent of the daily vehicle trips along the SR 4 Corridor.<sup>3</sup>

The SR 4 Corridor is designated as a basic route on the National Highway System (NHS). It is functionally classified as both an Urban Principal Arterial and as expressway-freeway in different segments due to changes in access along the route. The SR 4 corridor is on the Surface Transportation Assistance Act (STAA) and the State Highway Extra Legal Load (SHELL) network. SR 4 is a designated Route of Regional Significance in the Countywide Transportation Plan. Additionally, there is an extensive network of arterial roadways and local streets that provide access to SR 4 and serve local travel throughout the corridor.<sup>4</sup>

Within the Study Area, the following routes are also designated as Routes of Regional Significance by Contra Costa County:

- SR 4, between Willow Pass and the San Joaquin County Line;
- SR 160, between SR 4 and the Sacramento County Line;
- East 18<sup>th</sup> Street, between A Street and SR 160 and
- Wilbur Avenue, between A Street and SR 160<sup>5</sup>.

### Truck Volumes

Truck volumes along SR 4 in the City of Pittsburg make up a significant portion of the traffic volumes near the Study Area. Many of the 5-axle trucks are making longer distance trips between the Bay Area and

---

<sup>2</sup> San Francisco Bay Area Freight Mobility study, prepared for California Department of Transportation by Cambridge Systematics, Inc., July 2013, which derived its freight flow data from the Federal Highway Administration's (FHWA) Freight Analysis Framework (FAF) Version 3.4 database.

<sup>3</sup> SR-4 Integrated Corridor Analysis prepared for Contra Costa Transportation Authority by Atkins, July 2012, p 5.

<sup>4</sup> *ibid*

<sup>5</sup> 2017 Countywide Comprehensive Transportation Plan: Volume 1, Contra Costa County Transportation Authority, September 2017.



R.L. BANKS & ASSOCIATES, INC.

the Central Valley. SR 4 average daily 5-axle truck volume is 2,531 trucks or 43 percent of the total truck volume. The next highest truck volumes are the 2-axle pickup and delivery van type at 2,440 per day or 42 percent of all trucks.

Within the Study Area along Wilbur Avenue, 5-axle trucks also make up a significant portion of the total truck volume at 377 trucks per day or 50% of all truck volumes. This indicates that most of the businesses within the Study Area are utilizing trucks to move both their inbound and outbound shipments<sup>6</sup>.

### Rail

Parallel to SR 4 is the BNSF Railway, the nation's second largest Class 1 railroad. The BNSF's Stockton Subdivision connects the Bay Area with the national railroad system, moving freight to/from the cities of Chicago, Kansas City, Dallas and Houston. Rail transport provides a critical link between the Bay Area and the Central Valley. BNSF facilitates the movement of goods through its rail facilities at the Port of Oakland to support the movement of international freight and a railyard at Richmond to support the movement of bulk commodities serving domestic markets. There is also a United Parcel Service intermodal facility in Richmond that originates and terminates high priority intermodal trains using the BNSF mainline between the Bay Area and the rest of the United States. The BNSF also hosts ten daily Amtrak San Joaquin trains between the Bay Area and Bakersfield.

Paralleling the BNSF is the Union Pacific Railroad's (UP) Tracy Subdivision, connecting Martinez with Lathrop. This 58-mile long railroad line, also known as the Mococo Line, once provided an alternative route for freight moving between the Bay Area and the Central Valley. However, it would be difficult to construct a connection between the Study Area and UP because of the lack of available right-of-way and the cost estimated to approximately \$2 million per mile. Currently the line only hosts local freight movements between Martinez and Pittsburg, but could be used in the future as a freight or passenger rail connection to Tracy if rail demand warranted it. Currently, UP does not have plans to reopen this route to support freight or passenger trains any time in the near future.

The market presence of the rail industry at Bay Area locations is limited by its geography. Most markets within California are too close for rail service to establish a strong competitive position from the Bay Area and so those markets are mostly served by the trucking industry. The trend over the last decade has been for Class I (large) railroads to shift their focus to "hooking and hauling" long trains rather than providing switching and transport service to customers with small volumes of rail cars and intermodal marine containers<sup>7</sup>. In recent years, shippers have been utilizing short-line and industrial switching companies to perform the switching tasks that Class I's used to perform. The Class I's have moved to what is known in the industry today as Precision Scheduled Railroading, with a focus on moving long unit trains of either rail cars or intermodal marine containers from one origin to one destination without interim stops to disassemble the train. This increases freight velocity and improves the profitability of the railroads. However, this new operating model puts shippers at a disadvantage for getting timely switching services.

---

<sup>6</sup> City of Antioch, Public Works Department, "Daily Truck Traffic Report", 2013.

<sup>7</sup> Contra Costa County Northern Waterfront Initiative Market Assessment prepared by Craft Consulting Group, April 2013, p 22.



R.L. BANKS & ASSOCIATES, INC.

Under this new operating model, businesses in the Northern Waterfront may find it challenging to obtain rail service unless their volumes are large and consistent.

### *Bay Area Maritime Trade*

The Bay Area ranks as the fourth largest exporting region in the U.S. in terms of tonnage. While the Port of Oakland handles 82% of the region's maritime trade, the Bay Area's ports at Richmond, Benicia, San Francisco and Redwood City, plus the inland port at Stockton, also handle significant maritime trade. The Port of Stockton is the primary Northern California port handling bulk cargo, with the remainder handled at San Francisco and Redwood City. In 2011, 3,826 vessels arrived at regional berths. Most of the arrivals were bulk cargo vessels (50.6%). Containerized cargo, which is primarily processed through the Port of Oakland, accounts for over 50% of vessel capacity.

Bulk commodities also play a major role in the other port facilities throughout the Bay Area region. The Port of San Francisco handles two main commodities, automobiles and dry break bulk cargo of mainly sand and aggregates to support Bay Area construction projects<sup>8</sup>. The Port of Richmond handles a wide range of liquid and dry bulk commodities, including metals and automobiles<sup>9</sup>. The Port of Benicia handles large shipments of new vehicles that arrive by ship from Asia, as well as liquid fertilizer<sup>10</sup>. The Port of Redwood City handles bauxite, aggregate, gypsum and recycled scrap metal.<sup>11</sup> However, these port facilities are constrained by their existing port boundaries and will not have the ability to handle the future projected growth in Bay Area maritime transload shipments. The lack of space for future transloading facilities has already pushed some businesses to look for opportunities in East Contra Costa County to meet this need.

Ports and maritime activities still play an important goods movement role in Eastern Contra Costa County. Maritime facilities are still being used at the Fulton Shipyard for vessel repair, the Georgia Pacific Gypsum Plant still receives import cargo ships of bulk gypsum that is manufactured into wallboard for building construction and the Kie-Con Wharf utilizes its wharf to transport large concrete bridge structural members to parts of the Bay Area, Hawaii and Guam. The wharf at the Forestar parcel will be used for an automotive transload facility and the NRG Marsh Landing wharf also has the potential of being developed into maritime transload operation because of its good access to rail and highways. Table 1 shows the existing terminals and wharfs in the Study Area.

---

<sup>8</sup> Source: Port of San Francisco Maritime Cargo Services, <https://sfport.com/cargo-services>

<sup>9</sup> Source: City of Richmond Port Operations Overview, <http://www.ci.richmond.ca.us/323/Overview>

<sup>10</sup> Source: Port of Benicia, <https://www.ssamarine.com/locations/port-of-benicia/>

<sup>11</sup> Source: Port of Redwood City, <https://www.redwoodcityport.com/tenants>



R.L. BANKS & ASSOCIATES, INC.

TABLE B-0  
EAST CONTRA COSTA COUNTY MARINE TERMINALS

**Table 1**  
**East Contra Costa County Marine Terminals and Wharfs<sup>12</sup>**

Port/Facility Location	Purpose of Facility	Commodities Handled	Berthing Distance (Feet)
Fulton Shipyard Pier	Vessel Repair and Marine Transloading	Sand, Gravel and Dredged Material	525
Georgia-Pacific Wharf	Marine Transloading	Gypsum	780
Forestar Dock	Marine Transloading	Currently Not in Use	750
NRG Marsh Landing	Marine Transloading	Currently Not in Use	150
Kie-Con Wharf Kiewit Pacific	Marine Transloading	Sand, Gravel, Limestone and Concrete Products	250

*Feasibility of Introducing a New Rail Entity into the Study Area*

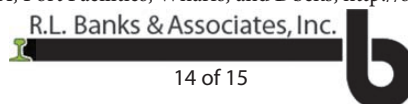
**Engineering Perspective**

An engineering evaluation of the Study Area found five existing rail spurs that could serve four, vacant parcels. With the exception of the rail spur into the NRG parcel, which was found to be still connected to the BNSF mainline, the other, four connections would have to be rebuilt using the existing rail right-of-way. Estimates of rebuilding these rail connections are discussed in the Engineering section on pages 3 and 4.

There are two sets of scenarios that would allow a short-line railroad to operate within the Study Area. First, because the Study Area is along the BNSF Railway, it would have first priority in determining whether or not it would provide rail service to the new businesses. However, If BNSF determined that it was not cost-effective to provide switching services to the new business; it would work with a short-line operator or a contract switching operator to provide the necessary switching services.

Second, the only way a short-line railroad could operate within the Study Area independently of the BNSF right-of-way would be to construct its own rail infrastructure to connect with the businesses along Wilbur Avenue. This is problematic in several ways. In the first scenario, the Fulton Shipyard is isolated from the rest of the potential businesses because it is located on the west side of the Antioch Dunes National

<sup>12</sup> Source: Contra Costa County, CA, Port Facilities, Wharfs, and Docks, <http://seaport.findthedata.org/>.







R.L. BANKS & ASSOCIATES, INC.

Wildlife Refuge. This means that the only opportunity to serve this potential business independently would be if an interested party purchased a rail right-of-way easement from BNSF to connect the Fulton Shipyard with the rest of the Study Area.

Under the second scenario, Kemwater, Amports and the NRG parcels could be served together by a contiguous short-line railroad. However, when interviewed, Amports stated it is not interested in allowing any other entity the ability to build rail infrastructure through its property. It is only interested in having one dedicated rail connection on the eastern end of its property to connect with the BNSF mainline. This means that without that connecting all of the vacant parcels in the Study Area would not be possible without the cooperation of the BNSF Railway.

### **Environmental Perspective**

The main issue preventing an independent, short-line railroad from constructing a rail connection to the Fulton Ship Yard, would be its inability to encroach on the Antioch Dunes National Wildlife Area. Without access to construct a rail line along the BNSF right-of way through this section of the Study Area, there would be no way for a short-line operator to serve a potential business at the Fulton Ship Yard.

### **Commercial/Economic Development Perspective**

Interviews were conducted with existing businesses and no new potential rail customers were found among them. That finding is not surprising in that the engineering field investigation team noted that most of the existing businesses in the Study Area fall into the truck-served category. In addition, many of the existing businesses located adjacent to the BNSF mainline are not utilizing the rail access available outside their doors. Currently, the only new business that has been identified as wanting to utilize rail service is Amports. Fifty percent of its import automobile business from Asia will utilize rail because the final destinations will be to the Midwest and East Coast. Significant amounts of revenue will be generated by this type of business and BNSF has the ability to provide timely rail service directly from Antioch to their final destinations.



# R.L. BANKS & ASSOCIATES, INC.

ECONOMICS | ENGINEERING | SERVICE PLANNING



## Exhibit A: Short-Line Railroad Feasibility Study Interviews

### Economic Development Interview August 5, 2019

#### Attendees

- Robert Sarmiento, Project Manager, Contra Costa County
- Amalia Cunningham, Economic Development Manager, Contra Costa County
- Kwame Reed, Economic Development Director, City of Antioch
- Dwayne Dalman, Economic Development Director, City of Oakley
- Tom Messer, Western Region Manager, R.L. Banks & Associates

### Public Works Interview August 22, 2019

#### Attendees

- Robert Sarmiento, Project Manager, Contra Costa County
- Monish Sen, Senior Traffic Engineer, Contra Costa County
- John Blank, Public Works Director, City of Antioch
- Scott Buenting, Project Manager, City of Antioch
- Junming Li, Junior Engineer, City of Antioch
- Lee Meadows, P.E. Director, Rail Engineering, R.L. Banks & Associates
- Tom Messer, Western Region Manager, R.L. Banks & Associates

### Potential Shipper Interviews

- August 1      Jed Momot, Project Manager, North Point Development, Kansas City, MO
- August 13     Jim Triplett, Senior Vice President, Amports, Inc., Benicia
- August 21     Scott Bertrand, Director, Cushman & Wakefield, Walnut Creek (NRG Property)
- August 26     Jerry Phillips, Logistics Manager, Summit CFS, Inc., Oakland
- September 16   Deborah Halderman, Regional Manager, Cemex. Pleasanton
- September 16   Jamie Vrduzco, Senior Business Manager, Kie-Con, Antioch

### BNSF Railway Interviews

- August 9      Larry Cole, Director Short-Line Development, Fort Worth, TX
- August 14     Jennifer Fitzgerald, Regional Manager, Economic Development, San Bernardino
- November 8   Larry Cole, Director Short-Line Development, Fort Worth, TX
- November 22   Jennifer Fitzgerald, Regional Manager, Economic Development, San Bernardino

### WASHINGTON, D.C. AREA OFFICE

2107 Wilson Boulevard, Suite 750 | Arlington, VA 22201 | Tel: 703.276.7522 | Fax: 571.223.5217 | www.rlbadc.com

EXHIBIT B-A  
SHORT-LINE RAILROAD FEASIBILITY STUDY INTERVIEWS



**Table 1**  
**Regulatory Database Listings**  
**Northern Waterfront Short Line Railroad Study**

Map Key	In Study Area	Listed Entity/Location	Database/ Discussion <sup>1</sup>
1	Y	C & J FAVALORA TRUCKING INC 2590 WILBUR AVE, ANTIOCH	HAZNET
2	Y	L TARANGO 2570 WILBUR AVE, ANTIOCH	HAZNET
5	Y	1887 SANTA FE AVE, ANTIOCH	CDL
9	Y	JT Tours /PG&E 2600 WILBUR, ANTIOCH	CERS HAZ, CONTRACO CUPA, HAZNET
11	Y	1779 WILBUR AVENUE, ANTIOCH	HMIRS: surface release of 100 gallons of corrosive cleaning compound during truck unloading in 1994.
13	Y	RICHARD AND LAWRENCE LOPEZ 1470 VIERA LANE, ANTIOCH	CDL, HAZNET
14	Y	KIEWIT POWER CONSTRUCTORS CO 2925 WILBUR AVE, ANTIOCH	CONTRACO CUPA
14	Y	NRC 2925 Wilbur Ave, Antioch	ERNS, CHMIRS; reported release of No. 2 fuel oil during cleaning of fuel oil tanks in 2010.
15	Y	Homesite Services, Inc. 2400 WILBUR AVE, ANTIOCH	CERS HAZ, CONTRACO CUPA, HAZNET
16	Y	1495 VIERA DRIVE, ANTIOCH	CDL
17	Y	GENESIS MFG CO 2275 WILBUR LN, ANTIOCH	CONTRACO CUPA
18	Y	CANNED FOODS INC 2180 WILBUR LN, ANTIOCH	HAZNET
19	Y	SILGAN CONTAINERS 2200 WILBUR LANE, ANTIOCH	HIST MANIFEST, HAZNET, TRIS, CHMIRS, CERS TANK, CONTRACO CUPA, EMISSIONS, FINDS/FRS, HIST MANIFEST, ICIS, RCRA LQG, RCRA SQG Forklift punctured paint drums, release was cleaned up
20	Y	A-1 IRON WORKS 2400B WILBUR AVENUE, ANTIOCH	EMISSIONS, FINDS/FRS
21	Y	StonCor Group Inc 2240 WILBUR LN, ANTIOCH	CERS HAZ, CONTRACO CUPA
22	Y	IFCO SYSTEMS/ CHEP RECYCLE PALLET 2276 WILBUR LN, ANTIOCH	FINDS/FRS
23	Y	AMERICAN ROOFING INDUSTRIES 2300 WILBUR LN, BUILDING B, ANTIOCH	EMISSIONS, FINDS/FRS, HAZNET
24	Y	1500 VIERA, APT B, ANTIOCH	CDL
25	Y	LOUISIANA-PACIFIC CORP SAN JOAQUIN MILL E WILBUR AVE, ANTIOCH	FINDS/FRS
28	Y	AIKEN UNDERGROUND INC/DNG 3000 WILBUR AVE, ANTIOCH	CONTRACO CUPA, DELISTED HAZ, FINDS/FRS, HAZNET, RCRA NON GEN
29	Y	1588 VIERA AVE, ANTIOCH	CDL
30	Y	SMITH'S INDUSTRIAL WELDING INC 2501 VINE LN, ANTIOCH	CONTRACO CUPA
31	Y	1966 VINE LANE, ANTIOCH	CDL
33	Y	BAY COUNTIES PITCOCK PETROLEUM 3050 WILBUR AVE, ANTIOCH	CERS TANK, CONTRACO CUPA, EMISSIONS, FINDS/FRS, HAZNET, RCRA NON GEN
34	Y	AT&T MOBILITY - ANTIOCH 2300 WILBUR AVE, ANTIOCH	CERS HAZ, CONTRACO CUPA, FINDS/FRS, HAZNET, RCRA NON GEN
38	Y	48 Forty Solutions 2276 WILBUR AVE, ANTIOCH	CERS HAZ, CONTRACO CUPA, FINDS/FRS
39	Y	FAMILIAN PIPE & SPLY #87 2270 WILBER AVE, ANTIOCH	HAZNET
40	Y	CONSTRUCTION ENGINEERING SVCS 1671 VINEYARD DR, ANTIOCH	CONTRACO CUPA, HAZNET
42	Y	PACIFIC GAS & ELECTRIC 3201 WILBUR AVE, ANTIOCH	EMISSIONS, ERNS ERNS listings are associated with sheens in storm drains and a release of sodium hydroxide from a tote onto a parking lot.
44	Y	2260 Wilber Ave, Antioch	CHMIRS: a fuel tank on a rig was punctured and diesel was released to the ground surface with 10 gallons entering a storm drain in 2008.
45	Y	DRILL TECH DRILLING & SHORING, INC 2200 WYMORE WAY, ANTIOCH	CERS TANK, CONTRACO CUPA, EMISSIONS, FINDS/FRS, HAZNET, RCRA NON GEN
47	Y	PURRFECT COLOR 1771 VINEYARD DR, ANTIOCH	HAZNET

**TABLE B-1**  
**REGULATORY DATABASE LISTINGS**



**Table 1**  
**Regulatory Database Listings**  
**Northern Waterfront Short Line Railroad Study**

Map Key	In Study Area	Listed Entity/Location	Database/ Discussion <sup>1</sup>
50	Y	KEN MACIA 2251 WYMORE WAY, ANTIOCH	HAZNET
54	Y	DISPATCH SERVICES INC 2180 WILBUR AVE, ANTIOCH	HAZNET
55	Y	ANTIOCH DISTRIBUTION CENTER 2140 WILBUR AVE, ANTIOCH	HAZNET
56	Y	TRINITY PROPERTY CONSULTANTS LLC 2100 WILBUR AVE, ANTIOCH	HAZNET
58	Y	SUN CHEMICAL 1781 VINEYARD DR, ANTIOCH	CONTRACO CUPA, EMISSIONS, FINDS/FRS, HAZNET
59	Y	SPORTSMEN YACHT CLUB 2045 WILBUR AVE, ANTIOCH	CONTRACO CUPA, HIST MANIFEST, HAZNET
60	Y	WILBUR AVE W PWR PLNT SITE III	FINDS/FRS
62	Y	AMERICAN MEDICAL RESPONSE 1791 VINEYARD DR, ANTIOCH	CERS HAZ, CONTRACO CUPA, FINDS/FRS
63	Y	GWFF POWER SYSTEMS,LP (SITE 3) 2000 WILBUR AVENUE, ANTIOCH	EMISSIONS, ICIS
64	Y	1969 WILBUR AVE, ANTIOCH	HIST MANIFEST, HAZNET
65	Y	ALMOND ORCHARD 2101 E. 18TH STREET, ANTIOCH	The facility is an almond orchard. Soil sampling was completed and no contaminants were detected above residential cleanup goals. The property entered the VCP and received closure in 2005.
68	Y	REDDING PETROLEUM INC 2800 E 18TH ST, ANTIOCH	DELISTED TNK
72	Y	BRIDGEWATER EQUIPMENT 3200 WILBUR AVE, ANTIOCH	HAZNET
73	Y	LINCOLN ANTIOCH 1760 WILBUR AVE, ANTIOCH	HAZNET
76	Y	DELTA POWER PLANTNA SLUDGE DISP	FINDS/FRS
79	Y	B J'S TOW 3235 18TH ST E, ANTIOCH	CONTRACO CUPA, HAZNET
80	Y	ARROW HEAD TOWING, INC 3245 E 18TH ST, ANTIOCH	CERS HAZ, CONTRACO CUPA, FINDS/FRS, HAZNET, RCRA NON GEN
81	Y	IN-N-OUT CYCLE SERVICE 3255 E 18TH ST, ANTIOCH	HAZNET
82	Y	MAHONEY'S RADIATORS 3257-3261 E 18TH ST, ANTIOCH	HAZNET, CERS HAZ, CONTRACO CUPA, FINDS/FRS, HIST MANIFEST
84	Y	RIVERTOWN MOTORSPORTS 3265 18TH ST E, ANTIOCH	CONTRACO CUPA, DELISTED HAZ, FINDS/FRS, HAZNET
85	Y	HILLCREST PROPERTIES, LLC 1541 JACOBSEN ST., ANTIOCH	HAZNET
86	Y	A-1 TUNE & REPAIR 3275 E 18TH ST, ANTIOCH	CERS HAZ, CONTRA CUPA, FINDS/FRS
87	Y	WRECK-LESS COLLISION CENTER LLC 3277 18TH ST E, ANTIOCH	CONTRACO CUPA, DELISTED HAZ, EMISSIONS, FINDS/FRS, HAZNET, RCRA NON GEN
88	Y	LOMA ALVERADO 1545 LIPTON ST, ANTIOCH	HAZNET
89	Y	KAMPS PROPANE 3285 18TH ST E, ANTIOCH	CONTRACO CUPA, FINDS/FRS, HAZNET
90	Y	PIPELINE SEGMENT T-215-13 HYDROSTATIC TEST ANTIOCH	FINDS/FRS
91	Y	GWFF POWER SYSTEMS LP 1900 WILBUR AVE, ANTIOCH	TRIS
92	Y	SAN JOAQUIN YACHT HARBOR 3307 WILBUR AVE, ANTIOCH	DELISTED TNK
93	Y	1545 SANDY WAY, ANTIOCH	CDL
94	Y	KIEWIT PACIFIC CO 3203 WILBUR AVE, ANTIOCH	HAZNET
95	Y	NRC 3301 Wilbur Ave Berth 401, Antioch	CHMIRS: release of diesel fuel from a vessel's bilge
96	Y	RELIABLE MOBILE AUTOMOTIVE 3291 18TH ST E, ANTIOCH	CERS HAZ, CONTRACO CUPA, FINDS/FRS, HAZNET, RCRA NON GEN
97	Y	DYNAMIC AUTO BODY 3295 18TH ST E, ANTIOCH	CONTRACO CUPA, EMISSIONS, FINDS/FRS, HAZNET

**TABLE B-1**  
**REGULATORY DATABASE LISTINGS**



**Table 1**  
**Regulatory Database Listings**  
**Northern Waterfront Short Line Railroad Study**

Map Key	In Study Area	Listed Entity/Location	Database/ Discussion <sup>1</sup>
98	Y	ARB INC 3225 WILBUR AVE, ANTIOCH	HAZNET, RCRA NON GEN, FINDS/FRS
98	Y	PG&E Gateway Generating Station 3225 Wildur, Antioch	CHMIRS: releases of petroleum into secondary containment and ammonia vapors
99	Y	CALIFORNIA ORGANICS INC 3305 18TH ST E, ANTIOCH	CONTRACO CUPA
101	Y	NRC 3307 Wilber Ave., Antioch	CHMIRS (sunk vessel), CONTRACO CUPA, ERNS, HAZNET
102	Y	Contra Costa Hazmat 1523 Marshall Street, Antioch	CHMIRS: sodium hydroxide at a residence
104	Y	DILLINGHAM CONSTRUCTION 3302 WILBUR AVE, ANTIOCH	HAZNET
105	Y	GWF POWER SYSTEMS LP 3400 WILBUR AVE, ANTIOCH	TRIS, AST, CONTRACO CUPA, EMISSIONS, FINDS/FRS, HIST MANIFEST, ICIS, HAZNET, CHMIRS (contained in storm drain)
108	Y	1651 DRIVE IN AVE, ANTIOCH	CDL, CERS HAZ, FINDS/FRS, HAZ NET
109	Y	KIE-CON, INC 3551 WILBUR AVE, ANTIOCH	CERS TANK, CONTRACO CUPA, EMISSIONS, FINDS/FRS, HAZNET, RCRA NON GEN
110	Y	GARY NEWLY 1202 AZEVEDO ST, ANTIOCH	HAZNET, CERS HAZ, CONTRACO CUPA, EMISSIONS
111	Y	CUPERTINO TOWING 1020 APOLLO CT, ANTIOCH	FINDS/FRS, HAZNET
112	Y	MARKSTEIN SALES COMPANY 1645 DRIVE IN WY, ANTIOCH	CONTRACO CUPA, FINDS/FRS, ICIS
113	Y	SOUTHERN ENERGY CALIFORNIA, CO 1456 WILBUR AVENUE, ANTIOCH	EMISSIONS, ERNS, FINDS/FRS, HIST CHMIRS, HHSS, HIST TANK, ICIS
114	Y	PACIFIC GAS & ELECTRIC 1450 WILBUR AVE, ANTIOCH	HAZNET
115	Y	TIM G WRIGHT 1651 DRIVEIN AVE, ANTIOCH	HAZNET
116	Y	DAVID PEREIRA 1429 JACOBSEN ST, ANTIOCH	HAZNET
119	Y	F T G CONSTRUCTION MATERIALS, INC 3500 WILBUR AVE, ANTIOCH	CERS HAZ, CONTRACO CUPA, EMISSIONS, FINDS/FRS, HAZNET, RCRA NON GEN
120	Y	Minex Engineering Corp. 1000 APOLLO CT STE G, ANTIOCH	CERS HAZ, CONTRACO CUPA, FINDS/FRS, HAZNET, RCRA NON GEN
121	Y	JIM DEVRIES 465 FLEMING LANE, ANTIOCH	FINDS/FRS, RCRA NON GEN
122	Y	CEMEX CONSTRUCTION MATERIALS 3600 WILBUR AVE, ANTIOCH	Regulatory
123	Y	Burger King #11622 3605 E 18TH ST, ANTIOCH	CERS HAZ, CONTRACO CUPA
124	Y	K HILLCREST FUELMART 1801 HILLCREST AVE, ANTIOCH	DELISTED TNK
126	Y	NORMAN P OLSEN JR WELDING 3660 WILBUR AVE, ANTIOCH	CONTRACO CUPA, FINDS/FRS
127	Y	ANTIOCH GAS & CARWASH 3629 E 18th St, Antioch	UST
128	Y	NEXTEL OF CALIFORNIA INC SITE ID: CA-2186 415 FLEMING LANE, ANTIOCH	EMISSIONS, FINDS/FRS
129	Y	MICHAEL NORDHAUSEN 1213 JACOBSEN ST, ANTIOCH	HAZNET
130	Y	BNSF Railway Company 3665 WILBUR AVE, ANTIOCH	CERS HAZ, CONTRACO CUPA, DELISTED HAZ, FINDS/FRS, HAZNET, RCRA NON GEN
131	Y	RIVER MARINE REPAIR 450 FLEMING LN, ANTIOCH	CONTRACO CUPA, HAZNET
132	Y	3625 E 18TH ST, ANTIOCH	CDL
132	Y	KMART #4762 3625 18TH ST E, ANTIOCH	CONTRACO CUPA, FINDS/FRS, HAZNET, RCRA NON GEN
133	Y	ANTIOCH GAS & CARWASH 3629 E 18TH ST, ANTIOCH	CERS TANK, CONTRACO CUPA, EMISSIONS, FINDS/FRS, HAZNET, DELISTED TNK
134	Y	CALIFORNIA DFG-DELTA BASE 6400 BRIDGEHEAD RD, ANTIOCH	HAZNET
136	Y	Contra Costa FD Hillcrest Ave & South Lake Drive, Antioch	CHMIRS: petroleum release to storm drain during car washing at residence

**TABLE B-1**  
**REGULATORY DATABASE LISTINGS**



**Table 1**  
**Regulatory Database Listings**  
**Northern Waterfront Short Line Railroad Study**

Map Key	In Study Area	Listed Entity/Location	Database/ Discussion <sup>1</sup>
137	Y	KIE-CON INC 1150 WILBUR AVE., ANTIOCH	HHSS, HIST TANK
138	Y	HARRISON INDUSTRIAL SERVICESNA INC. 1000 APOLLO COURT UNITS F &AMP; E, ANTIOCH	FINDS/FRS
140	Y	JOHN MILLER 112 E LAKE DR, ANTIOCH	Regulatory
141	Y	Bridgehead Marine Services 30 FLEMING LN, ANTIOCH	Regulatory
142	Y	LOS MEDANOS RV 6313 BRIDGEHEAD RD, ANTIOCH	Regulatory
144	Y	SHELL 5545 BRIDGEHEAD RD, ANTIOCH	Regulatory
145	Y	5751 BRIDGEHEAD RD, ANTIOCH	Regulatory
146	Y	CUTINOS FEED & TIRE CENTER 500 MAIN ST, OAKLEY	Regulatory
147	Y	Former Pissigoni Towing 590-5904 Main Street, Oakley	FED BROWNFIELDS
148	Y	DRIFTWOOD MARINA 6338 BRIDGEHEAD RD, ANTIOCH	DELISTED TNK + CHMIRS (releases to surface water associated with boating incidents)
149	Y	OAKLEY BUILDERS SUPPLY 800 MAIN ST, OAKLEY	CONTRACO CUPA
150	Y	City of Antioch East 13th at Giovanni St, Antioch	CHMIRS: sewage line blockage and release
151	Y	OAKLEY STERNDRIVE & ENGINE REPAIR 6001 BRIDGEHEAD RD, OAKLEY	CONTRACO CUPA
152	Y	PACHECO BROTHERS GARDENING, INC 6344 BRIDGEHEAD, ANTIOCH	HAZNET
154	Y	Delta Diablo Sanitation District Bridgehead at Wilbur Ave, Antioch	Regulatory - sewage issues
154	Y	LINCOLN PROPERTIES 4650 WILBUR AVE, ANTIOCH	CONTRACO CUPA
156	Y	Verizon Wireless Bridgehead Road BRIDGEHEAD RD, ANTIOCH	CERS HAZ
157	Y	85 S LAKE DR, ANTIOCH	CDL
158	Y	CONTRA COSTA GENERATING STATION, LLC 5950 BRIDGEHEAD RD, OAKLEY	Regulatory
160	Y	DUPONT AUTOMOTIVE SYSTEMS 6004 BRIDGEHEAD RD, OAKLEY	Regulatory
162	Y	VERIZON WIRELESS BRIDGEHEAD ROAD BRIDGEHEAD RD, ANTIOCH	FINDS/FRS
164	Y	STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION ANTIOCH BRDG TLL PLZ, ANTIOCH	FINDS/FRS
165	Y	1221 MILLER ST, ANTIOCH	CDL
166	Y	1001 WILBUR AVE, #C, ANTIOCH	CDL
166	Y	1001 WILBUR AVE, ANTIOCH	CDL
167	Y	ALLSTAR FINANCIAL CORP 1000 WILBUR AVE, ANTIOCH	HAZNET
169	Y	5751 BRIDGEHEAD RD, #15, OAKLEY	CDL
172	Y	SANDY POINT MOBILE HOME PARK ,	FINDS/FRS
173	Y	12565 Oakley 914 MAIN ST, OAKLEY	Regulatory
174	Y	1X FOWLER & UNDERWOOD 901 WILBUR AVE, ANTIOCH	Regulatory
176	Y	B N S F RAILWAY CO 5549 BRIDGEHEAD RD, OAKLEY	HAZNET + CHMIRS (vandals attempted to steal petro from a train and released hydraulic fluid on a parking lot)
180	Y	Del Conte's Landscaping 6344 BRIDGEHEAD RD, OAKLEY	CERS HAZ
182	Y	Gilroy Energy Center LLC, for the Riverview Energy Center 795 MINAKER DR, ANTIOCH	Regulatory
189	Y	BP 07126 5440 BRIDGEHEAD, OAKLEY	Regulatory
190	Y	CA State Parks DBW - Oakley Field Office 75 LAURITZEN LN, OAKLEY	Regulatory
192	Y	EASTERN CC TRANSIT AUTHORITY 801 WILBUR AVE, ANTIOCH	Regulatory
194	Y	PAUL DAVIS 701 WILBUR AVE, ANTIOCH	HAZNET
195	Y	29 S. LAKE COURT, ANTIOCH	CDL

**TABLE B-1**  
**REGULATORY DATABASE LISTINGS**



Table 1  
Regulatory Database Listings  
Northern Waterfront Short Line Railroad Study

Map Key	In Study Area	Listed Entity/Location	Database/ Discussion <sup>1</sup>
196	Y	CHEVRON #93801 5433 NEROLY RD, ANTIOCH	DELISTED TNK
197	Y	29 SOUTH LAKE DR, ANTIOCH	CDL
202	Y	22 SO. LAKE DR., ANTIOCH	Regulatory
203	Y	FLOOD, TIM 15 S LAKE DR APT C, ANTIOCH	HAZNET
204	Y	YVETTE SCHUARTZBERG 10 ALHAMBRA COURT, ANTIOCH	RCRA NON GEN
204	Y	CLARK, DOUG 11 ALHAMBRA CT, ANTIOCH	HAZNET
205	Y	PATRICK J. TUNNEY 14 S LAKE DR APT 1, ANTIOCH	HAZNET
206	Y	DOUG LOVEJOY 10 S LAKE DR STE 4 & 10, ANTIOCH	HAZNET
207	Y	CONOCO INC 135 LAURITZEN LN, ANTIOCH	HAZNET
209	Y	COUGHRAN, JACK RENTAL PROPERTY 620 WILBUR AVE, ANTIOCH	Regulatory
211	Y	City of Antioch/ PGE 600 Wilbur Ave., Antioch	CHMIRS: sewage overflow and transformer failure, contained and stopped
214	Y	Verco Decking, Inc 607 WILBUR AVENUE, ANTIOCH	CERS HAZ
215	Y	RAYMOND BREWER 64 W LAKE DR, ANTIOCH	HAZNET
216	Y	1X BATTAGLINI, DAVID 540 WILBUR AVENUE, ANTIOCH	HAZNET
217	Y	DUTCH PRIDE GAS & FOOD 507 E 18TH ST, ANTIOCH	Regulatory
218	Y	YE, JIA 4 W LAKE PL, ANTIOCH	HAZNET
219	Y	RITTER MFG INC 521 WILBUR AVE, ANTIOCH	Regulatory
220	Y	LLOYD'S HOLIDAY HARBOR 553 WILBUR AVE, ANTIOCH	CONTRACO CUPA
221	Y	WESTERN SAND AND BRICK 545 WILBUR AVENUE, ANTIOCH	Regulatory
222	Y	526 AMBER DRIVE, ANTIOCH	CDL
223	Y	ARTHUR ANDERSON 33 W LAKE DR, ANTIOCH	HAZNET
224	Y	REBELLO RACING 511 WILBUR AVE STE A5, ANTIOCH	Regulatory
227	Y	PG&E 931 Cavallo Rd., Antioch	CHMIRS: release of oil from transformer struck by vehicle. Fluid contained and cleaned up.
230	Y	Contra Costa County Hazmat 415 Wilbur Ave, Jim Holiday Marina (909-917-7736), Antioch	CHMIRS: sunken vessel released oil
231	Y	ANTIOCH DAILY LEDGER DISPATCH 1650 CAVALLO ROAD, ANTIOCH	EMISSIONS
232	Y	RODREGOUS, ALBERT 825 FULTON SHIPYARD RD, ANTIOCH	CONTRACO CUPA
233	Y	CAROLOLA MANPOWER 1315 MAIN ST, OAKLEY	Regulatory, completed Phase I ESA with brownfields grant in 2005
235	Y	MELLO'S SHEET METAL 1241 MAIN ST, OAKLEY	DELISTED TNK
236	Y	1700 CAVALLO RD., ANTIOCH	Regulatory + ERNS: improper asbestos removal from abandoned building
238	Y	DUKE WILSON PAINT & SUPPLY 1725 CAVALLO RD, ANTIOCH	Regulatory
239	Y	THE SKI CLINIC 801 FULTON SHIPYARD RD, ANTIOCH	Regulatory
240	Y	OAKLEY BUILDERS SUPPLY 800 MAIN ST, OAKLEY	Leak reported from gasoline UST in 1987. LUST case closed in 1997.
241	Y	JUNIORS AUTO BODY 729 FULTON SHIPYARD RD, ANTIOCH	Regulatory
242	Y	324 NASH AVE, ANTIOCH	CDL

TABLE B-1  
REGULATORY DATABASE LISTINGS



**Table 1**  
**Regulatory Database Listings**  
**Northern Waterfront Short Line Railroad Study**

Map Key	In Study Area	Listed Entity/Location	Database/ Discussion <sup>1</sup>
243	Y	FRESCHI SERVICE EXPERTS 715 FULTON SHIPYARD RD, ANTIOCH	Regulatory
244	Y	1324 NOIA AVE, ANTIOCH	CDL
245	Y	DELTA DIABLO SANITATION DISTRICT 724 FULTON SHIPYARD RD, ANTIOCH	HAZNET
246	Y	Delta Diablo Sanitation District 725 Fulton Shipyard Rd., Antioch	Regulatory + CHMIRS: sanitary sewer release
247	Y	DELTA SCRAP & SALVAGE, INC. 1371 MAIN ST, OAKLEY	CERS HAZ
247	Y	DELTA SCRAP & SALVAGE, INC 1371 MAIN ST, OAKLEY	Regulatory + completed Phase I ESA in 2005 with brownfields grant (orchards, storage sheds, scrap yard, residential)
248	Y	City of Antioch Behind 221 Wilbur Ave., Antioch	CHMIRS: residential sewage release
249	Y	CITY ANTIOCH WASTE WATER TREATMENT FACIL 425 FULTON SHIPYARD RD, ANTIOCH	Regulatory
251	Y	212 CREST AVE, ANTIOCH	CDL
252	Y	ALFRED & MARYANNE MACHADO 1325 LOUIS DR, ANTIOCH	HAZNET
253	Y	NRC 291 Fulton Shipyard Rd, Antioch	CHMIRS: unknown sheen from a boat ramp
254	Y	221 WILBUR AVE #26, ANTIOCH	CDL
255	Y	KIMBALL ELEMENTARY SCHOOL 1310 AUGUST WY, ANTIOCH	Regulatory
256	Y	CITY OF ANTIOCH 225 FULTON SHIPYARD RD, ANTIOCH	HAZNET
259	Y	1X MCDANIELS, JOHN 1540 MAIN ST, OAKLEY	HAZNET
260	Y	137 WILBUR AVE, APT 16, ANTIOCH	CDL
262	Y	JILL UECKERT 129 PLEASANT PL, ANTIOCH	HAZNET
263	Y	Delta Diablo Sanitation Dist. 115 Wilber Ave, Antioch	CHMIRS: sewage release
265	Y	210 FULTON SHIPYARD RD, ANTIOCH	CDL
265	Y	CANNERY COVE MARINA 111 FULTON SHIPYARD RD, ANTIOCH	CONTRACO CUPA
266	Y	112 EAST 6TH, ANTIOCH	CDL
267	Y	CARDYN GRAY 104 E. 16TH ST, ANTIOCH	RCRA NON GEN
268	Y	FUHRER PAINT WERKZ 3257 E 18TH ST, ANTIOCH	Regulatory
268	Y	PECKHAM, DONALD 3215 18TH ST E, ANTIOCH	Regulatory
269	N	BOB BLY 1187 A MAIN ST, OAKLEY	HAZNET
270	N	EAST BAY AUTOHAUS 1241 MAIN ST, OAKLEY	Regulatory
271	N	1189 E MAIN ST, OAKLEY	CDL
271	N	HARDCASTLE RV CENTER 1189 MAIN ST, OAKLEY	Regulatory + completed Phase I ESA in 2005 with brownfields grant (buildings, sheds, concrete sump)
272	N	CORNER OF EAST 18TH ST & PHILLIPS RD, ANTIOCH	CDL
273	N	McDonald's #12525 914 Main Street, Oakley	ALT FUELS
274	N	Priv Citz 3031 East 18th, Max Old House Restaurant, Antioch	CHMIRS: gray water
275	N	132 E 7TH, ANTIOCH	CDL
276	N	United Site Services - Antioch 2625 E 18TH ST, ANTIOCH	Regulatory
277	N	ANTIOCH TIRE & WHEEL 63 E 18TH ST, ANTIOCH	Regulatory
278	N	SYDNEYS AUTO SALES AUTO REPAIR 85 18TH ST E, ANTIOCH	Regulatory
279	N	PRECISION BRAKE AND FRONT END 225 E 18TH ST, ANTIOCH	Regulatory
281	N	ABBAY VET HOSPITAL 405 E 18TH STREET, ANTIOCH	Regulatory

**TABLE B-1**  
**REGULATORY DATABASE LISTINGS**





**Table 1**  
**Regulatory Database Listings**  
**Northern Waterfront Short Line Railroad Study**

Map Key	In Study Area	Listed Entity/Location	Database/ Discussion <sup>1</sup>
282	N	Lucky #223 111 E 18TH ST, ANTIOCH	Regulatory
283	N	Meineke Car Center # 2661 411 E 18TH ST, ANTIOCH	Regulatory
284	N	515 E 18TH ST, #212, ANTIOCH	CDL
285	N	GOLDEN HILLS COMMUNITY CHURCH 525 E 18TH ST, ANTIOCH	HAZNET
286	N	HUDSON SERVICE STATION 61 18TH ST E, ANTIOCH	CONTRACO CUPA
287	N	ADVANCED CAR CARE 725 18TH ST E, ANTIOCH	CONTRACO CUPA
288	N	STRICKLY FOREIGN AUTO PARTS 729 E 18TH ST, ANTIOCH	HAZNET
289	N	BRIDGEHEAD CYCLES 2415 18TH ST E, ANTIOCH	Regulatory
290	N	FRMLY LOS MEDANOS RV 901 18TH ST E, ANTIOCH	Regulatory
291	N	CORNERSTONE CHRISTIAN CENTER 1745 E 18TH STREET, ANTIOCH	HAZNET
293	N	BIG O TIRES NO 6 410 E 18TH STREET, ANTIOCH	HAZNET
295	N	BIG O TIRES 412 E 18TH ST, ANTIOCH	Regulatory
296	N	418 E 18TH, ANTIOCH	CDL
297	N	AT&T MOBILITY/A & 10TH STS (82573) 700 18TH ST E, ANTIOCH	CONTRACO CUPA
298	N	OAKLEY HOTEL 123 MAIN ST, OAKLEY	CONTRACO CUPA
299	N	OAKLEY ONE HR CLEANERS 231 MAIN ST, OAKLEY	DRYCLEANERS - outside study area
300	N	Carl's Jr 915 MAIN ST, OAKLEY	Regulatory
302	N	AQUATIC MARINE 501 MAIN STREET, OAKLEY	HAZNET
303	N	Cal Trans 547 Main St (St. Rt. 4) at Ohara Ave, Oakley	CHMIRS: rig hit building, released diesel, contained
304	N	D&K Automotive Repair Inc. 712 E 18TH ST, ANTIOCH	CERS HAZ
304	N	D & K AUTOMOTIVE REPAIR INC 712 18TH ST E, ANTIOCH	Regulatory
305	N	OAK VIEW MEMORIAL PARK 2500 18TH ST E, ANTIOCH	Regulatory
306	N	EVANGELHO RESIDENCE 1840 18TH ST E, ANTIOCH	CONTRACO CUPA
307	N	HOLY CROSS CEMETERY 2200 E 18TH ST, ANTIOCH	CERS HAZ
308	N	ESTATE OF EDWARD PANFILI 3500 E 18TH ST, ANTIOCH	HAZNET
309	N	AT&T 2040 East 18th Street, Antioch	CHMIRS: battery acid release from car
310	N	Andres Auto Shop 3420 E 18TH ST, ANTIOCH	Regulatory
311	N	CITY OF ANTIOCH 3100 18TH ST E, ANTIOCH	CONTRACO CUPA
312	N	Terracare Antioch 2800 E 18TH ST, ANTIOCH	Regulatory
312	N	ENVIROCLEAN INC 2820 18TH ST E, ANTIOCH	CONTRACO CUPA
314	N	WAYNE E SWISHER CEMENT CONTRACTOR INC 2620 18TH ST E, ANTIOCH	AST
317	N	1X ANTIOCH SQUARE 41 E 18th St, Antioch	HIST MANIFEST
318	N	CONSTRUCTION DRILLING EQUIPMENT 2750 E 18TH ST, ANTIOCH	Regulatory

**TABLE B-1**  
**REGULATORY DATABASE LISTINGS**



**Table 1**  
**Regulatory Database Listings**  
**Northern Waterfront Short Line Railroad Study**

Map Key	In Study Area	Listed Entity/Location	Database/ Discussion <sup>1</sup>
319	N	CHEVRON #9-3801 5433 NEROLY RD, ANTIOCH	Gasoline LUST; closed in 2002.
320	N	KAMPS PROPANE INC 1433 MAIN ST, OAKLEY	CONTRACO CUPA
321	N	PG&E ANTIOCH DMO 5400 NEROLY RD, ANTIOCH	Regulatory
322	N	BRIDGEHEAD CHEVRON SS #9-3801 5433 NEROLY RD, HWY 4, ANTIOCH	EMISSIONS
323	N	BRIDGEHEAD CHEVRON #93801 5433 NEROLY RD, OAKLEY	Regulatory
324	N	BALPINDER SANDHU (DBA: 7-ELEVEN #20039) 1101 E 18TH ST, ANTIOCH	Regulatory
326	N	T-MOBILE WEST CORP/BA11597F 1683 MAIN ST, OAKLEY	CONTRACO CUPA
327	N	54 EAST 19TH ST, ANTIOCH	CDL
329	N	RITE AID #5908 20 E 18TH ST, ANTIOCH	Regulatory
332	N	512 PARKER LN, ANTIOCH	CDL
333	N	1905 ALPHA WAY, ANTIOCH	CDL
334	N	STROER & GRAFF INC 1830 PHILLIPS LN, ANTIOCH	CONTRACO CUPA
335	N	TSGT SCOTT LUVISI 1210 ALMOND STREET, ANTIOCH	RCRA NON GEN
336	N	1824 COVELLO RD, #3, ANTIOCH	CDL
337	N	1901 GLENWOOD DRIVE, ANTIOCH	CDL
340	N	1912 CHESTNUT AVE, ANTIOCH	CDL
341	N	Affordable Tire Center 11 WILBUR AVE, ANTIOCH	Regulatory
342	N	DETROIT AUTOMOTIVE 2 WILBUR AVE, ANTIOCH	CONTRACO CUPA
343	N	1916 CHESTNUT AVE, ANTIOCH	CDL
345	N	B & M TEAR OFF, INC 5346 ELM LN, OAKLEY	Regulatory
347	N	STAMM, GEORGE 9 6TH ST E, ANTIOCH	CONTRACO CUPA
350	N	1920 BIRCH AVE, ANTIOCH	CDL
352	N	RESIDENCE 1831 PARSONS LN, ANTIOCH	Regulatory
354	N	A'S AUTO REPAIR MUFFLER 901 A ST SUITE A, ANTIOCH	CERS HAZ
354	N	A'S AUTO REPAIR MUFFLER 901 A ST, ANTIOCH	CONTRACO CUPA
355	N	1906 CAVALLO RD, ANTIOCH	CDL
356	N	1211 A ST, APT 7, ANTIOCH	CDL
357	N	SOLLY'S A-10 900 A ST (AKA & FILED UNDER 9, ANTIOCH	Regulatory
357	N	DUARTES TIRE SERVICE 914-A-ST., ANTIOCH	Regulatory
358	N	ANTIOCH CONVALESCENT HOSPITAL 1210 A ST, ANTIOCH	RCRA NON GEN
359	N	UNOCAL SS# 3946 1601 A ST, ANTIOCH	Regulatory
360	N	AUTOZONE #3366 1623 A ST, ANTIOCH	CONTRACO CUPA
361	N	BOARDWALK INVESTMENT GROUP 615 A ST, ANTIOCH	CONTRACO CUPA
362	N	TACO BELL 31531 1706 A ST, ANTIOCH	CONTRACO CUPA
370	N	COSMOPROF BEAUTY 1840 A ST, ANTIOCH	RCRA NON GEN
371	N	LAMOTHE CLEANERS 1860 A ST, ANTIOCH	DRYCLEANERS with no listed releases
372	N	DOLLAR GENERAL #14729 20 10TH ST W, ANTIOCH	RCRA NON GEN

**TABLE B-1**  
**REGULATORY DATABASE LISTINGS**



**Table 1**  
**Regulatory Database Listings**  
**Northern Waterfront Short Line Railroad Study**

Map Key	In Study Area	Listed Entity/Location	Database/ Discussion <sup>1</sup>
375	N	TONY VALENCIA 1930 GLENWOOD DRIVE, ANTIOCH	RCRA NON GEN
377	N	PACIFIC BELL/ANTIOCH WF001 100 W 20TH ST, ANTIOCH	DELISTED TNK
379	N	STROER & GRAFF INC 5305 LIVE OAK AVE, OAKLEY	Regulatory
380	N	ANTIOCH RECAP, LP 1945 AND 1949 CAVALLO RD, ANTIOCH	RCRA NON GEN
381	N	A STREET CLEANERS 2008 A ST, ANTIOCH	DRYCLEANERS with no listed releases
382	N	ANTIOCH RECAP, LP 35-107 WEST 20TH STREET, ANTIOCH	RCRA NON GEN
383	N	GEORGE STAMM WAREHOUSE 505 B ST, ANTIOCH	CONTRACO CUPA
384	N	WHEEL WORKS #240714 2024 A ST, ANTIOCH	Regulatory
385	N	JEANIE ROUNSAVILLE 2101 DENNIS DRIVE, ANTIOCH	RCRA NON GEN
387	N	RICK'S WELDING CO 5300 LIVE OAK AVE, OAKLEY	Regulatory
388	N	AT&T California - WF001 100 W 20TH ST, ANTIOCH	Regulatory
389	N	PG&E ANTIOCH SERVICE CENTER 2111 HILLCREST AVE, ANTIOCH	DELISTED TNK
390	N	R PERFORMANCE TRANSMISSION 5299 NEROLY RD, OAKLEY	CONTRACO CUPA
393	N	AL'S AUTO REPAIR 5290 NEROLY RD, OAKLEY	CONTRACO CUPA
394	N	KEEP U NEAT CLEANERS 2028 A STREET, ANTIOCH	DRYCLEANERS with no listed releases
395	N	KING'S AUTO REPAIR 5295 NEROLY RD, OAKLEY	Regulatory
397	N	AMERICAN MOTORCYCLE REPAIR 5293 NEROLY RD, OAKLEY	Regulatory
398	N	TNT AUTO REPAIR 103 WALTER WY, ANTIOCH	Regulatory
399	N	OAKLEY COLLISION AUTO BODY LLC 5289 NEROLY RD, OAKLEY	Regulatory
400	N	SOLAR SWIM & GYM 111 15TH ST W, ANTIOCH	CONTRACO CUPA
401	N	DELTA ROD CUSTOM 153 10TH ST W, ANTIOCH	CONTRACO CUPA
403	N	Mote's automotive inc 130 RAILROAD AVE, ANTIOCH	DELISTED HAZ
405	N	Antioch Middle School 1500 D ST, ANTIOCH	DELISTED HAZ
406	N	NEW OAKLEY RD ES LIVE OAKE AVE/OAKLEY RD, OAKLEY	The 19-acre site was historically used for agricultural purposes. A site assessment was completed and the site received a no further action closure.
417	N	A-1 TRANSMISSION SERVICE 2504 DEVPAR CT STE A, ANTIOCH	DELISTED HAZ

**Notes:**

Acronyms are defined in the database search report.

**TABLE B-1**  
**REGULATORY DATABASE LISTINGS**



Table 2  
Database Listings Indicative of Release  
Northern Waterfront Shortline Railroad Feasibility Study

Map Key	In Study Area	Listed Entity/Location	Description	Risk Category
3	Y	FORMER GAYLORD CONTAINER CORPORATION 2603 WILBUR, ANTIOCH	The 80.11-acre site was used for pulp and paper manufacturing involving the Kraft bleach process from the 1940s-1990s. Clarifiers, a fuel oil AST, recovery boiler, high density tanks, and a pump house remain at the site. Groundwater and soil were impacted by ACM, dioxins/furans/lead, petroleum, PCBs, and PAHs. The site was enrolled in the VCP in 2004 (was previously investigated under CERCLA, but did not qualify for the NPL). The cleanup is still ongoing. Outstanding activities include a remedy selection for arsenic associated with a black liquor pond and remedial monitoring. PCE was also a primary COC in groundwater and has been addressed with ISCO, although monitoring remains underway. Cleanup of wetlands soils was also completed in 2015.	Medium
7	Y	PIONEER AMERICAS (former KEMWATER) 2151 WILBUR AVE., ANTIOCH	The facility received a Cleanup and Abatement Order in 1997 for groundwater contamination and is an open Cleanup Program site. Groundwater is contaminated with copper, ammonium, and other organic and inorganic compounds. Four source areas have been identified; two are being remediated by excavating and treating soil. The most recent regulatory correspondence in 2018 requested additional groundwater sampling and an update of the site conceptual model.	Medium
66	Y	CONTRA COSTA POWER PLANT 3201 WILBUR AVE, ANTIOCH	The facility has been subject to RCRA Corrective Action and remediation. Multiple investigations and closure activities have taken place since 1986. The facility did not qualify for the NPL; however, PG&E entered a Corrective Action Consent Agreement to remediate 56 AOCs and SWMUs in 2011. The most recent action was approval of a groundwater investigation in 2018. The impacted media include groundwater, sediments, soil, and surface water and the COCs include metals, petroleum, PCBs, and PAHs. Migration of contaminated groundwater is under control as of June 2019 and completion of a corrective measure implementation work plan is scheduled for September.	Medium
111	Y	RECREATIONAL TRACT 1030 APOLLO COURT, ANTIOCH	The Gaylord Recreational Tract was used for agriculture beginning in the early 1900s. In the 1970s, wastewater from the paper mill was applied to the land. Crankcase oil was applied for dust control. Dioxin-containing road base was inadvertently installed as park of a parking lot in 1995 during site redevelopment. Dioxins, furans, metals, petroleum, PAHs, pesticides, and herbicides were detected in soil. The site entered the VCP and received closure in 2005 with a land use restriction and capping requirement. Annual O&M reports are required.	Medium
125	Y	GEORGIA-PACIFIC GYPSUM LLC 801 MINACKER RD, ANTIOCH	The facility is listed on the CERCLIS database, but did not qualify for the NPL and was archived. Listed for several releases of petroleum and potassium hydroxide that were contained. The facility is listed as a SQG of hazardous waste and as a solid waste/landfill facility that accepts inert construction/demolition waste. The facility is also listed on the MINES database for a mine that was closed in 1982. Although the facility is not listed on databases indicative of impact to the environment, it is a legacy industrial facility that continues to operate. It has not been subject to property transfers or other activities that would trigger an environmental assessment, and there is an elevated potential for environmental impact given the historical operations.	Medium

TABLE B-2  
DATABASE LISTINGS INDICATIVE OF RELEASE



Table 2  
Database Listings Indicative of Release  
Northern Waterfront Shortline Railroad Feasibility Study

Map Key	In Study Area	Listed Entity/Location	Description	Risk Category
153	Y	DUPONT ANTIOCH/ CHEMOURS OAKLEY 6000 BRIDGEHEAD RD, ANTIOCH	Chemical manufacturing began at the facility in 1956 with production of anti-knock compounds and chlorofluorocarbons. Titanium dioxide production was added in 1963. All operations ceased in 1999. The facility is an open cleanup site under RCRA Corrective Action (did not qualify for the NPL and was deferred to RCRA). Portions of the facility (western and eastern development areas) were released from regulatory oversight in 2006; the northern and southern development areas and wetlands remain under mandated cleanup actions. Soil, groundwater, surface water, and sediment are being handled as discrete RFI activities. Groundwater is contaminated with PCE, TCE, other VOCs, and SVOCs and is being remediated with a pump and treat system and permeable reactive barrier. There are three separate plumes. Soil is contaminated with Freon 113, metals, petroleum and VOCs. Land use restrictions are in place (no residential use, soil management requirements, no drilling, no interference with the monitoring wells/reactive barrier walls/phytoremediation systems, vapor barrier requirement) and the target cleanup levels will be for commercial use. Three ponds and three basins that were used to treat and store wastewater are under post-closure monitoring.  A prospective purchaser entered the VCP in 2019.	Medium
155	Y	PG&E ANTIOCH GAS TERMINAL 5900 BRIDGEHEAD RD, OAKLEY	PGE began operating the natural gas transmission site in 1942. Evidence of release beneath a 10,000-gallon AST was identified in 2005. BTEX and petroleum impacts to soil and groundwater have been identified. Remediation has involved excavation, biosparging. An additional site assessment was completed in 2018 to evaluate whether petroleum impacts are present on other areas of the site. The facility has received a conditional no further action (land use controls, including excavation and development notification requirements) and the case is eligible for closure although it remains open.	Medium
257	Y	FULTON SHIPYARD 307 FULTON SHIPYARD ROAD, ANTIOCH	The 10.4-acre parcel was a ship building/repair facility from 1918 to 1999. A remedial investigation was implemented in 2016 when the shipyard was sold. COCs include: metals, petroleum, PAHs and PCBs in soil; metals, petroleum, and PAHs in groundwater; and metals, PAHs, PCBs, and tributyltin in sediment. The investigation of the site is still underway. The response action is led by DTSC and the site is on the CORTESE list (i.e. state Superfund); the facility is not on the NPL.	Medium
363	N	NK GAS 1800 A ST, ANTIOCH	A release was identified during a gasoline UST closure in 1998. The LUST case remains open and assessment and interim remedial action is ongoing. The case file notes that previous remediation has been ineffective at reducing hydrocarbon concentrations in the source area and there is concern about pulling a CVOC plume from a nearby site. A second closed LUST case is also associated with the facility. The facility is adjacent to the study area to the south (i.e. upgradient) and it is likely that the plume has migrated into the Study Area.	Medium
4	Y	ANTIOCH PAVING COMPANY 2540 WILBUR AVE, ANTIOCH	Closed LUST case. Release of solvent/non-petroleum hydrocarbon discovered during tank closure in 1994. Cleanup completed in 2000.	Low
6	Y	INDUSTRIAL LOT WITH RAILROAD SIDING 2600 WILBUR AVENUE, ANTIOCH	The 10.28-acre parcel is undeveloped with the exception of railroad sidings and concrete pads. The parcel historically was used by the former Gaylord mill and a 50 foot high, 175 foot diameter AST was used to store fuel oil and possibly black liquor. The parcel was also used for an experimental sludge composting operation. Motor oil and diesel impacts were identified and the parcel was enrolled in the VCP. The case received closure on the basis that there are no risks to human health or the environment.	Low

TABLE B-2  
DATABASE LISTINGS INDICATIVE OF RELEASE



**Table 2**  
**Database Listings Indicative of Release**  
**Northern Waterfront Shortline Railroad Feasibility Study**

Map Key	In Study Area	Listed Entity/Location	Description	Risk Category
32	Y	LLOYD'S HOLIDAY HARBOR RTE 1, ANTIOCH	LUST discovered during closure of gasoline tank in 1991. Soil was impacted, case closed in 1997.	Low
32	Y	LAURITZEN YACHT HARBOR RTE 1, ANTIOCH	Two gasoline LUST cases: one identified from inventory control, one identified during tank closure. Both cases are closed. Facility is also noted to have been impacted by the former DuPont site.	Low
61	Y	INDUSTRIAL LOT WITH TANK WILBUR AVENUE, ANTIOCH	The 3.78-acre parcel is enrolled in the VCP and includes a 48 foot high by 150 foot diameter tank that was used to store Bunker C fuel oil for the former Gaylord mills. Soil impacts were identified; the case received closure in 2006.	Low
70	Y	GWF POWER PLANT - ANTIOCH 1900 WILBUR AVENUE, ANTIOCH	The facility is an active steam electrical power plant that combusts petroleum coke. A diesel spill from a buried pipe occurred in 1992. The release was remediated (excavation, free product removal, in situ biological treatment) and the CLEANUP SITES case received closure in 2012.	Low
74	Y	IMPERIAL WEST CHEMICAL CO 1701 WILBUR AVENUE, ANTIOCH	The facility has reported releases involving chlorine/ sodium hypochlorite/sulfuric acid and is an SQG with a history of violations.	Low
77	Y	PECKHAM PROPERTY 3215 18TH ST E, ANTIOCH	Closed gasoline LUST case	Low
78	Y	VINEYARD TRACT E. 18TH STREET, ANTIOCH	The parcel has been used for agricultural purposes since the early 1900s, including a vineyard. Fly ash and other materials from the former Gaylord East Mill were managed on a portion of the property. The parcel was entered into the VCP and received closure in 2005.	Low
139	Y	NEW BRIDGE MARINA INC 6325 BRIDGEHEAD RD, ANTIOCH	Facility had a LUST case in 1998 that was discovered during closure of a gasoline UST. Release was cleaned up and the case was closed in 2009. Numerous releases from sinking vessels are also listed.	Low
186	Y	Arco 5540 Bridgehead, Oakley	A release was identified during removal of a gasoline UST in 1993. The LUST case was closed in 2003.	Low
226	Y	ROMI'S LIQUOR 418 E 18TH ST, ANTIOCH	Gasoline release identified by subsurface monitoring in 1991. LUST case was closed in 2010.	Low
294	N	A & A MARKET (FORMER) 407 MAIN ST, OAKLEY	Release discovered in 1987 during removal of gasoline UST. LUST case closed in 1997.	Low
328	N	PACIFIC GAS & ELECTRIC 5400 NERLOY, OAKLEY	According to the clean up sites database, a leak was reported in 2001 and groundwater was impacted with VOCs. Case was closed in 2010. The brownfields database also indicates that PCBs were historically detected at the site. The facility is adjacent to the study area to the south.	Low
331	N	HILLCREST VALERO 1801 Hillcrest Ave, Antioch	Release discovered in 2003 during removal of gasoline UST. LUST case closed in 2018. Remediation included excavation, pump and treat and SVE.	Low
344	N	PERCY'S RADIATOR 901 A ST, ANTIOCH	Release discovered in 1990 during removal of diesel UST. LUST case closed in 2013.	Low
348	N	HICKMOTT CANNERY (FORMER) 5TH & B ST, ANTIOCH	The facility is a former cannery and has a LUST case that was closed in 2016 with petroleum-impacted groundwater left in place. The facility is a cleanup site with inactive status. Methane and hydrogen sulfide are present at levels warranting remediation and are likely due to a combination of landfilled cannery waste and sewage releases, and the property is not currently in suitable condition for redevelopment. The facility is outside the study area approximately 0.25 miles west.	Low
349	N	WALTER HANSEN TRUST 1809 A STREET, ANTIOCH	The facility is an open cleanup sites case and has chlorinated hydrocarbon-impacted groundwater. The case was opened in 2007 and is in verification monitoring. The case is associated with a release from a UST in 1997 (LUST case also remains open) as well as PCE impacts from a former dry cleaner. The responsible party does not have sufficient funds to complete the remediation and is completing indoor air sampling to assess whether there are immediate threats to human health. The facility is located approximately 1/8 mile west of the Study Area.	Low
351	N	UNOCAL #3946 1601 A ST, ANTIOCH	A release was identified during removal of a gasoline UST in 1989. The LUST case was closed in 2014.	Low

**TABLE B-2**  
**DATABASE LISTINGS INDICATIVE OF RELEASE**



**Table 2**  
**Database Listings Indicative of Release**  
**Northern Waterfront Shortline Railroad Feasibility Study**

Map Key	In Study Area	Listed Entity/Location	Description	Risk Category
364	N	SILVERA PROPERTY 900 A ST, ANTIOCH	A release was identified during a gasoline UST closure in 1996. The LUST case remains open and remediation is ongoing. The facility received an NOV in 2019 for failure to submit timely groundwater monitoring reports and to operate the onsite remediation system (the pump and treat system has not operated since 2018) in accordance with its Cleanup and Abatement Order. The facility is approximately 1/8 west of the study area.	Low
376	N	CONTRA COSTA AUTO SALVAGE 1731 MAIN ST, OAKLEY	Identified as a federal brownfields site that requires cleanup due to surface water impacts. The facility was an auto repair shop, dismantler, and scrapyard. The site was remediated by the City of Oakley and received VCP closure in 2010 for MTBE and petroleum impacted soil and groundwater.	Low
379	N	J & M Enterprises 5337 Live Oak Avenue, Oakley	Petroleum, PAHs, and VOCs were identified in soil at the facility, which was used for illegal auto crushing. The facility is approximately 1/8 mile south of the study area.	Low
386	N	A STREET EXTENSION A STREET EXTENSION, ANTIOCH	A UST and impacted soil were identified during road construction. The LUST case received closure in 2014.	Low
392	N	RAIN FOR RENT 5301 LIVE OAK AVE, OAKLEY	Petroleum LUST case was opened in 2005 and closed in 2008.	Low
402	N	CHEVRON TAOC A STREET 2205 A STREET, ANTIOCH	The facility was historically part of the Old Valley Pipeline and the TAOC pipeline. Crude oil was identified in the soil at 2008 and the facility is on the cleanup sites list. The case remains open with additional investigation planned. The facility is 1/4 mile southwest of the study areas.	Low
404	N	NELLA OIL #252 TEXACO 2310 A STREET, ANTIOCH	A gasoline release was discovered and the facility is an open LUST cleanup site. The facility is 1/4 mile southwest of the study area.	Low
408	N	CHEVRON #9-4585 2413 A ST, ANTIOCH	A gasoline release was discovered and the LUST case received closure in 2017.	Low
409	N	CYPRESS SQUARE SHOPPING CENTER 2025 MAIN STREET, OAKLEY	The facility has a closed cleanup sites case. DCA and DCE were present in groundwater.	Low
412	N	BIG BREAK MARINA 100 BIG BREAK RD, OAKLEY	A gasoline release was discovered and the LUST case received closure in 1997.	Low
413	N	PG&E ANTIOCH SERVICE CENTER 2111 HILLCREST AVE, ANTIOCH	A release was identified during a tank closure and the LUST case received closure in 1992.	Low
414	N	KMEP HILLCREST RELEASE HILLCREST AVENUE AND SUNSET DRIVE, ANTIOCH	The release is approximately 0.25 miles south of the area and is identified on the cleanup sites database for a sleeve repair failure that resulted in a release of diesel under Hillcrest Avenue. The pipeline has been repaired, but groundwater, soil and soil vapor were impacted. It is unlikely that this release represents a concern for the study area based on distance and the nature of the release.	Low
415	N	DISCOUNT LIQUOR STORE 39 ROSSI AVE, ANTIOCH	Closed LUST case outside the study area.	Low
416	N	ANCHOR GLASS 1400 WEST 4TH STREET, Antioch	This facility is listed as an open land disposal site with chromium and heavy metals contamination. The facility is outside the study area and unlikely to impact the proposed project based on distance and the nature of the contamination.	Low
418	N	OAKLEY ROAD METERING SITE OAKLEY RD. & PHILLIPS LN., ANTIOCH	A site screening was conducted at this facility (used for handling natural gas well liquids until the mid 1970s) and soil and groundwater were determined to be contaminated with hydrocarbons, BTEX, and PCBs. This facility is located 0.5 miles outside the study area and is unlikely to represent a concern for the proposed project.	Low
419	N	MAGNET HIGH SCHOOL SITE DEER VALLEY ROAD/LONE TREE WAY, ANTIOCH	The facility received a No Further Action determination in 2005 after being investigated for OCP, arsenic, and methane impacts. The facility is located within the active Brentwood oil field.	Low
420	N	ANTIOCH RADIATOR EXCHANGE 908 WEST SECOND ST., ANTIOCH	The facility was investigated under the Targeted Site Investigation Grant from EPA and referred to the City of Antioch for follow up. The facility was formerly used for automotive repairs since 1926. Lead, PCBs, the TPH were identified above screening levels in soil. TPH and BTEX were identified in groundwater near a former LUST.	Low
421	N	MAYBERRY SLO MOORING A , ANTIOCH	The facility participated in the DTSC Site Cleanup Program and received an NFA in 2014.	Low

**TABLE B-2**  
**DATABASE LISTINGS INDICATIVE OF RELEASE**



**Table 3**  
**Endangered, Threatened and Rare Species**  
**Northern Waterfront Short Line Railroad Feasibility Study**

Common Name	Scientific Name	Status
<b>Mammals</b>		
Salt marsh harvest mouse	<i>Reithrodontomys raviventris</i>	FE, FP, SE
San Joaquin Kit Fox	<i>Vulpes macrotis mutica</i>	FE, ST
<b>Birds</b>		
California black rail	<i>Laterallus jamaicensis coturniculus</i>	ST
California clapper rail	<i>Rallus longirostris obsoletus</i>	FE, SE
California Ridgway's rail	<i>Rallus obsoletus obsoletus</i>	
California least tern	<i>Sterna antillarum browni</i>	FE, SE
Swainson's hawk	<i>Buteo swainsoni</i>	ST
<b>Reptiles</b>		
Giant garter snake	<i>Thamnophis gigas</i>	ST, FT
<b>Amphibians</b>		
California Red-legged frog	<i>Rana draytonii</i>	FT
California tiger salamander	<i>Ambystoma californiense</i>	FT, ST
<b>Fishes</b>		
Delta smelt	<i>Hypomesus transpacificus</i>	FT, SE
Longfin smelt	<i>Spirinchus thaleichthys</i>	FC, ST
Steelhead – Central Valley DPS	<i>Oncorhynchus mykiss irideus</i> pop. 11	FT
<b>Insects</b>		
Delta green ground beetle	<i>Elaphrus viridis</i>	FT
Lange's metalmark butterfly	<i>Apodemia mormo langei</i>	FE
San Bruno elfin butterfly	<i>Callophrys mossii bayensis</i>	FE
Valley elderberry longhorn beetle	<i>Desmocerus californicus</i>	FT
<b>Crustaceans</b>		
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	FT
Vernal pool tadpole shrimp	<i>Lepidurus packardi</i>	FE
<b>Plants</b>		
Antioch dunes evening-primrose	<i>Oenothera deltoids ssp. howellii</i>	FE, SE
Big tarplant	<i>Blepharizonia plumosa</i>	SR, RPR 1B.1
Colusa grass	<i>Neostapfia colusana</i>	FT, SE
Contra Costa goldfields	<i>Lasthenia conjugens</i>	FE, SR, RPR
Contra Costa wallflower	<i>Erysimum capitatum var. angustatum</i>	FE, SE
Delta mudwort	<i>Limosella australis</i>	SR, 2B.1
Delta tule pea	<i>Lathyrus jepsonii var. jepsonii</i>	SR, RPR 1B.2
Diamond-petaled California poppy	<i>Eschscholzia rhombipetala</i>	SR, RPR 1B.1
Hoover's cryptantha	<i>Cryptantha hooveri</i>	SR, RPR 1A
Keck's checker-mallow	<i>Sidalcea keckii</i>	FE
Mason's lilaeopsis	<i>Lilaeopsis masonii</i>	SR, RPR 1B.1
Mt. Diablo buckwheat	<i>Eriogonum truncatum</i>	SR, RPR 1B.1
Soft bird's-beak	<i>Cordylanthus mollis ssp. mollis</i>	FE, SR
Suisun Marsh aster	<i>Symphotrichum lentum</i>	SR, RPR 1B.2

Notes:

FC – Federal Candidate

SE – State Endangered

FE – Federally Endangered

SR – State Rare

TABLE B-3  
ENDANGERED, THREATENED AND RARE SPECIES





**Table 4**  
**Migratory and Nesting Birds**  
**Northern Waterfront Short Line Railroad Feasibility Study**

Common Name	Scientific Name	Status
Burrowing owl	<i>Athene cunicularia</i>	SSC, BCC
Common yellowthroat	<i>Geothlypis trichas sinuosa</i>	BCC
Golden eagle	<i>Aquila chrysaetos</i>	Vulnerable
Lawrence’s goldfinch	<i>Spinus lawrencei</i>	BCC
Loggerhead shrike	<i>Lanius ludovicianus</i>	SSC
Nothern harrier	<i>Circus cyaneus</i>	SSC
Nuttal’s woodpecker	<i>Picoides nuttallii</i>	BCC
Oak titmouse	<i>Baeolophus inornatus</i>	BCC
Song sparrow	<i>Melospiza melodia</i>	BCC, SSC
San Clemente Spotted towhee	<i>Pipilo maculatus clementae</i>	BCC, SSC
Wrentit	<i>Chamaea fasciata</i>	BCC
Yellow-billed magpie	<i>Pica nuttalli</i>	BCC
Yellow warbler	<i>Dendroica petechia</i>	SSC

Notes:

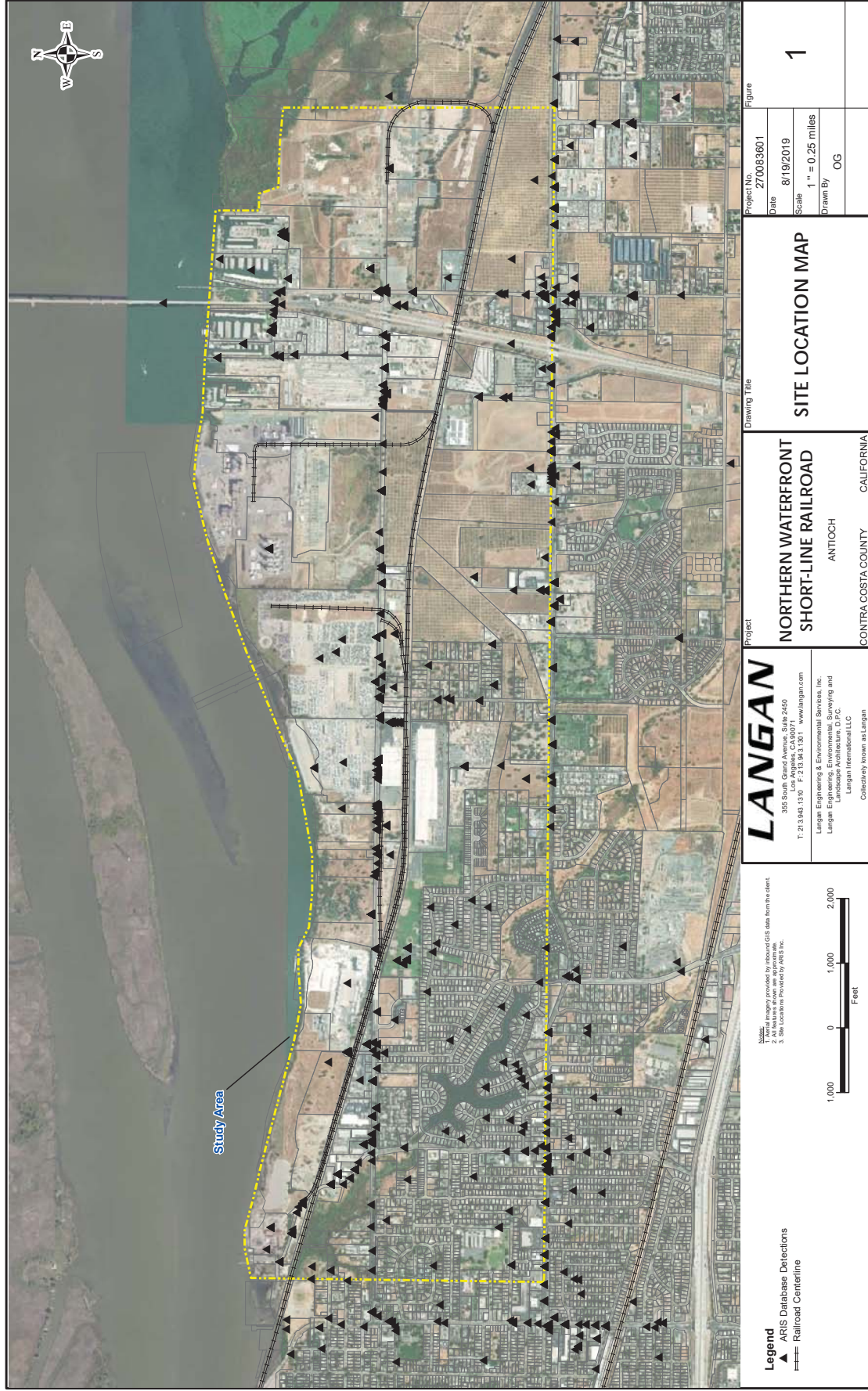
BBC – United States Fish and Wildlife Service Bird of Conservation Concern

SSC – California Department of Fish and Wildlife Species of Special Concern

TABLE B-4  
MIGRATORY AND NESTING BIRDS

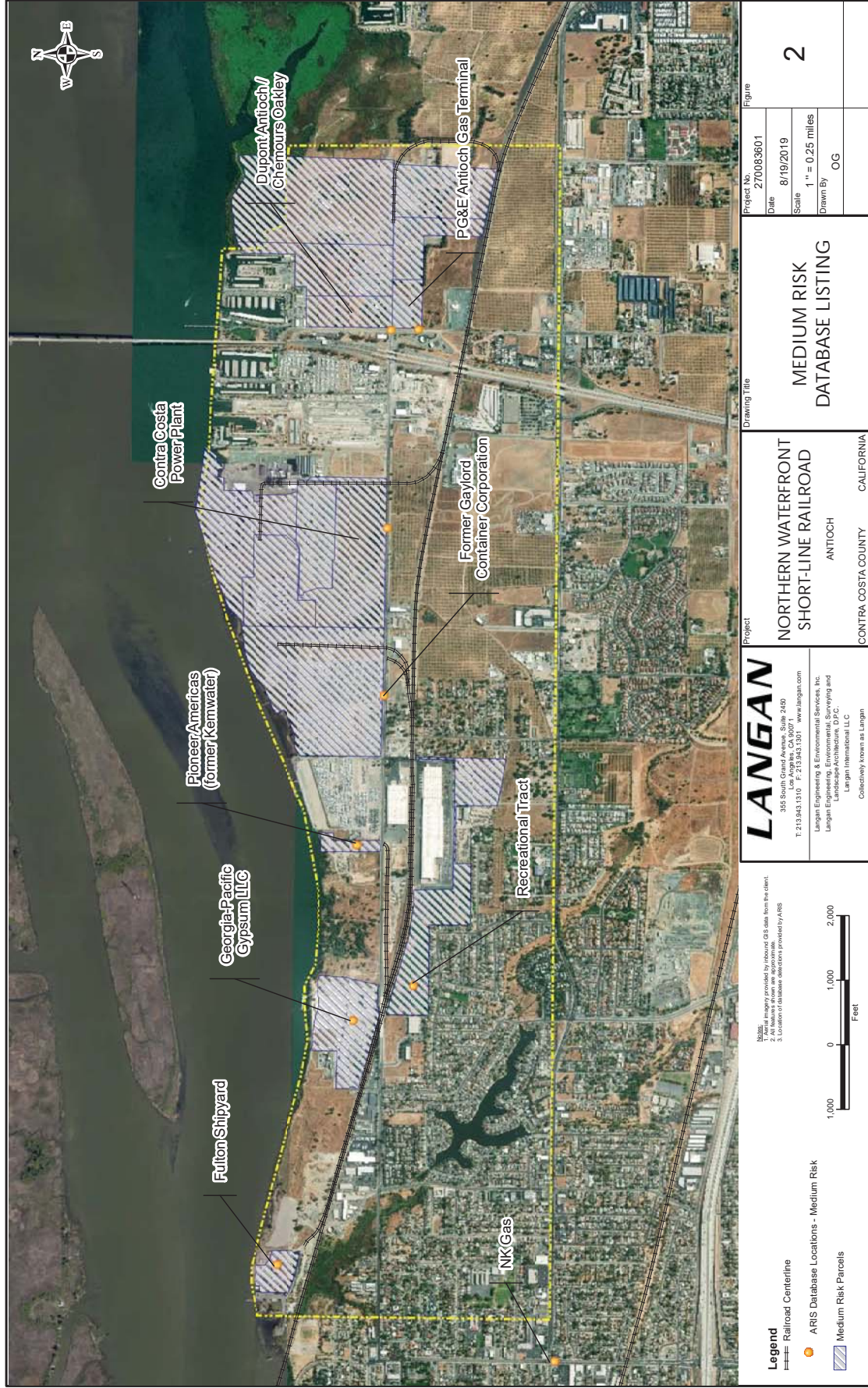


FIGURE B-1  
SITE LOCATION MAP





**FIGURE B-2  
MEDIUM RISK DATABASE LISTING**

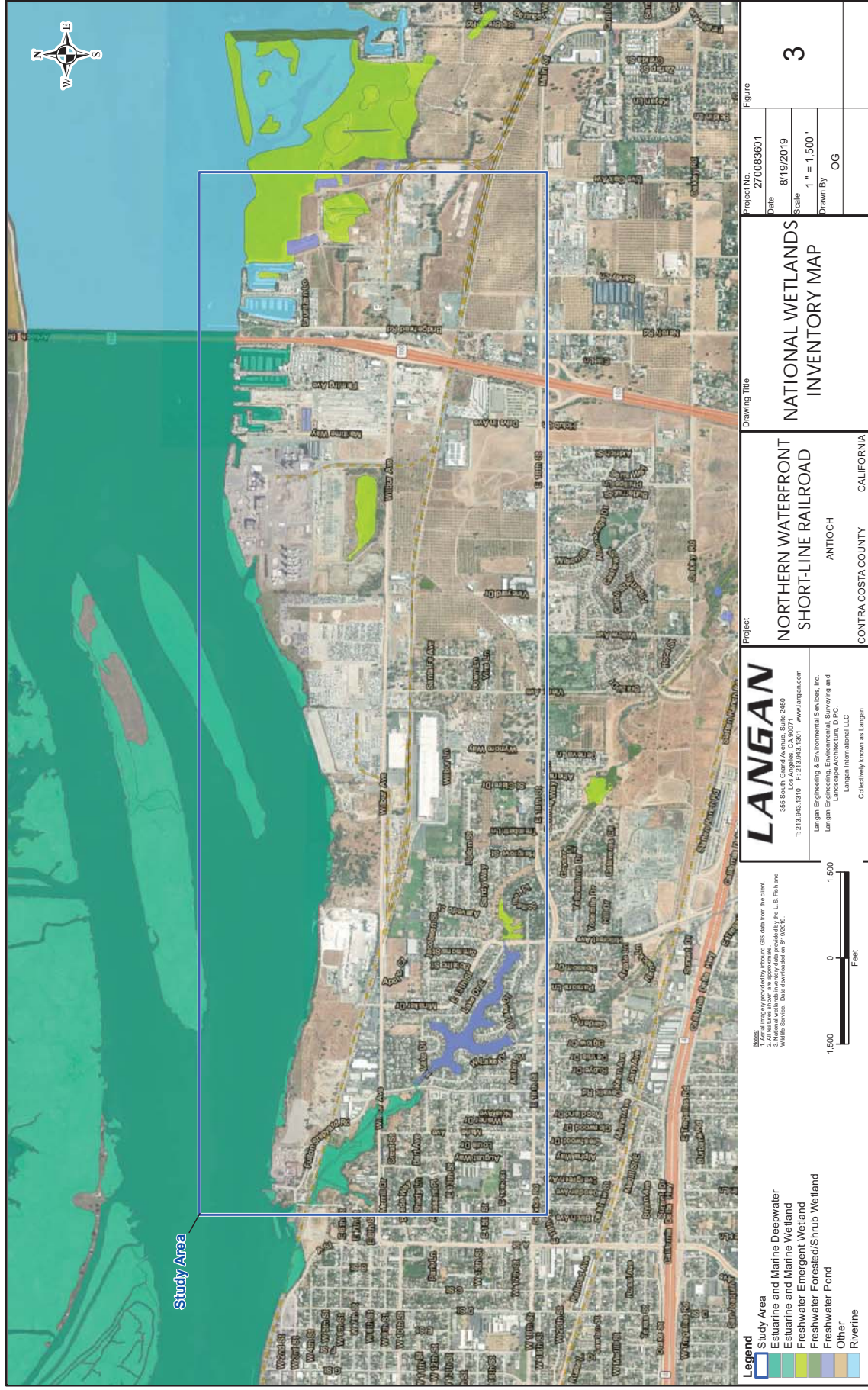


<b>LANGAN</b> 355 South Grand Avenue, Suite 2450 Los Angeles, CA 90071 www.langan.com T: 213.943.1310 F: 213.943.1311 Langan Engineering & Environmental Services, Inc. Langan Engineering, Environmental, Surveying and Construction Services, Inc. Langan International LLC Collectively known as Langan		<b>Project</b> NORTHERN WATERFRONT SHORT-LINE RAILROAD ANTIOCH CONTRA COSTA COUNTY CALIFORNIA		<b>Drawing Title</b> MEDIUM RISK DATABASE LISTING		<b>Figure</b> 2	
<b>Legend</b> Railroad Centerline ARIS Database Locations - Medium Risk Medium Risk Parcels		<b>Notes:</b> 1. Imagery provided by inhouse GIS data from the client. 2. All data provided by inhouse GIS data from the client. 3. Location of database locations provided by ARIS		<b>Scale</b> 1" = 0.25 miles Drawn By OG		<b>Project No.</b> 270083601 <b>Date</b> 8/19/2019	

© 2012 Langan



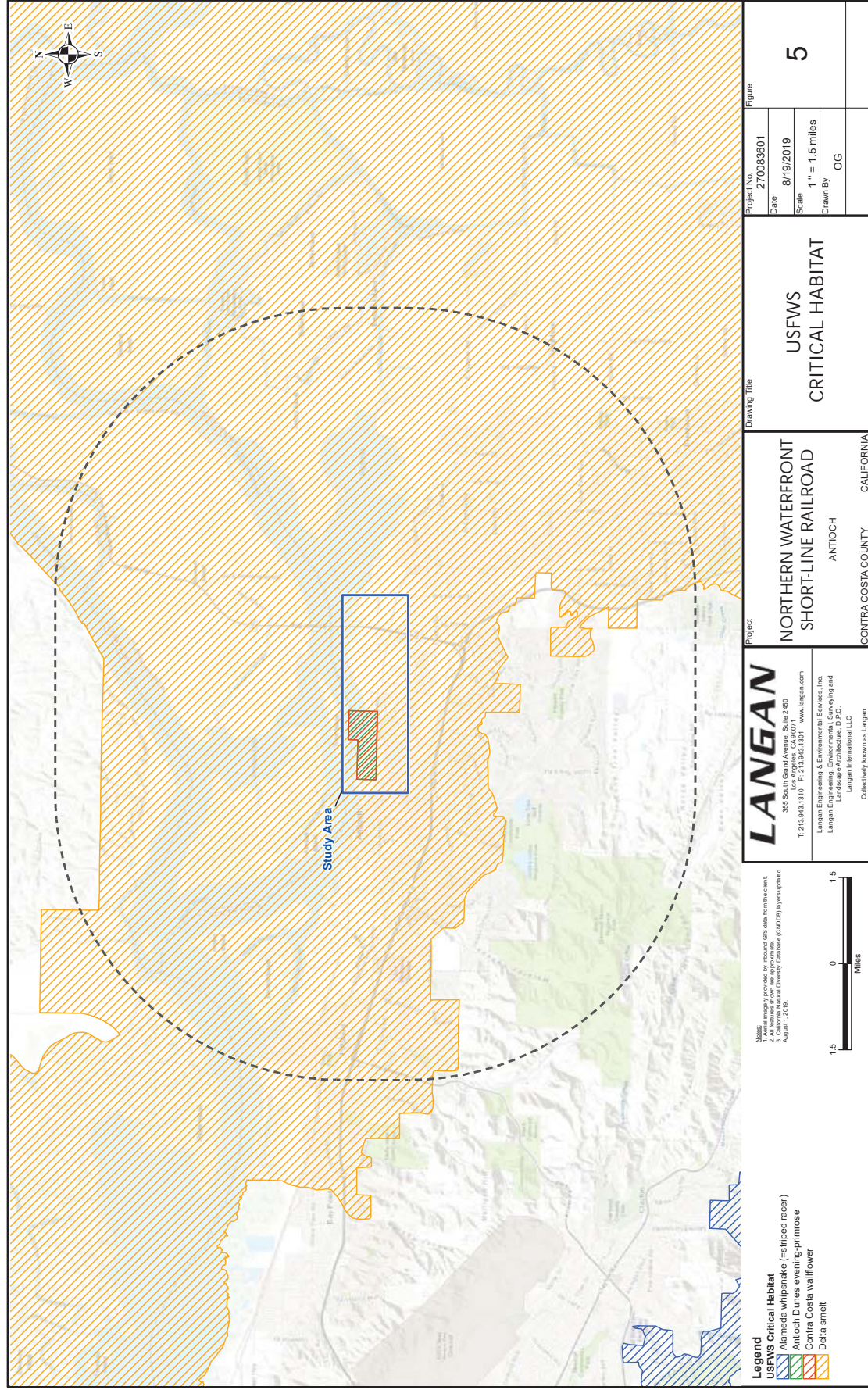
FIGURE B-3  
NATIONAL WETLANDS INVENTORY MAP







**FIGURE B-5  
 USFWS CRITICAL HABITAT**





## EXHIBIT C MARKET ANALYSIS



## R.L. BANKS & ASSOCIATES, INC.

ECONOMICS | ENGINEERING | SERVICE PLANNING



May 4, 2020

### SUBJECT: TASK #4 TECHNICAL MEMORANDUM – MARKET ANALYSIS

This Technical Memorandum incorporates information developed in Task #3, the Assessment of Existing Conditions Memorandum, to describe the current environment in the Study Area. The purpose of Task #4 is to conduct a marketing analysis to: 1) identify opportunities for the freight rail mode to serve new customers and 2) determine the feasibility of a new short-line railroad service in the Study Area.

#### Introduction

To illustrate the potential types of businesses that could be interested in developing property along waterfront in the Study Area, an evaluation of the various seaports in the San Francisco Bay Area was undertaken. Additionally, based on guidance from economic development officials, a telephone survey was conducted of the businesses in the Study Area that could be potential rail shippers.

Based on interviews conducted in Task #3 with economic development officials, public works officials, BNSF Railway (BNSF) officials and businesses potentially interested in utilizing new short-line railroad service, several potential land development opportunities were evaluated. A list of short-line railroad operators was developed that are best suited to the unique opportunities associated with the Study Area. BNSF officials also were consulted to obtain a better understanding of the considerations that govern its decisions in regards to allowing a short-line railroad operation in the Study Area.

#### Opportunities for Freight Rail Served Customers

Seaports play a major role in distributing both import and export commodities in the Bay Area. Through the utilization of transload facilities, commodities can be transferred efficiently between ships, trucks and railcars. For example, a logging company will transport harvested trees by truck to a transload facility to load onto ships for export. Import liquid bulk commodities such as fertilizer are transferred from ships to trucks or rail tank cars. The goal is to get a load on or off ships with a minimal amount of handling. The import and export of new vehicles is also handled in a similar way where the ship and the truck or rail facility are in very close proximity to each other allowing for a quick transfer between modes.

Good examples of maritime transload operations can be seen throughout the Bay Area at niche ports such as the Ports of; San Francisco, Redwood City, Richmond and Benicia. Examples of Northern California automobile transload operations can be seen at; the Port of San Francisco, the Port of Richmond and the Port of Benicia. The import and export of bulk commodities also play a major role at port facilities throughout the Bay Area region. However, these ports are constrained by the existing size of their facilities and will not be able to accommodate all of the maritime transload growth necessary to meet the Bay Area's future demand. In 2012, Bay Area ports had a surplus of civilian break bulk, dry, liquid, and neo-bulk cargo berths, as measured by vacant berths. However, cargo forecasts indicate that seven new

#### WASHINGTON, D.C. AREA OFFICE

2107 Wilson Boulevard, Suite 750 | Arlington, VA 22201 | Tel: 703.276.7522 | Fax: 571.223.5217 | [www.rlbadc.com](http://www.rlbadc.com)





R.L. BANKS & ASSOCIATES, INC.

bulk cargo berths will be needed by the year 2020 to accommodate expected growth in bulk cargoes<sup>1</sup>. The waterfront parcels in the Study Area offer new opportunities for maritime related businesses to move to a more favorable location or take advantage of better rail transportation rates because of its close proximity to highway and rail access.

**Table 1<sup>2</sup>**  
**Commodities Handled at Bay Area Ports**

Port	Vehicles	Dry Bulk	Liquid Bulk	Container
San Francisco	146,203 units	- Sand - Aggregate		- Cotton - Newsprint
Redwood City		- Sand - Aggregate - Scrap Metal - Gypsum		
Richmond		- Petroleum Coke	- Vegetable Oil - Molasses - Tallow	- Steel - Lumber
Benicia	1,500,000 units	- Petroleum Coke		

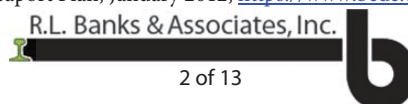
The Ports of San Francisco, Redwood City and Benicia only have access to the Union Pacific Railroad (UP). If a shipper desired to use the BNSF for transport to its final destination, the transportation cost would be higher than if they had direct access to the BNSF. This is precisely the reason why Amports has chosen to develop an automotive transload facility at the former Forestar site in Antioch and why other businesses are looking for sites in the Study Area also. Its operation at the Port of Benicia only has access to the UP and shippers' look for opportunities to gain access to more than one railroad in order to obtain the best transportation rates possible.

These ports have been able to capture bulk commodities that do not fit into the larger Port of Oakland's containerized business plan. The waterfront along the Wilbur Avenue Corridor, with its accessibility to rail and, highways, can potentially provide businesses the ability to handle the following group commodities:

- Dry Bulk, such as; cement, lumber, recycled materials, coal, petroleum coke and ores;
- Break Bulk, which includes individually bagged, boxed, drummed or palletized dry goods;
- Hazardous Liquid Bulk, such as; crude oil, ethanol, liquefied natural gas;
- Non-Hazardous Liquid Bulk, such as cooking oils, wine and juice; and
- Roll On/Roll Off Vehicles, including automobiles, trucks, construction and farm equipment. This is the most efficient transload operation because it only requires laborers to drive vehicles on or off a ship.

<sup>1</sup>Source: San Francisco Bay Area Seaport Plan, January 2012, p 15, <https://www.bcdc.ca.gov/seaport/seaport.pdf>

<sup>2</sup> Source: San Francisco Bay Area Seaport Plan, January 2012, <https://www.bcdc.ca.gov/seaport/seaport.pdf>





R.L. BANKS & ASSOCIATES, INC.

Many of the jobs that have traditionally operated near seaports as service activities related to port operations are moving further east to take advantage of lower land and business expenses to remain competitive. These activities include; warehousing and distribution centers, value-added product assembly for imported goods, bulk commodity transloading, light manufacturing and trucking. These companies are searching for available land with good rail and highway access. Because all five vacant sites in the Study Area are located along the waterfront, they also have the potential to be developed into maritime transload or mode transfer facilities. This capability is a big advantage in attracting new businesses to the Study Area.

### Potential Land Development Opportunities in the Study Area

The majority of businesses in the Study Area rely on trucks because their raw materials are sourced in California and the destination for their finished products is in Northern California. Therefore trucking is the most time and cost sensitive mode of transportation. However, the vacant parcels along the north side of Wilbur Avenue had a greater potential to utilize rail because of the opportunities to develop maritime transload facilities. Many maritime transload facilities depend on rail service because they typically handle heavy bulk commodities which are more economical to move by rail.

The BNSF mainline crosses the Study Area just south of Wilbur Avenue allowing for easy rail access for potential business opportunities. Many businesses that locate near waterfront property generally have a need for rail service because of the heavy bulk commodities associated with maritime transload operations. A field investigation of the Study Area was conducted to determine the potential for each parcel being served by a short-line railroad operation. The inspection team investigated all of the vacant parcels in the Study Area and reported the following:

There are two vacant industrial parcels for sale on the south side of Wilbur Avenue and despite the fact they do not have rail spurs, they still have the potential of being rail served because they are located alongside the BNSF mainline. A vacant parcel with no buildings is located at 2100 Wilbur Avenue. This parcel is currently being used as a parking lot for large trucks. The second vacant parcel is located at 3400 Wilbur Avenue, the site of the former GWF Power Systems Company. This parcel has two vacant buildings on the site which could be easily be turned into a warehouse or truck/rail transload operation.

On the north side of Wilbur Avenue, there are five parcels that have the most potential for rail service because they each had rail connections in the past (Exhibit C). In four of the five parcels, the rail connections have been dismantled because the companies that used to ship by rail are no longer in business. The NRG parcel still has a serviceable rail spur with heavy rail because of the heavy rail cars that used to serve this former power plant. Each of these parcels has good truck, rail and maritime access for future business development. These five sites were investigated by the engineering team and the results of the investigation are listed below:

**Fulton Shipyard, 307 Fulton Shipyard Road, Antioch.** This 10-acre parcel is currently being used to store equipment and is for sale. Two rail tracks inside the property provide access to the ship yard building and an outside construction yard.



R.L. BANKS & ASSOCIATES, INC.

- Engineering Analysis - This parcel is separated from the rest of the parcels in the Study Area by the Antioch Dunes National Wildlife Refuge. Because this is a protected national wildlife habitat, it would not be possible to construct a separate rail connection to the rest of the parcels in the Study Area. The only access available would be to negotiate an agreement with BNSF to either share its rail tracks or obtain an easement to construct a separate track within the existing right-of-way. Otherwise, the only way to provide rail access to this parcel would be to re-install the original rail connection and BNSF would be the only rail carrier that would be able to provide service. The estimated cost to re-install a rail connection to this parcel is \$354,808.
- Environmental Analysis - In 2016, when this parcel was sold, a remedial investigation was implemented. The property was found to have soil and groundwater contamination and is listed on the CORTESE list (i.e. State Superfund). The investigation is being led by the Department of Toxic Substances Control and is still underway<sup>3</sup>.
- Commercial/Economic Development Analysis - Once this parcel is remediated, it would be a very desirable property for a business that has a need for rail access. Located within the property boundary is; an enclosed shop facility, overhead crane, two lead railroad tracks providing access to a construction yard and the shop complex and an existing wharf. The types of businesses that would be interested in this parcel would be steel fabricators, commercial/industrial machinery repair, truck repair and rolling stock manufacturing. This wharf is in excellent condition and would make this parcel very attractive for a maritime transload facility.
- Transportation Analysis - There is an existing 525-foot wharf available that provides easy access for ships. In addition, good truck access is available via Wilbur Avenue and A Street to State Route 4 and State Route 160 via Wilbur Avenue. The existing BNSF rail connection can easily be rebuilt making for a very desirable rail/truck dual-mode connection. Having both truck and rail access allows shippers the ability to use one mode or another in order to obtain the best transportation rates.

**Former Kemwater Chemical Company, 1251 Wilbur Avenue, Antioch.** This 18-acre parcel is currently being used to support what appears to be a metal recycling facility.

- Engineering Analysis - This parcel once had a rail connection to the BNSF, but it has been dismantled. The street crossing is still in place but 2,009 feet of new rail and ties would have to be replaced to restore the connection to the BNSF mainline. The estimated cost to re-install a rail connection is \$1,262,880.
- Environmental Analysis - Four groundwater contamination sites were identified at this location. The contamination sites are being remediated by excavating and treating the soil. The

---

<sup>3</sup> Langan Engineering and Environmental Services, Inc. (Environmental Risk Information Services, Table 2, Database Listing Indicative of Release, 2019), p 2



R.L. BANKS & ASSOCIATES, INC.

remediation process is on-going<sup>4</sup>.

- Commercial/Economic Development Analysis - This parcel would make an ideal location for a small business requiring rail service and/or waterfront access. The types of businesses that would be interested in locating here would include liquid and dry bulk and break bulk commodities, waste recycling, scrap metal, and warehousing.
- Transportation Analysis - Access is available to the San Joaquin River, but a wharf would need to be constructed if a potential business is interested in developing a maritime transload facility. There is good truck access via Wilbur Avenue and State Routes 160 and State Route 4. The only transportation concern is the estimated \$1.2 million cost to restore the rail connection to the BNSF mainline located approximately one mile to the west. This additional cost could make the rail alternative less desirable than using trucks. There is good truck access via Wilbur Avenue and A Street to State Route 4 and Wilbur Avenue to State Route 160.

**Amports (formally the Forestar Site), 2603 Wilbur Avenue, Antioch.** This 110-acre parcel was the site of the former Gaylord Container Corporation which manufactured pulp and paper products. Raw materials were brought in by barge and unloaded at the existing wharf. Finished products were shipped out by truck and rail. The site is currently under a 20-year lease with Amports, Inc., a global auto logistics company that receives new automobiles by ship and arranges for transportation by truck or rail to its final destination.

- Engineering Analysis - The site once had two rail connections. One of the rail connections is located along the western border of the property, is also connected to the same dismantled rail spur that serves the Kemwater Chemical Company. A discussion with Amports revealed that it does not plan to rebuild the western connection because that location does not fit into the overall design of the proposed vehicle transload facility. Instead, the company plans to rebuild a former connection at the eastern end of the property because it has the necessary land available to construct a larger radius curve to accommodate the 89 to 145-foot automobile rail carriers that will be serving this parcel. In order for this parcel to gain rail access again, a new connecting track between the property line and the BNSF mainline would need to be constructed, at an estimated cost of \$354,808.
- Environmental Analysis - Groundwater contamination was identified on this parcel in 2004. Ground water contamination and wetland soil remediation is being addressed. The site is still being monitored to ensure the remediation process complies with State environmental requirements<sup>5</sup>. Amports is in the process of preparing an environmental document and obtaining the necessary permits from the State Land Commission to build a larger wharf capable of accommodating vehicle-carrying ships.

---

<sup>4</sup> Langan Engineering and Environmental Services, Inc., (Environmental Risk Information Services, Table 2, Database Listing Indicative of Release, 2019), p 1

<sup>5</sup> Ibid



R.L. BANKS & ASSOCIATES, INC.

- Commercial/Economic Development Analysis - This parcel is already going through the environmental and State Land Commission approval process to becoming a maritime transload facility. Once this project receives the necessary approvals, construction is expected to begin in 2020. The next phase of development will include construction of a rail and truck transload facility which will allow new vehicles to be loaded onto trucks and rail cars for final delivery in California or other parts of the United States. At full build out, Amports expects to process 150,000 to 175,000 vehicles per year and provide 150 full and part time jobs.
- Transportation Analysis - There is a 750-foot wharf available for easy access by ship. Amports plans to rebuild this wharf to accommodate larger ocean going vessels and develop an automobile transload facility. The land is mostly level with the ability to easily reconstruct a rail connection and develop a truck and rail transload facility. This location is ideal for a marine, truck and rail transload operation having good access to State Route 4 and to State Route 160 via Wilbur Avenue.

**NRG Marsh Landing Generating Station (Contra Costa Power Plant), 3201 Wilbur Avenue, Antioch.** This 86-acre parcel is the site of a former coal-fired power plant. The plant was shut down in 2013, after NRG Energy, Inc. opened its new state-of-the-art natural gas power plant adjacent to the old facility. The total available land available for development is comprised of the 39-acre former Marsh Landing Power Plant and an adjacent 47-acre undeveloped parcel.

- Engineering Analysis - Due to the heavy rail cars that once brought petroleum coke to this power plant, there is an existing heavy rail connection to the BNSF mainline that is serviceable and is still connected to the BNSF mainline. No additional rail work would be necessary at this location in order to begin shipping by rail again.
- Environmental Analysis - This parcel has gone through several pollution investigations since 1986. In 2018, a groundwater, surface water and soil investigation noted further remediation was necessary to clean up the entire parcel. Mitigation of contaminated groundwater was found to be under control as of June 2019 and a corrective measure implementation work plan was scheduled to begin in September 2019<sup>6</sup>.
- Commercial/Economic Development Analysis - This parcel also enjoys excellent potential as a manufacturing facility, given its close proximity to an adjacent electricity generating facility. This nearby power generating station eliminates the cost of installing the necessary electrical infrastructure to bring in power from another location. There is also an existing wharf making this parcel desirable for a maritime transload facility. Discussions with the realtor handling the sale of this parcel indicated interest by three businesses looking for marine transload facilities in the Bay Area. Other uses would include light manufacturing, wet and dry bulk and break bulk commodities, waste recycling and warehousing.

---

<sup>6</sup> Ibid



R.L. BANKS & ASSOCIATES, INC.

- Transportation Analysis - There is a 150-foot wharf available for easy access by ship. Once the old power plant is removed, this parcel would make an ideal maritime transload facility. This parcel has many benefits including; on-site electrical power, an existing wharf, good access to State Route 4 and State Route 160 via Wilbur Avenue and an excellent rail connection, making this location the best parcel in the Study Area for multi-modal transportation access.

**Oakley Logistics Center (formally known as the DuPont Site), 6000 Bridgehead Road, Oakley.** This 345-acre parcel is the location of the former DuPont Chemical Manufacturing Oakley Plant. The parcel is the largest parcel available for development in the Study Area.

- Engineering Analysis - A wye rail connection is still in place, but will need to be extended back into the property to serve any new business requiring rail access. The wye connection was installed to allow the railroad to access the site from either the east or the west. There is also a small railroad yard just west of the wye connection for rail car storage. The estimated cost to re-install a rail connection to the BNSF mainline is estimated to be \$220,800
- Environmental Analysis - This site is undergoing corrective action under the Resource Conservation and Recovery Act. The northern and southern development areas and wetlands remediation activities will remove and/or treat impacted sediment, soil, and groundwater at the site in order to eliminate or reduce potential exposures and hazards at the site<sup>7</sup>. As the remediation is completed, the remediated areas will be ready for development. Full remediation is expected by 2021.
- Commercial/Economic Development Analysis - The North Point Development Firm, located in Kansas City, Missouri, is in the process of purchasing this property. The company plans to develop 143 acres along the southwest portion of this parcel as part of the Oakley Logistics Center. The remaining 232 acres will remain as a green space. The proposed development includes the construction of five warehouses to serve as a regional warehouse and distribution center. The planned warehousing and distribution center has been approved by the City of Oakley. The 2-million square foot light industrial, warehouse, distribution, e-commerce fulfillment, and light manufacturing center will be provide a an estimated 1,900 new jobs.
- Transportation Analysis - This parcel does not have direct access to the San Joaquin River because approximately 200-acres along the northern portion are designated as an environmentally sensitive area. However, there is direct access to State Route 160 and State Route 4 and the BNSF Railway, making it an ideal location for shippers desiring good truck and rail access. There is rail infrastructure within the BNSF right-of-way that includes an existing wye connection, and a nearby rail storage yard. Rail infrastructure could be extended into the parcel to whatever location rail service is desired. The proposed Oakley Logistics Center is planned to be a predominately a truck-served facility with the rail option available to any tenants desiring rail service.

---

<sup>7</sup> Langan Environmental services, Inc., (Environmental Risk Information Services, Table 2, Database Listing Indicative of Release, 2019), P.2



R.L. BANKS & ASSOCIATES, INC.

### *Opportunities for Freight Rail Served Customers Findings and Conclusions*

While conducting the field investigation an evaluation was conducted to determine if a short-line rail corridor could be constructed to connect all five vacant parcels on the north side of Wilbur Avenue. The results of that evaluation are listed below:

1. The Fulton Shipyard parcel is completely isolated from the rest of the vacant parcels in the Study Area. In between this parcel and the Kemwater Parcel lies the Antioch Dunes National Wildlife Refuge. It would not be possible to construct a railroad through this protected area.
2. A discussion was conducted with Amports regarding the possibility of constructing a railroad to connect the Kemwater Parcel with the NRG Parcel. Amports stated it would not be willing to allow any other railroads to cross through its property because it needs all of the available land for its own operation. This position by Amports essentially extinguishes any possibility to construct a separate rail corridor in the Study Area to connect all the remaining parcels.
3. There field investigation also determined there was no way to connect the Oakley Logistics Center parcel with the rest of the Study Area due to the inability to cross underneath State Route 160. The existing highway under crossing is not wide enough to accommodate a railroad track due to space constraints.

As a result of these three findings, the only possible way to connect the vacant parcels in the Study Area is by obtaining either an easement from BNSF to construct a separate track alongside of its mainline or negotiate a trackage rights agreement to allow a short-line railroad to operate on its mainline within the Study Area.

### *Feasibility of a New Short-line Railroad in the Study Area*

A company's ability to use rail is just one part of its ultimate decision to actually utilize rail service. The growing inclination of businesses to consider rail results from changes in the economics of transportation nationally. Four discernable trends suggest a growing role to be played by freight rail in the near future.

First, demands on existing surface transportation infrastructure have never been greater. While public attention is focused on the steadily increasing number of motor vehicle miles being driven every year, equally profound effects are being manifested on the railroad infrastructure. Demand for railroad trackage is manifest in the fact that Class I railroad freight train miles traveled throughout the United States have increased, from 375 million in 1991 to 465 million in 2017.

Second, large railroads are enjoying a period of relative prosperity. A number of factors including deregulation, mergers and other industry restructuring trends result in railroads that are better poised to meet future challenges than in past decades. Short-line railroads increasingly are the rail freight industry's point of contact with local customers, so the financial condition of those regional and local lines will have



R.L. BANKS & ASSOCIATES, INC.

a major effect on economic development.

Third, is the relatively high cost of fuel. Combined with growing congestion, a chronic shortage of drivers, and increased fuel costs changes the relative formula for using trucks as opposed to rail. While the congestion encountered by more and more truck movements is an obvious problem, the impact of rail efficiency is even more far-reaching. An industry “rule of thumb” is that one rail car carries a load equivalent to four trucks. The very nature of rail adds even more efficiency; metal wheels moving along metal tracks generate less resistance than rubber tires moving on pavement. All told, a gallon of fuel will move a ton of freight much farther on rail than on a highway.

Fourth, increasingly stringent environmental regulations and resistance of property owners to new highway construction in urban settings limit the amount of highway expansion possible and focuses attention on alternatives to private motor vehicles. Dozens of cities, large and small, have examined the feasibility of one or more rail passenger technologies to ease roadway congestion, benefit the environment, and support revitalization of urban cores. Similarly, governments at all levels are increasingly studying the effect of truck movements on highway capacity and the advantages of diverting at least some of those loads to rail.

With respect to such matters, rail competes extremely well, with a reputation for having a “light environmental footprint” when compared with highways. For instance, for every ton of goods moved one kilometer, freight rail emits one-third the nitrogen oxide and carbon monoxide and one-tenth the volatile organic compounds and diesel particulates emitted by heavy trucks. The very fact that rail development must follow the rail alignments reduces the potential for sprawl. Greater use of the rail mode has proved to be one area where environmentalists and economic developers have found significant common ground.

### Short Line Railroads

A short-line railroad is a small or mid-sized railroad company that operates over a short distance relative to larger, national railroad networks. Short-line railroad generally exist for one of three reasons: 1) to link two industries requiring rail freight together (for example, a coal mine and a power plant; 2) to interchange revenue traffic with other, usually larger, railroads or 3) to operate a tourist passenger train service. Some short lines exist for all three of these reasons.

In general, short-line railroads provide many benefits to shippers. Among them are:

1. When a Class I carrier’s service deteriorates, they offer alternative rail options if they connect to multiple Class I carriers;
2. They are a means to gain competitive rates when they connect to multiple Class I carriers;
3. They provide quality and timely service;
4. They make decisions at the local level; and
5. They provide links to communities and companies.

Another factor that makes short-line railroads attractive is the decision-making process that the smaller





R.L. BANKS & ASSOCIATES, INC.

railroads enjoy. Decisions affecting both costs and revenues are made at the local level, where tradeoff issues are best understood. Frank Turner, a former President of American Short-Line Railroad Association (ASLRRRA), said that “small railroads are an essential part of the national rail network, linking many small towns and rural communities to the system and providing competitive options for rail shippers.” Smaller railroads help smaller communities and vice versa. Those links allow shippers options and gain them access to Class I carriers. An ideal location for short line and regional railroads is a town with a link from a short-line railroad to two or more Class I carriers, providing a good incentive for businesses to set up satellite facilities or to relocate to that town.

**Table 2**  
**Types of Commodities Handled by Short-Line Railroads in the United States in 2015<sup>8</sup>**

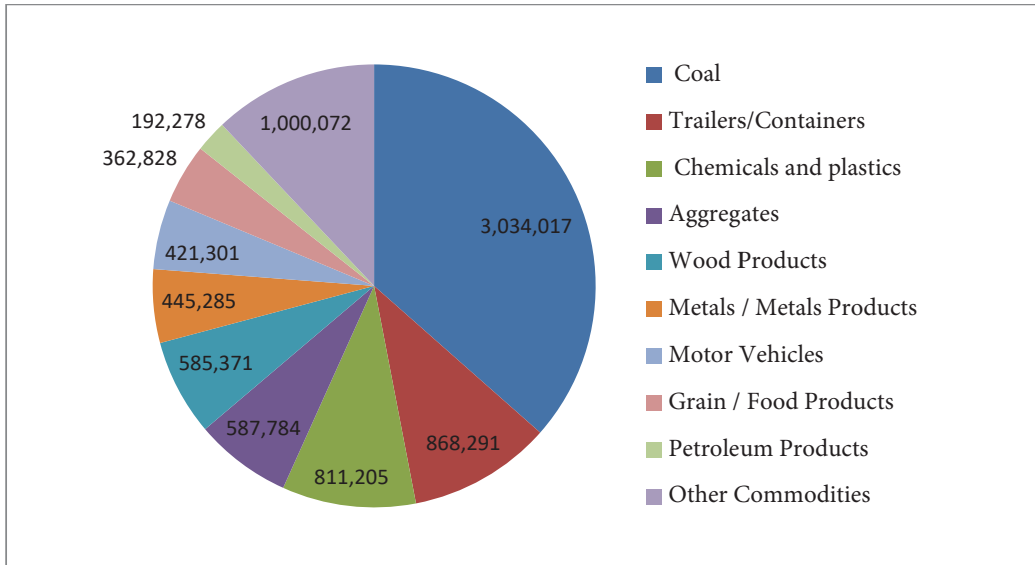


TABLE C-2  
COMMODITIES HANDLED BY SHROT-LINES

In California, there are 21 short-line railroads and seven switching and terminal railroads, of which five are publicly owned. A switching and terminal railroad is a freight railroad company whose primary purpose is to perform local switching services or to own and operate a terminal facility.

Of the 21 short-line railroads in California, there are three potential operators that would be well- suited to the unique conditions and opportunities associated with rail transportation in the Study Area. These operators are very familiar with railroad industry operating standards and, agreements with Class I railroads, businesses and public agencies. They are all familiar with the Federal and State safety regulations and have worked closely with cities and counties to ensure that safety is their first priority. Each of the five short-line railroad operators have many years of experience operating maritime and land based transload operations in California. They are known for their professionalism in providing quality service to meet their customers’ needs.

<sup>8</sup> American Shortline Railroad Association, Member Survey, 2016



R.L. BANKS & ASSOCIATES, INC.

These short-line railroad profiles are described below:

- 1) **Genesee & Wyoming, Inc. (GWRR) Darien, CT.** This short-line railroad company operates 113 short line and regional freight railroads in 41 U.S. states and four Canadian provinces, including six short lines in California, including the **Central Oregon & Pacific Railroad (CORP)**, the **California Northern Railroad (CFNR)**, the **San Joaquin Valley Railroad (SJVR)**, the **Ventura County Railroad (VCRR)**, the **San Diego & Imperial Valley Railroad (SDIY)** and the **Arizona & California Railroad (ARZC)**. G&W is experienced with waterfront transload operations; it works in close coordination with publicly-owned seaports and rail ferry services at forty seaports worldwide.
- 2) **OmniTRAX, Inc. (OmniTRAX) Denver, CO.** This short-line railroad company operates 23 short-line railroads 22 short-line railroads in 12 U.S. states and one Canadian province. OmniTRAX is experienced with barge terminal and transload operations. In California, OmniTRAX operates the **Stockton Terminal & Eastern Railroad (STE)** in Stockton.
- 3) **Watco Transportation Services (Watco), Pittsburg, KS.** Watco is the largest short-line railroad operator in the U.S. operating 41 short-line railroads in 23 states. Watco is experienced with seaport and transload operations. In California, Watco operates the **Pacific Sun Railroad (PSRR)** in San Diego County. Commodities handles include; corn, soy, lumber, plastic pellets, beer, paint and waste for recycling.
- 4) **Sierra Northern Railway (SERA), Woodland, CA.** SERA operates a railroad between West Sacramento and Woodland, including the maritime transload facility at the Port of Sacramento. The railroad also serves rail customers between Sonoma, Oakdale and Riverbank, including the 170-acre Riverbank Industrial Complex. SERA interchanges with Union Pacific Railroad (UP) and BNSF Railway (BNSF) in West Sacramento and BNSF in Riverbank. In addition, it is the contract railroad operator at the Department of Defense's Concord Naval Weapons Station, located a few miles west of the Study Area.
- 5) **San Francisco Bay Railroad (SFBR), San Francisco, CA.** This short-line railroad that has been in operation since 2000 and operates over five miles of track in San Francisco and serves the maritime transload facility at the Port of San Francisco. The railroad provides all of the switching services for the automobile and bulk commodity transload shipments at the Port of San Francisco.

### *BNSF Railway*

BNSF has a long history of partnering with short-line railroads. Currently BNSF has 209 short-line railroad partners in 27 states. BNSF's goal is to provide the best service to its customers through its railroad operations, sometimes partnering with short-line railroad operators who share BNSF's vision. BNSF, as a common carrier, has an obligation to serve businesses that require rail service near its rail



R.L. BANKS & ASSOCIATES, INC.

system. A common carrier is legally bound to carry all passengers or freight as long as there is enough space, the fee is paid, and no reasonable grounds to refuse to do so exist<sup>9</sup>. Because BNSF owns and operates a railroad that runs through the Study Area and originally provided the rail access to the vacant parcels along the waterfront, it has first priority in determining how potential new shippers would be served.

BNSF uses an internal review process to evaluate each potential new customer that is interested in shipping by rail. This process involves analysis by each of the affected rail groups (e.g. network planning, service design, operations, economic development, specific commodity groups, short-line development, etc.) that will be impacted by any new shipper. The extensive evaluation process involves over 200 factors. In most cases, BNSF's prefers providing direct rail service to its customers. However, if more efficient and economically advantageous, BNSF may engage a short-line railroad or rail switching contractor to provide the necessary switching services it would normally undertake itself.

BNSF was asked to review Tech Memo #4, the draft Marketing Analysis. After reviewing the Tech Memo, BNSF stated "it would not likely support a separate, short-line railroad operation." in the Study Area. BNSF's position; at the present time, is that there exists sufficient rail business in close proximity to the Study Area and enough growth potential for BNSF to provide direct rail service without engaging a short-line railroad operator to act in an intermediary capacity. However, those decisions could change and will be made on a case-by-case basis when it evaluates each proposed business opportunity. The final decision will be made on what makes the most economic sense to BNSF and the potential shipper.

### Union Pacific

In addition to the possibility of utilizing the BNSF right-of-way, the field investigation team looked at the feasibility of constructing a rail line from the UP branch line near State Route 4 and State Route 160, just south of the Study Area. In order to access this rail line as an alternative rail corridor, a major financial undertaking would be necessary. The only opportunity to construct a new rail corridor would be adjacent to State Route 160. It would require preparing a California Environmental Quality Act (CEQA) document and hiring an engineering firm to develop the plans and estimate to construct the new rail connection. This option would require purchasing approximately two miles of right-of-way at an estimated cost of \$2 million per mile. Once the new rail line approached Wilbur Avenue, it would have to cross the BNSF mainline. BNSF would most likely require this new rail line to be grade separated to avoid any delays on its own mainline. The estimated cost of a grade separation is \$20 to \$30 million. However, this option would only provide rail access to one potential business at the NRG Parcel.

### Feasibility of a New Short-line Railroad in the Study Area Findings and Conclusions

Given BNSF's position in regard to supporting a short-line railroad operation, it is very unlikely that BNSF would agree to any option that involves utilizing its railroad right-of-way. This essentially eliminates any opportunity to work with BNSF on accessing its right-of-way or gaining trackage rights

---

<sup>9</sup> *West's Encyclopedia of American Law, edition 2.* From <https://legal-dictionary.thefreedictionary.com>



R.L. BANKS & ASSOCIATES, INC.

through the Study Area. Conversely, building a connection to the Union Pacific would require very expensive upfront capital costs. These initial costs would make it difficult to obtain enough return on investment to justify this major rail construction project.

A short-line railroad cannot operate without a Class I railroad partner. BNSF has stated it would most likely not support a short-line railroad operation in the Study Area. Therefore BNSF cannot be relied on to help facilitate a short-line railroad operation in the Study Area. The UP option will only get the rail line access to the NRG parcel because the other potential rail served parcels are isolated. It would not be possible to construct an independent rail line to connect to the remaining parcels within the Study Area due to obstructions at the Antioch National Wildlife Refuge, the Amports property, and State Route 160 undercrossing. Therefore, it would be difficult to justify the large expense required to provide rail access to the Study Area for just one shipper. In addition, the new short-line railroad would have a difficult time providing cost competitive rates and service because BNSF could provide the same service at a much lower rate. Based on the overall rail evaluation performed in the Study Area, a short-line railroad operation would not be feasible.



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Industrial Safety Ordinance Annual Report

---

**RECOMMENDATION(S):**

ACCEPT the Industrial Safety Ordinance Report, as submitted by the Health Services Department.

**FISCAL IMPACT:**

There is no fiscal impact for this action.

**BACKGROUND:**

Chapter 450-8 of the County Ordinance code effective in 2000 and as amended in 2006 and 2014 requires the department to prepare an annual report that summarizes the impact and effectiveness of the Industrial Safety Ordinance for the Safety Programs at the regulated facilities.

**CONSEQUENCE OF NEGATIVE ACTION:**

A report that summarizes the 2020 Industrial Safety Ordinance activities would not be made available for the public.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Laura Cassell, Deputy

Contact: Randy Sawyer,  
925-957-2668

ATTACHMENTS

ISO Report



INDUSTRIAL SAFETY ORDINANCE  
ANNUAL PERFORMANCE REVIEW  
AND EVALUATION REPORT  
**February 5, 2021**

By Contra Costa Health Services Hazardous Materials Programs

# Table of Contents

Executive Summary .....	3
Public Participation .....	4
Audits.....	4
Major Chemical Accidents or Releases.....	4
Conclusion .....	4
Background .....	5
Effectiveness of Contra Costa Hazardous Materials Programs' Implementation of the Industrial Safety Ordinance .....	9
Effectiveness of the Procedures for Records Management.....	10
Number and Type of Audits and Inspections Conducted.....	10
Annual Performance Review and Evaluation Report.....	11
Root Cause Analyses and Conducted by Hazardous Materials Program .....	11
Hazardous Materials Programs' Process for Public Participation .....	12
Effectiveness of the Public Information Bank.....	12
Effectiveness of the Hazardous Materials Ombudsperson .....	13
Other Required Program Elements Necessary to Implement and Manage the Industrial Safety Ordinance.....	13
Regulated Stationary Sources Listing .....	14
Status of Safety Plans and Programs .....	7
Locations of the Regulated Stationary Sources Safety Plans.....	9
Annual Accident History Report and Inherently Safer Systems Implemented as Submitted by the ..... Regulated Stationary Sources .....	13
Status of the Incident Investigations, Including the Root Cause Analyses Conducted by the Regulated Stationary Sources.....	15
Major Chemical Accidents or Releases.....	16
Legal Enforcement Actions Initiated by Contra Costa Hazardous Materials Programs .....	18
Penalties Assessed as a Result of Enforcement.....	18
Total Fees, Service Charges and Other Assessments Collected Specifically for the Industrial Safety Ordinance .....	18
Total Personnel and Personnel Years Used by Hazardous Materials Program to Implement the Industrial Safety Ordinance.....	18
Comments from Interested Parties Regarding the Effectiveness of the Industrial Safety Ordinance .....	19
The Impact of the Industrial Safety Ordinance on Improving Industrial Safety .....	19
Hazardous Materials Ombudsman Report.....	23–28
Attachment B-County Regulated Sources Annual Performance .....	30–70
Attachment C-Richmond Regulated Sources Annual Performance.....	71–83



## Executive Summary

Contra Costa County's Industrial Safety Ordinance (ISO), adopted in 1998 by the Board of Supervisors, requires regulated facilities in the county to implement comprehensive safety programs to prevent chemical accidents. The ISO's requirements are some of the most stringent in the United States, if not the world. The goal is for facilities to implement comprehensive safety programs, instill a safety culture at the work place and create management systems that prevent incidents that could have detrimental impacts to surrounding communities. The ISO also mandates outreach and participation from industries, agencies, elected officials and the public.

Three major oil refineries and three chemical facilities are required to comply with ISO requirements. Two facilities (one refinery and one chemical plant) within the City of Richmond are required to comply with the Richmond Industrial Safety Ordinance (RISO), which mandates the same requirements from a separate municipal authority. Both ordinances are administered by Contra Costa County's Hazardous Materials Programs (CCHMP), a division of Contra Costa Health Services. CCHMP annually evaluates and reports on ISO performance to the Board of Supervisors.

There were no Major Chemical Accidents or Releases (MCAR) as defined in the ISO at any regulated facility in this reporting period and, while there have been Community Warning System (CWS) Level II and CWS Level III incidents that caused community concern over the past two decades, there is an overall observable trend of fewer and less severe incidents in the county. CCHMP believes that ISO is a major contributor to the safety records of these facilities.

It can be a challenge to stay vigilant and ensure continuous safe facility operations in mature prevention programs, but recent amendments to program requirements have helped the ISO and RISO programs continue to improve the thoroughness and completeness of audits and inspections. In 2014, for example, the Board of Supervisors adopted amendments to the ISO as recommended by the U.S. Chemical Safety and Hazard Investigation Board (CSB). CCHMP staff incorporated additional field activities at ISO and other hazardous materials regulated facilities.

CCHMP also worked closely with Department of Industrial Relations (DIR), California Office of Emergency Services (Cal OES) and California Environmental Protection Agency (CalEPA) to develop two new, statewide petroleum refinery safety regulations: The California Accidental Release Prevention Program (Program 4) and the Process Safety Management requirement for Petroleum Refineries. Both were developed from requirements in Contra Costa's ISO and were adopted into regulation by the state in October 2017. CCHMP believes these new regulations will further improve safety programs at all California petroleum refineries as demonstrated here in Contra Costa County. CCHMP is also working closely with other Certified Unified Program Agencies (CUPA) in the development of guidance and implementation of these regulations for refineries.

CCHMP's Accidental Release Prevention (ARP) Program engineers oversee the ISO and RISO programs and work with other agencies such as the U.S. Environmental Protection Agency (EPA), the California Occupational Safety and Health Administration (Cal-OSHA), CSB and other local program agencies. This Interagency collaboration includes sharing of incident and inspection results, discussion of regulatory interpretations and joint training.

## Public Participation

CCHMP has an established public outreach process and is continually looking for ways to improve it. The following community engagement efforts took place in this reporting period:

- Public outreach information booths at existing venues
  - Safety audits for Shell Martinez Refinery, Air Products Shell and Air Products Marathon Martinez Refinery were shared at Alhambra Christmas Tree Farm, Martinez, During National Night Out, August 6, 2019
- Presentations to Interested Groups
  - Presentation of the safety audit to the Marathon Martinez Refinery Community Advisory Panel (CAP) on August 28, 2019
  - Presentation of the safety audit to the Chemtrade Richmond's Community Advisory Panel (CAP) on February 19, 2020
- Attend public meetings after major incidents
  - There were no Severity III incidents of ISO-regulated facilities in this reporting period
- The most recent audit findings are summarized in an easily read format in English and Spanish and posted at [cchealth.org/hazmat](http://cchealth.org/hazmat)
- Information on regulated businesses is presented in an easily read format in English and Spanish
- Industrial Safety Ordinance Information Sheets are prepared in English and Spanish

The Board of Supervisors also requested that staff provide copies of the annual report to communities through the Community Advisory Panels (CAP). This 2020 Annual Report is available on our website and will be sent to CAP representatives for distribution.

## Audits

Audits of regulated businesses are required at least once every three years to ensure that the facilities are implementing required programs. We completed three ISO and RISO audits in 2020:

- Phillips 66 Rodeo Refinery — January 2020
- Chemtrade West Richmond Works — July 2020\*
- Air Products at Martinez Refining Company — October 2020\*

\*audits were conducted without on-site inspections due to COVID-19 health order precaution

## Major Chemical Accidents or Releases

There were no MCAR events at ISO-regulated facilities in this reporting period.

## Conclusion

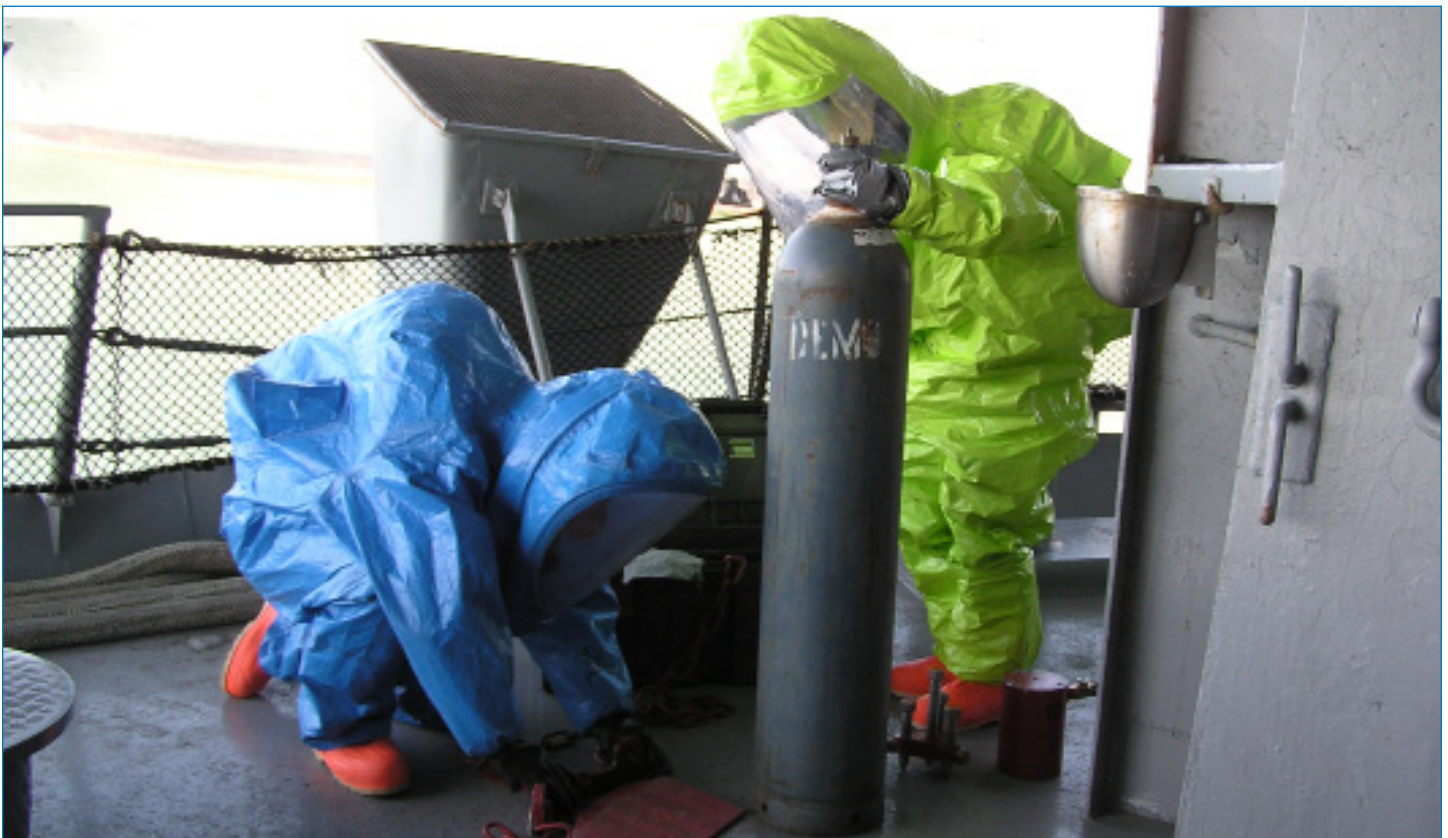
The severity of MCAR events in Contra Costa County has declined since the implementation of the ISO, with a few minor irregularities in the trend. The ISO has improved regulated facilities' safety programs and operations.

CCHMP has sought assistance from stakeholders, including regulated facilities, workers and community members, to include the CSB-recommended improvements to the ordinance that the Board of Supervisors adopted in 2014. These further reduce likelihood of chemical accidents at these industrial facilities.

## Background

The Board of Supervisors adopted the ISO due to significant accidents that occurred at oil refineries and chemical plants in the county in the 1990s. The effective date of the ISO was January 15, 1999. The ordinance applies to oil refineries and chemical plants with specified North American Industry Classification System (NAICS) codes that were required to submit a Risk Management Plan to the U.S. EPA and are Program Level 3 Stationary Sources as defined by the U.S. EPA Risk Management Program. The ordinance specified the following:

- Stationary sources had one year to submit a safety plan to CCHMP stating how they are complying with the ordinance, except the Human Factors portion (completed January 15, 2000)
- CCHMP would develop a Human Factors Guidance Document (completed January 15, 2000)
- Stationary sources had one year to comply with the Human Factors Guidance Document (compliance date: January 15, 2001)
- After an MCAR event, stationary sources are required to perform a root cause analysis as part of their incident investigations (ongoing)
- CCHMP may perform its own incident investigation, including a root cause analysis (ongoing)
- All processes at stationary sources are covered as Program Level 3 (now Petroleum Refineries Program Level 4 processes as defined by the CalARP program)
- Stationary sources are required to consider inherently safer systems for new processes or facilities and for mitigations identified in a process hazard analysis
- CCHMP reviewed all the submitted safety plans and inspected all the stationary sources' safety programs within one year of receipt (completed January 15, 2001) and every three years after the initial audit or inspection



CCHMP issued the first Contra Costa County Safety Program Guidance Document on January 15, 2000. The stationary sources were required to comply with the Human Factors section of this guidance document by January 15, 2001. CCHMP performed specialized audit for all the stationary sources for their Human Factors programs and for Inherently Safer Systems in 2002.

The 2006 amendments to the ISO required:

1. Expanding the Human Factors Program to include Maintenance
2. Expanding the Management of Organizational Change to include Maintenance and all of Health and Safety positions
3. Requiring stationary sources to perform safety culture assessments one year after CCHMP developed guidance
4. Requiring stationary sources to perform Security Vulnerability Analysis

Hazardous Materials Programs staff worked with the regulated facilities to develop a Safety Culture Assessment Guidance Document, which was finalized and issued on November 10, 2009. Staff began reviewing these assessments in December 2010. A revised Safety Program Guidance Document that reflects the ISO amendments and additional clarifications based on the audit findings was issued in July 2011.

In June 2014, the Board of Supervisors approved an amendment to the ISO to address recommendations by CSB, set forth in the Chevron refinery fire interim investigation report (August 2012), that broadened the goals of the regulation by requiring:

1. Use of performance indicators in the evaluation of process safety systems and to provide required contents in the annual performance review and evaluation report provided to the Board of Supervisors
2. Expand the implementation of inherently safer systems as much and as soon as possible. Stationary sources are now required to evaluate and document inherently safer system analysis:
  - a. Every five years for existing covered processes,
  - b. In the development and analysis of recommended action items identified in a process hazard analysis,
  - c. As part of a management of change review, whenever a major change is proposed at a facility that could reasonably result in a major chemical accident or release,
  - d. When an incident investigation report recommends a major change that could reasonably result in a major chemical accident or release,
  - e. When a root cause analysis report recommends a major change that could reasonably result in a major chemical accident or release, and
  - f. During the design of new processes, process units and facilities.
3. Conduct, document and complete a safeguard protection analysis for all processes by June 30, 2019, and update and revalidate it every five years thereafter.

## Regulated Stationary Sources Listing

The six stationary sources covered by the ISO are:

1. Air Liquide Large Industries—Rodeo Hydrogen Plant at Phillips 66
2. Air Products at MRC (formerly Shell Martinez Refining)
3. Air Products at the Marathon (formerly Tesoro Golden Eagle Refinery)
4. Martinez Refining Company—MRC (formerly Shell Martinez Refinery)
5. Phillips 66 Rodeo Refinery
6. Marathon Martinez Refinery (formerly Tesoro Golden Eagle Refinery)

The facilities covered by RISO are:

- Chevron Richmond Refinery
- Chemtrade West Richmond Works (formerly General Chemical Richmond)

## Status of Safety Plans and Programs

The status of each of the regulated stationary sources is given in Table I and includes:

- When the latest updated safety plans were submitted
- When notices of deficiencies were issued
- When plans were determined to be complete by CCHMP
- When public meetings were held about safety plans
- When audits were complete
- When public meetings were held on preliminary audit findings
- When safety plans were revised to include human factors (HF) programs
- When notices of deficiencies were issued for human factors-revised safety plans
- When human factors components of safety plans were determined to be complete
- When audit/inspections were completed
- When human factors audit preliminary findings public meetings were held



**Table I  
Industrial Safety Ordinance Stationary Source Status**

<b>NAME</b>	<b>Safety Plan (SP) Received</b>	<b>Notice of Deficiencies (NOD) Issued-SP</b>	<b>Safety Plan Complete</b>	<b>SP Public Meeting Date</b>	<b>Audit/ Inspection</b>	<b>Audit Public Meeting</b>
Air Liquide Large Industries Rodeo Hydrogen Plant	7/10/09 7/14/10 11/03/13 1/23/17 12/01/19 1/24/20	12/13/12 1/03/13	3/01/13 11/12/13	7/21/13 10/05/13 8/07/18	6/01/10 5/28/13 2/29/16 1/22/19	10/08/11 10/05/13 10/14/17
Air Products— MRC & Marathon	1/14/00 1/16/01 (HF update) 6/26/03 7/14/05 12/01/06 6/20/08 6/30/10 6/30/14 12/01/17 10/20/20	6/15/00 5/10/01 (HF update) 8/24/07 3/14/11 7/11/14	8/30/00 6/19/01 (HF update) 9/14/07 7/01/08 7/14/14	9/13/00 5/08/03 9/23/07 6/19/10 4/21/12 4/15/15 8/06/19	11/22/00 5/03/02 (HF) 2/27/04 1/22/07 7/20/09 4/16/12 3/30/15 1/11/18 10/26/20	5/08/03 9/24/06 9/23/07 6/19/10 4/20/13 4/23/15 4/23/16 8/06/19
Phillips 66 – Rodeo Refinery	1/15/00 1/12/01 (HF update) 8/10/05 8/7/09 8/07/12 8/07/15 8/06/18	3/14/00 9/10/01 (HF update) 3/28/06 11/22/10 6/05/17	5/30/00 3/18/02 (HF update) 8/9/02 11/5/07 1/27/11 7/03/13 11/19/18	6/15/00 5/09/02 10/07 & 10/13/07 10/08/11 10/05/13 7/21/2013 11/18/17	6/30/00 11/05/01 (HF) 8/01/03 8/15/06 10/06/08 8/01/11 4/28/14 1/04/17 1/06/20	4/09/02 6/22/04 7/08/04 10/07 & 10/13/07 7/18/10 10/09/10 10/08/11 7/21/13 10/05/13 10/24/15 10/14/17
Martinez Refining Company – MRC (formerly Shell Martinez Refinery)	1/14/00 1/16/01 (HF update) 7/22/02 1/11/06 9/03/10 9/03/13 8/26/16 8/23/19	7/19/00 11/9/01 (HF update) 3/21/03 8/15/06 10/25/11	4/09/01 1/03/02 (HF update) 9/15/03 11/2/06 3/27/12 3/25/15 3/30/17	5/8/03 9/24/06 9/23/07 4/21/12 4/18/15 4/22/17	10/31/00 4/29/02 (HF) 11/26/04 10/23/06 4/30/09 2/13/12 5/11/15 2/28/18	5/08/03 9/24/06 9/23/07 6/19/10 4/20/13 4/23/16 8/06/19

Marathon Martinez Refinery (formerly Tesoro Golden Eagle Refinery)	1/14/00 1/12/01 (HF update) 6/21/02 6/22/07 12/11/09 6/01/12 6/30/15 6/13/17	8/16/00 9/18/01 (HF update) 7/30/07 8/06/12	1/31/01 12/14/01 (HF update) 6/21/03 11/05/07 6/04/10 8/27/12	5/06/03 9/23/07 6/10/10 9/06/12 4/22/17 8/07/18	9/15/00 12/3/01 (HF) 9/8/03 11/07/05 8/18/08 4/18/11 1/06/14 10/05/16 9/16/19	5/06/03 9/24/06 9/23/07 6/10/10 9/06/12 4/18/15 8/07/18
---	---	---	---	--	---	---

## Locations of the Regulated Stationary Sources Safety Plans

Regulated stationary sources are required to update their safety plans at least once every three years. These plans are available for public review at the Hazardous Materials Programs office, 4585 Pacheco Blvd., Suite 100, Martinez. When CCHMP determines that a safety plan update is complete, prior to the required 45-day public comment period, staff places the updated plan in the Contra Costa Library branch or branches closest to the regulated stationary source so it is easily accessible for public review. Table II lists each safety plan location.

**Table II  
Location of Safety Plans—Libraries**

Regulated Stationary Source	Location 1	Location 2	Location 3
Air Liquide Large Industries Rodeo Hydrogen Plant	Hazardous Materials Programs Office	Rodeo Public Library	Crockett Public Library
Air Products at MRC (formerly Shell)	Hazardous Materials Programs Office	Martinez Public Library	
Air Products at Marathon (formerly Tesoro)	Hazardous Materials Programs Office	Martinez Public Library	
Martinez Refining Company—MRC (formerly Shell Martinez Refinery)	Hazardous Materials Programs Office	Martinez Public Library	
Phillips 66 Rodeo Refinery	Hazardous Materials Programs Office	Rodeo Public Library	Crockett Public Library
Marathon Refinery (formerly Tesoro Golden Eagle Refinery)	Hazardous Materials Programs Office	Martinez Public Library	

## Effectiveness of Implementation of the Industrial Safety Ordinance

Contra Costa Hazardous Materials Programs has developed policies, procedures, protocols and questionnaires to implement the California Accidental Release Prevention (CalARP) Program and the Industrial Safety Ordinance. The policies, procedures, protocols and questionnaires for these programs are listed below:

- Audits/Inspections Policy
- Conducting the Risk Management Plan/Safety Plan Completeness Review Protocol
- Risk Management Plan Completeness Review Questionnaires
- Safety Plan Completeness Review Questionnaires
- Conducting Audits/Inspections Protocol

- Safe Work Practices Questionnaires
- CalARP Program Audit Questionnaires
- Safety Program Audit Questionnaires
- Conducting Employee Interviews Protocol
- Employee Interview Questionnaires
- Procedure Field Verification Protocol
- Piping and Instrumentation Diagram Field Verification Protocol
- Public Participation Policy
- Dispute Resolution Policy
- Reclassification Policy
- Covered Process Modification Policy
- CalARP Internal Performance Audit Policy
- Conducting the Internal Performance Audit
- CalARP Internal Audit Performance Audit Submission
- Fee Policy
- Notification Policy
- Unannounced Inspection Policy
- Risk Management Plan Public Review Policy

Hazardous Materials Programs also developed the Contra Costa County CalARP Program Guidance Document and the Contra Costa County Safety Program Guidance Document, which was updated and reissued to regulated facilities on July 22, 2011. All policies, procedures, protocols and questionnaires are available through Hazardous Materials Programs office, and the guidance documents are available electronically at: <http://cchealth.org/hazmat/calarp/guidance-document.php> and [http://cchealth.org/groups/hazmat/industrial\\_safety\\_ordinance\\_guidance.php](http://cchealth.org/groups/hazmat/industrial_safety_ordinance_guidance.php)

CCHMP staff is working with regulated facilities and labor representatives to revise the Safety Program Guidance Document based on audit results and set expectations for compliance with the ordinance.

## **Effectiveness of the Procedures for Records Management**

CCHMP has digital files for each stationary source. The files include:

1. Annual status reports
2. Audits & inspections
3. Communications
4. Completeness review
5. Emergency response
6. Incident investigation
7. Trade secret information

Digital copies of the files are stored on the Hazardous Materials Programs network and are accessible to the Accidental Release Prevention Program engineers, supervisor and the Hazardous Materials Director. Portable document format (PDF) versions of these files are also available for public viewing at the CCHMP office. Since the CCHMP office and libraries are closed to the public during the COVID-19 pandemic, CCHMP has also provided select electronic documents on the facility description pages on our general website: <https://cchealth.org/hazmat/rmp/> The Accidental Release Prevention Program files contain regulations, policies, information from the U.S. EPA, the Governor’s Office of Emergency Services, CSB, and other information pertinent to the engineers. The risk management and safety plans are received in hard copy, scanned and kept at the CCHMP office.



## **Number and Type of Audits and Inspections Conducted**

Beginning in the fall of 2019, CCHMP began its next round of required audits at each of the ISO and RISO facilities. This is the eighth round of audits since 2000. When the Health Order was issued on March 16, 2020 in response to the COVID-19, pandemic, CCHMP adjusted the audit protocol to perform the audit remotely through file sharing records review, web conference and interviews with Subject Matter Experts and select employee and employee representatives and “live” navigation and query of selected databases. Procedure review was part of the audit but in-person procedure walkdown was not performed.

When CCHMP ARP engineers review a safety plan, a notice of deficiencies is issued documenting any changes the stationary source must make before the plan is determined to be complete. The stationary source has 60 to 90 days to respond. The ARP engineer will work with the stationary source until the plan contains the required changes. When the plan is complete, the ARP engineer will open a public comment period and make the plan available in a public meeting or venue as well as at the public library branch closest to the stationary source. The ARP engineer will respond to all written comments in writing and, when appropriate, use the comments in upcoming audit/inspections of the regulated stationary source.

An ARP engineer will issue a Preliminary Audit Findings report after each facility audit/inspection. The stationary source will have 90 days to respond and the ARP engineer will review the response. The stationary source must submit an action plan to correct any uncovered ISO compliance issues, which the ARP Engineer will review. If the ARP Engineer agrees with the action plan, CCHMP will issue the Preliminary Audit Findings for public comment and make them available in a public meeting or venue and at the public library branch closest to the stationary source. The ARP engineer will consider comments received during the public comment period and may revise the preliminary audit findings report. When the public review process is complete, the ARP engineer will issue the Final Audit Findings report and respond in writing to any written public comments received. Table I lists the status of each stationary source’s safety plan, audit and inspections of their safety programs, and public meetings.

## **Root Cause Analyses and/or Incident Investigations Conducted by CCHMP**

CCHMP performed no root cause analyses or incident investigations in the past year. A historical listing of MCAR events starting in 1992 is available at [http://cchealth.org/groups/hazmat/accident\\_history.php](http://cchealth.org/groups/hazmat/accident_history.php). This list also includes major accidents that occurred prior to the adoption of the ISO.

## **Annual Performance Review and Evaluation Report**

The ISO specifies—that this report must contain:

- A brief description of how CCHMP is meeting the requirements of the ordinance including:
  - The program’s effectiveness in getting regulated businesses to comply
  - Effectiveness of the procedures for records management
  - Number and type of ISO-required audits and inspections conducted by CCHMP
  - Number of root cause analyses and/or incident investigations conducted by CCHMP

- CCHMP’s process for public participation
- Effectiveness of the Public Information Bank
- Effectiveness of the Hazardous Materials Ombudsperson
- Other required program elements necessary to implement and manage the ordinance
- A listing of stationary sources covered by the ordinance, including for each:
  - The status of the stationary source’s safety plan and program
  - A summary of safety plan updates and where they are publicly available
  - ISO-required annual accident history reports submitted by regulated stationary sources
  - A summary and status of any ISO-required root cause analyses and incident investigations conducted or being conducted by the stationary sources, including the status of implementation of recommendations
  - A summary and status of any audits, inspections, root cause analyses and/or incident investigations conducted by CCHMP, including the status for implementing the recommendations
  - Description of Inherently Safer Systems implemented by regulated stationary sources
  - Legal enforcement actions initiated by CCHMP, including administrative, civil and criminal actions
- Total fees, service charges and other assessments collected specifically for the support of the ordinance
- Total personnel and personnel years used by the jurisdiction to directly implement or administer the ordinance
- Comments that raise public safety issues from interested parties regarding the effectiveness of the local program
- The impact of the ordinance in improving industrial safety

### **CCHMP’s Process for Public Participation**

CCHMP continues the practice of sharing results of safety plans and preliminary audit findings and receiving public comment about them at community events, as recommended by community members in 2005. Based on a 2012 recommendation from the Board of Supervisors, CCHMP also shares ISO annual reports and makes presentations to Community Advisory Panels.

### **Effectiveness of the Public Information Bank**

The Hazardous Materials Programs section of the Contra Costa Health Services website (<http://cchealth.org/hazmat>) includes:

- Industrial Safety Ordinance
  - Description of covered facilities
  - Risk Management Chapter discussion
    - » Copy of the ordinance
  - Land Use Permit Chapter discussion
    - » Copy of the ordinance
  - Safety Program Guidance Document
  - Frequently Asked Questions
  - Public Outreach strategies
- California Accidental Release Prevention (CalARP) Program
  - Contra Costa County’s California Accidental Release Prevention Program Guidance Document
  - Program Level description

- Discussion on Public Participation for both CalARP Program and the Industrial Safety Ordinance
- A map locating the facilities that are subject to the CalARP Program and required to submit a Risk Management Plan to CCHMP. The map links to a description of each of the facilities and the regulated substances handled
- A link to the Office of Emergency Services (OES) website for the CalARP regulation
- Hazardous Materials Inventories and Emergency Response Program
  - Descriptions
  - Forms
- Underground Storage Tanks
  - Description of the program
  - Copies of the Underground Storage Tanks Health & Safety Code sections
  - Underground Storage Tanks forms
- Green Business Program
  - Description of the Green Business Program with a link to the Association of Bay Area Government’s website on the Green Business Program
- Hazardous Materials Incident Response Team
  - Including information of the Major Chemical Accidents or Releases that have occurred
  - The County’s Hazardous Materials Incident Notification Policy
- A link to the Phillips 66 Rodeo Refinery and Chevron Richmond Refinery Fenceline Monitors
- Unannounced Inspection Program
  - Lists the facilities that are subject to unannounced inspections under the Unannounced Inspection Program
- Hazardous Materials Interagency Task Force
  - Includes a matrix of who has what hazardous materials and regulatory responsibilities
  - Minutes from past meetings
  - Presentations from past meetings
- Incident Response
  - Accident history that lists summaries of major accidents from industrial facilities in Contra Costa County from 1992 to the most recent
  - Additional resource links for more information
- Incidents
  - Information on the November 14, 2019 Nustar Fire and the August 18, 2020 Chevron flaring incident
  - Relevant 72-hours and 30-day incident report for MCAR events

## **Effectiveness of the Hazardous Materials Ombudsperson**

The Hazardous Materials Ombudsperson is a conduit for the public to express their concerns about how CCHMP personnel are performing their duties. Attachment A is a report from the Hazardous Materials Ombudsperson on the effectiveness of the position for this reporting period.

## **Other Required Program Elements Necessary to Implement and Manage the ISO**

The CalARP Program is administered in Contra Costa County by CCHMP. Stationary sources are required to submit risk management plan similar and in addition to ISO safety plans. An ARP engineer reviews risk management plans and performs CalARP Program audits simultaneously with ISO audits.

CCHMP staff also perform unannounced inspections of CalARP program stationary sources that are also required to submit a risk management plan to the U.S. EPA. These inspections aim to exercise how a facility will respond to an incident, including notifying emergency response agencies and CCHMP.

## **Annual Accident History Report and Inherently Safer Systems Implemented as Submitted by the Regulated Stationary Sources**

The ISO requires stationary sources to update their accident history in their safety plans and include how they have used inherently safer processes within the last year. Table III summarizes Inherently Safer Systems that have been implemented during this reporting period. Attachment B includes individual reports from stationary sources that also include the required reporting of four common process safety performance indicators.

**Table III  
Inherently Safer Systems Contra Costa County Facilities**

<b>Regulated Stationary Source</b>	<b>Inherently Safer System Implemented</b>	<b>Design Strategy</b>	<b>Approach</b>
Air Liquide Large Industries Rodeo Hydrogen Plant	No new inherently safer systems have been implemented		
Air Products at MRC (formerly Shell Martinez Refinery)	No new inherently safer systems have been implemented		
Air Products at Marathon (formerly Tesoro Golden Eagle Refinery))	Reduced potential of exposure by changing layout or design, equipment (1 time)	Passive	Moderate
Phillips 66 —Rodeo Refinery	Eliminated hazard by changing equipment and or eliminating inventory in process (5 times)	Inherent	Simplify
	Reduced potential of incident by changing layout or design, equipment (14 times)	Passive	Moderate
	Reduced potential of exposure by changing equipment layout or design (5 times)	Passive	Minimize
	Reduced potential of exposure by changing equipment layout or design (1 time)	Active	Simplify
	Reduced potential of exposure by improving emergency access (1 time)	Passive	Simplify
Martinez Refining Company (formerly Shell Martinez Refinery)	Reduced potential of incident by changing layout of equipment (1 time)	Passive	Simplify
Marathon Martinez Refinery (formerly Tesoro Golden Eagle Refinery)	Eliminated hazard by modification of physical condition	Inherent	Eliminate
	Reduced potential of the hazardous condition by equipment design features (5 times)	Passive	Moderate
	Reduced potential of the hazardous condition by substitution (1 time)	Passive	Substitution

**Status of the Incident Investigations, including the Root Cause Analyses Conducted by the Regulated Stationary Sources**

The ISO requires regulated stationary sources to conduct an incident investigation including a root cause analysis (RCA) after each MCAR incident. MCAR incidents meet the definition of a Level 3 or Level 2 incident in the Community Warning System incident level classification system defined in the Hazardous Materials Incident Notification Policy, as determined by Contra Costa Health Services; or result in the release of a regulated substance and meet one or more of the following criteria:

- Results in one or more fatalities
- Results in at least 24 hours of hospital treatment of three or more persons
- Causes on–and/or off-site property damage (including cleanup and restoration activities) initially estimated at \$500,000 or more. On-site estimates shall be performed by the regulated stationary source. Off-site estimates shall be performed by appropriate agencies and compiled by Health Services
- Results in a vapor cloud of flammables and/or combustibles that is more than 5,000 pounds

The regulated stationary source is required to submit a report to CCHMP 30 days after the root cause analysis is complete. There was no MCAR incidents that occurred within this reporting period in Contra Costa County at an ISO facility. All RCA reports for MCAR incident reports are available at the CCHMP office and website.

### Major Chemical Accidents or Releases

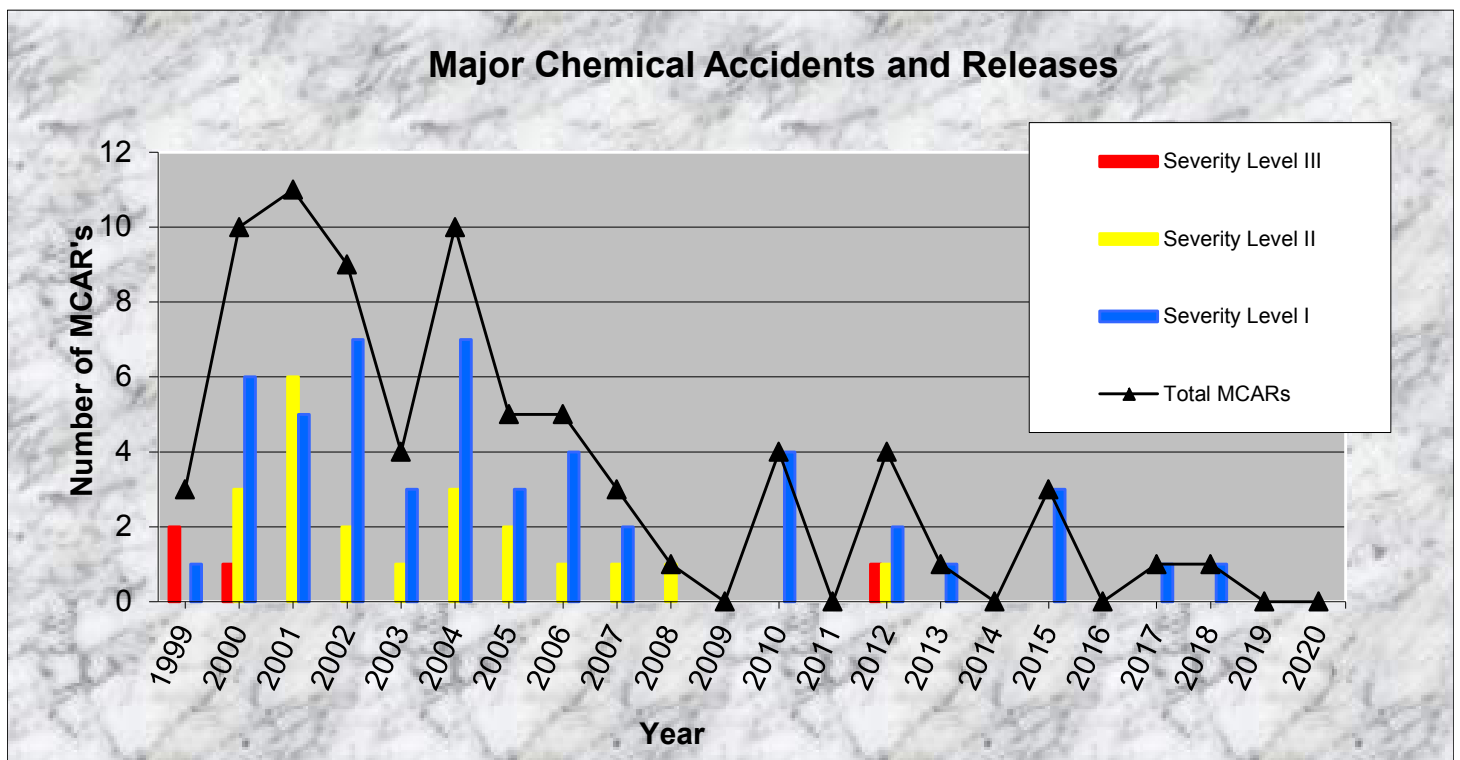
CCHMP analyzed the number and severity of MCARs that occurred since the implementation of the ISO:

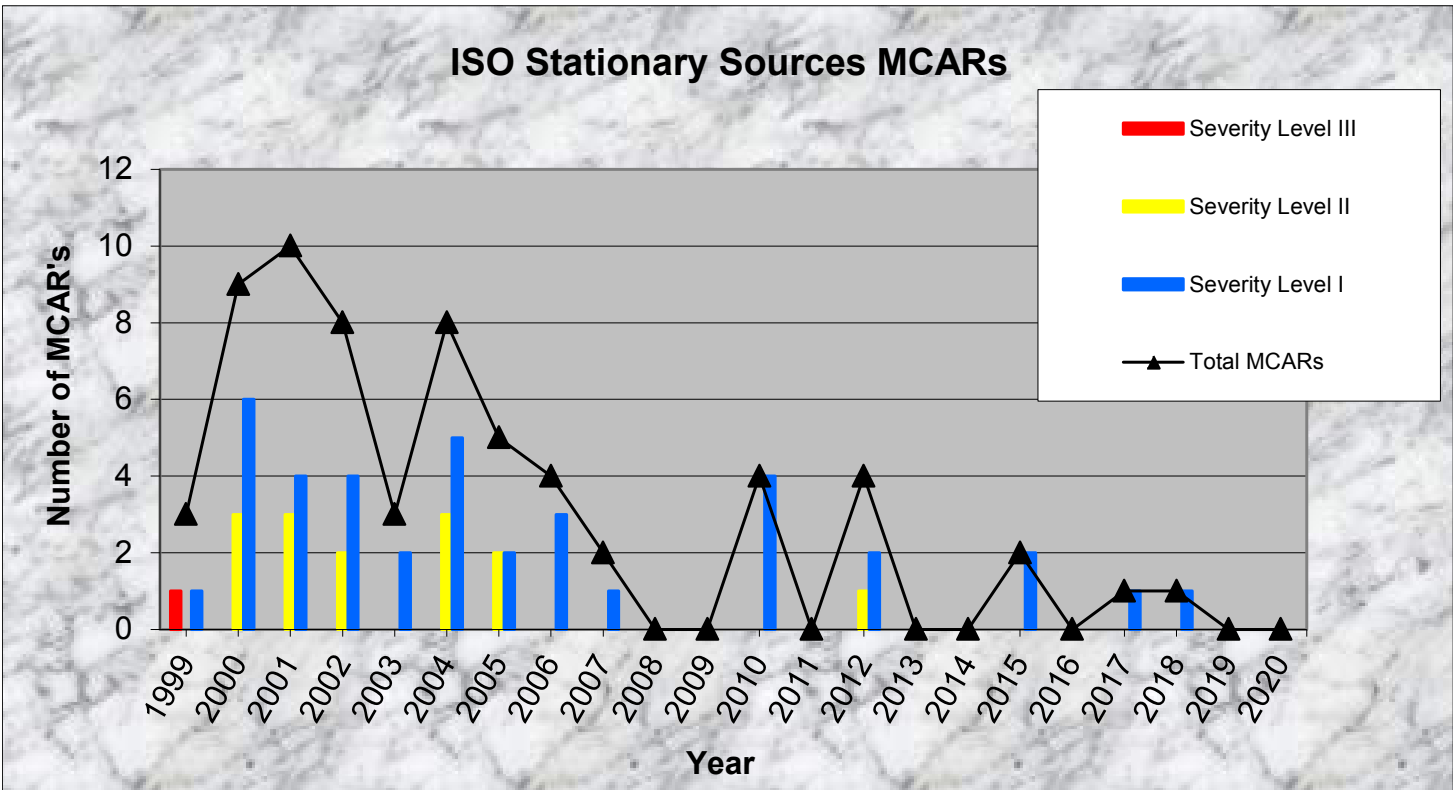
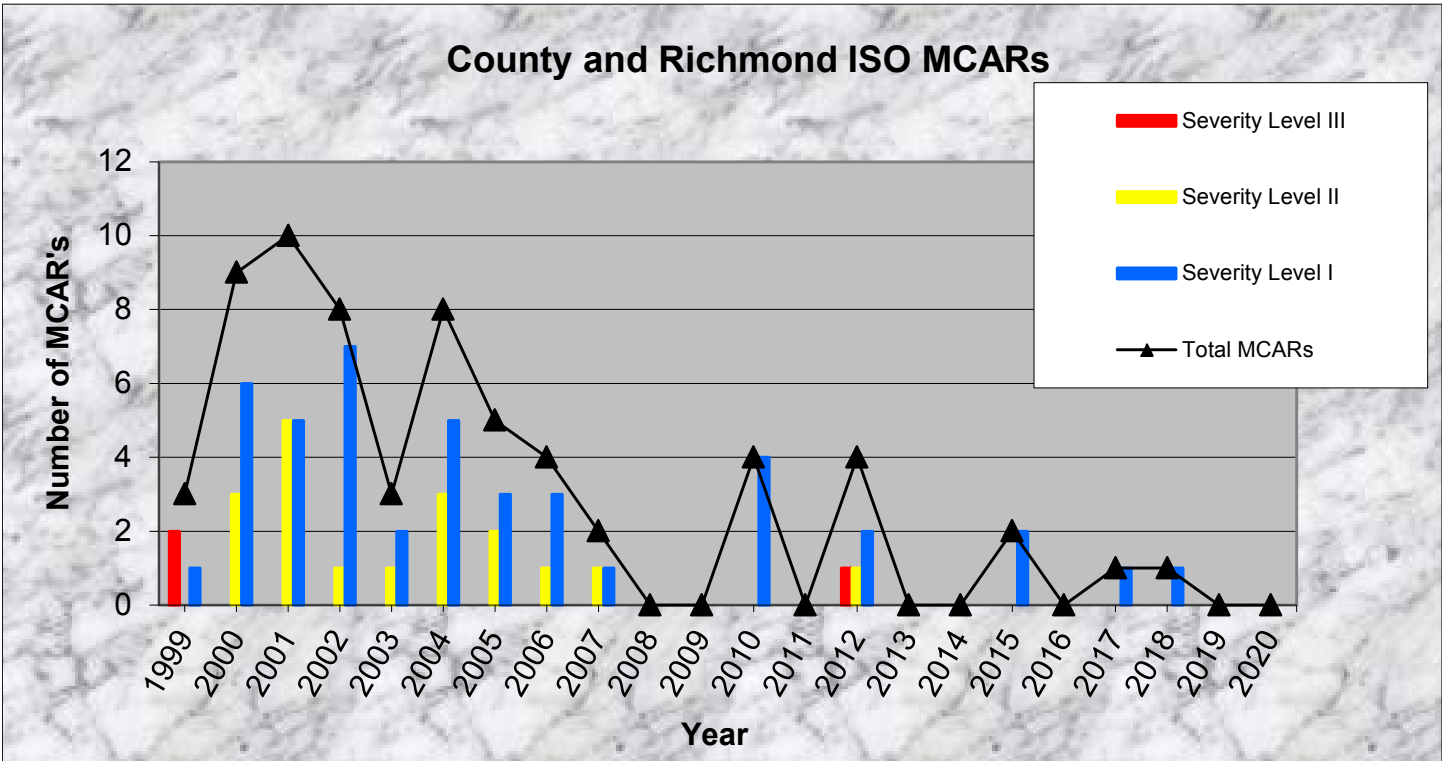


- Severity Level III — Resulted in a fatality, serious injuries or major on-site and/or off-site damage
- Severity Level II — Resulted in an impact to the community, or could easily have become a Level III incident if the situation was slightly different, or it is a recurring type of incident at that facility
- Severity Level I — Resulted in no or minor injuries, no or slight impact to the community, and no or minor on-site damage

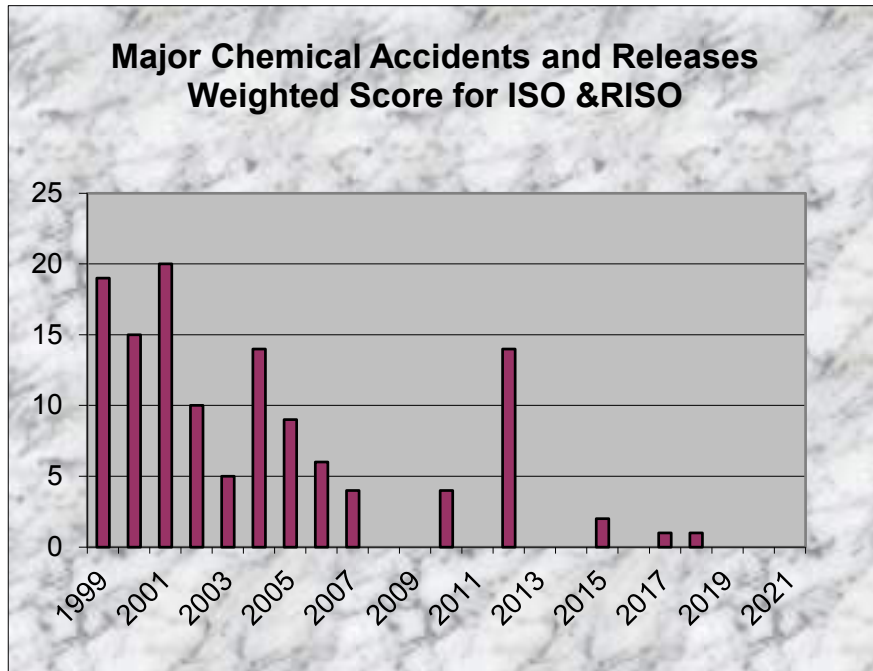
These charts show MCARs from January 1999 through October 2017 for all stationary sources in Contra Costa County, MCARs at stationary sources regulated by the ISO, and MCARs at stationary sources regulated by the ISO or by the RISO. **The charts include MCARs at stationary sources only, none that occurred during transportation.**

The graph below uses a weighted score developed by CCHMP as an overall process safety metric for facilities regulated by ISO and RISO. This metric assigns a severity level III incident 9 points, a severity level II incident 3 points and a severity level I incident 1 point.









**Legal Enforcement Actions Initiated by Contra Costa Hazardous Materials Programs**

As part of the enforcement of the ISO and CalARP Program, CCHMP staff may issue notices of deficiency on the safety and risk management plans of ISO-regulated facilities and may issue audit findings detailing what a stationary source is required to change to come into compliance with the regulations. CCHMP has taken no legal enforcement actions on the ISO facilities during this reporting period.

**Penalties Assessed as a Result of Enforcement**

No penalties have been assessed in this period for noncompliance with the ISO.

**Total Fees, Service Charges and Other Assessments Collected Specifically for the ISO**

Fees charged for the ISO cover the time ARP engineers use to enforce the ordinance, the position of the Hazardous Materials Ombudsperson, outreach material and to cover a portion of the overhead for CCHMP. Fees charged for administering this ordinance for fiscal year 2019–2020 total \$ 585,721.

**Total Personnel and Personnel Years Used by Hazardous Materials Program to Implement the Industrial Safety Ordinance**

ARP engineers review resubmitted Safety Plans, prepare and present information for public meetings, perform audits of stationary sources for compliance with both the CalARP Program and ISO and do follow-up work after MCARs.

During the current reporting period:

- Three ISO/CalARP Program facility audits were performed in 2019, requiring four to five engineers four weeks to perform the on-site portion of each audit. The audit process encompasses off-site time that includes report preparation, a quality assurance review process, working with the facility to address any questions, assessing the facility’s proposed remedies for completeness, preparing communication materials and posting public notices, attending a public forum to share audit findings, addressing any questions from the public and issuing the final report. The total time taken to perform these audits was 3,600 hours. Approximately one-third of the time was dedicated to the ISO, or 1, 200 hours. This year, CCHMP used larger teams that included recently hired ARP engineers, who participated in audits as part of their training for an additional 850 hours.
- Reviewing information for the website—180 hours
- Reviewing safety plans and following up with the facilities on any deficiencies—650 hours

- Reviewing and participating in investigation, root cause analysis and proposed recommendations—500 hours
- Preparing material for presentations and public meetings – 450 personnel hours.
- Approximately 3,828 hours total of CCHMP personnel time was spent on the ISO during the current reporting period.

The total does not include ombudsperson time spent preparing for public meetings, working with engineers on questions arising from the ISO, and answering questions from the public on the ISO.

## **Comments from Interested Parties Regarding the Effectiveness of the Industrial Safety Ordinance**

No comments were received by CCHMP regarding ISO or RISO during current reporting period.

## **The Impact of the ISO on Improving Industrial Safety**

The ISO is one of four programs that work together to reduce the risk of accidental release from a regulated stationary source that could impact communities in Contra Costa County. Those programs are:

- the Process Safety Management Program administered by Cal/OSHA
- the federal Accidental Release Prevention Program administered by the U.S. EPA
- the California Accidental Release Prevention Program administered by CCHMP
- the Industrial Safety Ordinance, also administered by CCHMP

Each of the programs is very similar in requirements. On October 1, 2017, California petroleum refineries are required to comply with requirements of CalARP Program 4 and OSHA PSM for refineries. Both are based on the ISO. CalARP Program 3 differs from the Federal Accidental Release Prevention Program in the following ways:

- The number of chemicals regulated
- The threshold quantity of these chemicals
- An external events analysis, including seismic and security and vulnerability analysis, is required
- Additional information in the Risk Management Plan
- CCHMP is required to audit and inspect stationary sources at least once every three years
- The interaction required between the stationary source and CCHMP

The ISO differs from CalARP Program 3, which the chemical facilities are required to follow, in the following ways:

- Stationary sources are required to include a root cause analysis with the incident investigations for Major Chemical Accidents or Releases
- The stationary sources are required to consider inherently safer systems for existing processes, in the development and analysis of recommended action items identified in a process hazard analysis, as part of a management of change review, as part of incident investigation or root cause analysis development of recommendation, and during the design of new processes, process units and facilities.
- All of the processes at the regulated stationary sources are covered
- The implementation of a Human Factors Program evaluation of latent conditions in existing units, operating and maintenance procedures and in root cause analysis
- Managing changes in the organization for operations, maintenance and emergency response
- A requirement that the stationary sources perform a Security and Vulnerability Analysis and test the effectiveness of the changes made as a result of the Security and Vulnerability Analysis
- The stationary sources perform Safety Culture Assessments
- Conduct, document and complete safeguard protection analysis for process hazard analysis to reduce catastrophic releases
- Use and report of process safety performance indicators in the annual performance review and evaluation report

Major Program difference of ISO from CalARP Program 4 and PSM for Refineries is that the Program 4 requirements include:

- Mechanical Integrity must include assessment of Damage Mechanism Review base on operating history and industry experience
- Process Hazard Analysis must include review of Damage Mechanism Review report compiled as part of process safety information
- Contractor and any subcontractors use a skilled and trained workforce pursuant to Health and Safety Code Section 25536.7
- Require a Management system with specific requirement for managing and communicating recommendations from the prevention program elements
- Require a Stop Work procedure and an anonymous hazard reporting system

The Safety Culture Assessment guidance chapter was finalized in November 2009. The Industrial Safety Ordinance Guidance Document was updated to reflect all the updates in September 2010. The Accidental Release Prevention Engineers have participated with the Center for Chemical Process Safety on developing the second edition of Inherently Safer Chemical Processes, a book that is referenced in the ordinance and with the Center for Chemical Process Safety on developing process safety metrics for leading and lagging indicators. CCHMP also participated in the developing the third edition of CCPS: Inherently Safer Chemical Processes to further clarify and promote the practice and consideration of Inherently Safer System.

The success of Contra Costa's programs at reducing MCARs and improving facility safety practices have been frequently cited as exemplary or model policies within the regulatory community:

- Contra Costa County was recognized as an alternative model for doing process-safety inspections by the CSB in its report on a 2005 refinery accident in Texas City, TX. The board also mentioned Contra Costa in its DVD, "Anatomy of a Disaster: Explosion at BP Texas City Refinery," as a model resource.
- CSB Chair Carolyn W. Merritt also recognized Contra Costa County in testimony to the House of Representatives Committee on Education and Labor.
- Senator Barbara Boxer, during a 2007 hearing to consider John Bresland's nomination to chair of the CSB Board, asked Mr. Bresland about the Contra Costa County program for process safety audits of refineries and chemical companies.
- In its final investigation report of a 2008 incident at the Bayer CropScience Institute in West Virginia, the CSB recommended that regulatory agencies in the area audit their chemical facilities using Contra Costa County's process. CCHMP staff and a representative from the local United Steelworkers Union were part of a panel when the CSB presented this report to the Kanawha Valley community.
- CCHMP was asked to give testimony at a June 2010 hearing on "Work Place Safety and Worker Protections in the Gas and Oil Industry" before the U.S. Senate Committee on Health, Education, Labor, and Pensions Subcommittee on Employment and Workplace Safety regarding the success of Accidental Release Prevention Programs in place in Contra Costa County.
- In September 2012, CCHMP was asked to present at the "Expert Forum on the Use of Performance-based Regulatory Models in the U.S. Oil and Gas Industry: Offshore and Onshore" in Texas City, Texas to share the regulatory experience at Contra Costa County and give testimony on how local, state and Federal agencies can work together and have an unprecedented alignment on regulations that is required for the same facilities. This meeting was spearheaded by Federal Occupational Safety and Health Administration and attended by Bureau of Safety and Environmental Enforcement, U.S. Coast Guard, U.S. EPA, Pipeline and Hazardous Materials Safety Administration, United Steelworkers, American Petroleum Institute, academia and

industry representatives.

- CCHMP staff also testified at a June 2013 hearing on “Oversight of Federal Risk Management and Emergency Planning Programs to Prevent and Address Chemical Threats, Including the Events Leading up to the Explosions in West, TX and Geismar, LA” before the U.S. Senate’s Committee on Environment and Public Works.

### City of Richmond Industrial Safety Ordinance

The Richmond City Council passed its version of the ISO on December 18, 2001. Richmond’s Industrial Safety Ordinance (RISO) mirrors the ISO, covering two stationary sources: Chevron Richmond Refinery (Chevron) and Chemtrade West Richmond Works, (Chemtrade, formerly General Chemical Richmond). CCHMP administers the RISO for the city.

The seventh RISO/CalARP audit at Chevron was completed in July 2019 and in July 2020 for Chemtrade. CCHMP receives annual performance updates from Chevron and Chemtrade each June. CCHMP worked with U.S. EPA, Cal OSHA, BAAQMD and CSB in CSB’s independent investigation of the August 6, 2012.

**Table V Richmond Industrial Safety Ordinance Stationary Source Status**

<b>Name/ Location of copies</b>	<b>Safety Plan (SP) Received</b>	<b>Notice of Deficiencies (NOD) Issued-SP</b>	<b>Safety Plan Complete</b>	<b>SP Public Meeting Date</b>	<b>Audit/ Inspection</b>	<b>Audit Public Meeting</b>
Chevron Richmond Refinery/ Point Richmond and Richmond Main Public Library	1/21/03 6/21/04 9/29/06 9/25/09 9/24/12 9/30/15 6/28/18	4/23/03 11/08/12	10/10/03 6/22/04 5/21/07 11/04/09 11/12/13 7/25/18	10/14/03 6/24/04 6/02/07 9/25/10 10/05/13 10/24/15 5/05/19	1/11/01 (Non- RISO) 9/29/03 2/13/06 4/14/08 2/08/11 10/03/13 7/18/16 6/03/19	6/24/04 6/02/07 4/25/09 9/24/11 10/24/15 5/05/19
Chemtrade West Richmond Works/Point Richmond and Richmond Main Public Library	1/17/03 6/21/04 4/17/09 8/05/14 11/26/18	4/11/03 2/18/10 7/10/15	10/10/03 4/17/06 5/26/10 7/09/19	10/14/03 6/02/07 9/25/10 5/01/16 5/05/19	5/29/01 (Non-RISO) 4/24/06 8/18/03 1/05/09 1/05/12 9/08/14 7/17/17 6/15/20	6/24/04 6/02/07 9/25/10 10/05/13 10/24/15 5/05/19

**Table VI Inherently Safer Systems Richmond Facilities**

<b>Regulated Stationary source</b>	<b>Inherently Safer System Implemented</b>	<b>Design Strategy</b>	<b>Approach</b>
Chevron Richmond Refinery	Eliminated hazard by changing chemical in process (1 time)	Inherent	Eliminate
	Eliminated hazard by eliminating equipment and inventory in process (1 time)	Inherent	Minimization
	Reduced potential of exposure by changing equipment layout or design (1 time)	Passive	Moderate
	Reduced potential unit upset by changing/adding equipment or alarms (2 times)	Active	Moderate
Chemtrade West Richmond Works	Reduced potential incident and exposure by changing/adding equipment or alarms (2 times)	Active	Moderate



NOVEMBER 2019  
THROUGH  
NOVEMBER 2020



ATTACHMENT A  
HAZARDOUS MATERIALS  
OMBUDSMAN REPORT  
Hazardous Materials  
Ombudsperson Evaluation

## I. INTRODUCTION

On July 15, 1997, the Contra Costa County Board of Supervisors authorized creation of an Ombudsman position for the County's Hazardous Materials Programs. The first Hazardous Materials Ombudsman began work on May 1, 1998. The Contra Costa County Board of Supervisors adopted an Industrial Safety Ordinance on December 15, 1998. Section 450-8.022 of the Industrial Safety Ordinance requires the Health Services Department to continue to employ an Ombudsman for the Hazardous Materials Programs. Section 450-8.030(B)(vii) of the Industrial Safety Ordinance requires an annual evaluation of the effectiveness of the Hazardous Materials Ombudsman, with the first evaluation to be completed on or before October 31, 2000.

The goals of section 450-8.022 of the Industrial Safety Ordinance for the Hazardous Materials Ombudsman are:

1. To serve as a single point of contact for people who live or work in Contra Costa County regarding environmental health concerns, and questions and complaints about the Hazardous Materials Programs.
2. To investigate concerns and complaints, facilitate their resolution, and assist people in gathering information about programs, procedures, or issues.
3. To provide technical assistance to the public.

The Hazardous Materials Ombudsman currently accomplishes these goals through the following program elements:

1. Continuing an outreach strategy so that the people who live and work in Contra Costa County can know about and utilize the program.
2. Investigating and responding to questions and complaints, and assisting people in gathering information about programs, procedures, or issues.
3. Participating in a network of environmental programs for the purpose of providing technical assistance.

This evaluation covers the period from November 2019 through November 2020 for the Hazardous Materials Ombudsman program. The effectiveness of the program shall be demonstrated by showing that the activities of the Hazardous Materials Ombudsman meet the goals established in the Industrial Safety Ordinance. Due to the COVID-19 pandemic, 2020 was an unusual year. From March, 2020 – November, 2020 the Ombudsman worked from home, and conducted all business by phone or via virtual meetings. Also, from May, 2020 through August, 2020 the Ombudsman was designated a Disaster Service Worker and was re-assigned to conduct contact tracing for people who tested positive for COVID-19, or came in close contact with someone that tested positive for COVID-19. For these reasons, many of the activities of the Ombudsman were reduced this in year relation to previous years.

## II. PROGRAM ELEMENTS

1. Continuing an Outreach Strategy

This period efforts were focused on maintaining the outreach tools currently available. The web page was maintained for the program as part of Contra Costa Health Services website. This page contains information

about the program, links to other related websites, and information about upcoming meetings and events. A toll-free phone number is published in all three Contra Costa County phone books in the Government section.

## 2. Investigating and Responding to Questions and Complaints, and Assisting in Information Gathering

During this period, the Hazardous Materials Ombudsman received 72 information requests. This number was significantly reduced over previous years, probably due to the Ombudsman being reassigned for 4 months. Over 95 percent of these requests occurred via the telephone, and have been requests for information about environmental issues. Requests via e-mail are slowly increasing, mainly through referrals from Health Services main web page. Most of these requests concern problems around the home such as asbestos removal, household hazardous waste disposal, pesticide misuse, mold and lead contamination.

Information requests about environmental issues received via the telephone were generally responded to within one business day of being received. Many of the information requests were answered during the initial call. Some requests required the collection of information or written materials that often took several days to compile. Telephone requests were responded to by telephone unless written materials needed to be sent as part of the response.

This year the Ombudsman began facilitating monthly debriefings of the Hazardous Materials Program Incident Response team incidents, but these were discontinued when the Shelter-in-Place went into effect in March.

## 3. Participating in a Network of Environmental Programs for the Purpose of Providing Technical Assistance.

Technical assistance means helping the public understand the regulatory, scientific, political, and legal aspects of issues. It also means helping them understand how to effectively communicate their concerns within these different arenas. This year, the Ombudsman continued to staff a number of County programs and participate in other programs to be able to provide technical assistance to the participants and the public. Many of these programs were significantly curtailed due to the COVID-19 pandemic.

- **CAER (Community Awareness and Emergency Response)**—This non-profit organization addresses industrial accident prevention, response and communication. The Ombudsman participated in the Emergency Notification subcommittee of CAER.
- **Hazardous Materials Commission**—In 2001, the Ombudsman took over as staff for the Commission. As staff to the Commission, the Ombudsman conducts research, prepared reports, drafts letters and provides support for 3 monthly Commission meetings. During this period the Commission did not meet from March through August. Even so, they sent letter a letter to the Board of Supervisors concerning the County's Legislative platform, provided input on proposed changes to the Hazardous Materials Incident Notification Policy, made improvements to the format and contents of the HMC web page, provided input on the Industrial Safety Ordinance Annual Report, seated two student interns for the school year, recommended



candidates to the Board of Supervisors for filling an Environmental Seat and Alternate and an Environmental Justice Seat and Alternate, and began developing recommendations to the Board of Supervisors on proposed goals, policies and actions pertaining to Environmental Justice for the update to the County's General Plan.

- **Integrated Pest Management Advisory Committee**—During this period the Ombudsman represented the Health Department on the County Integrated Pest Management Advisory Committee. This Committee brings Department representatives and members of the public together to help implement the County's Integrated Pest Management policy.
- **Asthma Program**—The Ombudsman participated in the Public Health Department's Asthma Program as a resource on environmental health issues. The Ombudsman represented the Asthma Program on a regional collaborative related to asthma issues, the Ditching Dirty Diesel Collaborative. The Ombudsman served on the Technical Advisory Board for RAMP, the Regional Asthma Management Prevention program, and supported the Public Health Department's participation in the AB 617 Community Air Quality program in Richmond. The Ombudsman completed and received a Technical Assistance grant with MCE, the new energy provider for 14 of the 19 jurisdictions in Contra Costa County and the Department of Conservation and Development to implement the Asthma Prevention program business model that was developed the previous year. The Ombudsman co-wrote and received two grants to implement the Asthma Prevention program described in the Business Plan with MCE, DCD and the Contra Costa Health Plan, One grant was for three years and \$528,000 from the Sierra Health Foundation and the other was for one year and \$100,000 from the Bay Area Air Quality Management District.
- **Climate Change**  
During this period the Ombudsman provided technical assistance to the Public Health department on a variety of climate change issues. The Ombudsman participated in a County work-group to update the Climate Action Plan and the General Plan.

The Hazardous Materials Ombudsman also attended workshops, presentations, meetings and trainings on a variety of environmental issues to be better able to provide technical assistance to the public. Topics included Environmental Justice, Air Quality, emergency management, energy policy and land-use planning for greenhouse gas reduction.

### **III. PROGRAM MANAGEMENT**

The Hazardous Material Ombudsman continued to report to the Public Health Director on a day-to-day basis during this period, while still handling complaints and recommendations about the Hazardous Materials Programs through the Health Services Director. The Ombudsman was also a member of Health Services Emergency Management Team (EMT), and participated on its HEEP management team until these were suspended when the Health Department went into a Emergency Management mode when the Shelter in Place started in March.

#### **IV. GOALS FOR THE 2020–2021 PERIOD**

In this period, the Ombudsman will provide essentially the same services to Contra Costa residents as was provided in the last period. The Ombudsman will continue respond to questions and complaints about the actions of the Hazardous Materials Programs; answer general questions that come from the public and assist them in understanding regulatory programs; staff the Hazardous Materials Commission; represent the Public Health Department in the Ditching Dirty Diesel Collaborative and the Integrated Pest Management Advisory Committee; and participate in the CAER Emergency Notification committee. The Ombudsman will continue to be part of the Health Department’s HEEP team and the Emergency Management Team when they resume.

During this period the Ombudsman will continue to provide technical assistance to the Public Health Department on Climate Change issues by being on the County-wide work group updating the Climate Action Plan and the General Plan, and representing the Public Health Department on the BARHII Built Environment Committee. The Ombudsman will continue to work with collaboratives at the local, regional and state level. The Ombudsman will continue to coordinate the implementation of the two grants that were received to conduct the Asthma Prevention Program.





2019–20



ATTACHMENT B  
COUNTY REGULATED  
SOURCES ANNUAL  
PERFORMANCE

With accident history and inherent safety implementation

# Annual Performance Review and Evaluation Submittal June 30, 2020

\*Attach additional pages as necessary

- 1. Name and address of Stationary Source:** Air Liquide Rodeo Hydrogen Plant, 1391 San Pablo Ave., Rodeo, California 94572
- 2. Contact name and telephone number (should CCHMP have questions):**
- 3. Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):**  
This facility utilizes the programs and procedures identified in the ISO Safety Program/Plan. Additionally, the site is in regular communication with the county regarding updates for the ongoing section E. Safety Plan guidance document review.
- 4. Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):** The Rodeo Hydrogen Production Facility Industrial Safety Plan was updated on January 24, 2020.
- 5. List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Martinez Library (libraries closest to the stationary source).
- 6. Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):** There were no major chemical accidents or releases in the past 12 months.
- 7. Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** There were no major chemical accidents or releases in the past 12 months.
- 8. Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** There were no major chemical accidents or releases in the past 12 months.
- 9. Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** Reviewed MOCs following ISS evaluation and change methodology.

10. **Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):** There were no enforcement actions during this period.
  
11. **Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):** No penalties have been assessed against this facility.
  
12. **Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the eight facilities subject to the Industrial Safety Ordinance was \$1,111,605. The total Industrial Safety Ordinance program fees for these eight facilities was \$585,721. (NOTE: These fees include those for the County and City of Richmond ISO facilities).
  
13. **Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 3,008 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.
  
14. **Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** None
  
15. **Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):** This chapter reinforces the need to maintain, follow and continuously improve our structured safety program to help ensure the safety of our employees and the communities in which we operate.
  
16. **List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCA's) that significantly decrease the severity or likelihood of accidental releases.** (RMPCorp. to facilitate Latent Conditions Checklist reviews of all of our "Critical Procedures" in October 2020    Completed the Site Culture Assessment for October 2019 TAR.
  
17. **Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** Table top discussion to be scheduled in Q4 2020 to discuss plot plan, emergency exits etc in light of covid-19. Correspondence to include Rodeo-Hercules Fire District, CCHS, and P66 Emergency Response.

- 18. Date the last Safety Culture Assessment was completed:** October-November 2019
- 19. Date the results of the Safety Culture Assessment were reported to the workforce and management:** December 2019
- 20. Answer the following regarding the Safety Culture Evaluation Previous to the one listed in 18:**
- Survey method: 34 Question Survey with contractors & operations personnel.
    - Areas of improvements being addressed: None based on the survey results. Following safe work culture is strongly exhibited at the Rodeo SMR.
    - Action Plan made Progress on the identified areas of improvement?: N/A
      - If Yes, did the improvements meet the goals and if not was the action plan amended to address what is being done to meet the goals?
      - If No, has a new action plan been developed to address the identified areas of improvement? N/A
- 21. Have milestones and metrics been developed to determine how the Safety Culture Assessment actions are being implemented? Yes or if not, Why not?** N/A
- 22. Describe the process in place that includes employees and their representatives that will determine if the action items effectively changed the expected culture items:**  
The processes include CCHS ISO & Safety Plan audits, the inclusion of LCC & ISS within the ISO program, and organizations PSM efforts internal to Air Liquide.
- 23. Date of the mid-cycle progress evaluation:** N/A
- **Did the action plan (for no 18) make progress on the identified areas of improvement? Yes or if not, has a new action pan been developed?** N/A
- 24. If a mid-cycle progress evaluation was performed during this reporting year, describe the process that included participation of employees or their representatives that determined whether the action items effectively changed the expected culture items:** N/A

## 25. Common Process Safety Performance Indicators:

### Overdue inspection for piping and pressure vessels based on total number of circuits

2020	Overdue	Repeat
January	117	117
February	119	117
March	52	52
April	52	52
May	52	52
June	52	52
July	52	52
August	52	52
September	40	40
October	40	40
November	40	40
December	11	11
<b>TOTAL</b>	<b>11</b>	<b>11</b>

Total number of circuits: 187 piping circuits & 36 vessels.

Total number of annual planned circuit inspection: 11 water circuits deferred to next year.

Low consequence of failure. 62 (additional to deferrals) inspections planned for 2020 based on RBI study.

## Past due PHA recommended actions, includes seismic and LCC recommended actions

2020	Overdue	Repeat
January	5	5
February	5	5
March	5	5
April	5	5
May	5	5
June	5	5
July	5	5
August	5	5
September	5	5
October	5	5
November	5	5
December	5	5
<b>TOTAL</b>	<b>5</b>	<b>5</b>



## Past due investigation recommended actions for API/ACC Tier 1 and Tier 2 incidents

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0

## API/ACC TIER 1 & TIER 2 INCIDENTS AND RATES STARTING 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019
No. Tier 1 LOPC	0	0	0	0	0	0	0	0	0
Incident rate for Tier 1	0	0	0	0	0	0	0	0	0
Refinery or Industry Rate <sup>1</sup>	0.155	0.099	0.094	0.092	0.104	0.062	0.076	0.057	0.061
Refinery or Industry Mean <sup>2</sup>	*	1.49	1.30	1.38	1.55	1.01	1.13	0.92	1.03
Tier 2 LOPC	0	0	0	0	0	0	0	0	0
Incident rate for Tier 2	0	0	0	0	0	0	0	0	0
Refinery Rate <sup>1</sup>	*	0.24	0.25	0.23	0.20	0.17	0.18	0.17	0.16
Refinery Mean <sup>2</sup>	*	*	*	*	3.08	2.78	2.73	2.79	2.67

<sup>1</sup> Petroleum refineries to report publicly available refinery rate for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1

<sup>2</sup> Petroleum refineries to report publicly available refinery mean for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier

# Annual Performance Review and Evaluation Submittal

## June 30, 2020

\*Attach additional pages as necessary

**1. Name and address of Stationary Source:**

[Air Products] Marathon Martinez Refinery, 150 Solano Avenue, 3rd & F Street, Inside Tesoro Refinery, CA 94553

**2. Contact name and telephone number (should CCHMP have questions):**

**3. Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)**

**(i)):** The stationary source's safety plan is complete per the CCHS requirement. The program was audited in January 2018 by CCHS as part of the three year CCHS site audit, and in October 2015 as part of an unannounced inspection.

**4. Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date)**

**(450-8.030(B)(2)(ii)):** The three year periodic audit completed in 2018 by CCHS required some updates to the site safety plan. These are in process of being implemented.

**5. List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):**

CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Martinez Library (libraries closest to the stationary source).

**6. Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):**

There were no major accidents or injuries to report.

**7. Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):**

No RCAs subject to MCAR event have been performed. There are no outstanding recommendations.

**8. Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):**

Final recommendations from the 3 year CCCHS audit are in progress.

**9. Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):**

In 2019: Chemicals inventory containment dike installed to prevent possibility of offsite impact, walkways at heights upgraded to provide safer work conditions(worker safety), and grating installed to prevent slips, trips, and falls(worker safety).

**10. Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):**

There were no enforcement actions during this period.

- 11. Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):**  
No penalties have been assessed against this facility.
- 12. Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the eight facilities subject to the Industrial Safety Ordinance was \$1,111,605. The total Industrial Safety Ordinance program fees for these eight facilities was—\$585,721. (NOTE: These fees include those for the County and City of Richmond ISO facilities).
- 13. Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 3,008 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.
- 14. Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** None.
- 15. Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):**  
Air Products is committed to the safer operation of our facilities and has implemented applicable requirements outlined in the ISO and CalARP regulations. Both the ISO and Human Factors programs are an integral part of our five year Operating Hazard Review revalidations and on going management of change process. The most recent OPHR was conducted in for April 2018. There have been no incidents resulting in an offsite impact. The Chapter has helped reinforce the need to maintain and follow a structured safety program to help ensure the safety of our employees and the communities in which we operate.
- 16. List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCA's) that significantly decrease the severity or likelihood of accidental releases.**  
The Air Products facility is tracking various metrics (leading and lagging). These include those called out in ISO API/ACC Tier 1 and 2 events, past due PHA recommendations and past due incident investigation recommendations. A baseline was developed, and metrics are tracked for the facility on a company share site.
- 17. Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** There were no emergency response activities to this site since the previous Annual Performance review associated with a chemical accident. However, the emergency response team was deployed in response to a series of personal medicals that resulted in the individual being treated for non-work-related conditions. Each condition, the response time was stellar.
- 18. Date the last Safety Culture Assessment was completed:** 2019 **Survey method:**  
Electronic
- 19. Date the results of the Safety Culture Assessment were reported to the workforce and management:** Sept. 16–18, 2019.
- 20. Answer the following regarding the Safety Culture Evaluation previous to the one listed in 18:**
- Survey method: Electronic

- Areas of improvements being addressed: Quality of APT, improving field safety contact among regional engineering support, better implementing safety drills in the JSA process, and improvement in the shift logs.
- Action Plan made Progress on the identified areas of improvement?: (Yes or No) No
  - If Yes, did the improvements meet the goals and if not was the action plan amended to address what is being done to meet the goals?
  - If No, has a new action plan been developed to address the identified areas of improvement? Yes, and action plan has been developed with routine check ins to determine the effectiveness of the actions.

**21. Have milestones and metrics been developed to determine how the Safety Culture Assessment actions are being implemented?** No. Currently under development. Actions are tracked as part of recurring meeting focused on implementation of the actions.

**22. Describe the process that included employees and their representatives used to determine if the action items effectively changed the expected culture items:** Employees were involved in the development of the survey, collection of the data, analysis of the data, and distribution of the findings. Additionally, the same team of cross functional employees were responsible for developing the action plan, and double clicking on the potential areas for improvement. Steps were taken to develop SMART goals.

**23. Date of the mid-cycle progress evaluation:** Target completion in the August 2021 timeframe  
 » Did the action plan (for no 18) make progress on the identified areas of improvement? Not yet.

**24. Describe the process that included participation of employees or their representatives used to determine whether the action items from the SCA and the mid-cycle progress effectively changed the expected culture items:** NA.

**25. Common Process Safety Performance Indicators:**

## Overdue inspection for piping and pressure vessels based on total number of circuits

2020	Overdue	Repeat	
January	0	0	
February	0	0	
March	0	0	
April	0	0	
May	0	0	
June	0	0	
July	0	0	
August	0	0	Total number of circuits: 397. Circuits inspected in FY20
September	0	0	Total number of annual planned circuit inspections: 32 circuits for FY21
October	0	0	
November	0	0	
December	0	0	

## Past due PHA recommended actions, includes seismic and LCC recommended actions

2020	Overdue	Repeat
January	0	
February	0	
March	0	
April	0	
May	0	
June	0	
July	0	
August	0	
September	0	
October	0	
November	0	
December	0	

## Past due investigation recommended actions for API/ACC Tier 1 and Tier 2 incidents

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0

# API/ACC TIER 1 & TIER 2 INCIDENTS AND RATES STARTING 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019
No. Tier 1 LOPC	0	0	0	0	0	0	0	0	0
Incident rate for Tier 1	0	0	0	0	0	0	0	0	0
Refinery or Industry Rate <sup>1</sup>	0.155	0.099	0.094	0.092	0.103	0.062	.07	0.053	0.061
Refinery or Industry Mean <sup>2</sup>		1.49	1.30	1.38	1.55	1.01	1.13	0.92	1.03
Tier 2 LOPC	0	0	0	0	0	0	0	0	0
Incident rate for Tier 2	0	0	0	0	0	0	0	0	0
Refinery Rate <sup>1</sup>		0.24	0.253	0.238	0.206	0.172	0.179	0.172	0.16
Refinery Mean <sup>2</sup>					3.08	2.78	2.73	0.172	0.16

<sup>1</sup>Petroleum refineries to report publically available refinery rate for API Tier 1 and Tier 2 classification. Chemical plants to report publically available mean only for ACC Tier 1

<sup>2</sup>Petroleum refineries to report publically available refinery mean for API Tier 1 and Tier 2 classification. Chemical plants to report publically available mean only for ACC Tier 1

## 26. Common Process Safety Performance Indicators for refineries only: N/A

# Annual Performance Review and Evaluation Submittal

## June 30, 2020

\*Attach additional pages as necessary

- 1. Name and address of Stationary Source:**  
Air Products—Shell Martinez Refinery, 110 Waterfront Road, Martinez, CA 94553
- 2. Contact name and telephone number (should CCHMP have questions):**
- 3. Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):** The stationary source's safety plan is complete per the CCHS requirement. The program was audited in January 2018 by CCHS as part of the three year CCHS site audit, and in October 2015 as part of an unannounced inspection.
- 4. Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):** The three year periodic audit completed in 2018 by CCHS required some updates to the site safety plan. These are in process of being implemented
- 5. List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez 94553; Martinez Library (libraries closest to the stationary source).
- 6. Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):** There were no major accidents or releases to report.
- 7. Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** There are no outstanding recommendations.
- 8. Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** Final recommendations from the 3 year CCCHS audit are in progress.
- 9. Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** There were no inherently safer systems implemented during the calendar year.
- 10. Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):** There were no enforcement actions during this period.

- 11. Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):**  
No penalties have been assessed against this facility.
- 12. Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the eight facilities subject to the Industrial Safety Ordinance was \$1,111,605. The total Industrial Safety Ordinance program fees for these eight facilities was—\$585,721. (NOTE: These fees include those for the County and City of Richmond ISO facilities).
- 13. Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 3,008 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.
- 14. Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** None.
- 15. Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):**  
Air Products is committed to the safer operation of our facilities and has implemented applicable requirements outlined in the ISO and CalARP regulations. Both the ISO and Human Factors programs are an integral part of our five year Operating Hazard Review revalidations and on going management of change process. The most recent OPHR was conducted in for April 2018. There have been no incidents resulting in an offsite impact. The Chapter has helped reinforce the need to maintain and follow a structured safety program to help ensure the safety of our employees and the communities in which we operate. The site conducted its Safety Culture assessment in August and September 2019, and published a report and actions in February 2020.
- 16. List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCA's) that significantly decrease the severity or likelihood of accidental releases.**  
The Air Products facility is tracking various metrics (leading and lagging). These include those called out in ISO API/ACC Tier 1 and 2 events, past due PHA recommendations and past due incident investigation recommendations. A baseline was developed, and metrics are tracked for the facility on a company share site.
- 17. Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** There were no emergency response activities to this site.
- 18. Date the last Safety Culture Assessment was completed:** January 2019 **Survey method:**  
Electronic
- 19. Date the results of the Safety Culture Assessment were reported to the workforce and management:** Sept. 16-18, 2019.
- 20. Answer the following regarding the Safety Culture Evaluation previous to the one listed in 18:**
- Survey method: Electronic



- Areas of improvements being addressed: Quality of APT, improving field safety contact among regional engineering support, better implementing safety drills in the JSA process, and improvement in the shift logs.
- Action Plan made Progress on the identified areas of improvement?: (Yes or No) No
  - If Yes, did the improvements meet the goals and if not was the action plan amended to address what is being done to meet the goals?
  - If No, has a new action plan been developed to address the identified areas of improvement? Yes, and action plan has been developed with routine check ins to determine the effectiveness of the actions.

**21. Have milestones and metrics been developed to determine how the Safety Culture**

**Assessment actions are being implemented?** Yes. A mid-cycle survey will be conducted in the same manner as the SCA to track progress towards the goals. The same measurement criteria will be used as in the 2019 SCA. Management will look at the results and compare to the 2019 survey for a gauge of progress, and evaluate if any course-corrections are required to continue to meet the action plan from the 2019 SCA.

**22. Describe the process that included employees and their representatives used to determine if the action items effectively changed the expected culture items:**

Employees were involved in the development of the survey, collection of the data, analysis of the data, and distribution of the findings. Additionally, the same team of cross functional employees were responsible for developing the action plan, and double clicking on the potential areas for improvement. Steps were taken to develop SMART goals.

**23. Date of the mid-cycle progress evaluation:** Target completion in the August 2021 timeframe

- » Did the action plan (for no 18) make progress on the identified areas of improvement? Progress has not yet been measured.

**24. Describe the process that included participation of employees or their representatives used to determine whether the action items from the SCA and the mid-cycle progress effectively changed the expected culture items:** NA.

**25. Common Process Safety Performance Indicators:**

**Overdue inspection for piping and pressure vessels based on total number of circuits**

2020	Overdue	Repeat	
January	0	0	
February	0	0	
March	0	0	
April	0	0	
May	0	0	
June	0	0	
July	0	0	
August	0	0	Total number of circuits: 660. Circuits inspected in FY20–(85)
September	0	0	Total number of annual planned circuit inspections: 87 circuits for FY21
October	0	0	
November	0	0	
December	0	0	

## Past due PHA recommended actions, includes seismic and LCC recommended actions

2020	Overdue	Repeat
January	0	
February	0	
March	0	
April	0	
May	0	
June	0	
July	0	
August	0	
September	0	
October	0	
November	0	
December	0	

## Past due investigation recommended actions for API/ACC Tier 1 and Tier 2 incidents

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0

# API/ACC TIER 1 & TIER 2 INCIDENTS AND RATES STARTING 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019
No. Tier 1 LOPC	0	0	0	0	0	0	0	0	0
Incident rate for Tier 1	0	0	0	0	0	0	0	0	0
Refinery or Industry Rate <sup>1</sup>	0.155	0.099	0.094	0.092	0.103	0.062	0.07	0.057	0.61
Refinery or Industry Mean <sup>2</sup>		1.49	1.30	1.38	1.55	1.01	1.13	0.92	1.03
Tier 2 LOPC	0	0	0	0	0	0	0	0	0
Incident rate for Tier 2	0	0	0	0	0	0	0	0	0
Refinery Rate <sup>1</sup>		0.24	0.253	0.238	0.206	0.172	0.184	0.172	0.157
Refinery Mean <sup>2</sup>					3.08	2.78	2.73	2.79	2.67

<sup>1</sup>Petroleum refineries to report publicly available refinery rate for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1

<sup>2</sup>Petroleum refineries to report publicly available refinery mean for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1

**26. Process Safety Performance Indicators for refineries only: N/A**

# Annual Performance Review and Evaluation Submittal June 30, 2020

\*Attach additional pages as necessary

**1. Name and address of Stationary Source:**

Tesoro Refining and Marketing Company LLC, DBA, Marathon Martinez Refinery, 150 Solano Way, CA 94553

**2. Contact name and telephone number (should CCHMP have questions):**

**3. Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):**

The most recent Safety Plan was submitted to Contra Costa Hazardous Materials Program (CCHMP) in October, 2019. CCHMP has completed eight audits on the safety programs. The first audit was in September 2000 on the safety programs. The second audit was in December 2001 and focused on Inherently Safer Systems and Human Factors. CalARP/ISO audits were conducted in August 2003, November-December 2005, August-October 2008, April-May 2011, January, 2014, October 2016, and most recently, October 2019. All safety program elements required by the ISO have been developed and are implemented.

**4. Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):**

The original Safety Plan for this facility was filed with CCHMP on January 14, 2000. An amended plan, updated to reflect CCHS recommendations and an ownership change, was filed on November 30, 2000. A Human Factors Amendment was submitted on January 15, 2001. A Power Disruption Plan was submitted, per Board of Supervisor request, on June 1, 2001.

The Safety Plan for this facility is updated whenever changes at the facility warrant an update or every three years. In addition, the accident history along with other information is updated every year on June 30 in the Annual ISO Update to CCHMP. The most recent Safety Plan was submitted in October, 2019.

**5. List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):**

CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Martinez Library (libraries closest to the stationary source).

**6. Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):**

There have been no MCARs during the last year.

**7. Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):**

Status of Root Cause Analysis Recommendations: The recommended action items for all MCARs are closed.

8. **Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** "CCHS Information": CCHS completed an audit on September 15, 2000, December, 2001, August, 2003, November/December, 2005, August-October, 2008, April-May 2011, January, 2014, October, 2016 and October, 2019. There are no RCA or Incident Investigations that have been conducted by the Department.  
*Facility status of audit recommendations: All recommendations from CCHMP audits are closed. The site is awaiting the recommendations from the 2019 audit.*
9. **Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** The refinery is submitting a list of the Inherently Safer Systems (ISS) that meet the criteria for Inherent or Passive levels only and that were completed within the last year (see attached).
10. **Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):** "CCHMP Information": There were no enforcement actions during this period.
11. **Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):** "CCHMP Information": No penalties have been assessed against this facility.
12. **Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the eight facilities subject to the Industrial Safety Ordinance was \$1,111,605. The total Industrial Safety Ordinance program fees for these eight facilities was - \$585,721. (NOTE: These fees include those for the County and City of Richmond ISO facilities)
13. **Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 3,008 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.
14. **Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** This facility has not received any comments to date regarding the effectiveness of the local program.
15. **Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):** Chapter 450-8 improves industrial safety by expanding the safety programs to all units in the refinery. In addition, the timeframe is shorter to implement recommendations generated from the Process Hazard Analysis (PHA) safety program than state or federal law. This has resulted in a faster implementation of these recommendations.

Chapter 450-8 also includes requirements for inherently safer systems as part of implementing PHA recommendations and new construction. This facility has developed an aggressive approach to implementing inherently safer systems in these areas.

Chapter 450-8 has requirements to perform root cause analyses on any major chemical accidents or releases (MCAR). This facility has applied that rigorous methodology to investigate any MCARs that have occurred since January, 1999.

Chapter 450-8 requires a human factors program. This facility has developed a comprehensive human factors program and is in the process of implementing the program.

Chapter 450-8 requires a safety culture assessment. This facility has developed a safety culture assessment program that meets the requirements in the ordinance..

**16. List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCA's) that significantly decrease the severity or likelihood of accidental releases.**

This question was broadly answered under question 15 above. Some examples of changes that have been made due to implementation of the ordinance are as follows. There are some units that were not covered by RMP, CalARP or PSM. Those units are now subject to the same safety programs as the units covered by RMP, CalARP and PSM. They have had PHAs performed on them according to the timeline specified in the ISO and the PHA recommendations have been resolved on the timeline specified in the ISO. A list of inherently safer systems as required by the ISO for PHA recommendations and new construction is attached to this filing as mentioned in the response to question 9. With respect to Compliance Audits, there was a compliance audit performed in April 2015 in addition to the CCHMP audits mentioned above. All audit findings are being actively resolved. Root Cause Analysis findings and recommendations for MCARs are listed in the response under question 6.

**17. Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** Please refer to #6 which has the CWS classifications for the major chemical accidents and releases as well as any information regarding emergency responses by agency personnel.

**18. Date the last Safety Culture Assessment was completed:** 8/8/16-9/1/16. **Survey method:** survey

**19. Date the results of the Safety Culture Assessment were reported to the workforce and management:** Communicated in all employees/contractors in safety training: 4/4/17-5/15/17. Reported to Management: 11/17/16.

**20. Answer the following regarding the Safety Culture Evaluation previous to the one listed in 18:**

- Survey method: Survey

- Areas of improvements being addressed:

The safety culture areas of improvement identified are: the maintenance work process, procedures, leadership of process safety, resources for process safety, and new hire training.

- Action Plan made Progress on the identified areas of improvement?: (Yes or No) YES.

If Yes, did the improvements meet the goals and if not was the action plan amended to address what is being done to meet the goals?

There was improvement from 2013 to 2016 in some of the identified areas. The action plan for 2016 included the work that was performed previously and addressed continuing the effort to completion.

If No, has a new action plan been developed to address the identified areas of improvement? (Yes or No)

**21. Have milestones and metrics been developed to determine how the Safety Culture Assessment actions are being implemented? Yes.**

- 22. Describe the process that included employees and their representatives used to determine if the action items effectively changed the expected culture items:** Once the initial report was received on the survey from the 3rd party consultant, the PSM Superintendent and USW Process Safety Representative reviewed the data and recommendations from the consultant in great detail as well as the 2013 survey. A preliminary action plan was developed from the in depth analysis. The consultant’s report and the preliminary action plan were reviewed with management, the Jt. H&S Committee and the union negotiation committee for input. In addition, the USW Process Safety Representative held several sessions with USW leadership to review the data in more detail. After this process was completed, it was determined the preliminary action plan was the final action plan.
- 23. Date of the mid-cycle progress evaluation:** 2019 for PSCA dated 2016
- o Did the action plan (for no 18) make progress on the identified areas of improvement? YES
  - o Yes or if not, has a new action pan been developed? (Yes or No) Although progress was made according to the interim safety culture assessment, an additional action plan was developed
- 24. If a mid-cycle progress evaluation was performed during this reporting year, describe the process that included participation of employees or their representatives that determined whether the action items effectively changed the expected culture items:** The Interim Safety Culture Assessment included both Focus Groups and one-on-one interviews. The results from those activities were analyzed for common threads and then an action plan was formulated to address the areas that still needed further action.
- 25. Common Process Safety Performance Indicators:**

## Overdue inspection for piping and pressure vessels based on total number of circuits

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	5	0
November	0	5
December	0	4
<b>Total</b>	<b>5</b>	<b>5</b>

Total number of circuits: 5,978

Total number of annual planned circuit inspections: 1,932 in the year 2019

## Past due PHA recommended actions, includes seismic and LCC recommended actions

2020	Overdue	Repeat
January	15	68
February	20	77
March	21	45
April	10	66
May	18	71
June	27	78
July	16	64
August	4	76
September	17	77
October	0	93
November	0	88
December	0	83
Total	148	136

## Past due investigation recommended actions for API/ACC Tier 1 and Tier 2 incidents

2020	Overdue	Repeat
January	0	3
February	1	3
March	0	4
April	0	3
May	0	2
June	0	2
July	0	2
August	0	1
September	0	1
October	0	1
November	0	1
December	0	1
Total	1	4



# API/ACC TIER 1 & TIER 2 INCIDENTS AND RATES STARTING 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019
No. Tier 1 LOPC	0	0	0	1	1	0	1	1	1
Incident rate for Tier 1	0	0	0	0.05	0.06	0	0.04	0.04	0.07
Refinery or Industry Rate <sup>1</sup>	0.15	0.09	0.09	0.09	0.10	0.06	0.07	0.06	0.06
Refinery or Industry Mean <sup>1</sup>	*	1.49	1.30	1.38	1.55	1.01	1.13	0.92	1.03
Tier 2 LOPC	1	1	2	3	3	0	3	4	3
Incident rate for Tier 2	0.06	0.05	0.12	0.16	0.17	0	0.12	0.17	0.21
Refinery Rate <sup>2</sup>	**	0.24	0.25	0.23	0.20	0.17	0.18	0.17	0.16
Refinery Mean	*	*	*	*	3.08	2.78	2.71	2.79	2.67

<sup>1</sup>Petroleum refineries to report publicly available refinery rate for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1

<sup>2</sup>Petroleum refineries to report publicly available refinery mean for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1

\* Petroleum refineries to report publicly available refinery mean for API Tier 1 and Tier 2. Chemical plants to report publicly available mean only for ACC Tier 1

\*\*Data is not publicly available; report from AFPM only went back to 2012.

\*\*\*Data not available at the time of reporting

## 26. Process Safety Performance Indicators for refineries only:

### I. Number of Major Incidents in 2019: Zero (0)

### II. The number of temporary piping and equipment repairs that are installed on hydrocarbon and high energy utility systems that are past their date of replacement with a permanent repair:

2020	Total*	Overdue	Repeat
January	98	0	61
February	98	0	61
March	106	1	61
April	109	0	62
May	111	0	62
June	105	0	59
July	108	0	28
August	103	0	9
September	93	0	1
October	93	0	1
November	84	0	0
December	85	0	0
Total	85	1	62

\*the total number of temporary piping and equipment repairs installed on hydrocarbon and high energy utility systems

## Inherently Safer Systems Implemented

Item Identifier	Implementation Category	Risk Reduction Category	ISS Approach
A004-2017-005	PHA	Inherent	Second Order Inherent Safety— Application of inherently safer principles to reduce the likelihood of an incident..
A004-2017-018	PHA	Passive	Moderate—Modification of physical conditions to less hazardous conditions.
A004-2017-022	PHA	Passive	Moderate—Modification of physical conditions to less hazardous conditions.
A004-2017-023	PHA	Passive	Moderate—Modification of physical conditions to less hazardous conditions..
A004-2017-024	PHA	Passive	Moderate—Modification of physical conditions to less hazardous conditions.
A004-2017-025	PHA	Passive	Moderate—Modification of physical conditions to less hazardous conditions.
A004-2017-026	PHA	Passive	Moderate—Modification of physical conditions to less hazardous conditions.
A004-2017-027	PHA	Passive	Moderate—Modification of physical conditions to less hazardous conditions.
A011-2018-019	PHA	Passive	Substitute—Removal of temporary equipment and replaced with a permanent solution which allows for unobstructed access.
A016-2016-014	PHA	Inherent	Second Order Inherent Safety—The hazard associated with emergency response equipment design was resolved through the application of inherently safer principles to improve accessibility.
A016-2016-016	PHA	Passive	Moderate—Modification of physical conditions to less hazardous conditions.
A016-2016-017	PHA	Passive	Moderate—Modification of physical conditions to less hazardous conditions.
A016-2016-018	PHA	Inherent	First Order Inherent Safety – Elimination of the hazard by modifying physical conditions.

# Annual Performance Review and Evaluation Submittal June 30, 2020

\*Attach additional pages as necessary

- 1. Name and address of Stationary Source:** Phillips 66 Rodeo Refinery, 1380 San Pablo Avenue, Rodeo, CA 94572
- 2. Contact name and telephone number (should CCHMP have questions):**
- 3. Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):**  
The Safety Plan was last updated in August of 2018. The Phillips 66 Refinery was audited by the county's Hazardous Materials Program in January 2020.
- 4. Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):** The original Safety Plan for this facility was filed with Contra Costa Health Services on January 14, 2000. A revised plan was filed on April 7, 2000 with the updated recommendations requested by CCHS. A Human Factors Amendment was submitted on January 15, 2001. In conjunction with CCHSs required 2nd public meeting on our plan and audit findings, we submitted a complete revision of the plan to reflect the change in ownership of our facility and to update where needed. We took this opportunity to include Human Factors within the plan instead of having it as an amendment. On August 9, 2002 the plan was resubmitted. Public meetings for our plans were held on June 22, 2004 in Rodeo and July 8, 2004 in Crockett. As required the Plan was fully updated in August 2005 on the 3 year cycle. The Plan was reviewed by CCHS and was revised on July 28, 2006 with recommended changes. The Safety Plan was updated in July 2009 per the 3 year cycle.. Recommendations requested by CCHMP were incorporated into the Safety Plan on November 4, 2010. Safety Plan was updated in August 2012 and August 2015 per the 3 year cycle. Recommendations requested by CCHMP on May 22, 2017 were incorporated into the plan on August 4, 2017. An updated Safety Plan was submitted in August 2018..
- 5. List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Crockett and Rodeo Libraries (libraries closest to the stationary source).
- 6. Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):** There were no major chemical accidents or releases at the Rodeo Refinery in the 2019-2020 time period.
- 7. Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** There were no root cause analysis of major chemical accidents or releases at the Rodeo Refinery in the 2018-2019 time period.

- 8. Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** There are no open recommendations from audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department.
- 9. Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** See ATTACHMENT 1 for the listing of Inherently Safer Systems Improvements.
- 10. Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):** There were no enforcement actions during this period.
- 11. Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):** No penalties have been assessed against this facility.
- 12. Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the eight facilities subject to the Industrial Safety Ordinance was \$1,111,605. The total Industrial Safety Ordinance program fees for these eight facilities was - \$585,721. (NOTE: These fees include those for the County and City of Richmond ISO facilities)
- 13. Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 3,008 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.
- 14. Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** No comments were received.
- 15. Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):** In addition to the Phillips 66 Corporate Health Safety Environment Management Systems the ISO provides another tool for the improvement of process safety performance and industrial safety.
- 16. List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCA's) that significantly decrease the severity or likelihood of accidental releases.** Units that were not covered by RMP, CalARP, and PSM are covered under the ISO and PHAs are scheduled and performed on all these units. Recommendations from the PHAs are implemented at an accelerated rate. A list of inherently safer system improvements, required by the ISO for PHA recommendations and projects, are listed in Attachment 1.
- 17. Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** There were no major chemical accidents or releases at the Rodeo Refinery in the 2019-2020 time period.

**18. Date the last Safety Culture Assessment was completed:** 4/15/2016 **Survey method:** written survey

**19. Date the results of the Safety Culture Assessment were reported to the workforce:** 6/24/16  
**management:** 4/15/16

**20. Answer the following regarding the Safety Culture Evaluation for no. 18:**

- Survey Method: written survey
- Areas of improvements being addressed:
  - » No areas were identified as scoring significantly below normal values.
  - » Improvements require too many reviews/approvals.
  - » Employees are reluctant to reveal problems or errors.
  - » Having enough qualified people to do the work in their area.
- Action Plan made Progress on the identified areas of improvement? YES
  - » **If Yes, did the improvements meet the goals and if not, was the action plan amended to address what is being done to meet the goals?** Yes, Progress was made and improvements observed in the subsequent SCA. Improvement opportunities were identified in the most recent SCA and recommendations identified.
  - » If No, has a new action plan been developed to address the identified areas of improvement? (Yes or No)

**21. Have milestones and metrics been developed to determine how the Safety Culture Assessment actions are being implemented? Yes or if not, Why not?** YES. Specific improvements were identified by a management & union team and implemented.

**22. Describe the process that included employees and their representatives used to determine if the action items effectively changed the expected culture items:** A midcycle written survey will be utilized to evaluate the effects on the culture. The evaluation team will include management and union representatives per policy.

**23. Date of the mid-cycle progress evaluation:** November 1, 2019

- » Did the action plan (for no 18) make progress on the identified areas of improvement? Yes or if not, has a new action plan been developed? N/A

**24. Describe the process that included participation of employees or their representatives used to determine whether the action items from the SCA and the mid-cycle progress effectively changed the expected culture items:** By policy, our process includes management and union representatives to review the results and develop modified recommendations as appropriate. Each action was discussed and compared to site performance indicators to determine if improvement was made. The Mid-Cycle Review was conducted on November 1, 2019 by the Process Safety Director, USW PSM Representative, and Senior H&S Consultant.

25. Common Process Safety Performance Indicators:

**Overdue inspection for piping and pressure vessels based on total number of circuits**

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
Total	0	0

Total number of circuits: 30,263

Total number of annual planned circuit inspections: 3,124

**Past due PHA recommended actions, includes seismic and LCC recommended actions**

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	5	0
October	5	4
November	5	5
December	4	4
Total	19	13

## Past due investigation recommended actions for API/ACC Tier 1 and Tier 2 incidents

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
Total	0	0

## API/ACC TIER 1 & TIER 2 INCIDENTS AND RATES STARTING 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019
No. Tier 1 LOPC	2	3	0	0	2	0	0	0	0
Incident rate for Tier 1	0.17	0.29	0	0	0.21	0	0	0	0
Refinery or Industry Rate <sup>1</sup>	0.15	0.09	0.09	0.09	0.10	0.06	0.07	0.06	0.06
Refinery or Industry Mean <sup>2</sup>	*	1.49	1.30	1.38	1.55	1.01	1.13	0.92	1.03
Tier 2 LOPC	5	3	0	1	2	2	2	0	2
Incident rate for Tier 2	0.43	0.29	0	0.10	0.21	0.17	0.22	0	0.16
Refinery Rate <sup>1</sup>	*	0.24	0.25	0.23	0.20	0.17	0.18	0.17	0.16
Refinery Mean <sup>2</sup>	*	*	*	*	3.08	2.78	2.73	2.79	2.67

<sup>1</sup>Petroleum refineries to report publicly available refinery rate for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1.

<sup>2</sup>Petroleum refineries to report publicly available refinery mean for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1.

## 26. Process Safety Performance Indicators for refineries only:

I. Number of Major Incidents in 2019: NONE

II. The number of temporary piping and equipment repairs that are installed on hydrocarbon and high energy utility systems that are past their date of replacement with a permanent repair:

2020	Total*	Overdue	Repeat
January	42	0	0
February	42	0	0
March	43	0	0
April	43	0	0
May	47	0	0
June	49	0	0
July	48	0	0
August	48	0	0
September	50	0	0
October	51	0	0
November	33	0	0
December	33	0	0
<b>TOTAL</b>	<b>33</b>	<b>0</b>	<b>0</b>

\*the total number of temporary piping and equipment repairs installed on hydrocarbon and high energy utility systems



## Attachment 1: June 2019–June 2020 ISS improvements

Reference	Approach	ISS Category	MOC Description
IMP232563	Simplify	Inherent	Three pumps were decommissioned to eliminate potential back flow and release of process materials from the discharge check valves on G-9, G-10, and G-11.
IMP226903	Simplify	Inherent	Additional piping was added to eliminate the potential pinch point at ROD 3 101 valves and make operation easier.
IMP230973	Minimize	Passive	Vehicles barricades were installed to minimize piping damage after removing a road that ran over previous underground piping between F-302 Butane Sphere and the G-2
IMP226935	Moderate	Passive	The installed equipment, E-561A has a higher MAWP than the deadhead pressure of G-563/563A.
IMP226847	Moderate	Passive	The G-104A Pump Turbine was replaced with a lower speed turbine that cannot reach a pressure near the E-102A/B/C/D limit.
IMP226890	Simplify	Passive	The switchrack obstructing the G-102 area was demolished to improve emergency access in the event of an emergency.
IMP232563	Moderate	Passive	Project installed new anchors and guides to sufficiently mitigate stresses to piping downstream of 1E-101 and re-rate the line at a higher design temperature and lower design pressure to satisfy overpressure scenarios.
IMP226902	Moderate	Passive	The E-237 outlet and bypass piping was upgraded to meet over temperature scenarios when bypass valve is opened.
IMP226903	Moderate	Passive	A flexibility analysis of the E-240 downstream piping was done to support rerating to 490 degrees to meet the over temperature scenarios during bypass operations.
IMP226913	Moderate	Passive	The design temperature of E-52 was re-rated to 650 degrees to minimize the hazard of a release of hazardous material.
IMP226848	Minimize	Passive	A cover was installed on the E-101A/B/C saltwater outfall box to reduce the potential of exposure to hot water or H2S..
IMP226849	Moderate	Passive	A closed loop sample station was installed to minimize operator exposure to high H2S vapors by routing liquids back to the process and prevent vapors from being released.
IMP226879	Minimize	Passive	A cover was installed on the E-206 saltwater outfall box to reduce the potential of exposure to hot water or H2S.
IMP226887	Minimize	Passive	The internal trim components of PV-702 (G202/A spillback) pressure control valve to reduce the likelihood of the control valve to plug.
IMP226888	Minimize	Passive	H-204 BT Bottom Circulation Strainer outlet valves were moved closer to the platform to eliminate poor positioning when operating the valves between the G-218 Coke Strainer (H-204) and the D-206 Bubble Tower.
IMP226891	Moderate	Passive	A concrete wall secondary containment was constructed around the F-256 Silicone Tank to prevent loss of chemical contents to surrounding area.

M20195848-001	Moderate	Passive	Upgraded metallurgy installed on D-170 Reboiler Draw Elbow.
M20185788-001	Moderate	Active	Installed two pressure relief devices on 248:6E-611A&B Lube Oil Coolers and 248:6F-611A&B Filters.
M20191124-001	Moderate	Inherent	Demolished the Unit 76 out-of-service tanks 162, 163, 165, 166, 305, 306, and Tank 695.
M20191850-001	Moderate	Active	Installed multiple check valves on Utility to Process connections for backflow protection.
M20157077-001	Moderate	Active	Installed a second check valve in series with the existing check valve on: 1. The regeneration gas line from 228F-515 2. The PSA purge gas line from 228GB-522
M20195907-001	Moderate	Passive	Upgraded metallurgy for 235FE-115 (ammonia acid gas) and 235FE-635 (H2S to the Rear) to 316L stainless steel.
M20192008-001	Moderate	Passive	Upgraded five thermal wells (TE-517, TE-518, TE-519, TE-520, and TE-521/003) on the B-101 to D-101 transfer line. Material was INCO 625 for corrosion resistance with stellite overlay for erosion resistance.
M20185067-001	Moderate	Active	Installed a pressure relief device to protect 5F-516A/B (seal oil filters) from overpressure.
M20193697-001	Moderate	Passive	Upgraded metallurgy for D-803 Reflux Line Spool to stainless steel.
M20186555-001	Moderate	Active	Installed four pressure relief devices on the demineralization anion and cation exchangers in Plant 31 of the Unicracker.
M20195805-00	Simplify	Inherent	Removed deadleg from overhead of butane vaporizer.
M20185036-001	Moderate	Active	Installed a relief valve to protect the MTC slops header from overpressure due to thermal expansion.
M20201018-001	Simplify	Passive	Removed the 4" inspection nozzle and upgraded metallurgy of steam exhaust head on V-9 CO2 Stripper.
M20195075-001	Moderate	Active	Installed a strainer on the pump suction of 200:G-208A Charge Pump.
M20196340-001	Moderate	Passive	Upgraded material of 228PSV-911& 913 gaskets.
M20185320-001	Moderate	Passive	Installed a closed-loop sample station on the rich DGA line out of the Unit 233 contactor, D-601, that was previously routed to the refinery blowdown system.

# Annual Performance Review and Evaluation Submittal

## June 30, 2020

\*Attach additional pages as necessary

1. **Name and address of Stationary Source:** Martinez Refining Company, 3485 Pacheco Blvd., Martinez, CA 94553.
2. **Contact name and telephone number (should CCHMP have questions):**
3. **Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):**  
The current revision of the Safety Plan was submitted in August 2019. The Safety Program elements are consistent with the descriptions in the Safety Plan.
4. **Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):** Pending updates to the Safety Plan will address change of refinery ownership (sale of Refinery from Shell to PBF Energy), and sale of two hydrogen plants (HP-1 and HP-2) to Air Products. During the transition of hydrogen plant ownership, Martinez Refining Company personnel continue to operate and maintain the plants as described in the current Safety Plan. Changes to the Safety Plan will depend on post-transition arrangements. The transition period may last 18 months.
5. **List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Martinez Library (library closest to the stationary source).
6. **Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):** There have been no MCARs at the Martinez Refinery in the 12-month period beginning July 1, 2019.
7. **Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** There have been no RCAs for MCARs or potential MCARs in the 12-month period beginning July 1, 2019.
8. **Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** Of the 49 recommendations from the audit conducted by CCHS in 2018, 48 have been completed. The one action remaining has a target date of December 2020, and it is expected that this action will be completed on time.
9. **Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** See Attachment 1.

- 10. Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2) (vii)):** There were no enforcement actions during this period.
- 11. Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):**  
No penalties have been assessed against this facility.
- 12. Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the eight facilities subject to the Industrial Safety Ordinance was \$1,111,605. The total Industrial Safety Ordinance program fees for these eight facilities was - \$585,721. (NOTE: These fees include those for the County and City of Richmond ISO facilities).
- 13. Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 3,008 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.
- 14. Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** None received.
- 15. Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):** SMRC has integrated requirements of the Industrial Safety Ordinance into our Health, Safety, and Environment Management System; in the context of our HSE MS, the ISO requirements drive continual improvement in our HSE performance.
- 16. List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCA's) that significantly decrease the severity or likelihood of accidental releases.** All process units are now covered under CalARP Program 4. Examples of changes made to the stationary source during the reporting year are summarized in Attachment 1 (see question 9).
- 17. Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** There were no MCARs at the stationary source during the reporting year.
- 18. Date the last Safety Culture Assessment was completed:** 3/31/2019.
- 19. Date the results of the Safety Culture Assessment were reported to the workforce and management:** 4/10-22/2019.
- 20. Answer the following regarding the Safety Culture Evaluation for no. 18:**
- Survey method: Anonymous computer based and paper based survey
  - Areas of improvements being addressed: Incident reporting and learnings from incidents and rewards and recognition
  - Action Plan made Progress on the identified areas of improvement?: (Yes or No) YES

- » If Yes, did the improvements meet the goals and if not was the action plan amended to address what is being done to meet the goals? Goals for working off backlog of investigations, timely investigation completion, and timely communication of results have been achieved. Rewards and recognition aligned with new company expectations..
- » If No, has a new action plan been developed to address the identified areas of improvement? (Yes or No)

**21. Have milestones and metrics been developed to determine how the Safety Culture Assessment actions are being implemented?** Yes.

**22. Describe the process that included employees and their representatives used to determine if the action items effectively changed the expected culture items:** Team which includes employee representatives meets quarterly to assess progress and effectiveness of Safety Culture improvement efforts.

**23. Date of the mid-cycle progress evaluation:**TBD

- » Did the action plan (for no 18) make progress on the identified areas of improvement? (Yes or No) Yes

**24. If a mid-cycle progress evaluation was performed during this reporting year, describe the process that included participation of employees or their representatives that determined whether the action items effectively changed the expected culture items:** No mid-cycle review conducted during this review period

25. Common Process Safety Performance Indicators:

**Overdue inspection for piping and pressure vessels based on total number of circuits**

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0

Total number of circuits: 11,923

Total number of annual planned circuit inspections: 1,455

**Past due PHA recommended actions, includes seismic and LCC recommended actions**

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	4	0
July	3	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
<b>TOTAL</b>	<b>7</b>	<b>0</b>

## Past due investigation recommended actions for API/ACC Tier 1 and Tier 2 incidents

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>

## API/ACC TIER 1 & TIER 2 INCIDENTS AND RATES STARTING 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019
No. Tier 1 LOPC	1	1	1	0	1	0	2	1	2
Incident rate for Tier 1	0.07	0.07	0.08	0	0.07	0	0.11	0.06	0.12
Refinery or Industry rate <sup>1</sup>	0.15	0.09	0.09	0.09	0.10	0.06	0.08	0.06	0.06
Refinery or Industry mean <sup>2</sup>	*	1.49	1.30	1.41	1.53	1.00	1.11	0.92	1.03
No. Tier 2 LOPC	2	0	5	2	5	1	2	2	5
Incident rate for Tier 2	0.14	0	0.41	0.11	0.42	0.06	0.11	0.11	0.31
Refinery rate <sup>1</sup>	*	0.24	0.25	0.24	0.21	0.17	0.19	0.17	0.16
Refinery mean <sup>2</sup>	*	*	*	3.59	3.07	2.75	2.75	2.79	2.67

<sup>1</sup>Petroleum refineries to report publicly available refinery rate for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1

<sup>2</sup>Petroleum refineries to report publicly available refinery mean for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1

**26. Process Safety Performance Indicators for refineries only:**

**I. Number of Major Incidents in 2019: 0**

**II. The number of temporary piping and equipment repairs that are installed on hydrocarbon and high energy utility systems that are past their date of replacement with a permanent repair:**

<b>2020</b>	<b>Total</b>	<b>Overdue</b>	<b>Repeat</b>
January	1	0	0
February	6	0	0
March	1	0	0
April	5	0	0
May	3	0	0
June	11	0	0
July	0	0	0
August	1	0	0
September	4	0	0
October	1	0	0
November	1	0	0
December	3	0	0
<b>TOTAL*</b>	<b>37</b>	<b>0</b>	<b>0</b>

\*the total number of temporary piping and equipment repairs installed on hydrocarbon and high energy utility systems



## Attachment 1

Table 1: Summary of Implemented ISS	
ISS/HCA Type	MOC Description
Active / Moderate, Simplify	Lower 40PI1017 critical high set point (located at PSV F-468 inlet).
Active / Moderate, Simplify	Move the Low Flow alarm from 40FI0959.PV to 40FC287.PV located downstream of P-12566/7.
Procedural / Simplify	Update procedure ISOM-3130, Lead ISOM RX Sulfur Stripping, to include more descriptive steps.
Active / Moderate, Simplify	Add high pressure alarm with operator response on existing pressure indication 40PI1700.
Active / Moderate, Simplify	Upgrade 4 existing check valves on the discharge of P-13311/312 to class 1 check valves to strengthen an existing barrier to prevent reverse flow in the event of a seal failure and allow for valid emergency response.
Active / Moderate	Install ammonia area monitors near V-13311 to ensure that console operator can be notified of a potential release in the area and provide adequate emergency response.
Active/ Moderate	Add low level alarm 17LI156 to protect against loss of level in V-1162 and reverse flow of 160# steam.
Active/ Moderate	Reclassify 2 existing check valves on the filtered stripped sour water header to class 1 check valves: (1) Check valve located at P-4110 discharge and (2) Check valve located at the combined outlet of the stripped sour water filters V-841/842.
Active / Moderate	Install hardware to allow P-8695 acid gas KO pot pump to be operated remotely from the board. This will allow pump to be operated remotely, eliminating the scenario of potential personnel exposure in case of a seal failure when starting/stopping the pump manually.
Procedural	Create a new call card to verify that the critical steam traps associated with SRU-1/2 sulfur seals are checked on a regular basis.
Active / Simplify	Add position indication with feedback to DCS for posi-seal valves between SRU1/2 and SCOT1/2 and the incinerators.
Passive / Simplify	Modify TDC displays to clearly differentiate between the following screens: SCOT1/SCOT2 RX, SCOT1/SCOT2 Absorber, DEA1/2, and SWS3/4/5.
Procedural / Moderate, Simplify	Add weekly operator round to verify tank TK 952 interface level using thermal profile.



2019–2020



ATTACHMENT C  
RICHMOND REGULATED  
SOURCES ANNUAL  
PERFORMANCE  
Contra Costa Health Services

# Annual Performance Review and Evaluation Submittal June 30, 2020; Update sent with industry rates on 10/29/2020

\*Attach additional pages as necessary

1. **Name and address of Stationary Source:** Chevron U.S.A. Inc. (CUSA), Richmond Refinery, 841 Chevron Way, Richmond, California 94801
2. **Contact name and telephone number (should CCHMP have questions):**
3. **Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):**  
The CUSA Richmond Refinery (Refinery) initial Site Safety Plan (SSP) was completed in 2003, and the most recent revision is dated July 24, 2018. The SSP was prepared in accordance with the City of Richmond Industrial safety Ordinance (RISO), which was adopted by the Richmond City Council on January 17, 2002.
4. **Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):** The SSP was updated in 2018. The next revision will be shared in 3Q2021.
5. **List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Martinez Library; Richmond Public Library at 325 Civic Center Plaza Richmond, CA 94804; and Point Richmond Public Library at 135 Washington Ave., Richmond, CA 94801.
6. **Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):** There were no major chemical accidents or releases ("MCAR") as defined in Section 450-8.014(h) between June 1, 2019 and June 1, 2020.
7. **Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** There were no MCAR events between June 1, 2019 and June 1, 2020, and accordingly there were no Root Cause Analyses conducted under section 450-8.016(c) during this period.
8. **Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** The 2011 Cal APR/ISO Audit had 73 ensure and consider recommendations, from which 85 total action items were created, and 85 of those action items are complete. The final report and action plans from the 2013 Cal ARP/Richmond ISO audit were accepted by the County and Richmond Refinery in 2015. The 2013 Cal ARP/ISO audit had 163 ensure and consider recommendations, from which 177 total action items were created, and 177 of those action items are complete. The report and action plans from the 2016 Cal ARP/Richmond ISO audit had 74 ensure and consider recommendations, from which 80 total action items were created, and 80 of those action items are complete. The ensure and consider items for the 2016 audit were finalized on November 6, 2017. The 2019 Cal ARP/ISO audit closing meeting was held on June 28th 2019. There were 94 ensure and consider recommendations, from which 104 total action items were created, and 3 of those action items are complete.

- 9. Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** See Attachment 1 on page 5.
- 10. Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2)(vii)):** There were no enforcement actions during this period.
- 11. Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):** No penalties have been assessed against this facility.
- 12. Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the eight facilities subject to the Industrial Safety Ordinance was \$1,111,605. The total Industrial Safety Ordinance program fees for these eight facilities was - \$585,721. (NOTE: These fees include those for the County and City of Richmond ISO facilities).
- 13. Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 3,008 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.
- 14. Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** No comments were received during this period regarding the effectiveness of the local program that raise public safety issues.
- 15. Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):** Operating safely is one of CUSA's core values and underpins our commitment to enhancing our process safety programs. The RISO assists CUSA in improving our process safety performance. We have worked closely with CCHMP in its implementation of the RISO and its oversight of our operations, including during its periodic reviews of our operations. Consistent with this commitment, and as part of the company's efforts to continually improve its process safety performance, CUSA will continue to confer with the CCHMP as it refines and implements these actions.
- 16. List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCAs) that significantly decrease the severity or likelihood of accidental releases.**  
 In addition to the Inherently Safer Systems implemented in Question 9, CUSA has also made other changes to the facility pursuant to the RISO and beyond to decrease the severity or likelihood of accidental releases. A few examples include the following:
- Changes implemented based on findings from Tier 1 and Tier 2 Incident Investigation with solutions due between June 2019 to June 2020. There was no Tier 1 and Tier 2 incident in 2019.

- » Completed Fixed Equipment Asset Strategies Piping Project. The Fixed Equipment Asset Strategies Piping Project improves the refinery's existing asset strategy, designed to prevent and mitigate loss of containment in piping systems and to describe the process for creating and maintaining these strategies.
- » Completed review of asset history and data for all blending and shipping pumps, including field survey for pumps with missing information to determine reliability threats.
- » Plant shutdown procedure was update.
- SRCM (Streamlined Reliability-Centered Maintenance) continued implementing studies to set up ITPM's (inspection, testing, and preventative maintenance tasks) refinery wide.
- Completed Damage Mechanism Reviews on PSM-covered equipment and piping.
- Equipment and procedural changes implemented to reduce risks identified during PHAs, including:
  - » Upgraded centrifugal pump seals to reduce or eliminate potential consequences that may result from seal failures. A few of the pumps completed are P-430, P-420, P-3551/A.
  - » Updated Operation's procedural changes to minimize potential loss of containment.
  - » Continued effort to conduct procedural PHAs across refinery units to identify and mitigate potential human factors that may lead to loss of containment; with a focus on emergency, startup, and shutdown procedures.

**17. Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** There were no level two or three CWS or TENS activations between June 1, 2019 and June 1, 2020.

**18. Common Process Safety Performance Indicators:** Data collected Sept 2015 reported to work force June 2016

**19. Date the results of the Safety Culture Assessment were reported to the workforce:** June 2016

**20. Answer the following regarding the Safety Culture Evaluation to the one listed in 18:**

- **Survey method:** Focus Groups
- **Areas of improvements being addressed:** Communication and resource planning
- **Action Plan made Progress on the identified areas of improvement?: (Yes or No)** Yes
  - » If Yes, did the improvements meet the goals and if not was the action plan amended to address what is being done to meet the goals? Yes, the improvements met the goals.
  - » If No, has a new action plan been developed to address the identified areas of improvement? (Yes or No) N/A

**21. Have milestones and metrics been developed to determine how the Safety Culture Assessment actions are being implemented? Yes or if not, Why not?**

Yes. Milestones are tracked in the Chevron Database system of record.

**22. Describe the process that included employees and their representatives used to determine if the action items effectively changed the expected culture items:** Employees and their representatives were involved in the review of data, development of the improvement suggestions as well

as the development of the final action items. Through the process of meeting with the representatives we came to agreement on what data needed an action and what action would solve the milestones.

- 23. Date of the mid-cycle progress evaluation:** None were conducted as they were not required at the time for SCA dated: June 2016
- » Did the action plan (for no 18) make progress on the identified areas of improvement? Yes or if not, has a new action plan been developed? (Yes or No) N/A

**24. If a mid-cycle progress evaluation was performed during this reporting year, describe the process that included participation of employees or their representatives that determined whether the action items effectively changed the expected culture items:** N/A. Mid-cycle progress evaluation was not performed in this reporting year.

**25. Common Process Safety Performance Indicators:**

## Overdue inspection for piping and pressure vessels based on total number of circuits

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

Total number of circuits: 12,240\*

Total number of annual planned circuit inspection: 3,377\*

\*An ongoing project is re-evaluating piping circuit designations to align each circuit with the anticipated damage mechanisms. As the project progresses, the total number of piping circuits and subsequently, the number inspected, will change to accommodate the long-term strategy for inspections and reliability

## Past due PHA recommended actions, includes seismic and LCC recommended actions

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	3	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
Total	3	

## Past due investigation recommended actions for API/ACC Tier 1 and Tier 2 incidents

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
Total	0	0

# API/ACC TIER 1 & TIER 2 INCIDENTS AND RATES STARTING 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019
No. Tier 1 LOPC	4	3	0	1	2	1	1	1	0
Incident rate for Tier 1	0.14	0.11	0.00	0.02	0.05	0.02	0.02	0.01	0
Refinery or Industry rate <sup>1</sup>	0.1553	0.995	0.0947	0.0925	0.1038	0.0627	0.0761	0.0570	0.0608
Refinery or Industry mean <sup>2</sup>	**	1.49	1.30	1.38	1.55	1.01	1.13	0.92	1.03
No. Tier 2 LOPC	5	8	6	3	1	3	5	4	0
Incident rate for Tier 2	0.18	0.29	0.19	0.07	0.02	0.07	0.10	0.06	0
Refinery or Industry rate <sup>1</sup>	**	0.2405	0.2531	0.2380	0.2063	0.1726	0.1843	0.1728	0.1574
Refinery or Industry mean <sup>2</sup>	**	**	**	**	3.08	2.78	2.73	2.79	2.67

<sup>1</sup>Petroleum refineries to report publicly available refinery rate for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1  
<sup>2</sup>Petroleum refineries to report publicly available refinery mean for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1

## 26. Process Safety Performance Indicators for refineries only:

- I. Number of Major Incidents in 2019: 0
- II. The number of temporary piping and equipment repairs that are installed on hydrocarbon and high energy utility systems that are past their date of replacement with a permanent repair.

2020	Total	Overdue	Repeat
January	61	0	0
February	65	0	0
March	65	0	0
April	68	0	0
May	73	0	0
June	71	0	0
July	71	0	0
August	69	0	0
September	69	0	0
October	69	0	0
November	64	0	0
December	64	0	0
<b>TOTAL*</b>	<b>64</b>	<b>0</b>	<b>0</b>

\*The total number of temporary piping and equipment repairs installed on hydrocarbon and high energy utility systems.



## Attachment 1—Question 9

Risk Reduction Category	ISS Approach	Description
Inherent	Eliminate	Replace Glycol as medium for jacket cooling system for H2 compressor with tempered water.
Inherent	Minimize	Remove old gas fill station equipment and piping in berth 9 and removal of unused piping in 9 Plant East-West Pipe Rack to reduce risk of loss of containment.
Passive	Moderate	Upgrade pump mechanical seals to CCSTB (Close Clearance Segmented Throttle Bushing) or dual seals to minimize the seal leakage in case of failure.
Active	Safeguard	Furnace bogging alarm installed on a critical alarm panel for fired heaters and boilers to reduce the risk of overpressure and potential loss of containment.
Active	Safeguard	Install SIF on furnaces fuel gas system to reduce the risk of furnace incident.
Procedural	Safeguard	Richmond Refinery can convert a portion of the existing anhydrous ammonia inventory into Hydrogen and Updated emergency procedure for HNC plant to include evacuation as first step.

# Annual Performance Review and Evaluation Submittal

## June 30, 2020

\*Attach additional pages as necessary

1. **Name and address of Stationary Source:** Chemtrade Logistics West US, LLC. 525 Castro St. Richmond, CA 94801
2. **Contact name and telephone number (should CCHMP have questions):**
3. **Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)):**  
The sites Safety Plan is currently up to date after program updates were completed in 2019.
4. **Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):** The 2019 Safety Plan submittal included updates to meet current site practices including changes to the sites investigation and corrective action plans, human factors program, process hazard analysis procedures and document control procedures.
5. **List of locations where Safety Plans are/will be available for review, including contact telephone numbers if the source will provide individuals with copies of the document (450-8.030(B)(2)(ii)):** CCHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Martinez Library (libraries closest to the stationary source).
6. **Provide any additions to the annual accident history reports (i.e. updates) submitted pursuant to Section 450-8.016(E)(2) of County Ordinance 98-48 (450-8.030(B)(2)(iii)) (i.e., provide information identified in Section 450-8.016(E)(1) for all major chemical accidents or releases occurring between the last annual performance review report and the current annual performance review and evaluation submittal (12-month history)):** No new accidents in the previous 12 months.
7. **Summary of each Root Cause Analysis (Section 450-8.016(C)) including the status of the analysis and the status of implementation of recommendations formulated during the analysis (450-8.030(B)(2)(iv)):** N/A.
8. **Summary of the status of implementation of recommendations formulated during audits, inspections, Root Cause Analyses, or Incident Investigations conducted by the Department (450-8.030(B)(2)(v)):** N/A.
9. **Summary of inherently safer systems implemented by the source including but not limited to inventory reduction (i.e., intensification) and substitution (450-8.030(B)(2)(vi)):** Source has installed redundant level transmitters on various tank systems as well as installing remotely activated valves that are required to be manipulated in emergency situations.

- 10. Summarize the enforcement actions (including Notice of Deficiencies, Audit Reports, and any actions turned over to the Contra Costa County District Attorney's Office) taken with the Stationary Source pursuant to Section 450-8.028 of County Ordinance 98-48 (450-8.030(B)(2) (vii)):** There were no enforcement actions during this period.
- 11. Summarize total penalties assessed as a result of enforcement of this Chapter (450-8.030(3)):**  
No penalties have been assessed against this facility.
- 12. Summarize the total fees, service charges, and other assessments collected specifically for the support of the ISO (450-8.030(B)(4)):** The total CalARP Program fees for the eight facilities subject to the Industrial Safety Ordinance was \$1,111,605. The total Industrial Safety Ordinance program fees for these eight facilities was - \$585,721. (NOTE: These fees include those for the County and City of Richmond ISO facilities).
- 13. Summarize total personnel and personnel years utilized by the jurisdiction to directly implement or administer this Chapter (450-8.030(B)(5)):** 3,008 hours were used to audit/inspect and issue reports on the Risk Management Chapter of the Industrial Safety Ordinance.
- 14. Copies of any comments received by the source (that may not have been received by the Department) regarding the effectiveness of the local program that raise public safety issues(450-8.030(B)(6)):** No additional comments have been received by the source.
- 15. Summarize how this Chapter improves industrial safety at your stationary source (450-8.030(B)(7)):** The ISO ordinance helps the site to continually improve it's implementation of new policies and changes to processes by encouraging more thorough system reviews, executing a more inclusive Human Factors program and continually promoting Inherently Safer Systems.
- 16. List examples of changes made at your stationary source due to implementation of the Industrial Safety Ordinance (e.g., recommendations from PHA's, Compliance Audits, and Incident Investigations in units not subject to CalARP regulations; recommendations from RCAs) that significantly decrease the severity or likelihood of accidental releases.**  
Site has made significant improvements to it's MOC, PHA and ISS programs due to the Industrial Safety Ordinance.
- 17. Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases:** No major chemical accidents or releases since last report.
- 18. Date the last Safety Culture Assessment was completed:** 8/14/18
- 19. Date the results of the Safety Culture Assessment were reported to the workforce and management:** 9/19/18

**20. Answer the following regarding the Safety Culture Evaluation previous to the one listed in 18:**

- Survey method: Anonymous multiple choice survey developed with comments available for each question
- Areas of improvements being addressed: Improve safety incentives and improve including hourly employees when conducting investigations
- Action Plan made Progress on the identified areas of improvement?: (Yes or No) Yes
  - » If Yes, did the improvements meet the goals and if not was the action plan amended to address what is being done to meet the goals? Process is on-going. Another SCA will be conducted to measure success.
  - » If No, has a new action plan been developed to address the identified areas of improvement? (Yes or No)

**21. Have milestones and metrics been developed to determine how the Safety Culture Assessment actions are being implemented? Yes or if not, Why not? Yes**

**22. Describe the process that included employees and their representatives used to determine if the action items effectively changed the expected culture items:** A follow-up SCA will be conducted.

**23. Date of the mid-cycle progress evaluation:** Scheduled for April 2021

- » Did the action plan (for no 18) make progress on the identified areas of improvement? Yes or if not, has a new action pan been developed? (Yes or No)

**24. If a mid-cycle progress evaluation was performed during this reporting year, describe the process that included participation of employees or their representatives that determined whether the action items effectively changed the expected culture items. N/A**

**25. Common Process Safety Performance Indicators:**

**Overdue inspection for piping and pressure vessels based on total number of circuits**

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
Total	0	0

## Past due PHA recommended actions, includes seismic and LCC recommended actions

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	1	0
November	1	1
December	1	1
Total	1	1

## Past due investigation recommended actions for API/ACC Tier 1 and Tier 2 incidents

2020	Overdue	Repeat
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
Total	0	0

# API/ACC TIER 1 & TIER 2 INCIDENTS AND RATES STARTING 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019
No. Tier 1 LOPC	0	0	0	0	0	0	0	0	0
Incident rate for Tier 1	0	0	0	0	0	0	0	0	0
Refinery or Industry rate <sup>1</sup>	0.1553	0.0995	0.0947	0.0925	0.1038	0.0627	0.0761	0.057	0.061
Refinery or Industry mean <sup>2</sup>	*	1.49	1.30	1.38	1.55	1.01	1.13	0.92	1.03
No. Tier 2 LOPC	0	0	0	0	0	0	0	1	0
Incident rate for Tier 2	0	0	0	0	0	0	0	1.8	0
Refinery rate <sup>1</sup>	**	0.2405	0.2531	0.2380	0.2063	0.1726	0.1843	0.1728	0.1574
Refinery mean <sup>2</sup>	**	**	**	**	3.08	2.78	2.73	2.79	2.67

<sup>1</sup>Petroleum refineries to report publicly available refinery rate for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1

<sup>2</sup>Petroleum refineries to report publicly available refinery mean for API Tier 1 and Tier 2 classification. Chemical plants to report publicly available mean only for ACC Tier 1

## 26. Process Safety Performance Indicators for refineries only: N/A



**CONTRA COSTA**  
HAZARDOUS MATERIALS PROGRAMS  
A Division of Contra Costa Health Services



Contra  
Costa  
County

To: Board of Supervisors  
From: Anna Roth, Health Services Director  
Date: March 9, 2021

Subject: Approve New and Recredentialing Providers and Organizational Providers in Contra Costa Health Plan's Community Provider Network

**RECOMMENDATION(S):**

APPROVE the list of providers recommended by Contra Costa Health Plan's Peer Review and Credentialing Committee on January 12, 2021 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:**

There is no fiscal impact for this action.

**BACKGROUND:**

The National Committee on Quality Assurance (NCQA) requires that evidence of Board Approval must be contained within each CCHP provider's credentials file. Approval of this list of providers as recommended by the CCHP Medical Director will enable the Contra Costa Health Plan to comply with this requirement.

**CONSEQUENCE OF NEGATIVE ACTION:**

If this action is not approved, Contra Costa Health Plan's providers would not be appropriately credentialed and not be in compliance with the NCQA.

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Sharron MacKey,  
925-313-6104

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy



ATTACHMENTS

Provider List- January 12,  
2021

**Contra Costa Health Plan  
Providers Approved by PRCC  
January 12, 2021**

<b>CREDENTIALING PROVIDERS JANUARY 2021</b>	
<b>Name</b>	<b>Specialty</b>
Alfaro Reales, Vanessa, RBT, BA	Qualified Autism Professional
Arzamendi, Audrey, MD	Endocrinology
Cuevas Navarro, Crystal, BTL-1, BA	Qualified Autism Professional
Edwards, Phyllis, PT	Physical Therapy
Felix, Wendy, BCBA	Qualified Autism Provider
Gamble, Sara, PT	Physical Therapy
Garske, Steven, PT	Physical Therapy
Gillies, Allison, OT	Occupational Therapy
Hart, Adelina, RBT	Qualified Autism Paraprofessional
Hathaway, Alison, NP	Mid-Level Family Planning
Higgins Reis, Genevieve, LCSW	Mental Health Services
Howard, Scott, PsyD	Mental Health Services
Johnson, Kwenda, PA	Physical Therapy
Lundy, Fiona, LCSW	Mental Health Services
Marlow, Victoria, MFT	Mental Health Services
Marmolejo, Alfredo, RBT, BA	Qualified Autism Professional

Contra Costa Health Plan  
 Providers Approved by PRCC  
 January 12, 2021

<b>CREDENTIALING PROVIDERS JANUARY 2021</b>	
<b>Name</b>	<b>Specialty</b>
Martineau, Eric, DPT	Physical Therapy
Medina, Alejandra, RBT	Qualified Autism Paraprofessional
Monroe, Linda, PT	Physical Therapy
Moreno, Yvette, BTL-1	Qualified Autism Professional
Munoz, Ester, BTL-1	Qualified Autism Professional
Nordin, Darby, DPT	Physical Therapy
Osuka, Obinna, BS	Qualified Autism Professional
Rennaker, Tamera, RN	Lactation Consultant
Rios, Eon, MD	Dermatology
Sanchez, Jessica, LCSW	Mental Health Services
Sebhatu, Selamawit, BCBA	Qualified Autism Provider
Shahade, Madlina, BTL-1	Qualified Autism Professional
Sweet, Lori, PT	Physical Therapy
Unubun, Dominique, BTL-1, BA	Qualified Autism Professional
Valdez, Caitlin, RBT, BA	Qualified Autism Professional
Wong, David, MD	Dermatology

Contra Costa Health Plan  
 Providers Approved by PRCC & Medical Director  
 January 12, 2021

<b>CREDENTIALING ORGANIZATIONAL PROVIDERS JANUARY 2021</b>		
<b>Provider Name</b>	<b>Provide the Following Services</b>	<b>Location</b>
Cabulance Comfort dba: Arcadia Ambulance	Non-Emergency Transportation	San Ramon
Sierra Health and Wellness Centers, LLC, dba: New Start Recovery Solutions	Substance Abuse	Concord

<b>RE-CREDENTIALING PROVIDERS JANUARY 2021</b>	
<b>Name</b>	<b>Specialty</b>
Amirdelfan, Kasra, MD	Pain Medicine
Bhattacharyya, Alok, MD	Nephrology
Block, Alison, MD	Family Planning
Breton, Jenna, NP	Mid-Level Family Planning
Brown, Michael, MD	Urology
Bunzel, Mary, NP	Primary Care Family Medicine
Caldwell, Kenneth, MD	Surgery – Orthopaedic

Contra Costa Health Plan  
 Providers Approved by PRCC  
 January 12, 2021

<b>RECREREDENTIALING PROVIDERS JANUARY 2021</b>	
<b>Name</b>	<b>Specialty</b>
Chen, Jeff, MD	Pain Medicine
Cloutier, Steven, PhD	Mental Health Services
Ellis, Selena, MD	Nephrology
Ferguson, Susan, MD	Primary Care Internal Medicine
Griego, Ann-Elizabeth, MD	Family Planning
Hopson, Christina, DO	Infectious Disease
Huffaker, Michelle, MD	Allergy & Immunology
Javaheri, Shahin, MD	Surgery – Plastic & Reconstructive Otolaryngology (ENT)
Kassels, Michael, DO	Primary Care Internal Medicine
Kuri, Mauricio, MD	Surgery – Plastic
McAlear, Matthew, BCBA	Qualified Autism Provider
Miller, Terina, MD	Nephrology
Morrissey, Ellen, MD	Nephrology
Ong, Frances, OD	Optometry

Contra Costa Health Plan  
Providers Approved by PRCC & Medical Director  
January 12, 2021

<b>RECREREDENTIALING PROVIDERS JANUARY 2021</b>	
<b>Name</b>	<b>Specialty</b>
Patel, Swati, MD	Nephrology
Ruiz Morales, Maria, RBT, BA	Qualified Autism Professional
Ryan, Alison, PA	Mid-Level Oncology
Saldivar, Nancy, NP	Primary Care Internal Medicine
Salzman, John, MD	Radiation Oncology
Sharma, Rohit, MD	Nephrology
Takao, Kevin, PT	Physical Therapy
Tam, David, OD	Optometry
Tarder, Gerald, MD	Gastroenterology
Upshaw, Bradley, OD	Optometry
Wold, Michelle, BCBA	Qualified Autism Provider
Zylker, Kenneth, DC	Chiropractic Medicine

Contra Costa Health Plan  
Providers Approved by PRCC  
January 12, 2021

<b>RECREREDENTIALING ORGANIZATIONAL PROVIDERS JANUARY 2021</b>		
<b>Provider Name</b>	<b>Provide the Following Services</b>	<b>Location</b>
Ace Home Health Care and Hospice, Inc.	Home Health and Hospice	Orinda
Harmony Healthcare, LLC dba Harmony Home Health	Home Health	Santa Clara
Nova Care Home Health Services, Inc.	Home Health	Brentwood
Wheelcare Express, Inc.	Non-Emergency Transportation	San Leandro

Bopl-January 12, 2021



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: March 9, 2021

Subject: Tolling agreement with Discovery Builders, Inc., West Coast Home Builders, Inc., and the East Contra Costa Fire Protection District

**RECOMMENDATION(S):**

RATIFY the Conservation and Development Director's execution of a tolling agreement with Discovery Builders, Inc., West Coast Home Builders, Inc., and the East Contra Costa Fire Protection District to toll the limitations period for potential litigation related to fire protection facilities fees through April 30, 2021.

**FISCAL IMPACT:**

None.

**BACKGROUND:**

On November 3, 2020, the Board of Supervisors adopted Ordinance No. 2020-27, an ordinance that establishes fire protection facilities fees for that portion of the County that is located within the boundaries of the East Contra Costa Fire Protection District. The ordinance authorizes the County to impose the fees and authorizes the Fire District to collect, retain, and expend the fees. Fee amounts are specified in the ordinance and must be paid before a building permit is issued for new residential or commercial construction. At the same meeting, the Board also approved a fee administration agreement between the County and the Fire District that establishes the terms and conditions for the Fire District to collect, retain,

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Laura Cassell, Deputy

Contact: John Kopchik (925)  
674-7819

cc:



BACKGROUND: (CONT'D)

and expend the fees. Under the fee administration agreement, the Fire District is required to indemnify the County against all lawsuits related to the fees and the fee ordinance, including any challenge to the validity of the fees, any challenge to the Fire District's use of the fees, and any challenge related to compliance with the Mitigation Fee Act.

The Fire District, Discovery Builders, Inc., and West Coast Home Builders, Inc., are currently in a dispute over the fee amounts in the ordinance. These parties are engaged in discussions to try to resolve their differences without incurring the cost and expense of litigation. They requested that the County enter into a tolling agreement to toll (suspend) the statutory limitations period for filing a lawsuit related to fire protection facilities fees from February 24, 2021, through April 30, 2021. The tolling agreement was executed by the Conservation and Development Director on February 25, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

The Conservation and Development Director's execution of the tolling agreement would not be ratified.



Contra  
Costa  
County

To: Board of Supervisors  
From: Nathan Johnson, Veterans Services Officer  
Date: March 9, 2021

Subject: Master of Social Work Field Practicum Agreement between Contra Costa County Veterans Services Office and California State University, Stanislaus

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Veterans Services Officer, or designee, to execute Unpaid Student Training Agreement CSUSTA1137 with California State University, Stanislaus Masters of Social Work Program, for the period of May 1, 2021 through April 30, 2026.

**FISCAL IMPACT:**

There is no financial cost to the County outside of staff time to supervise the California State University, Stanislaus Student.

**BACKGROUND:**

The purpose of this agreement is to provide social work graduate-level students at California State University, Stanislaus the opportunity to integrate academic knowledge with applied skills at progressively higher levels of performance and responsibility.

Approval of Unpaid Student Training Agreement CSUSTA1137 will allow California State University, Stanislaus students to receive supervised fieldwork experience with the Veterans Services Department for the period of May 1, 2021 through April 30, 2026.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: Nathan Johnson, (925)  
313-1481

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy

cc:

CONSEQUENCE OF NEGATIVE ACTION:

Failure to authorize this agreement would deprive the County of additional outreach and engagement for service members and their dependents who are eligible for additional services.

ATTACHMENTS

Agreement

**CALIFORNIA STATE UNIVERSITY, STANISLAUS  
MASTER OF SOCIAL WORK PROGRAM  
Field Practicum Agreement**

**THIS AGREEMENT** entered into by and between the State of California through the Trustees of the California State University on behalf of **CALIFORNIA STATE UNIVERSITY, STANISLAUS**, hereinafter called the "University", and the Agency, **CONTRA COSTA COUNTY VETERANS SERVICES OFFICE**, hereinafter called the "Agency", collectively together called "Parties".

**WITNESSETH**

WHEREAS, it is to the mutual benefit of the parties that students of the University's Social Work Program use the facilities of the Agency for their field practicum program.

NOW, THEREFORE, in consideration of the conditions, and the stipulations hereinafter expressed and in consideration of the mutual benefits to be derived, the parties agree as follows:

**PARTIES**

UNIVERSITY: Trustees of the California State University  
California State University, Stanislaus  
One University Circle  
Turlock, California 95382

AGENCY: Contra Costa County Veterans Services Office  
10 Douglas Drive #100  
Martinez, CA 94553

TERM: May 1, 2021 through April 30, 2026.

**AGENCY SHALL**

1. Permit each student who is designated by the University to receive a social work field practicum at the Agency and shall furnish, and permit such students and designated field instructors free access to appropriate Agency facilities for the field practicum.
2. Furnish appropriate Agency facilities, in such a manner that there will be no conflict in the use between the University's students and students from other educational institutions, if any.
3. Maintain the Agency facilities used for the field practicum in such a manner that the facilities shall be available to the students and field instructor when needed.
4. Assure that staff is adequate in number and quality to provide field instruction and to insure continuous management of the student program in cooperation with the Field Coordinator.
5. Provide the resources necessary to provide an educationally focused field practicum in accordance with the policies and procedures of the social work program.
6. Provide office space, telephone access, supplies, and other materials to enable a student to function effectively in their placement.
7. Designate qualified field instructors, subject to approval of University Field Coordinator.

8. Assure that adequate time is available for student supervision, field instructor meetings, training, and orientation.
9. Adhere to policies and practices reflecting nondiscrimination applied to clients, staff, and students.
10. Not employ discriminatory practices in its selection of students and in its performance hereunder on the basis of sex, sexual orientation, race, color, ancestry, ethnicity, religious creed, national origin, disability (including HIV and AIDS), medical condition, age, marital status, and denial of family care leave.
11. Orient MSW students as to the role and responsibilities of students in the Agency.
12. Supervise all instruction and field practicum experience given at the Agency to the assigned student.
13. Be responsible for the student's professional activities and conduct while in the Agency.
14. Have the right, after consultation with the University, to refuse to accept further placements of the University's students who in the Agency's judgment are not participating satisfactorily in the program.
15. Notify the University Field Coordinator and the field instructors, in advance, of any change in the Agency's personnel appointments which may affect the student field program.
16. Hold harmless, defend and indemnify University against all claims, demands, suits, judgments, expenses and costs of any kind and every kind, insofar as they may legally do so, on account of the injury to or death of persons or loss or damage to property arising in any manner out of the acts or omissions of Agency's officers, agents or employees in the performance of this Agreement.
17. Shall procure and maintain in force during the term of this Agreement, at its sole cost and expense, insurance in amounts that are reasonably necessary to protect it against liability arising from any and all negligent acts or incidents caused by its employees. Coverage under such professional and commercial general liability insurance shall be not less than two million dollars (\$2,000,000) for each occurrence and four million dollars (\$4,000,000) in the aggregate. Such coverage is to be obtained from a carrier rated A or better by AM Best or a qualified program of self-insurance. Agency shall also maintain and provide evidence of workers' compensation for its employees as required by law. Agency shall provide University with evidence of the insurance coverage as required by this paragraph, which shall provide for not less than thirty (30) days notice of cancellation to University. Agency shall promptly notify University of any cancellation, reduction, or other material change in the amount or scope of any coverage required hereunder.
18. Maintain a working and learning environment free from sexual harassment of its students, employees and those who apply for student or employee status.
19. Be aware of and informed about the hazards currently known to be associated with the novel coronavirus referred to as "COVID-19". Agency is familiar with and informed about the Centers for Disease Control and Prevention ("CDC") current guidelines regarding COVID-19 as well as applicable federal, state, and local governmental directives regarding COVID-19. Agency, to the best of its knowledge and belief, is in compliance with those current CDC guidelines and applicable governmental directives. If the current CDC guidelines or applicable government directives are modified, changed or updated, Agency will take steps to comply with the modified, changed or updated guidelines or directives. If at any time Agency becomes aware that it is not in compliance with CDC guidelines or an applicable governmental directive, it will notify University of that fact.

**UNIVERSITY, THROUGH THE MSW PROGRAM, SHALL**

1. Designate the students who are enrolled in the Social Work Program of the University to be assigned for field practicum at the Agency, in such numbers as are mutually agreed to by both parties.
2. In consultation and coordination with the Agency's representatives, establish a plan for the field practicum to be provided to students. The plan will provide clear expectations and procedures for the implementation of the practicum.
3. Provide the necessary faculty liaisons for the field practicum program provided for under this Agreement.
4. Keep all attendance and academic records of students participating in the practicum program.
5. Require every student to conform to all applicable Agency policies, procedures, and regulations, and all requirements and restrictions specified jointly by representatives of the University and Agency.
6. Require designated field instructors to notify Agency's representatives of the:
  - a. Student placement schedule
  - b. Placement of students in field assignments.
  - c. Changes in field assignments.
7. In consultation and coordination with the Agency's administration staff there is the expectation that periodic conferences are routinely scheduled between the assigned faculty liaison and Agency staff to monitor and coordinate the field practicum experience.
8. Provide and be responsible for the care and control of the University's educational supplies, materials and equipment, used for instruction during the program.
9. Orient and train field instructors as to the University's relevant academic policies and the social work program's curriculum focus; its policies, procedures, and philosophy.
10. Maintain formal communication with participating agencies with the ongoing expectation that faculty liaisons routinely meet with field instructors to ensure coordination and open communication.
11. Provide training to field instructors on the educational aspects of field instruction.
12. Provide ongoing support and assistance to field instructors, students, and agencies to promote an educationally based practicum experience.
13. Hold harmless, defend and indemnify Agency against all claims, demands, suits, judgments, expenses, and costs of any kind, insofar as they may legally do so, on account of the injury to or death of persons or loss or damage to property arising in any manner out of acts or omissions of University officers, agents, employees or students in the performance of this Agreement.
14. Shall procure and maintain in force during the term of this Agreement, at its sole cost and expense, insurance in amounts reasonably necessary to protect it against liability arising from any and all negligent acts or incidents caused by University's employees. Coverage under such professional and commercial general liability insurance shall be not less than two million dollars (\$2,000,000) for each occurrence and four million dollars (\$4,000,000) in the aggregate. Such coverage shall be obtained from a carrier rated A or better by AM Best or a qualified program of self-insurance. The University shall maintain and provide evidence of workers' compensation as required by law. Upon request, University shall provide Agency with evidence of the insurance required under this paragraph, which shall provide for not less than thirty (30) days notice of cancellation to Agency. University shall promptly notify Agency of any cancellation, reduction, or other material change in the amount or scope of any coverage required hereunder.

15. Shall ensure that each student in the Program procures and maintains in force during the term of this Agreement, at the student's sole cost and expense, professional liability insurance in amounts reasonably necessary to protect the student against liability arising from any and all negligent acts or incidents caused by the student. Coverage under such professional liability insurance shall be not less than two million dollars (\$2,000,000) for each occurrence and four million dollars (\$4,000,000) in the aggregate. Such coverage is to be obtained from a carrier rated A or better by AM Best. University shall require each student in the Program to present evidence of his or her professional liability coverage to Agency.

### **GENERAL PROVISIONS**

1. This Agreement may be terminated by either party after giving the other party six (6) months advance written notice of its intention to so terminate. Any such termination by the Agency shall not be effective, at the option of the University, for any student until such student has completed the program for the then current academic year.
2. The parties agree that Agency is not to assume nor shall it assume by this Agreement any liability under the California Worker's Compensation Insurance and Safety Act for, by or on behalf of any University students or University instructors while said students or instructors are on the premises of the Agency or while performing any duty whatsoever under the terms of this Agreement or while going to or from any of Agency's facilities.
3. University shall inform each student regarding the lack of coverage for Worker's Compensation Insurance by either party.
4. All students shall be required, as a condition of participation in field practicum, to release from liability the Agency and its representatives for any and all acts performed in good faith and without malice in connection with field practicum.
5. This document contains the entire agreement and understanding of the parties and supersedes all prior agreements, arrangements, and understandings with respect to the subject matter of this document. This Agreement may at any time be altered, changed or amended by mutual agreement of the parties in writing.

By signing below, each of the following represent that they have authority to execute this Agreement and to bind the party on whose behalf their signature is made.

#### **CALIFORNIA STATE UNIVERSITY, STANISLAUS**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Rhonda Willson  
Procurement & Contract Services

#### **CONTRA COSTA COUNTY VETERANS SERVICES OFFICE**

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



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: March 9, 2021

Subject: 2021-2022 Head Start Recruitment/Enrollment Plan and Admissions Priority Criteria

---

**RECOMMENDATION(S):**

APPROVE the 2021-2022 Head Start Recruitment and Enrollment Plan and the Admissions Priority Criteria for early care and education programs of the Community Services Bureau, as recommended by the Employment and Human Services Director.

**FISCAL IMPACT:**

There is no fiscal impact.

**BACKGROUND:**

Head Start Performance Standard 1302.14(a)(1) mandates that the Head Start grantee set criteria, based on a community assessment that defines the types of children and families who will be given Head Start priority for recruitment and selection. This board order accepts the Employment and Human Services Department (EHSD), Community Services Bureau (CSB) Selection Criteria and Recruitment Plan for the 2021-2022 program year. Due to the community need for full-day, full-year services, and the mandate that Head Start and Early Head Start programs collaborate for full-day services, EHSD CSB has adopted selection criteria, organized by priorities, which meet the State Department of Education regulations. The plan is set forth in the 2021-2022 CSB Admissions Priorities/Section Criteria.

To meet Head

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: C. Youngblood, (925)  
608-4964

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

ATTESTED: March 9, 2021

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

By: Laura Cassell, Deputy



BACKGROUND: (CONT'D)

Start and Early Head Start enrollment goals, plans must be developed and set in place for adequate marketing and recruitment strategies. CSB utilizes community assessment to identify populations to be served by the Head Start program and to recruit those eligible to receive services. The recruitment and enrollment plan is set forth in the 2021-2022 Head Start/Early Head Start /Early Education and support Program Recruitment and Enrollment Plan. The plans were approved by the Head Start Policy Council on January 20, 2021.

CONSEQUENCE OF NEGATIVE ACTION:

Without approval, the Employment and Human Services Department, Community Services Bureau, would not be in compliance with Head Start regulations.

CHILDREN'S IMPACT STATEMENT:

This action supports three (3) of the community outcomes established in the Children's Report Card: 1) "Children Ready for and Succeeding in School"; 3) "Families that are Economically Self-Sufficient"; and, 4) "Families that are Safe, Stable, and Nurturing" by offering comprehensive services including high quality early childhood education, nutrition, and health services to low-income children throughout the County.

ATTACHMENTS

Recruitment and Enrollment Plan



**Contra Costa County  
Employment & Human Services Department  
Community Services Bureau**



**Policy Council Motion Form**

**Date:** January 20, 2021

**Name:** Delia Zarges

**Moves that:** Approval of the 2021-2022 Recruitment & Enrollment Plan and Admission  
Priority & Selection Criteria

**Seconded by Name:** Devlyn Sewell

**Outcome/Vote:**

**# of ayes:** 10                      **# of nays:** 0                      **# of abstentions:** 0

  
Jasmine Cisneros (Jan 20, 2021 16:18 PST)  
**Policy Council Chair**

1/20/2021  
**Date**

Please return form to secretary/clerk-recorder.

**Motion form protocol**

1. Maker of the motion must fill in the date and his/her name.
2. Maker of the motion must write the motion that they wish to make legibly on the form.
3. Give the form to the secretary or clerk, who will then complete the form with the person who seconds the motion and the vote outcome.

**2021-2022 Head Start/Early Head Start/Early Education and Support Programs Recruitment and Enrollment Plan**  
 Contra Costa County Employment and Human Services Department - Community Services Bureau

DESIRED OUTCOME: To inform the public about services available through the Contra Costa County Community Services Bureau, particularly those populations identified in our Community Assessment, and to recruit and enroll eligible children and their families into the Head Start, Early Head Start and Early Education and Support Programs.

Goal #1: To recruit eligible pregnant women, infants, toddlers, and children.

Goal #2: To recruit children with disabilities.

Goal #3: To recruit special populations as per our community assessment and selection criteria: CPS/At-Risk, Domestic Violence, Limited English, Need for Full Day Care, Homeless, TANF/CalWORKS Recipient, Children with Health Impairments, Teen Parents, Grandparent Caregivers, and children of currently or formerly incarcerated parents.

ACTIVITIES	PERSON (S) RESPONSIBLE	TIMELINE	LOCATION	INFORMATION TO INCLUDE	DISTRIBUTION
Mobilize Parents – Word of Mouth, is our best strategy. Make sure a supply of flyers is available for parents to take and give out.	Comprehensive Services, Site Supervisors, Parent/ Family, Community Engagement Officer, and ERSEA Manager	March 2021	Policy Council, Parent Meetings, Family Newsletter, Tables in entryways.	Reproducible Flyers and Pre-App Screening Forms. Contest – parent with most screening forms wins prize.	All CSB and Delegate and Partner sites.
Pamphlets/flyers distributed: a) General info on CSB services b) Enrollment flyers c) Home-based services	Teachers, Site Supervisors, Comprehensive Services Staff, Home Educators, Centralized Enrollment Unit staff.	Ongoing	Laundromats WIC offices Grocery Stores Classrooms Elementary Schools Clinics Community-Based Organizations County Agencies Local churches Education Offices Libraries Hospitals Community Events/Flea Markets Check Cashing Agencies High Schools One-Stop Locations Housing site offices ( <i>including- 9 housing sites in San Ramon</i> ) Homeless Programs Community Centers (Richmond, San Pablo, Oakley, Willow Pass) Parks & Rec centers (Ambrose) LiHEAP office Stage 2 & Alternative Payment Plans Family Entertainment Centers (Roller Rinks) Community Colleges First Five	Pictures Short paragraph describing program options Who is eligible Explanation of services available List Health, Nutrition, Education, Family Services, Family Wellness, Parent Engagement, Disabilities Services Home base Contact numbers and/or persons	HEAP mailings Food Stamp Offices Parent Meetings Doctors' Offices EHSD Child Care Offices Volunteer Bureaus One-Stop Centers Parents Farmers Markets (Richmond Main Street, San Pablo, Concord) <i>*See "Location" section for additional distribution information</i>

**2021-2022 Head Start/Early Head Start/Early Education and Support Programs Recruitment and Enrollment Plan**  
 Contra Costa County Employment and Human Services Department - Community Services Bureau

ACTIVITIES	PERSON (S) RESPONSIBLE	TIMELINE	LOCATION	INFORMATION TO INCLUDE	DISTRIBUTION
Family Newsletter	Comprehensive Services, Site Supervisors	Quarterly	Distribute to all parents / partners	Who is eligible? Who to Contact? Program Activities Events, Educational opportunities	Early Intervention Programs Community Partners Elementary Schools in the District
Contact Agencies Serving Children	ERSEA Manager, Comprehensive Services Managers	Spring and Fall and as needed	WIC offices SELPAs Child Care Centers School Districts Private Providers Community-Based Organizations Community Recreation Sites PTAs Human Service Department Partner Sites Family Child Care Networks Resource and Referral Agencies Stage 2 & Alternative Payment Plans First Five Offices & Centers Homeless Shelter OB/GYN Offices LiHEAP office Agencies serving children with special needs	Initial letter containing description of Head Start and Agency services and program options Personal visit to discuss coordination services, share program and curriculum information, plan referrals.	Community
Coordinate Transition Activities with Elementary Schools	MH/Disabilities Manager; Site Supervisors Education Managers	Spring/ Summer and throughout the year as needed	Childcare Centers Elementary Schools Other agencies for intake for special needs children High School/IT	Any pertinent information on child, - authorized by parent	Elementary School staff meetings & parent meetings; Site based staff meetings/ parent meetings; Policy Council Meetings
Speak at local organizations	Directors, Assistant Directors, Comprehensive Services Mgrs., Male Involvement Coordinator	Ongoing	Union Meetings Faith Based Organizations SHARE County Malls Fairs Clubs Community Events Other Government Agencies Non-Profit Agencies Businesses, Corporations and Foundations	Make Head Start staff or Policy Council rep. available Describe advantageous services Distribute pamphlets List of centers with contact information Set up information table with posters and pictures Application packages	Civic Organizations PTA meetings Church groups Community events

**2021-2022 Head Start/Early Head Start/Early Education and Support Programs Recruitment and Enrollment Plan**  
 Contra Costa County Employment and Human Services Department - Community Services Bureau

<b>ACTIVITIES</b>	<b>PERSON (S) RESPONSIBLE</b>	<b>TIMELINE</b>	<b>LOCATION</b>	<b>INFORMATION TO INCLUDE</b>	<b>DISTRIBUTION</b>
"Staff Walks around the Community"	Site Supervisors, Comprehensive Services Staff, and Centralized Enrollment Unit staff.	May – August and as needed	Neighborhoods Other Agencies	Brief description of services Magnets or other marketing aids with contact info Flyers	Community
Any opportunity for free ads in local media, including social media	Assistant Directors; Analysts, Social Media Team	Spring-Fall	Local newspaper agencies, Penny Saver, Grapevine, Radio, Public Access TV, agency presence on Facebook and Twitter, etc.	Short information on program, in English and Spanish Contact information (Recruitment hotline)	Newspapers and on line.
Community Events	ALL STAFF	Ongoing	Contra Costa County	Information on employment for teachers Informational Flyers Magnets, etc. with brief information	Community
Maintain supply of free Head Start pamphlets (order from ACF)	Site Supervisors, Managers for HB and Partners Comp. Services Asst. Managers	Ongoing	All CSB Centers All Partner/Delegate centers One Stop Career Centers Human Services Department SS of WIC SparkPoint Family Justice Center LiHEAP office	Description of Head Start program and sample activities, with contact information.	Community
Implement streamlined referral processes per MOUs	ERSEA Manager	Ongoing	CFS BBK RCEB Health Services CalWorks	Protocol and Procures Forms Tracking of special referrals	Organizations noted in "Location" section.
Recruitment through partnerships	ERSEA Manager, Comprehensive Services Managers, Partner Unit	Ongoing	CSB's Head Start and State child development partner agencies	Information of CSB's HS services including different program models to meet client needs. Site location and contact list. Transfer coordination.	Childcare and development partnerships



**CONTRA COSTA COUNTY  
CSB Admissions Priorities / Selection Criteria  
2021-2022 Program Year**



Head Start Performance Standard 1302.14 (a)(1) mandates that the program set criteria, based on our Community Assessment, that define the types of children and families who will be given priority for recruitment and selection. Kindergarten is available in all communities that we serve. Due to the community need for full-day, full-year services, and the mandate that the Head Start & Early Head Start Program collaborate for full-day services, CSB has adopted the following selection criteria presented in order of priority, which also meets the regulations of our partner, the State Department of Education, with one exception as noted below\*:

<p align="center"><b>INFANTS &amp; TODDLERS (Aged 0-3, including pregnant women)</b></p>	<p align="center"><b>PRE-SCHOOL (Aged 3-5)</b></p>
<ol style="list-style-type: none"> <li>1. Transfers of children currently enrolled in Early Head Start and California Childcare and Development programs</li> <li>2. CPS or Child At Risk, Foster Child ♦, Currently Homeless ♦ or Homeless within the last 18 months</li> <li>3. Eligible infant/toddler with disabilities (IEP or IFSP)</li> <li>4. Sibling of a child already enrolled in the program</li> <li>5. Current TANF Recipient ♦ or within 24 months</li> <li>6. Lowest income infant/toddler</li> </ol> <p><b>*Exception</b></p> <p><b>Contra Costa College:</b></p> <p>On October 3, 2008, the California Department of Education granted CSB an enrollment waiver to give first priority to children of college students at our Contra Costa College Children’s Center.</p>	<ol style="list-style-type: none"> <li>1. Transfers of children currently enrolled in Head Start and California Childcare and Development programs</li> <li>2. CPS or Child At Risk, Foster Child ♦, Currently Homeless ♦ or Homeless within the last 18 months</li> <li>3. Eligible 4 yr old with disabilities (IEP or IFSP)</li> <li>4. Sibling of a child already enrolled in the program</li> <li>5. Eligible 4 yr old with special circumstances               <ul style="list-style-type: none"> <li>▪ Families experiencing domestic violence</li> <li>▪ Limited English</li> <li>▪ Families Needing Full Day services</li> <li>▪ Current TANF ♦ recipient or within the last 24 months</li> <li>▪ Health Impairments</li> <li>▪ Teen Parents</li> <li>▪ Grandparent caregivers</li> <li>▪ Children with current or former incarcerated parent(s)</li> </ul> </li> <li>6. Lowest income 4 yr old</li> <li>7. Eligible 3 yr olds disabilities (IEP or IFSP)</li> <li>8. Eligible 3 yr old with special circumstances               <ul style="list-style-type: none"> <li>▪ Families experiencing domestic violence</li> <li>▪ Limited English</li> <li>▪ Families Needing Full Day services</li> <li>▪ Current TANF ♦ recipient or within the last 24 months</li> <li>▪ Health Impairments</li> <li>▪ Teen Parents</li> <li>▪ Grandparent caregivers</li> <li>▪ Children with current or former incarcerated parent(s)</li> </ul> </li> <li>9. Lowest income 3 yr old</li> </ol>

♦ Denotes categorical eligibility as per Head Start Performance Standard 1302.14 (b), at least 10 percent of the enrollment will be made available to children who meet the definition for children with disabilities. Children enrolled in the EHS-CCP and EHS-CCP2 program must be receiving child care subsidies at time of enrollment, as required for the Early Head Start- Child Care Partnership (EHS-CCP) and Early Head Start-Child Care Partnership 2 (EHS-CCP2) grant. CSB 603 –2021-2022 Admissions Priorities / Selection Criteria, approved by Policy Council on 1/20/2021 and approved by Board of Supervisors on xx/xx/xxxx



Contra  
Costa  
County

To: Board of Supervisors  
From: Kathy Gallagher, Employment & Human Services Director  
Date: March 9, 2021

Subject: In-Home Supportive Services Public Authority Advisory Council Stipends

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay each of up to eleven (11) In-Home Supportive Services (IHSS) Public Authority (PA) Advisory Council members \$24 per meeting not to exceed three (3) meetings per month for the 12-month period of July 1, 2021 through June 30, 2022 for a total cost for 11 members not to exceed \$7,300 in stipends to defray meeting attendance costs.

**FISCAL IMPACT:**

\$7,300: In-Home Supportive Services (IHSS) funds. (50% Federal, 40% State, 10% County)

**BACKGROUND:**

The In-Home Supportive Services (IHSS) Public Authority (PA) Advisory Council (AC) members receive \$24 stipends to attend AC meetings, paid through the Auditor-Controller's office to defray attendance costs of members. The action is recommended by the IHSS Public Authority Advisory Board.

**CONSEQUENCE OF NEGATIVE ACTION:**

Without stipends, meeting costs may be prohibitive to member attendance.

---

APPROVE  OTHER  
 RECOMMENDATION OF CNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: Candace Andersen, District II Supervisor

Contact: C. Youngblood, (925)  
608-4964

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

ATTESTED: March 9, 2021

, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassell, Deputy



Contra  
Costa  
County

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: March 9, 2021

Subject: Exclusive Negotiating Agreement-Pacific West Communities

---

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute an Exclusive Negotiating Agreement with Pacific West Communities for the development of a minimum of 325 multiple family residences and 40,000 sq. ft. of commercial space for the Orbisonia Heights site in the Bay Point area.

**FISCAL IMPACT:**

No impact to the General Fund. Staff project costs are covered by the Housing Successor budget.

**BACKGROUND:**

The County, in its capacity as Housing Successor to the Contra Costa County Redevelopment Agency, is the owner of approximately 7.767 acres of vacant real property located southeast of Bailey Road and State Route 4 in the Bay Point area. The site is within the Pittsburg/Bay Point BART Station Area and is planned for high density transit-oriented development. The site was assembled by the former Redevelopment Agency and is a housing asset, now owned by the County (as Housing Successor).

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **03/09/2021**  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

ABSENT: 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: March 9, 2021

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

By: Laura Cassell, Deputy

Contact: Maureen Toms,  
925-674-7878

cc:



BACKGROUND: (CONT'D)

The County released a Request for Qualifications/Request for Proposals in December 2016. A committee of staff and community members selected Pacific West Communities (Developer) as the developer for the site. An exclusive negotiating agreement between the County and the Developer was approved by the Board of Supervisors on September 17, 2017. That agreement has expired but the parties desire to continue to pursue the originally-contemplated project and would, therefore, like to enter into the exclusive negotiating agreement that is the subject of this board order.

The purpose of this Agreement is twofold. First, it is intended to enable the parties to assess the feasibility of the development. Second, if the development is determined to be feasible, it is intended to enable the parties to negotiate a disposition and development agreement (a “DDA”). Under the DDA, the Property would be conveyed to the Developer for construction of the development. The disposition of the property is governed by the County, in its capacity as Housing Successor.

CONSEQUENCE OF NEGATIVE ACTION:

Development of a Housing Successor asset will be delayed.

ATTACHMENTS

ENA

EXCLUSIVE NEGOTIATING RIGHTS AGREEMENT  
(ORBISONIA HEIGHTS)

This Exclusive Negotiating Rights Agreement (“Agreement”) is dated March 8, 2021 (the “Effective Date”), and is between the COUNTY OF CONTRA COSTA, a political subdivision of the State of California (the “County”), and PACIFIC WEST COMMUNITIES, INC., an Idaho corporation (the “Developer”).

RECITALS

- A. The County, in its capacity as housing successor to the Contra Costa County Redevelopment Agency, is the owner of approximately 7.767 acres of real property located near West Leland Road and Bailey Road in Bay Point, California, having the following Assessor’s Parcel Numbers: 094-012-021; 094-012-022; 094-012-023; 094-012-024; 094-012-025; 094-012-026; 094-012-027; 094-012-030; 094-012-031; 094-012-032; 094-012-033; 094-012-038; 094-012-039; 094-012-040; 094-013-001; 094-013-002; 094-013-003; 094-013-004; 094-013-005; 094-013-006; 094-013-012; 094-013-013; 094-013-014; 094-013-015; 094-013-016; 094-014-001; 094-014-010; 094-014-011; 094-014-012; 094-014-013; 094-014-014; 094-015-006; 094-015-010; 094-015-011; 094-015-012; 094-015-013; 094-015-014; 094-015-027; 094-015-028; 094-016-002; 094-026-001; 094-026-002; 094-026-008; and 094-026-007, as more particularly described in Exhibit A (the “Property”).
- B. The County desires the Property to be developed with a 325-unit mixed use affordable housing community (the “Development”). Developer has developed projects similar to the proposed Development.
- C. The purpose of this Agreement is twofold. First, it is intended to enable the parties to assess the feasibility of the Development. Second, if the Development is determined to be feasible, it is intended to enable the parties to negotiate a disposition and development agreement (a “DDA”). Under the DDA, the Property would be conveyed to the Developer for construction of the Development.
- D. Because the property is a housing asset of the former Redevelopment Agency, its disposition is governed by the County, in its capacity as housing successor, and is subject to the requirements of Health and Safety Code Section 34176.

The parties therefore agree as follows:

AGREEMENT

Exclusive Negotiations

1. Good Faith Negotiations. The County and the Developer shall negotiate diligently and in good faith during the Negotiating Period (defined below), the terms of a DDA for the development of the Development on the Property.

Among the issues to be addressed in the negotiations are: (i) the price to be paid by the Developer for the Property, (ii) the physical and land title conditions of the Property, (iii) the type of entitlements necessary for the Development, (iv) the design, density, and mix of uses within the Development, (v) the development schedule for the Development, (vi) financing of the Development; (vii) the marketing of, sales process associated with, and management of the Development, (viii) housing affordability and the nature of affordability controls, and (ix) the green building components of the Development.

2. Negotiating Period. The "Negotiating Period" under this Agreement is comprised of (i) an initial period of six months, beginning on the Effective Date, and, (ii) if agreed to by the parties in writing, one three-month renewal period. The County's Director of Conservation and Development (the "Director") will make the determination for the County with respect to whether the Negotiating Period will be extended through the renewal period. The Director's decision will be based on his reasonable judgment as to whether sufficient progress has been made toward a mutually acceptable DDA to merit further negotiations.
  - a. Subject to Section 2.b. below, if a DDA is not executed by the parties prior to the expiration of the Negotiating Period, this Agreement will terminate and neither party will have any further rights or obligations under this Agreement (with the exception of Section 22 (waiver of lis pendens), Section 23(d) (indemnity) and Section 25 (no commissions), all of which survive the termination of this Agreement). Upon the execution of a DDA by the County and the Developer, this Agreement will terminate and all rights and obligations of the parties with respect to the Development will be governed by the DDA.
  - b. Notwithstanding anything to the contrary in this Agreement, if at the end of the Negotiating Period, a form of DDA has been mutually agreed upon by the Developer and the Director but the DDA has not been approved by the parties' governing bodies, the Director may extend the Negotiating Period to the date on which the County holds a public hearing to consider approving the DDA.
3. Exclusive Negotiations. During the Negotiating Period, the County may only negotiate with the Developer regarding development of the Property and may not solicit or entertain bids or proposals for such development from any other entity.
4. Party Representatives. The Developer's representative to negotiate the DDA is Caleb Roope, its President and Chief Executive Officer. The County's representative to negotiate the DDA is Maureen Toms, its Deputy Director of Conservation and Development.

#### NEGOTIATION TASKS

5. Overview. To facilitate negotiation of the DDA, the parties shall use reasonable good faith efforts to accomplish the negotiation tasks set forth below in an effort to (i) determine the feasibility of the Development, and (ii) complete the negotiation and execution of a mutually acceptable DDA prior to the expiration of the Negotiating Period.
6. Financing and Costs of Development. Within ninety days of the Effective Date, the Developer shall prepare and submit to the County a detailed financial proforma for the Development containing matters typically contained in such proformas, including (without limitation) a detailed development cost budget and tax credit funding analysis. The development cost budget will be used to evaluate the financial feasibility of the Development and to identify financing sources for the Development. The Developer shall cause the financial proformas to include (i) an analysis of the affordable units to be constructed as part of the Development, and (ii) Developer's obligation to pay prevailing wages in connection with the construction of the Development as required by applicable law.
7. Purchase Price for the Property. The County and the Developer shall seek to agree upon a purchase price for the Property. The proposed purchase price for the Property will be subject to approval by the County's Board of Supervisor following a noticed hearing conducted in accordance with Health and Safety Code Section 33433.
8. Site and Architectural Plans. The Developer shall prepare and submit to the County a proposed site plan, including massing diagram and a rendering that identifies the location, general configuration and proposed design characteristics of the buildings, parking spaces, landscaping, and other aspects of the Development. During the Negotiating Period the Developer shall prepare appropriate refinements and modifications to the site plan, diagram and renderings for the County's review and approval. During the Negotiating Period, the Developer shall affirmatively outreach to the local community to obtain and consider community input regarding the design of the Development.
9. Planning Approvals. The Developer acknowledges that the Development requires approvals and entitlements from the County (such approvals and entitlements are the "Planning Approvals"). During the Negotiating Period, the Developer shall submit conceptual site plans and preliminary designs for the Development to the appropriate County departments for their informal review. During the Negotiation Period, the Developer shall submit applications for those components, if any, of the Planning Approvals that are required to be submitted in accordance with the schedule of performance described in Section 10 below.
10. Schedule of Performance. Within sixty (60) days after the Effective Date, the Developer shall provide the County with a proposed detailed schedule of performance for the Development which is to include, but is not limited to: The dates for obtaining Planning Approvals and financing commitments for the Development, the date for the submittal of construction plans to the City, the date for satisfaction of all preconditions to conveyance

of the Property, the dates for close of escrow and conveyance of the Property, and the dates for the commencement and completion of construction of the Development.

11. Due Diligence. During the Negotiating Period, the Developer shall conduct any and all investigations it deems necessary to enable it to negotiate those aspects of the DDA that relate to the physical condition of the Property at the time of conveyance.
12. Utilities. The Developer shall consult with the utility companies serving the Property to determine if construction of the Development will require existing utility facilities to be expanded, relocated or placed underground. The County shall assist and cooperate with the Developer in such consultations.
13. Reports. The County shall provide the Developer with copies of all reports, studies, analyses, correspondence and similar documents (collectively, "documents"), exclusive of detailed property appraisals, prepared or commissioned by the County with respect to this Agreement and the Development, promptly following execution of this Agreement with respect to documents then in its possession or under its reasonable control, and promptly upon their completion with respect to any subsequently prepared documents.

The Developer acknowledges that the County needs sufficient detailed information about the proposed Development (including, without limitation, the financial information described in Section 6) to make informed decisions regarding the DDA.

14. Organizational Documents; Financial Statements. The Developer shall provide the County with copies of its organizational documents evidencing that the Developer has been duly organized, is in good standing and is able to perform its obligations under this Agreement and the DDA. The Developer shall provide the County will copies of its financial statements for the three years preceding the Effective Date, along with evidence of its 501(c)(3) status, if applicable.
15. Environmental Review. The County shall prepare or cause to be prepared the appropriate environmental documentation required by the California Environmental Quality Act ("CEQA") for consideration of approval of the DDA, provided that nothing in this Agreement may be construed to compel the County to approve or make any particular findings with respect to such CEQA documentation. The Developer shall provide any information about the Development that the County requires to enable it to prepare, or cause to be prepared, CEQA-required documents, and shall generally cooperate with the County to complete CEQA-related tasks.
16. Section 33433 Report. The County shall prepare the documentation that is required to be submitted to the County Board and the County Board of Supervisors in conjunction with the County's and the County's consideration of any DDA, in accordance with Section 33433(a)(2)(B) of the California Health and Safety Code. The Section 33433 report will contain the estimated value of the Property determined (i) at its highest and best use, and (ii) at the use and with the conditions, covenants and development costs required pursuant to the DDA.

17. Progress Reports. From time to time as reasonably agreed upon by the parties, each party shall make oral or written progress reports advising the other party on studies being made and matters being evaluated by the reporting party with respect to this Agreement and the Development.
18. Outreach. The Developer shall prepare and submit to the County a plan for community outreach associated with the development of the Development. During the Negotiating Period, the Developer shall prepare appropriate refinements and modifications to the community outreach plan that are reasonably requested by the County.

### GENERAL PROVISIONS

20. Limitation on Effect of Agreement. This Agreement does not obligate either the County or the Developer to enter into a DDA. By execution of this Agreement, the County is not committing itself to or agreeing to undertake acquisition, disposition or exercise of control over any parcels in the Property. Execution of this Agreement by the County is merely an agreement to conduct a period of exclusive negotiations in accordance with the terms hereof, reserving for subsequent County Board of Supervisors action, the final discretion and approval regarding the execution of a DDA and all proceedings and decisions in connection therewith. Any DDA resulting from negotiations pursuant to this Agreement will be effective only if it is considered and approved by the County Board of Supervisors in accordance with all legally required procedures, and if it is executed by duly authorized representatives of the County and the Developer. Until and unless a DDA is approved by the County Board and executed by the County and the Developer, no agreement drafts, actions, deliverables or communications arising from the performance of this Agreement will impose any legally binding obligation on either party to enter into or support entering into a DDA or be used as evidence of any oral or implied agreement by either party to enter into any other legally binding document.
21. Notices. Any notices required or permitted under this Agreement (other than day to day routine communications) must be in writing and sent by overnight or personal delivery with delivery receipt. Such notices are to be sent to the address listed below:

County:           Contra Costa County, Housing Successor  
                      30 Muir Road  
                      Martinez, CA 94553  
                      Attn: Maureen Toms, Deputy Director

Developer:       Pacific West Communities  
                      430 E. State Street, Ste. 100  
                      Eagle, ID 83616  
                      Attn: Caleb Roope, President and CEO

At any time, either party may designate in writing a substitute address for an address set forth above and thereafter notices are to be directed to such substituted address. Notices

will be deemed received as follows: on the date shown on the delivery receipt as the date of delivery, the date delivery was refused, or the date the item was returned as undeliverable. If the date on the delivery receipt is not a business day, notice will be deemed received on the following business day.

22. Waiver of Lis Pendens. It is expressly understood and agreed by the parties that no lis pendens may be filed against any portion of the Property by reason of this Agreement or any dispute or act arising from this Agreement.
23. Right of Entry. If the Developer or its consultants enter upon the Property, the Developer shall:
  - (a) Give the County seventy-two (72) hours' notice of intent to enter the Property and the purpose of the entry.
  - (b) Repair and restore any damage it may cause.
  - (c) Deliver to the County, within ten (10) days of receipt thereof, a complete copy of any investigation, test, report or study that the Developer conducts, or causes to be conducted, with respect to the Property.
  - (d) Indemnify, defend and hold the County and its directors, officers, employees and agents harmless from any and all claims, liabilities, damages, losses, expenses, costs and fees (including attorneys' fees and costs) that may proximately arise out of the Developer's entry upon the Property or the investigation(s) and test(s) the Developer may conduct.
  - (e) Prior to entry, cause the County to be named as an additional insured on a Commercial General Liability insurance policy with limits not less than Two Million Dollars (\$2,000,000) each occurrence combined single limit for Bodily Injury and Property Damage, including coverage from Contractual Liability, Personal Injury, Broadform Property Damage, Products and Completed Operations. The required insurance is to be provided under an occurrence form by an insurer authorized and licensed to provide such insurance in the State of California, and the Developer shall maintain such coverage for not less than two (2) years after the expiration of the Negotiating Period.
24. Costs and Expenses. Except as otherwise set forth in this Agreement, each party is responsible for the costs and expenses it incurs as a result of activities and negotiations undertaken in connection with, and the performance of its obligations under, this Agreement.
25. No Commissions. The County is not liable for any real estate commissions or brokerage fees that may arise as a result of this Agreement or a DDA. The County represents that it has not engaged a broker, agent or finder in connection with this transaction and the

Developer agrees to defend and hold the County harmless from the claims of any broker, agent or finder retained by the Developer.

26. Default and Remedies. Failure by either party to negotiate in good faith or to fulfill its obligations under this Agreement is an event of default hereunder. At the non-defaulting party's election, the non-defaulting party may give written notice of a default to the defaulting party, specifying the nature of the default and the action required to cure the default. If the default remains uncured fifteen days after receipt of the notice by the defaulting party, the non-defaulting party may terminate this Agreement.
- a. Following a default and termination, neither party will have any further right, remedy or obligation under this Agreement, except that the obligations under Section 22 (waiver of lis pendens), Section 23(d) (indemnity) and Section 25 (no commissions), all survive the termination of this Agreement.
  - b. Except as expressly provided above, if there is a default under this Agreement, (i) neither party will be liable to the other party for damages or otherwise, and (ii) neither party will have any other claims with respect to performance under this Agreement. Each party specifically waives and releases any such rights or claims it may otherwise have at law or in equity.
27. Governing Law. The laws of the State of California govern all matters arising out of this Agreement.
28. Entire Agreement; Counterparts. This Agreement constitutes the entire agreement between the parties regarding the subject matter of this Agreement. This Agreement may be executed in counterparts.
29. Assignment. The Developer may not transfer or assign any or all of its rights or obligations under this Agreement.

[Remainder of Page Intentionally Left Blank]



30. No Third Party Beneficiaries. This Agreement is made and entered into solely for the benefit of the County and the Developer and no other person has any right of action under or by reason of this Agreement.

The parties are signing this Agreement as of the date set forth in the introductory paragraph.

COUNTY

DEVELOPER

Contra Costa County, a political subdivision of the State of California

Pacific West Communities, an Idaho corporation

By: \_\_\_\_\_  
Maureen Toms, Deputy Director

By: \_\_\_\_\_  
Caleb Roope, President and CEO

G:\RDA-SA\Redevelopment and Successor Agency\Bay Point RDA\Orbisonia Heights\ENA\V4

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

(County Surveyor currently verifying the legal descriptions)