CONTRA COSTA COUNTY

Administration Building Board Chambers | 1025 Escobar St., Martinez, CA

AGENDA

Tuesday, June 25, 2024

9:00 AM

BOARD OF SUPERVISORS

Supervisor John Gioia, District I
Supervisor Candace Andersen, District II
Supervisor Diane Burgis, District III
Supervisor Ken Carlson, District IV
Supervisor Federal D. Glover, District V

Clerk of the Board (925) 655-2000
clerkoftheboard@cob.cccounty.us

The public may attend the Board meeting in person and remotely via call-in or Zoom. 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. Meetings of the Board are closed-captioned in real time.

Persons who wish to address the Board during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing 888-278-0254 followed by the access code 843298#. A caller should indicate they wish to speak on an agenda item by pushing "#2" on their phone. Persons who wish to address the Board in person should complete the form provided for that purpose. Access via Zoom is also available using the following link: https://cccounty-us.zoom.us/j/87344719204. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. To provide contact information, please contact Clerk of the Board at clerkoftheboard@cob.cccounty.us or call 925-655-2000. A Spanish language interpreter is available to assist Spanish-speaking callers. If the Zoom connection malfunctions for any reason, the meeting may be paused while a fix is attempted. If the connection is not reestablished, the Board will continue the meeting in person without remote access.

Public comments generally will be limited to two minutes per speaker. In the interest of facilitating the business of the Board, the total amount of time that a member of the public may use in addressing the Board on all agenda items is 10 minutes. 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 online at www.contracosta.ca.gov.

1. CALL TO ORDER; ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. CLOSED SESSION

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

1. Agency Negotiators: Monica Nino.

Employee Organizations: 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; and Teamsters Local 856.

2. Agency Negotiators: Monica Nino.

Unrepresented Employees: All unrepresented employees.

B. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Gov. Code § 54956.9(d)(1))
1. Hortencia Aguilar v. Contra Costa County, WCAB No. ADJ10679452
2. Paul Mulligan v. Contra Costa County, WCAB No. ADJ16598418
3. Kenry Lee Young v. Deputy Battles, et al., United States District Court, Northern District of California, Case No. 21-cv-09375 (WHO)
4. Richard Van Koll v. Contra Costa County, et al., Contra Costa County Superior Court Case No. C22-02423
5. Brenda Hall v. Contra Costa County, et al., Contra Costa County Superior Court Case No. C24-00975

4. Inspirational Thought-

"Your talent determines what you can do. Your motivation determines how much you're willing to do. Your attitude determines how well you do it." — Lou Holtz

5. CONSIDER CONSENT ITEMS (Items listed as C.1 through C.224 on the following agenda) – Items are subject to removal from Consent Calendar by request of any Supervisor. Items removed from the Consent Calendar will be considered with the Discussion Items.

6. PRESENTATIONS

PR.1 PRESENTATION to recognize those who have significantly contributed towards reducing substance abuse in Contra Costa communities on the occasion of "People Who Make a Difference Awards 2024." (Fatima Matal Sol, Alcohol and Other Drugs Advisory Board Director)

PR.2 PRESENTATION recognizing June 20, 2024 as World Refugee Day and reaffirming Contra Costa County as welcoming to refugees. (Supervisor Gioia)

PR.3 PRESENTATION honoring Holotta Tymes for her advocacy and work with the LGBTQIA+ community. (Supervisor Carlson)

PR.4 PRESENTATION recognizing the employees of Contra Costa County for their years of service:

Gus Kramer, Assessor, for 50 years of service; to be presented by Robin Cantu, Assessor's Customer Service Coordinator
John M. Johnson, 30 years of service; to be presented by Ashley Kokotaylo, Director of Safety and Performance Improvements)
Kelley Taylor, 30 years of service; to be presented by Helena Martey, Director of Ambulatory Care Nursing
Lisa Redfern, 30 years of service; to be presented by Kristina Jadrich, Assistant Director of Nutritional Services
Sabetha Andersen, 30 years of service; to be presented by Karen Caoile, Risk Management Director
Aretha Chandler, 30 years of service; to be presented by Karen Caoile, Risk Management Director

7. DISCUSSION ITEMS

D.1. CONSIDER waiving the 180 day sit out period for Farnaz Noori, Diagnostic Imaging Technologist III, FIND the appointment of Ms. Noori is necessary to fill a critically needed position and AUTHORIZE the hiring of Ms Noori as a temporary employee for the period July 8, 2024 through June 7, 2025, in the Health Services Department. (Helena Martey, Director, Ambulatory Care Nursing Operations) **24-1949**

D.2. HEARING to consider the Fiscal Year 2024/25 Tentative Report on Community Service Area EM-1 for the enhanced countywide emergency medical service system and ADOPT Resolution No. 2024- confirming the Tentative Annual Report and assessing the charges specified in the report, countywide. (100% County Service Area EM-1 Fund) (Marshall Bennett, Emergency Medical Services Director) **24-1742**

Attachments: CSA EM-1 FY 2024/25 Tentative Report

D.3. HEARING to consider an appeal of the County Planning Commission's approval of a two-story residential addition at 40 Anson Way in the unincorporated Kensington area and to consider approving the project, including approving a Kensington design review development plan, and related actions (County File No. CDDP23-03024) (Cari Rosner Jelen, Applicant; Elena Saxonhouse, Owner) (Kris McClain, Appellant). (Adrian Veliz, Department of Conservation and Development) **24-1743**

Attachments: 01 CDDP23-03024 BOS Findings and COAs 060224
02 - BOS Appeal Letter CDDP23-03024
03 Owners Letter re 40 Anson Appeal w attachments
04 CDDP23-03024 CPC Staff Report_w exhibits
05 CDDP23-03024 ZA Staff Report final
06 CDDP23-03024 BOS Presentation

D.4. RECEIVE update on Contra Costa County hosting TeamCalifornia Site Selectors' Conference in 2025, as recommended by the AdHoc Committee on the Northern Waterfront Economic Development Initiative. (Alyson Greenlee, Conservation and Development Department) **24-1744**

Attachments: 6.25 DCD Econ Dev Presentation

D.5. CONSIDER accepting monthly update on the activities and oversight of the County's Head Start Program and provide guidance. (Scott Thompson, Interim Director-Community Services Bureau) **24-1745**

Attachments: Head Start Update_BOS June 2024

D.6. CONSIDER approving the Family and Human Services Committee FY 2024/25 recommendations for the allocation of $3,850,000 in Measure X Housing funds to housing and homelessness related service projects, and authorizing the Conservation and Development Director, or designee, to execute a contract with Bay Area Legal Aid in the amount of $1,000,000, and the Health Services Director, or designee, to execute specified contracts totaling $2,850,000, to implement the projects, as recommended by the Family and Human Services Committee. (100% Measure X Sales Tax) (Lavonna Martin, Health Services Department; Gabriel Lemus, Conservation and Development Department) (Continued from June 4, 2024) **24-1746**

Attachments: Attachment A - FHS Recommendations MX FY 24-25
Attachment B - FHS Recommendations MX Descriptions FY 24-25
MX_HSG Presentation Slides

D.7 CONSIDER consent item previously removed.

D.8 PUBLIC COMMENT (2 Minutes/Speaker)

D.9 CONSIDER reports of Board members.

8. ADJOURN

9. CONSENT CALENDAR

Airport

C.1. APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month shade hangar rental agreement with Stephanie Stewart, for a south-facing shade hangar at Buchanan Field Airport effective June 4, 2024, in the monthly amount of $144, Pacheco area (100% Airport Enterprise Fund). **24-1747**

Attachments: Hangar Rental Agmt pg 4-5_CCR B-13_Stephanie Stewart

Agriculture/Weights and Measures

C.2. APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the United States Department of Agriculture in an amount not to exceed $58,913 for wildlife damage management services for the period July 1, 2024, through June 30, 2025. (60% State, 40% General Fund) **24-1748**

C.3. APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract amendment with the California Department of Food and Agriculture to increase the amount payable to the County by $17,942 to a new payment limit of $851,378 for continued pest detection and trapping, with no change to the term of July 1, 2023, through June 30, 2024. (100% State) **24-1749**

C.4. APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the California Department of Food and Agriculture in an amount not to exceed $2,880 to reimburse the County for inspection of recycling establishments licensed as Weighmasters for the period of July 1, 2024, through June 30, 2025. (100% State) **24-1750**

C.5. APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute an agreement with the California Department of Food and Agriculture in an amount not to exceed $14,550 to reimburse the County for inspection of service stations, quick lube, auto service, and oil change shops for the period of July 1, 2024 through June 30, 2025. (100% State) **24-1751**

C.6. APPROVE Budget Amendment No. BDA-24-00249 authorizing the transfer of appropriations in the amount of $146,172 from Agriculture /Weights and Measures (3305) to Public Works - ISF Fleet Services (0064) for the purchase of three (3) vehicles. (30% State, 40% Device Registration Fees, 30% General Fund) **24-1936**

Attachments: BDA-24-00249

Auditor-Controller

C.7. ADOPT Resolution No. 2024-213 establishing appropriation limits for the County and County Special Districts for Fiscal Year 2024/25, as recommended by the Auditor-Controller. **RES 2024-213**

Attachments: Exhibit A FY 2024-25.pdf

Board of Supervisors

C.8. ACCEPT Board members meeting reports for May 2024. **24-1752**

Attachments: District III May 2024 report.pdf
District IV May 2024.pdf

Board Standing Committees (referred items)

C.9. APPROVE Administrative Bulletin No. 527 "Capital Projects and Real Estate Services", as recommended by the Internal Operations Committee (No Fiscal Impact) **24-1753**

Attachments: AB 527.docx

C.10. APPROVE the use of up to $10.2 million in reserve AB 109 Public Safety Realignment funding to support one-time reentry housing, behavioral health, and other County and community-based organization reentry program priority areas as recommended by the Community Advisory Body, the Community Corrections Partnership Executive Committee, and the Public Protection Committee. (100% AB 109, 2011 State-Local Realignment Community Corrections) **24-1825**

Attachments: Attachment A - AB 109 Reserve Funding Recommendations

Child Support Services

C.11. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Director of Child Support Services, a purchase order with R-Computer LLC in an amount not to exceed $8,536 for Adobe Acrobat Pro, Photoshop, and Creative Cloud for enterprise, and Adobe End User License Agreement for the period July 1, 2024, through June 30, 2025. (66% Federal, 34% State) **24-1754**

C.12. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Director of Child Support Services, a purchase order with Five9, Inc. in an amount not to exceed $1,080 for Call Center Services Software for the period July 1, 2024, through June 30, 2025. (66% Federal, 34% State) **24-1755**

Clerk of the Board

C.13. ADOPT Resolution No. 2024-214 honoring Holotta Tymes for her advocacy, entrepreneurship, and support of the LGBTQIA+ Community, as recommended by Supervisor Carlson. **RES 2024-214**

C.14. ADOPT Resolution No. 2024-215 recognizing June 20, 2024 as World Refugee Day and reaffirming Contra Costa County as welcoming to refugees, as recommended by Supervisor Gioia. **RES 2024-215**

C.15. ADOPT Resolution No. 2024-216 recognizing Ms. Curlie Jackson for her contributions to Contra Costa County, as recommended by Supervisor Glover. **RES 2024-216**

C.16. ADOPT Resolution No. 2024-217 recognizing Willie J. Mims for his contributions to Contra Costa County, as recommended by Supervisor Glover. **RES 2024-217**

C.17. ADOPT Resolution No. 2024-218 recognizing Gus Kramer, Assessor, for 50 years of service at Contra Costa County. **RES 2024-218**

C.18. ADOPT Resolution No. 2024-219 recognizing Sabetha Anderson for her 30 years of service to Contra Costa County, as recommended by the Director of Risk Management. **RES 2024-219**

C.19. ADOPT Resolution No. 2024-220 recognizing Aretha Chandler for her 30 years of service to Contra Costa County, as recommended by the Risk Management Director. **RES 2024-220**

C.20. ADOPT Resolution No. 2024-233 recognizing John M Johnson for his 30 years of service to the Health Services Department, as recommended by the Health Services Director. **RES 2024-233**

Attachments: Service Award Presentation June 2024

C.21. ADOPT Resolution No. 2024-221 recognizing Kelley Taylor for her 30 years of service to the Health Services Department, as recommended by the Health Services Director. **RES 2024-221**

Attachments: Service Award Presentation - Kelley Taylor

C.22. ADOPT Resolution No. 2024-222 recognizing Lisa Redfern for her 30 years of service to Contra Costa County, as recommended by the Health Services Director. **RES 2024-222**

C.23. ADOPT Resolution No. 2024-223 celebrating the East Bay Regional Park District's 90th Anniversary, as recommended by Supervisor Burgis. **RES 2024-223**

C.24. ADOPT Resolution No. 2024-224 recognizing the 60th anniversary of St. Vincent de Paul, as recommended by Supervisor Andersen. **RES 2024-224**

C.25. ADOPT changes to the Mental Health Commission's bylaws pertaining to attendance, as recommended by the Internal Operations Committee. (No fiscal impact) **24-1756**

Attachments: MHC Bylaws - Last Updated September 2021
Mark-Up of Proposed Changes from Sept 2021 version - Attendance Section Only
Final Draft of Changes from Sept 2021 version - Attendance Section Only

C.26. APPOINT Scott Thompson, Interim Director of the Community Services Bureau, as Alternate to Marla Stuart, Employment and Human Services Director, on the Contra Costa First 5 Children and Families Commission. **24-1757**

C.27. APPOINT Roslyn Gentry to the Children and Family Services Bureau Seat and Ana Kaye as the Children and Family Services Bureau Alternate Seat on the First 5 Contra Costa Children Families Commission, as recommended by the Employment and Human Services Director. **24-1758**

C.28. APPOINT Andrew Jensen to the B12 Contra Costa Office of the Sheriff Representative seat on the Emergency Medical Care Committee for a term ending September 30, 2024, as recommended by the Health Services Director. **24-1759**

C.29. ACCEPT the resignations of Mike Awadalla and Jody Iorns, DECLARE vacancies in the At-Large #7 and City of Martinez seats on the Advisory Council on Aging for terms ending on September 30, 2024 and September 30, 2025 respectively, and DIRECT the Clerk of the Board to post the vacancies, as recommended by the Employment and Human Services Director. **24-1760**

C.30. ACCEPT the resignation from Ani Pereira-Sekhon, DECLARE a vacancy in the At-Large Seat 2 on the Family and Children's Trust Committee for a term ending September 30, 2025, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Employment and Human Services Director. **24-1761**

C.31. ACCEPT the resignation of Rhiannon Shires, DECLARE a vacancy in the At-Large Seat #4 on the Alcohol and Other Drugs Advisory Board, for a term ending June 30, 2026, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Health Services Director. **24-1762**

Attachments: Vacancy Notice
Roster

C.32. RECOGNIZING those who have significantly contributed towards reducing substance abuse in Contra Costa communities on the occasion of "People Who Make a Difference Awards 2024", as recommended by the Health Services Director. **24-1763**

Attachments: People Who Make a Difference Awards 2024

C.33. REAPPOINT Renee Zeimer, Moraga resident, to the District II Public Sector Seat on the Economic Opportunity Council for a term ending June 30, 2028, as recommended by Supervisor Andersen. **24-1764**

C.34. REAPPOINT Jenelle M. Towle to the District IV Seat 1 on the Mental Health Commission with a new term ending June 30, 2027, as recommended by Supervisor Carlson. **24-1765**

C.35. REAPPOINT Tavane Payne to the District IV Seat 2 on the Mental Health Commission with a term ending June 30, 2027, as recommended by Supervisor Carlson. **24-1766**

C.36. APPROVE Board meeting minutes for May 2024. **24-1767**

Clerk-Recorder/Elections

C.37. APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Clerk-Recorder, a purchase order with GDT (General Datatech, LP) in an amount not to exceed $6,272 and a related service agreement with NetApp to provide secure electronic data storage, support, and maintenance for the period April 1, 2024, through March 31, 2025. (100% Recorder Micrographics/Modernization Fund) **24-1768**

C.38. APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract amendment with Granicus, LLC, to extend the term from May 6, 2024 to May 6, 2029 and increase the payment limit by $1,150,000 to a new payment limit of $2,781,830, to provide continuing license and maintenance costs of the Department's recording system. (100% Recorder Micrographics/Modernization Fund) **24-1769**

C.39. APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract amendment with Pacific Storage Company, Inc., to extend the term from June 4, 2024 through June 4, 2026, and increase the payment limit by $10,000 to a new payment limit of $100,000 for the climate controlled and secure storage of the Department's microfilm records. (100% Recorder Micrographics/Modernization Fund) **24-1770**

Conservation & Development

C.40. APPROVE the 2024/2025 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan, as recommended by the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee. (100% North Richmond Mitigation funds) **24-1826**

Attachments: EXHIBIT A-2024-25 NRMF Expenditure Plan w-Attachments

C.41. APPROVE allocation of FY 2024/25 Community Development Block Grant, HOME Investment Partnerships Program, and Emergency Solutions Grant funds as recommended by the Family and Human Services Committee, Finance Committee, and the Conservation and Development Director; ADOPT and APPROVE the FY 2024/25 Annual Action Plan; ADOPT related California Environmental Quality Act findings; and AUTHORIZE the Conservation and Development Director to execute related administrative actions implementing each program. (100% Federal funds) **24-1827**

Attachments: Attachment A - FY 24-25 Action Plan - DRAFT
Attachment B-1 PS Recommendation Summary
Attachment B-2 ESG Recommendation Summary
Attachment C-1 - ED Recommendation Summary
Attachment C-2 - IPF Recommendation Summary
Attachment D - Housing Recommendations

C.42. APPROVE the Department of Conservation and Development's recommendations to award $11,702,500 in Measure X funds and $3,526,423 in Permanent Local Housing Allocation Funds for six projects that comprise 310 housing units, as recommended by the Conservation and Development Director. (100% Measure X and State Special Revenues) **24-1828**

Attachments: Attachment A - DCD MX-PLHA Recommendations

C.43. APPROVE and AUTHORIZE, under a grant deed of development rights held by the County, Century Communities of California, LLC, to conduct site improvements, including grading and trenching for a utility extension, on Assessor's Parcel No. 011-350-010, located at Newport Drive in the Discovery Bay area; and MAKE related findings under the California Environmental Quality Act, as recommended by the Conservation and Development Director. (100% applicant funds) **24-1829**

Attachments: CDDP24-03002 Permit Final
Grant Deed of Development Rights
Maps
Project Plans

C.44. APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to apply for and accept an amount not to exceed $400,000 from the U.S. Department of Transportation Active Transportation Infrastructure Investment Program to conduct the San Pablo Avenue Enhanced Bicycle and Pedestrian Gap Closure Study. (20% County match, Measure J funds) **24-1830**

C.45. APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract with the Contra Costa Centre Association in an amount not to exceed $421,295 to provide transportation demand management services for the Contra Costa Centre area, for the period July 1, 2024 through June 30, 2025. (100% County Service Area M-31 funds) **24-1831**

C.46. APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to apply for and accept grant funding in an amount not to exceed $1,200,000 from the U.S. Economic Development Administration for pre-development of a next-generation battery manufacturing tech innovation hub along the Northern Waterfront, as recommended by the Ad-Hoc Committee on the Northern Waterfront Economic Development Initiative. (20-50% required match to be covered by Green Empowerment Zone, State funds) **24-1832**

Attachments: Battery Tech Hub - Ad Hoc Cmte June 2024.pdf
Tech Hub Explainer Doc_v9.pdf

County Administration

C.47. APPROVE Budget Amendment No. BDA-24-00236 authorizing the transfer of $7,072 from the County Administrator-Law & Justice Information Systems (0235) to Plant Acquisition (0111) for requested modifications to designated space at the 1026 Escobar Street Administration Building. (100% General Fund) **24-1833**

Attachments: Budget_Amendment__FY_2023-24_-_Operating_Budget_on_05_28_2024___BDA-24-00236

C.48. APPROVE and AUTHORIZE tax revenue for all county service areas in Contra Costa County to be included in the County's annual appropriations limit, in accordance with Government Code section 25214.1(b), as recommended by the County Administrator. (Cost savings) **24-1834**

C.49. APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment with Macias Gini & O'Connell, LLP to incorporate Measure X audit services into the existing contract for professional auditing, and increase the payment limit by $44,970 to an amount not to exceed $1,490,447, with no change to the term ending May 31, 2026 (100% Measure X). **24-1835**

C.50. ADOPT Resolution No. 2024-228 approving a side letter of agreement modifying the Memorandum of Understanding between Contra Costa County and the Defenders' Association, to: (1) add a new Section 18.9 to permit certification of an entire employment list, when hiring for specified classifications; (2) amend Section 42.2.G. by replacing Deputy Public Defender - Fixed Term with Deputy Public Defender I; and (3) provide amended contributions for employees affected by the change to the additional deferred compensation Section 42.2.G. **RES 2024-228**

Attachments: Side Letter Public Defenders Certification Rule and Clean Up with Exhibit

C.51. ADOPT Resolution No. 2024-229 approving a side letter of agreement modifying the Memorandum of Understanding between Contra Costa County and IFPTE, Local 21, to add the Supervising Hazardous Materials Specialist to the list of differentials in Section 42.33 and to modify Appendix E for various classifications. **RES 2024-229**

Attachments: 2024.6.18 L21 Side Letter.pdf

C.52. RECEIVE Civil Grand Jury Report No. 2404, entitled " County Petroleum Refineries and Hazardous Material Releases: Improving the Hazmat Response " and REFER to the County Administrator, the Health Services Director and the Sheriff-Coroner for response. (No fiscal impact) **24-1836**

Attachments: 2404 - County Petroleum Refineries and Hazardous Material Releases-Improving the Hazmat Response .pdf

County Counsel

C.53. APPROVE and AUTHORIZE County Counsel, or designee, to execute a contract with Everlaw, Inc. for eDiscovery services in an amount not to exceed $40,000 for the period of June 25, 2024, through June 24, 2026 (100% General Liability Internal Service Fund) **24-1771**

C.54. RECEIVE public report of litigation settlement agreements that became final during the period May 1, 2024, through May 31, 2024. **24-1772**

District Attorney

C.55. ADOPT Resolution No. 2024-225 authorizing the District Attorney, or designee, to apply for and accept grant funding, including any extensions or amendments thereof, with the California Department of Insurance in the amount of $1,883,543 for the Organized Automobile Fraud Activity Interdiction Program for the period July 1, 2024 through June 30, 2027. (100% State) **RES 2024-225**

Employment & Human Services

C.56. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Director, a purchase order and related agreement with Constant Contact, Inc, in an amount not to exceed $16,830, to procure Premium Contacts, an email marketing software, for the period March 15, 2024 through March 14, 2027. (59% Federal, 35% State, 6% County) **24-1843**

C.57. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Director, a purchase order and related agreement with BMC Software, Inc., in an amount not to exceed $25,466 for the purchase of TrackIT, a management software system, for the period March 1, 2024 through February 28, 2026. (59% Federal, 35% State, 6% County) **24-1844**

C.58. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Director, a purchase order and related agreement with Panoramic Software Corporation in an amount not to exceed $72,000 for the purchase of PAPro application software, subject to the terms and conditions of Panoramic's Software License Agreement and Software Maintenance Agreement, for the period July 1, 2024 through June 30, 2027. (59% Federal, 35% State, 6% County) **24-1845**

C.59. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Department, a purchase order and related agreement with Allied Network Solutions, Inc. in an amount not to exceed $83,144 for the purchase of maintenance from F5 Networks for use of the F5 network security appliance used by the County, for the period July 12, 2024 through July 11, 2027. (59% Federal, 35% State, 6% County) **24-1846**

C.60. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Department, a purchase order with Carahsoft Technology Corp. in an amount not to exceed $3,635 for the purchase of Conga licenses, subject to the terms of the Conga Master Subscription Agreement, for the period July 10, 2024, through June 30, 2025. (59% Federal, 35% State, 6% County) **24-1847**

C.61. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Department, a purchase order and related agreement with Carahsoft Technology Corp. in an amount not to exceed $44,029 for the purchase of Salesforce licenses for the period July 1, 2024 through June 30, 2025. (59% Federal, 35% State, 6% County) **24-1848**

C.62. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with California State University, Fresno Foundation, a Non-Profit Corporation, in an amount not to exceed $994,240 to provide Title IV-E training, Consultant Facilitator Services for Families First Prevention Services Act and Grievance Hearing Officer Services for Children and Family Services for the period July 1, 2024 through June 30, 2027. (56% Federal, 38% State, 6% County) **24-1849**

C.63. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Meals on Wheels Diablo Region, a nonprofit agency, in an amount not to exceed $336,431 for the purchase and use of infrastructure equipment and supplies pursuant to the Home and Community Based Services Senior Nutrition Infrastructure Grant Program for the period May 1, 2024, through September 30, 2024. (100% State) **24-1850**

C.64. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board, to apply for and accept a grant of up to $5,000,000 from the Department of Labor Building Pathways to Infrastructure Jobs Grant to develop strong sector partnerships to design training and employment programs responsive to local and regional infrastructure sector demands in the proposed grant service area. (No County match) **24-1944**

C.65. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Wayfinder Family Services, in an amount not to exceed $1,042,090, to provide Kinship Support Services to relative caregivers in East Contra Costa County for the period July 1, 2024 through June 30, 2026. (100% State) **24-1851**

C.66. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Paradise Adolescent Homes, Inc., in an amount not to exceed $1,192,436 to provide residential placement and supportive services for Contra Costa County dependent foster youth for the period July 1, 2024 through June 30, 2025. (70% State Realignment Funds, 30% County General Fund) **24-1852**

C.67. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Star View Behavioral Health, Inc., in an amount not to exceed $327,480 to provide residential placement services for the period July 1, 2024 through June 30, 2025. (70% State Realignment Funds, 30% County General Fund) **24-1853**

C.68. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Delta Personnel Services, Inc., dba Guardian Security Agency in an amount not to exceed $911,350 to provide security services for the period July 1, 2024 through June 30, 2025. (6% County, 35% State, 59% Federal) **24-1854**

C.69. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Contra Costa Senior Legal Services to increase the payment limit by $33,042 to a new payment limit not to exceed $213,139 for legal services with no change to contract term July 1, 2023 through June 30, 2024. (100% Federal) **24-1855**

C.70. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an agreement with Mount Diablo Unified School District in an amount not to exceed $476,511 to provide Workforce Innovation and Opportunity Act year-round youth workforce development services in Central County for the period July 1, 2024 through June 30, 2025. (100% Federal) **24-1856**

C.71. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Mobility Matters, in the amount not to exceed $336,760 to deliver transportation services for seniors and other eligible participants for the period July, 2024 through June 30, 2026. (100% Measure X) **24-1857**

C.72. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Seneca Family of Agencies in an amount not to exceed $691,628 to provide comprehensive visitation services through the East Bay Visitation Center for the period July 1, 2024, to June 30, 2026. (70% State, 30% County) **24-1858**

C.73. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Child Abuse Prevention Council, in an amount not to exceed $1,533,732 to provide child abuse prevention services for the period July 1, 2024 through June 30, 2025. (62% State Realignment, 26% County General Fund, 12% Federal - American Rescue Plan Act, Community Based Child Abuse Prevention) **24-1859**

C.74. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Meals on Wheels Diablo Region, in an amount not to exceed $210,172, to provide case management services for County residents aged sixty or older, or persons with disabilities aged eighteen and older, for the period July 1, 2024, through June 30, 2026. (100% Measure X) **24-1860**

C.75. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Aspiranet, effective June 1, 2024, to increase the payment limit by $2,830,000 to a new payment limit not to exceed $5,160,000, for additional emergency shelter receiving center services for children taken into protective custody or transitioning through foster placements, and to extend the term through June 30, 2025. (70% State, 30% County General Fund) **24-1861**

C.76. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Contra Costa Senior Legal Services to increase the payment limit by $320,000 to a new payment limit of $450,376 and to extend the term through September 30, 2024 for additional Legal Assistance and Elder Abuse Prevention services. (100% Federal) **24-1862**

C.77. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Wayfinder Family Services, in an amount not to exceed $884,000 to provide family finding, engagement and resource family pre-approval supportive services for the period July 1, 2024 through June 30, 2025. (87% State, 13% Federal) **24-1863**

C.78. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Family and Children's Trust Committee, to execute an interagency Agreement with the Mount Diablo Unified School District in an amount not to exceed $80,000 for the Crossroads High School Project serving pregnant and parenting youth for the period July 1, 2024 through June 30, 2025. (75% Federal, 25% Ann Adler Children and Family Trust Donations) **24-1864**

C.79. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Empowered Aging, effective May 1, 2024, to increase the payment limit by $33,100 to a new payment limit not to exceed $552,280 for continued Long-Term Care Ombudsman services pursuant to the Older Americans Act with no change to term through June 30, 2024. (81% State, 19% Federal) **24-1865**

C.80. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Meals on Wheels Diablo Region in an amount not to exceed $399,950 to provide outreach services for the period of July 1, 2024 through June 30, 2026. (100% Measure X) **24-1866**

C.81. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board, to execute a contract with American Medical Response West in an amount not to exceed $400,200 to administer the Paramedic Apprenticeship Program for the period June 1, 2024 through October 31, 2025. (100% State) **24-1867**

C.82. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Choice in Aging, in an amount not to exceed $389,828 to provide case management services for County residents aged sixty or older, or persons with disabilities aged eighteen and older for the period July 1, 2024 through June 30, 2026. (100% Measure X) **24-1868**

C.83. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Family Caregiver Alliance, to increase the payment limit by $39,319 to an amount not to exceed $329,119, for Title III-E Family Caregiver Support Program, with no change to the term through June 30, 2024. (62% Federal, 38% State) **24-1869**

C.84. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Jewish Family and Community Services East Bay, to increase the payment limit by $20,063 to an amount not to exceed $200,823, for additional Title III-E Caregiver Support Program services, with no change to the term through June 30, 2024. (76% Federal, 24% State) **24-1870**

C.85. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a Memorandum of Understanding with the California Department of Aging, and any subsequent amendments thereto, to accept funding in the amount of $6,938,582 for the Health Insurance Counseling and Advocacy Program and the Medicare Improvement for Patients and Providers Act for the period of July 1, 2024 through June 30, 2029. (71% Federal, 29% State) **24-1871**

C.86. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with STAND! For Families Free of Violence, in an amount not to exceed $1,101,375 for the provision of Comprehensive Domestic Violence Prevention and Intervention services to California Work Opportunity and Responsibility to Kids and Welfare-to-Work recipients for the period July 1, 2024 through June 30, 2027. (100% Federal) **24-1872**

C.87. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with West Contra Costa County Meals on Wheels to increase the payment limit by $138,578 to a new payment limit not to exceed $496,512 to deliver the Older Americans Act Title IIIC-2 Senior Nutrition Home Delivered Meals Program with no change to the term through June 30, 2024. (60% Federal, 40% State) **24-1873**

C.88. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Meals on Wheels Diablo Region, a nonprofit agency, to increase the payment limit by $627,423 to a new payment limit not to exceed $2,387,449 to deliver the Older Americans Act Title IIIC Senior Nutrition Program with no change to the term through June 30, 2024. (71% Federal, 29% State) **24-1874**

C.89. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an amendment to the interagency agreement with City of Walnut Creek, to increase the payment limit by $45,231 to a new payment limit not to exceed $291,008 for the purchase and use of additional infrastructure equipment and supplies pursuant to the Home and Community Based Services Senior Nutrition Infrastructure Grant Program with no change to the term through September 30, 2024. (100% State) **24-1947**

C.90. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the Oakland Private Industry Council, Inc. to increase the payment limit by $94,919 to a new payment limit not to exceed $822,927, to provide administrative and operational support to the East Bay Regional Planning Unit, and to extend the term through December 31, 2025. (100% Federal) **24-1875**

C.91. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the Young Men's Christian Association (YMCA) of the East Bay to increase the payment limit by $1,282,782, to a new payment limit not to exceed $3,704,718, to provide delegate Head Start services, and to extend the term through June 30, 2024 (100% Federal) **24-1876**

C.92. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Rubicon Programs Incorporated in an amount not to exceed $1,859,000 to operate and manage Contra Costa County's America's Job Center of California locations and provide Adult and Dislocated Worker Career Services under the Workforce Innovation and Opportunity Act to County residents, for the period July 1, 2024 through June 30, 2025. (79% Federal, 21% State) **24-1877**

C.93. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with One Solution Technology, Inc. to increase the payment limit by $605,400 to a new payment limit not to exceed $2,254,400 and to extend the term through June 30, 2025, to provide Child Location Observation Utilization Data System software for managing the child and family data management at the County's childcare centers. (42% Federal, 58% State) **24-1878**

C.94. APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Meals on Wheels Diablo Region, to increase the payment limit by $99,812 to a new amount not to exceed $286,928, to provide Supplemental Nutrition Assistance Program – Education (SNAP-Ed) nutrition services, with no change to term through September 30, 2024. (100% Federal) **24-1879**

C.95. APPROVE and AUTHORIZE the submittal of the Contra Costa County Area Agency on Aging 2024-2028 Area Plan on Aging and AUTHORIZE the Board of Supervisors Chair to sign the Letter of Transmittal. **24-1880**

Attachments: 2024-2028 Area Plan for Older Adults
Letter of Transmittal

C.96. APPROVE Budget Amendment No. BDA-24-00216 authorizing an adjustment to Employment and Human Services Department (EHSD), Children and Family Services Bureau (0502) and Workforce Services Bureau (0504) expenditure and revenue budgets as part of EHSD's FY 2023/24 Budget Rebalance of $20,846,859, and to appropriate rollover funds from FY 22/23 in the amount of $139,501 for Measure X, with no additional net county cost. (Continued from May 21, 2024) **24-1881**

Attachments: BDA-24-00216.pdf

C.97. ADOPT Resolution No. 2024-232 approving and authorizing the Employment and Human Services Director, or designee, to execute a contract amendment with the California Department of Aging, to increase the amount payable to the County by $225,302 for a new total not to exceed $827,046, to implement the CalFresh Healthy Living Supplemental Nutrition Assistance Program – Education in Contra Costa County with no change to the term through September 30, 2025. (100% Federal, no County match) **RES 2024-232**

Fire Protection District

C.98. Acting as the governing board for the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract with Constant Contact, Inc. in an initial annual amount of $10,000 for a hosted email marketing software platform for the initial period June 25, 2024 through June 30, 2025, with the option of automatic annual renewals. (100% CCCFPD General Operating Fund) **24-1773**

C.99. Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief or designee, to execute a contract with Grasshopper Group, LLC, with an initial annual payment limit of $1,500 to provide a virtual phone messaging service for the initial period June 25, 2024 through June 30, 2025, with the option of automatic annual renewals. (100% CCCFPD General Operating Fund) **24-1774**

C.100. Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract with Stryker Sales, LLC, in an amount not to exceed $143,000, for maintenance of defibrillation and chest compression equipment, for the period July 1, 2024 through June 30, 2028. (100% CCCFPD EMS Transport Fund) **24-1775**

C.101. Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a cooperative agreement with the State of California Department of Forestry and Fire Protection to become a Co-operator with the Federal Excess Personal Property Program for the term June 26, 2024 through June 26, 2029. (No fiscal impact) **24-1776**

C.102. Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a lease with Seecon Commercial, LLC, for the temporary relocation of communications center staff and future expansion of administrative offices, with an initial annual rent of $76,460, and initial term of 40-months, including the option to annually renew. (100% CCCFPD EMS Transport Fund) **24-1777**

Geological Hazard Abatement District

C.103. Acting as the governing board of the Blackhawk Geological Hazard Abatement District (GHAD), ADOPT Blackhawk GHAD Resolution 2024/01 adopting the GHAD budget for FY 2024/2025 with an update to the GHAD General Manager payment limit and acknowledging notice of minor revisions to Plan of Control (Fourth Amendment). (100% Blackhawk GHAD funds) **24-1778**

Attachments: Blackhawk GHAD - Exhibit A.pdf
Blackhawk GHAD - Exhibit B.pdf

C.104. Acting as the governing board of the California Tradewinds Geological Hazard Abatement District (GHAD), ADOPT California Tradewinds GHAD Resolution 2024/01 adopting the GHAD budget for FY 2024/2025 and updating the GHAD General Manager payment limit under Consulting Services Agreement. (100% California Tradewinds GHAD funds) **24-1779**

Attachments: California Tradewinds GHAD - Exhibit A.pdf

C.105. Acting as the governing board of the Canyon Lakes Geological Hazard Abatement District (GHAD), ADOPT Canyon Lakes GHAD Resolution 2024/01 adopting the GHAD budget for FY 2024/2025 with an update to the GHAD General Manager payment limit and acknowledging notice of minor revisions to Plan of Control (Third Amendment). (100% Canyon Lakes GHAD funds) **24-1780**

Attachments: Canyon Lakes GHAD - Exhibit A.pdf
Canyon Lakes GHAD - Exhibit B.pdf

C.106. Acting as the governing board of the Hillcrest Heights Geologic Hazard Abatement District (GHAD), ADOPT Hillcrest Heights GHAD Resolution No. 2024/01 adopting GHAD budget for FY 2024/2025 and updating the GHAD General Manager payment limit under Consulting Services Agreement. (100% Hillcrest Heights GHAD funds) **24-1781**

Attachments: Hillcrest Heights GHAD - Exhibit A.pdf

C.107. Acting as the governing board of the Wendt Ranch Geologic Hazard Abatement District (GHAD), ADOPT Wiedemann Ranch GHAD Resolution No. 2024/01 adopting an assessment levy less than assessment limit for FY 2024/2025 Wendt Ranch, Alamo and Intervening (Monterosso) developments within the Wendt Ranch GHAD and adopting GHAD budget for FY 2024/2025 with an update to the GHAD Manager pay limit. (100% Wendt Ranch GHAD funds) **24-1782**

Attachments: Wendt Ranch GHAD - Exhibit A.pdf

C.108. Acting as the governing board of the Wiedemann Ranch Geologic Hazard Abatement District (GHAD), ADOPT Wiedemann Ranch GHAD Resolution No. 2024/01 adopting an assessment levy less than assessment limit for FY 2024/2025 Norris Canyon Estates, Henry Ranch, Elworth Ranch and Red Hawk developments within the Wiedemann Ranch GHAD for FY 2024/2025 and adopting GHAD budget for FY 2024/2025 with an update to the GHAD Manager pay limit. (100% Wiedemann Ranch GHAD funds) **24-1783**

Attachments: Wiedemann Ranch GHAD - Exhibit A.pdf

Health Services

C.109. APPROVE clarification of Board action of March 26, 2024, (C.36) with Maxim Healthcare Services Holdings, Inc., to change the name of the Contractor to read Maxim Healthcare Services Inc., with no change in the payment limit of $1,000,000 and no change in the term of March 1, 2024 through February 28, 2027. (100% Contra Costa Health Plan Enterprise Fund II) **24-1882**

C.110. APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay $51,902 to CardioNet, LLC for providing remote cardiac monitoring services for patients at Contra Costa Regional Medical Center and Health Centers for the period from November 16, 2022 through January 6, 2024, as recommended by the Health Services Director. (100% Hospital Enterprise Fund I) **24-1883**

C.111. APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay $1,232 to Innovative Product Achievements, LLC for hospital scrub dispenser repair services on December 15, 2023, as recommended by the Health Services Director. (100% Hospital Enterprise Fund I) **24-1884**

C.112. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a purchase order and a Microsoft Enterprise Services Work Order with Microsoft Corporation in an amount not to exceed $1,361,037,for Microsoft's Unified Support for licensed products during the period of May 5, 2024, through May 4, 2027. (100% Hospital Enterprise Fund I) **24-1885**

C.113. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a purchase order with Washington Automated, LLC in an amount not to exceed $28,000 for the purchase of laundry equipment for the Health Services Department's Health, Housing and Homeless Services division's adult shelter, Delta Landing. (100% California Business, Consumer Services and Housing Agency, Homeless Housing, Assistance and Prevention Grant Program Round 4 funds) **24-1886**

C.114. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a purchase order with Solutions Simplified in an amount not to exceed $912,000 for the purchase of Zscaler internet traffic protection software and services, and an agreement with Zscaler, Inc. for the period from July 1, 2024 through June 30, 2027. (100% Hospital Enterprise Fund I) **24-1887**

C.115. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute a purchase order with Omnicell, Inc., in an amount not to exceed $235,000 to purchase medication dispensing equipment and a contract amendment to provide discounted pricing for automated medication dispensing hardware for Contra Costa Health patient care in Detention for the period June 25, 2024 through April 22, 2029. (100% CalAIM PATH funds) **24-1888**

C.116. APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a purchase order with Ortho-Clinical Diagnostics, Inc. in an amount not to exceed $450,000 and related agreements for the purchase of the Ortho Vision Swift Blood Bank Analyzer, ID-Micro Typing System reagents, consumables, supplies and related service for the Clinical Laboratory at Contra Costa Regional Medical Center effective the date the equipment arrives and for five years thereafter. (100% Hospital Enterprise Fund I) **24-1889**

C.117. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with The National Phlebotomy Provider Network, in an amount not to exceed $300,000 to provide phlebotomy services to Contra Costa Health Plan members and County recipients for the period June 1, 2024 through May 31, 2027. (100% Contra Costa Health Plan Enterprise Fund II) **24-1890**

C.118. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with SleepQuest, Inc., in an amount not to exceed $900,000 to provide durable medical equipment and sleep study services for Contra Costa Health Plan members and County recipients for the period July 1, 2024 through June 30, 2027. (100% Contra Costa Health Plan Enterprise Fund II) **24-1891**

C.119. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Pentec Health, Inc., in an amount not to exceed $400,000 to provide durable medical equipment services for Contra Costa Health Plan members and County recipients for the period August 1, 2024 through July 31, 2026. (100% Contra Costa Health Plan Enterprise Fund II) **24-1892**

C.120. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Parkhill Health, Inc. (dba AFC Urgent Care Brentwood), in an amount not to exceed $600,000 to provide primary care services including urgent care for Contra Costa Health Plan members and County recipients for the period July 1, 2024 through June 30, 2026. (100% Contra Costa Health Plan Enterprise Fund II) **24-1893**

C.121. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Data Innovations LLC, increasing the payment limit by $60,000 to a new payment limit of $274,788 for additional laboratory instrument management system software and support services for Contra Costa Health for the period June 1, 2024 through May 30, 2025. (100% Hospital Enterprise Fund I) **24-1894**

C.122. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Genomic Health, Inc., in an amount not to exceed $600,000 to provide outside laboratory testing services for Contra Costa Health Plan Members and County recipients for the period July 1, 2024 through June 30, 2026. (100% Contra Costa Health Plan Enterprise Fund II) **24-1895**

C.123. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Lisa Wang, M.D., in an amount not to exceed $260,000 to provide outpatient psychiatric services for County patients in West County for the period July 1, 2024 through June 30, 2025. (100% Mental Health Realignment) **24-1896**

C.124. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Mauricio Kuri, MD, PC, in an amount not to exceed $2,550,000 to provide plastic surgery services at Contra Costa Regional Medical Center and Health Centers for the period July 1, 2024 through June 30, 2027. (100% Hospital Enterprise Fund I) **24-1897**

C.125. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with East Bay Nephrology Medical Group, Inc, in an amount not to exceed $285,000 to provide nephrology services at Contra Costa Regional Medical Center and Health Centers for the period July 1, 2024 through June 30, 2027. (100% Hospital Enterprise Fund I) **24-1898**

C.126. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, on behalf of the County, a contract with Associated Pathology Medical Group, Inc., in an amount not to exceed $600,000, to provide pathology laboratory services for Contra Costa Health Plan members and County recipients for the period July 1, 2024 through June 30, 2027. (100% Contra Costa Health Plan Enterprise Fund II) **24-1899**

C.127. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Lifelong Medical Care, in an amount not to exceed $4,200,000 to provide primary care physician services including urgent care, acupuncture, and specialty medical services for Contra Costa Health Plan members and County recipients for the period July 1, 2024 through June 30, 2025. (100% Contra Costa Health Plan Enterprise Fund II) **24-1900**

C.128. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Healthcare Source HR, to increase the payment limit by $240,000 to a new payment limit of $641,895 to extend the term through March 1, 2026 and for successive one year terms thereafter for additional software licenses for NetLearning for Contra Costa Health. (100% Hospital Enterprise Fund I) **24-1901**

C.129. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Consumers Self-Help Center, to extend the term through September 30, 2024 with no change in the payment limit of $377,191 to continue providing a Patients' Rights Program. (100% Mental Health Realignment) **24-1902**

C.130. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Fred Finch Youth Center, to decrease the payment limit by $30,416 to a new payment limit of $3,011,440 to continue providing school-based mental health services and a multi-dimensional family treatment program for seriously emotionally disturbed students and their families with no change in the term ending June 30, 2024. (57% Federal Drug Medi-Cal; 43% Mental Health Services Act) **24-1903**

C.131. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Availity, L.L.C., in an amount not to exceed $1,100,000 to provide electronic claims processing services for Contra Costa Health Plan and Behavioral Health Services to reimburse providers for services provided to Contra Costa Health Plan members for the period February 29, 2024 through February 28, 2025. (100% Contra Costa Health Plan Enterprise Fund II) **24-1904**

C.132. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Western States Cancer Research NCORP, in an amount not to exceed $20,000 to provide and oversee clinical oncology research studies under the National Cancer Institute's Clinical Oncology Research Program for the period May 1, 2024 through July 31, 2027. (100% Hospital Enterprise Fund I) **24-1905**

C.133. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with DiaSorin Inc., to increase the payment limit by $35,271 to an amount not to exceed $552,221 for additional reagents for the Clinical Laboratory at the Contra Costa Regional Medical Center and Health Centers with no change in term ending May 31, 2026. (100% Hospital Enterprise Fund I) **24-1906**

C.134. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the Housing Successor to the Antioch Development Agency, to pay the County an amount not to exceed $30,000 to provide homeless outreach services under the Coordinated Outreach, Referral and Engagement Program for the period July 1, 2023 through June 30, 2024. (No County match) **24-1907**

C.135. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with La Clinica De La Raza, Inc., in an amount not to exceed $4,200,000 to provide primary care physician and optometry services for Contra Costa Health Plan members and County recipients for the period July 1, 2024 through June 30, 2025. (100% Contra Costa Health Plan Enterprise Fund II) **24-1908**

C.136. APPROVE and AUTHORIZE the Health Services Director, or designee, to accept a grant award from State of California Health and Human Services Agency, California Department of Public Health, for the Immunization Champions – Supporting Schools with Immunization Workforce Development Funds to extend the term through June 30, 2025 with no change to the grant award of $390,488 or any other changes to grant terms and conditions. (No County match) **24-1909**

C.137. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Crestwood Behavioral Health, Inc., in an amount not to exceed $6,096,960 to provide augmented board and care services for adults with mental illness in Contra Costa County for the period July 1, 2024 through June 30, 2025. (82% Mental Health Realignment; 18% Mental Health Services Act) **24-1910**

C.138. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Coffey Communications, Inc., in an amount not to exceed $1,200,000 to provide professional design, publication, distribution and technical assistance of Contra Costa Health Plan's Health Sense Newsletter for the period July 1, 2024 through June 30, 2027. (100% Contra Costa Health Plan Enterprise Fund II) **24-1911**

C.139. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with JMJ Healthcare Inc. (dba JMJ Home Health Services), in an amount not to exceed $520,000 to provide home health care services for Contra Costa Health Plan members and County recipients for the period July 1, 2024 through June 30, 2026. (100% Contra Costa Health Plan Enterprise Fund II) **24-1912**

C.140. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Norcal Imaging, in an amount not to exceed $9,000,000 to provide diagnostic radiology imaging services for Contra Costa Health Plan members and County recipients for the period August 1, 2024 through July 31, 2026. (100% Contra Costa Health Plan Enterprise Fund II) **24-1913**

C.141. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Pinnacle Surgery Center, LLC (dba Disc Surgery Center of Walnut Creek), in an amount not to exceed $1,500,000 to provide ambulatory surgery center services for Contra Costa Health Plan members and County recipients for the period July 1, 2024 through June 30, 2027. (100% Contra Costa Health Plan Enterprise Fund II) **24-1914**

C.142. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with American Red Cross, in an amount not to exceed $2,000,000 to provide total blood and blood component products and associated services for patients at the Contra Costa Regional Medical Center and Health Centers for the period July 1, 2024 through June 30, 2027. (100% Hospital Enterprise Fund I) **24-1915**

C.143. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with PerformRx, LLC, to modify contract provisions as required by the Department of Managed Healthcare for pharmacy program administrative services with no change in the payment limit of $50,000,000 or term ending December 31, 2025. (100% Contra Costa Health Plan Enterprise Fund II) **24-1916**

C.144. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Health Management Systems, Inc., to modify contract provisions as required by the Department of Managed Healthcare for auditing services for the Contra Costa Health Plan with no change in the payment limit of $2,000,000 or term ending December 31, 2025. (100% Contra Costa Health Plan Enterprise Fund II) **24-1917**

C.145. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Oliver Wyman Actuarial Consulting, Inc., to modify contract provisions as required by the Department of Managed Healthcare for actuarial services for the Contra Costa Health Plan with no change in the payment limit of $450,000 or term ending November 30, 2026. (100% Contra Costa Health Plan Enterprise Fund II) **24-1918**

C.146. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Foley & Lardner, LLP, in an amount not to exceed $450,000 for the provision of legal services related to Medi-Cal audit appeals and other Contra Costa Health Plan appeals, report issues, and authorized litigation issues for the period July 1, 2024 through June 30, 2025. (100% Hospital Enterprise Fund I) **24-1919**

C.147. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Robert Terris, to increase the payment limit by $100,000 to an amount not to exceed $310,000 for additional consulting and technical assistance services with regard to an inpatient task force at Contra Costa Regional Medical Center and Health Centers for the period through June 30, 2026. (100% Hospital Enterprise Fund I) **24-1920**

C.148. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with BHC Heritage Oaks Hospital, Inc., to increase the payment limit by $23,832 to an amount not to exceed $223,832 for additional inpatient psychiatric hospital services to County-referred children, adolescents and adults with no change in the term ending June 30, 2024, and to increase the automatic extension payment limit by $11,916 to a new payment limit of $111,916 through December 31, 2024. (100% Mental Health Realignment) **24-1921**

C.149. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with BHC Fremont Hospital, Inc., to increase the payment limit by $1,281,069 to an amount not to exceed $1,731,069 for additional inpatient psychiatric hospital services to County-referred adolescents and adults with no change in the term ending June 30, 2024, and to increase the automatic extension payment limit by $640,534 to a new payment limit of $865,534 through December 31, 2024. (100% Mental Health Realignment) **24-1922**

C.150. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with BHC Sierra Vista Hospital, Inc., to increase the payment limit by $274,026 to an amount not to exceed $349,026 for additional inpatient psychiatric hospital services to County-referred adults and adolescents with no change in the term ending June 30, 2024, and to increase the six-month automatic extension payment limit by $137,013 to a new payment limit of $174,513 through December 31, 2024. (100% Mental Health Realignment) **24-1923**

C.151. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with SJBH, LLC (dba San Jose Behavioral Health Hospital), to increase the payment limit by $332,614 to an amount not to exceed $632,614 to provide additional inpatient psychiatric hospital services to County-referred adults with no change in the term ending June 30, 2024, and to include a six-month automatic extension in an amount not to exceed $316,307 through December 31, 2024. (100% Mental Health Realignment) **24-1924**

C.152. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with John Muir Behavioral Health, to increase the payment limit by $2,316,324 to an amount not to exceed $3,816,324 to provide additional inpatient psychiatric hospital services to County-referred adults, children and adolescents with no change in the term ending June 30, 2024, and to increase the six-month automatic extension payment limit by $658,162 to a new payment limit of $1,908,162 through December 31, 2024. (100% Mental Health Realignment) **24-1925**

C.153. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Healthrisk Resource Group, Inc., to modify contract provisions as required by the Department of Managed Healthcare to act as a billing agent with regard to medical claims with no change in the payment limit of $300,000 or term ending February 28, 2027. (100% Contra Costa Health Plan Enterprise Fund II) **24-1926**

C.154. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Mark Van Handel, M.D., in an amount not to exceed $1,920,000 to provide neurology services at Contra Costa Regional Medical Center and Health Centers for the period June 1, 2024 through May 31, 2027. (100% Hospital Enterprise Fund I) **24-1927**

C.155. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract cancellation with The Alliance for Community Wellness (dba La Familia), effective at the end of business on March 30, 2024. (100% Substance Abuse Prevention and Treatment Block Grant) **24-1928**

C.156. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Netsmart Technologies, Inc. (dba McBee Associates), to increase the payment limit by $800,000 to an amount not to exceed $1,200,000, and extend the term date through July 31, 2025 for admission review support services for Contra Costa Health Plan Management Team. (100% Contra Costa Health Plan Enterprise Fund II) **24-1929**

C.157. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with Ana De Jesus, LCSW, in an amount not to exceed $250,000 to provide Medi-Cal specialty mental health services to members in Contra Costa County for the period July 1, 2024 through June 30, 2026. (50% Federal Medi-Cal; 50% State Mental Health Realignment) **24-1930**

C.158. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with ICU Medical Sales, Inc., in an amount not to exceed $420,250 to provide an infusion pump system for Contra Costa Health patient care for the period July 1, 2024 through June 30, 2029. (100% Hospital Enterprise Fund I) **24-1931**

C.159. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract with the City of Walnut Creek, to pay County an amount not to exceed $253,889 to provide homeless outreach services under the Coordinated Outreach, Referral and Engagement Program for the period July 1, 2023 through June 30, 2024. (No County match) **24-1932**

C.160. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a contract amendment with Alvarez & Marsal Healthcare Industry Group, LLC, to increase the payment limit by $1,800,000 to a new payment limit of $2,200,000 for additional consultation and technical assistance including financial review and support for organizational structural planning for Contra Costa Health and an audit assessment for the Contra Costa Health Plan with no change in the original term of January 1, 2024 through December 31, 2026. (100% Hospital Enterprise Fund I) **24-1933**

C.161. APPROVE and AUTHORIZE the Health Services Director, or designee, to execute a project funding agreement with Advocates for Human Potential, in an amount not to exceed $18,602,365, through June 30, 2027, for the renovation of County-owned property located at 847B Brookside in Richmond, and AUTHORIZE the Public Works Director, or their designee, to execute all property related transactions as required by the grant, including but not limited to filing a Declaration of Restrictions for the portion of the County property to be improved by the granted funds. (No additional County match required) **24-1934**

C.162. ACCEPT the annual Industrial Safety Ordinance Report for 2023, as recommended by the Health Services Director. (No fiscal impact) **24-1935**

Attachments: ISO Report

C.163. ADOPT Position Adjustment Resolution No. 26285 to increase and decrease the hours of various positions, and cancel one vacant unfunded Medical Social Worker II position in the Health Services Department. (Cost neutral- 100% County General Fund) **24-1948**

Attachments: P300-26285
P300-26285--Attachment A

Human Resources

C.164. APPOINT Valerie Chatman to the Contra Costa County In-Home Services Public Authority Executive Director position, as recommended by the Employment and Human Services Director. **24-1937**

Attachments: Valerie-Chatman (2)

C.165. ADOPT Position Adjustment Resolution No. 26283 to add one (1) Board of Supervisors Assistant-General Secretary position effective July 1, 2024 and cancel one (1) Board of Supervisors-Chief Assistant position effective August 1, 2024 in the Board of Supervisors - District II office.(Cost saving) **24-1938**

Attachments: P300 26283.docx

C.166. ADOPT Position Adjustment Resolution No. 26821 to cancel one (1) Management Analyst (ADVB) (unrepresented) position (#3819), appoint its incumbent to the Senior Management Analyst - Exempt (ADT3) (unrepresented) position and abolish the Management Analyst (ADVB) (unrepresented) classification in the Office of the County Administrator. (100% General Fund) **24-1939**

Attachments: P300 Cancel Mgmt Analyst and Appoint Incumbent to Sr. Mgmt Analyst

C.167. ADOPT Position Adjustment Resolution No. 26284 to cancel one permanent intermittent Library Assistant-Journey Level position and add one part time (20/40) Library Assistant-Journey Level position. (100% Library Fund, cost savings) **24-1940**

Attachments: P300 26284 Orinda Cxl PI LAJ Add 20-40 LAJ

C.168. ADOPT Position Adjustment Resolution No. 26286 to reallocate the salary of Director, Department of Conservation and Development - Exempt (4AA1) at Salary Plan and Grade BD5 2348 from $15,280.90 - $18,574.03 to $16,125.48 - $19,600.62, as recommended by the Human Resources Department. (100% Land Development Fund) **24-1941**

Attachments: P300 Reallocate Dir DCD

C.169. ADOPT Position Adjustment Resolution No. 26289 to reclassify seven (7) incumbent Administrative Services Officer (APDB) (unrepresented) positions at salary plan and grade B82 1692 ($8,222.51 - $11,618.19) and its incumbents to Chief of Administrative Services I - Exempt (APD6) at salary plan and grade B85 1017 ($10,073 - $12,243.80) and reallocate one (1) Administrative Services Officer at salary plan and grade B82 1692 ($8,222.51 - $11,618.19) to Chief of Administrative Services I – Exempt (APD6) at salary plan and grade B85 1017 ($10,073 - $12,243.80). **24-1946**

Attachments: Salary Placement - Chief of Admin I
P300 No. 26289 Chief of Administrative Services I - Exempt Reclassification

C.170. ADOPT Position Adjustment Resolution No. 26288 to add two (2) additional Human Resources Analyst (AGTF) (unrepresented) positions at salary plan and grade B85 1631 ($7,804.85 - $11,531.32). Positions are assigned to the Human Resources Department and are funded by the Employment and Human Services Department. **24-1945**

Attachments: P300 No. 26288 ADOPT EHSD.docx
Copy of Cost Analysis for 2 HR FTEs for FY 24-25 - 05.01.2024.xlsx

C.171. ADOPT Position Adjustment Resolution No. 25927 to establish the classification of Supervising Hazardous Materials Specialist and add three positions; and reallocate the salary of the Assistant Director of Hazardous Materials Program on the salary schedule in the Health Services Department. (100% Hazardous Materials Certified Unified Program Agency fees) **24-1954**

Attachments: P300-25927

C.172. ADOPT Position Adjustment Resolution No. 26287 for additional vacation accruals for the Co-Director, Race Equity and Community Empowerment (AJA1) at a rate equal to 160 hours per year effective November, 13, 2023, as recommended by the Human Resources Department. **24-1943**

Attachments: P300 Approve ORESJ Dir.docx

C.173. APPROVE and AUTHORIZE the Human Resources Director, or designee, to execute a contract amendment with Smart ERP Solutions, Inc., to increase the payment limit by $147,000 to a new payment limit of $607,000 and to extend the term through June 30, 2027, for the license and support of employee onboarding software. (100% Benefits Administration Fee) **24-1942**

Information and Technology

C.174. APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with General Datatech, L.P. not to exceed $3,425,000 for the renewal of CrowdStrike Falcon Complete, a managed endpoint protection service, for the period of July 1, 2024 through June 30, 2027. (100% User Departments) **24-1784**

C.175. APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with Spok, Inc. in an amount not to exceed $34,000 for the renewal of Enhanced 911 Enterprise Alert System maintenance, subject to the terms of Spok's Customer Agreement, for the period of July 1, 2024, through June 30, 2025. (100% User Departments) **24-1785**

C.176. APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with IBM in an amount not to exceed $165,000 for the renewal of Monthly License Charge software, maintenance and support, subject to the terms of IBM's Customer Agreement, for the period of July 1, 2024, through June 30, 2025. (100% User Departments) **24-1786**

C.177. APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with La Marche Manufacturing Company in an amount not to exceed $25,000 for the purchase of radio parts, equipment, tools, service and repairs, subject to La Marche's terms and conditions, for the period of July 1, 2024, through June 30, 2025. (100% User Departments) **24-1787**

C.178. APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with Graviton Consulting Services, Inc., to increase the payment limit by $240,000 to a new payment limit of $920,000 to provide PeopleSoft technical support services and extend the term through June 30, 2025. (100% User Departments) **24-1788**

C.179. APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with AT&T Corp utilizing the California Department of Technology Agreement with AT&T Corp. for network engineer support services to increase the payment limit by $3,200,000 to a new payment limit of $6,000,000 and to extend the term through June 30, 2025. (100% User Departments) **24-1789**

C.180. APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with Robert Half International, Inc. to increase the payment limit by $750,000 to a new payment limit of $12,750,000 to provide temporary technical support staffing and extend the term through October 31, 2024. (100% User Departments) **24-1790**

C.181. APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with EKC Enterprises, Inc. to extend the term through December 31, 2024, with no increase in payment limit, to continue to provide installation and maintenance of telecommunications cabling on an as-needed basis. (100% User Departments) **24-1791**

C.182. APPROVE Budget Amendment No. BDA 24-00247 authorizing the transfer of appropriations in the amount of $302,000 from the Department of Information Technology Telecommunications Division (0060) to Public Works – ISF Fleet Services (0064) for the purchase of four (4) vans and one (1) 4x4 pickup truck. **24-1792**

Attachments: BDA-24-00247.pdf

Library

C.183. APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order with Zoho Corporation in an amount not to exceed $4,600 for the renewal of software to manage networks, servers, applications, and mobile devices, effective upon execution and for one year thereafter. (100% Library Fund) **24-1793**

C.184. APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order with Califa Group in an amount not to exceed $136,326 for the renewal of Creative Empire, LLC's Mango Conversations and Movies Library Edition, Little Pim, and American Sign Language Inside subscriptions through Califa Group, for the period June 28, 2024 through June 27, 2026. (100% Library Fund) **24-1794**

C.185. APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order with Califa Group in an amount not to exceed $61,785 for the renewal of ProQuest's Ancestry Library Edition and HeritageQuest Online subscriptions, for the period July 1, 2024 through June 30, 2025. (100% Library Fund) **24-1795**

C.186. APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order with Zoom Video Communications, Inc., in an amount not to exceed $10,440 for the renewal of 32 Enterprise Essentials licenses and 1 Webinar 1000 license, effective upon execution and for one year thereafter. (100% Library Fund) **24-1796**

C.187. APPROVE and AUTHORIZE the Purchasing Agent or designee to execute, on behalf of the County Librarian, a purchase order with Bibliotheca Library Solutions, LLC, in an amount not to exceed $1,125,000 to provide self-check machine pedestals and the lease of self-check machines, subject to the terms of Bibliotheca Library Solutions, LLC's software, service and lease agreement, for the period June 25, 2024 through June 24, 2030. (100% Library Fund) **24-1797**

C.188. APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order with EBSCO Publishing, Inc., in an amount not to exceed $109,515 for the renewal of Environment Complete, ConsumerReports.org, MasterFILE Reference eBook Subscription, MasterFILE Complete and EBSCO Discovery Service, for the period August 1, 2024 through July 31, 2025. (100% Library Fund) **24-1798**

C.189. APPROVE and AUTHORIZE the County Librarian, or designee, to apply for and accept a grant in the amount of $50,000 from Sunlight Giving, a private nonprofit corporation, to provide early literacy interactive panels and kiosks for the new Bay Point Library, for the period November 1, 2024 through December 31, 2027. (No County match) **24-1799**

C.190. APPROVE and AUTHORIZE the County Librarian to close the Lafayette Library to the public on Saturday, November 2, 2024 at 3:00 p.m., instead of 5:00 p.m. under normal business hours, to host the annual Lafayette Library and Learning Center Foundation's annual gala. (No fiscal impact) **24-1800**

C.191. RATIFY the County Librarian's execution of a special event permit with the City of Pleasant Hill, which enabled the Library to host a Summer Reading event at the Pleasant Hill Library on June 18, 2024, as recommended by the County Librarian. (No fiscal impact) **24-1801**

Probation/Reentry and Justice

C.192. ACCEPT a bequest in the amount of $50,000 from the Reber Trust to the Contra Costa County Probation Department for athletic-related needs and equipment at Juvenile Hall. (100% Private donation) **24-1802**

C.193. APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract amendment with Behavioral Interventions (B.I.), Incorporated, to increase the payment limit by $65,000 to a new payment limit of $315,000 to provide additional electronic monitoring services and equipment, with no change to the term through May 3, 2027. (100% General Fund) **24-1803**

C.194. APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract with Gettin' Outta Dodge Ministry, in an amount not to exceed $220,080 to provide spiritual care services to the youth and young adults transitioning back into the community for the period July 1, 2024 through June 30, 2025. (100% State) **24-1804**

C.195. APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract with Bay Area Legal Aid in an amount not to exceed $747,763 to provide free civil legal services for youth throughout Contra Costa County for the period July 1, 2024, through June 30, 2026. (100% State) **24-1805**

C.196. APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract with the Contra Costa County Office of Education, in an amount not to exceed $558,576 to provide one-on-one academic support services for justice-involved youth or at risk of involvement for the period July 1, 2024, through June 30, 2025. (100% Juvenile Justice Crime Prevention Act) **24-1806**

C.197. APPROVE Budget Amendment No. BDA-24-00227 authorizing new revenue in the amount of $130,000 from the Probation Department and appropriating it to the Public Works - ISF Fleet Services Fund for the purchase of two vehicles for the Post-Release Community Supervision unit. (100% 2011 Public Safety Realignment, AB 109) (Continued from May 21, 2024) **24-1807**

Attachments: BDA-24-00227.pdf

Public Works

C.198. ADOPT Resolution No. 2024-226 approving and authorizing the Public Works Director, or designee, to fully close a portion of Olympic Boulevard between Freeman Road and King Drive, on July 11, 2024 from, 9:00 p.m. through 5:00 a.m., for the purpose of setting up and operating a crane from the roadway, Walnut Creek area. (No fiscal impact) **RES 2024-226**

C.199. ADOPT Resolution No. 2024-210 granting a ten-year pipeline franchise renewal to Shore Terminals LLC pursuant to the terms and conditions of County Ordinance No. 2013-19 and County Resolution No. 2013/305 for pipelines located in the unincorporated area of the County near Crockett as recommended by the Public Works Director. (100% Pipeline Franchise Fees) (Continued from June 4, 2024) **2024-210**

Attachments: Exhibit 1 (2024)

C.200. Acting as the County Board of Supervisors, APPROVE and AUTHORIZE the Chair to execute a grant deed to convey to the Contra Costa Fire Protection District an approximately 1,212 square foot parcel of real property located at 757 First Street in Brentwood for use in the construction of a new fire station and, acting as the Board of Directors of the Contra Costa Fire Protection District, APPROVE and AUTHORIZE the Fire Chief to execute an easement to convey to the County permission to use Fire District property to access County-owned property at 739 First Street in Brentwood. (No fiscal impact) **24-1808**

Attachments: Exhibit A - Plat Showing County Owned, FD Owned, and Area to be Conveyed
Exhibit B - Fire Station 94 Grant Deed
Exhibit C - Form of Easement

C.201. APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a lease with RPE Muir, LLC, for approximately 8,921 square feet of office space in the building located at 1340 Arnold Drive, Suite 200, Martinez, for a term of five years with renewal options, and at an initial annual rent of $198,046 with annual increases thereafter, as requested by the Health Services Department. (100% General Fund) **24-1809**

Attachments: Lease - Health Services Department - 1340 Arnold Drive, Suite 200

C.202. APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a lease with 777 Arnold Drive, LLC, for the warehouse and office space for the Clerk-Recorder Records Archive, located at 777 Arnold Drive, Suite 150, Martinez, for a term of five years at an initial annual rent of $61,296 for the first year with annual increases thereafter. (100% Recorder Micrographics/Modernization Fund) **24-1810**

Attachments: 777 Arnold Drive_Clerk Recorder_Lease_Final

C.203. APPROVE and AUTHORIZE the Purchasing Agent or designee to execute, on behalf of the Public Works Director, a blanket purchase order with Kelly Spicers in an amount not to exceed $1,000,000 to provide miscellaneous cut sheet paper, envelopes, and other paper products for the period July 1, 2024 through December 31, 2027. (100% Department User Fees) **24-1811**

Attachments: Notice of Intent to Award a Contract - Paper and Env - Kelly Spicers

C.204. APPROVE and AUTHORIZE the Purchasing Agent or designee to execute, on behalf of the Public Works Director, a blanket purchase order with Kelly Spicers Stores in an amount not to exceed $750,000 to provide miscellaneous cut sheet paper and other paper products, for the period July 1, 2024 through December 31, 2027. (100% Department User Fees) **24-1812**

Attachments: Notice of Intent to Award a Contract - Misc Cut Paper - Kelly Spicer Stores

C.205. APPROVE and AUTHORIZE the Purchasing Agent or designee to execute, on behalf of the Public Works Director, a blanket purchase order with Southland Envelope Company in an amount not to exceed $1,200,000 for miscellaneous envelopes, for the period July 1, 2024 through December 31, 2027, Countywide. (100% Department User Fees) **24-1813**

Attachments: Notice of Intent to Award a Contract - Misc Envelopes - Southland

C.206. APPROVE and AUTHORIZE the Purchasing Agent or designee to execute, on behalf of the Public Works Director, a blanket purchase order with Staples Advantage in an amount not to exceed $650,000 for miscellaneous cut sheet paper, envelopes, and other paper products, for the period July 1, 2024 through December 31, 2027, Countywide. (100% Department User Fees) **24-1814**

Attachments: Notice of Intent to Award a Contract - Paper and Env - Staples Advantage

C.207. APPROVE and AUTHORIZE the Purchasing Agent or designee to execute, on behalf of the Public Works Director, a blanket purchase order with VERITIV in an amount not to exceed $650,000 for miscellaneous cut sheet paper and other paper products for the period July 1, 2024 through December 31, 2027, Countywide. (100% Department User Fees) **24-1815**

Attachments: Notice of Intent to Award a Contract - Misc Cut Paper - Veretiv

C.208. APPROVE and AUTHORIZE the Public Works director, or designee, to execute a contract with RIM Architects, LLP, in an amount not to exceed $900,000 to provide on-call architectural services for various County facilities projects, for the period July 1, 2024 through June 30, 2027, Countywide. (100% Various Funds) **24-1816**

C.209. APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment effective June 25, 2024 with TBP/Architecture, Inc., to increase the payment limit by $700,000 to a new payment limit of $2,600,000 for on-call architectural services, with no change to the term, Countywide. (100% Various Funds) **24-1817**

C.210. AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract with FBD Vanguard Construction, Inc., in the amount of $225,989 for the Bixler Road at Regatta Drive Intersection Improvements Project, Discovery Bay area. (80% Local Road Funds, 20% Transportation Development Act Funds) **24-1818**

Attachments: Letter to Zara Construction

C.211. AWARD and AUTHORIZE the Public Works Director, or designee, to execute a construction contract with W.R. Forde Associates, Inc. in the amount of $1,117,880 for the Bay Point Trash Capture Installation, Bay Point area. (100% Caltrans Grant Funds) **24-1819**

C.212. APPROVE Budget Amendment No. BDA-24-00242 authorizing the transfer of $10,000,000 from General Fund Plant Acquisition (BU 0111) to Road Fund Construction (BU 0662) for local grant match share for awards received through the Infrastructure Investment and Jobs Act. (100% General Fund) **24-1820**

Attachments: BDA-24-00242.pdf

Risk Management

C.213. APPROVE and AUTHORIZE the Director of Risk Management, or designee, to execute a contract cancellation with Tuell & Associates, Inc. for their existing contract in the amount of $1,500,000 to provide staffing services for the period of March 20, 2023, through January 31, 2025; APPROVE and AUTHORIZE the Director of Risk Management, or designee, to execute a contract with Tuell & Associates in an amount not to exceed $2,000,000 to provide workers' compensation and risk management staffing services for the period of July 1, 2024, through June 30, 2027. (100% Workers' Compensation and General Liability Internal Services Funds) **24-1821**

C.214. DENY claims filed by A.C.C.W, a minor by & through their Guardian Ad Litem and mother, A. Carter; Abel Arias; Charlene Spencer Dickinson; Kwesi Guss; The Estate of Joseph Martino (3); Lisa Martino (3); Vincent Martino (3); Brian Albert McIntyre; and David Sato. DENY late claim filed by Lynnette Watts. DENY amended claim filed by Sugro Claims, Inc., o/b/o Geico Insurance, a subrogee of Daniel Hilsabeck. **24-1822**

Sheriff

C.215. ADOPT Resolution No. 2024-230 authorizing the Sheriff-Coroner, or designee to apply for and accept grant funding, including contract amendments, with the Office of Attorney General, California Department of Justice, Division of Law Enforcement for the Tobacco Law Enforcement Grant Program, with an initial allocation of $266,909 for law enforcement operations to decrease juvenile access and use of tobacco products for the period November 1, 2024 through June 30, 2028. (100% State) **RES 2024-230**

C.216. ADOPT Resolution No.2024-231 authorizing the Sheriff-Coroner, or designee, to apply for and accept grant funding, including contract amendments and extensions, with the U.S. Department of Justice, Office of Justice Programs, 2024 DNA Capacity Enhancement for the Backlog Reduction Program Grant, with an initial amount of $292,889, for the purchase scientific equipment to process DNA evidence, for the initial period of July 1, 2024 through June 30, 2026. (100% Federal revenue, no County match) **RES 2024-231**

C.217. APPROVE Budget Amendment No. BDA-24-00250, authorizing the transfer of appropriations in the amount of $442,008 from equipment replacement reserves to the Office of the Sheriff's transportation fund for the purchase of a transport bus for incarcerated individuals, and APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Sheriff-Coroner, a purchase order with Braun Northwest, Inc. for the purchase of one 2025 North Star transport bus. (100% General Fund) **24-1837**

Attachments: BDA-24-00250.pdf

C.218. APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract amendment with Global Tel*Link Corporation, to increase the County monthly reimbursement amount from $12,000 to $20,000, for inmate communication services in the adult detention facilities. (No fiscal impact) **24-1838**

C.219. APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to accept a donation in the amount of $10,000 from Marathon Petroleum Corporation to support the Bay Point Bike and Safety Rodeos hosted by the Office of the Sheriff. (100% Restricted Donation Revenue) **24-1839**

C.220. APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with Quest Software, Inc. in an amount not to exceed $28,016 to provide software updates and vendor support services, for the period August 31, 2023 through August 31, 2026. (100% General Fund) **24-1840**

C.221. APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with MCM Technology, LLC, in an amount not to exceed $13,637 to provide annual support and maintenance to the Office of the Sheriff, for the period September 1, 2023 through September 30, 2024. (100% General Fund) **24-1841**

C.222. APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with Space Exploration Technologies Corp. with an initial payment limit of $2,948 and monthly service payments of $140 for the purchase of high-performance hardware and monthly satellite internet services for the West County Detention Facility, from June 1, 2024 and in effect until terminated by either party. (100% General Fund) **24-1842**

Treasurer - Tax Collector

C.223. AUTHORIZE the Treasurer-Tax Collector to work with Central Contra Costa Sanitary District (Central San) to determine a mutually acceptable date for withdrawal of Central San's monies from the County Treasury by August 16, 2025, pursuant to Resolution No. 2024-009 adopted by Central San. **24-1823**

Attachments: Central San Resolution No. 2024-009

Veterans Services

C.224. AUTHORIZE the Chair of the Board of Supervisors to sign the County Subvention Program Certificates of Compliance for the County Subvention and Medi-Cal Cost Avoidance Programs as administered by the California Department of Veterans Affairs, as recommended by the Veterans Services Officer. **24-1824**

Attachments: Cert of Compl MediCal 24-25
Cert of Compliance Subvention 1st 6 mo FY 24-25

GENERAL INFORMATION

The Board meets in all its capacities pursuant to Ordinance Code Section 24-2.402.

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

All matters listed under CONSENT ITEMS are considered by the Board to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board before the Board votes on the motion to adopt. Each member of the public will be allowed two minutes to comment on the entire consent agenda.

Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Chair calls for public testimony. Each speaker during public testimony will be limited to two minutes. After public testimony, the hearing is closed and the matter is subject to discussion and action by the Board. Comments on matters listed on the agenda or otherwise within the purview of the Board of Supervisors can be submitted to the office of the Clerk of the Board via mail: Board of Supervisors, 1025 Escobar Street, First Floor, Martinez, CA 94553 or to clerkoftheboard@cob.cccounty.us.

In the interest of facilitating the business of the Board, the total amount of time that a member of the public may use in addressing the Board on all agenda items is 10 minutes.

Time limits for public speakers may be adjusted at the discretion of the Chair.

The County will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Clerk of the Board at least 24 hours before the meeting, at (925) 655-2000.

Anyone desiring to submit an inspirational thought nomination for inclusion on the Board Agenda may contact the Office of the County Administrator or Office of the Clerk of the Board, 1025 Escobar Street, Martinez, California.

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

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

BOARD OF SUPERVISORS STANDING COMMITTEES

For more information please visit the Board of Supervisors Standing Committees page here:
https://www.contracosta.ca.gov/8633/Board-of-Supervisors-Standing-Committees

Airport Committee: September 19, 2024 at 10 a.m.
Equity Committee: July 15, 2024 at 10:30 a.m.
Family and Human Services Committee: July 22, 2024 at 10:30 a.m.
Finance Committee: July 1, 2024 Canceled/Next meeting August 5, 2024 at 9:30 am.
Head Start Advisory Committee: July 15, 2024 at 9:00 a.m.
Internal Operations Committee: July 8, 2024 at 11:00 a.m.
Legislation Committee: July 22, 2024 at 1:00 p.m.
Los Medanos Healthcare Operations Committee: August 12, 2024 at 1:00 p.m.
Public Protection Committee: July 1, 2024 at 1:00 p.m. Canceled/ Next meeting August 5, 2024 at 1:00 p.m.
Sustainability Committee: July 15, 2024 at 1:00 p.m.
Transportation, Water and Infrastructure Committee: July 8, 2024 at 9:30 a.m.

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

Glossary of Acronyms, Abbreviations, and other Terms

Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in its Board of Supervisors meetings and written materials. For a list of commonly used language that may appear in oral presentations and written materials associated with Board meetings, please visit https://www.contracosta.ca.gov/8464/Glossary-of-Agenda-Acronyms.

File #: 24-1949 **Agenda Date:** 6/25/2024 **Agenda #:** D.1.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Temporary Hire of County Retiree Farnaz Noori - Waiver of 180-Day Sit-out Period in the Health Services Department.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

1. WAIVE the 180-day "sit-out" period for Farnaz Noori, Diagnostic Imaging Technologist III - B (Mammo and IR) (V8NB), in the Health Services Department;

2. FIND that the appointment of Farnaz Noori is necessary to fill a critically needed position in the Health Services Department; and

3. APPROVE and AUTHORIZE the hiring of retiree Farnaz Noori as a temporary County employee for the period of July 8, 2024 through June 7, 2025.

FISCAL IMPACT:

Upon approval, this action has an annual cost of approximately $63,701.00. Salary costs are included in the Department's operating budget. Contra Costa Health Services - Hospital Enterprise Fund I will fund this position. (Org No. 6357)

BACKGROUND:

The Public Employee Pension Reform Act of 2013 requires that active members who retire on or after January 1, 2013, must wait 180 days after retirement before returning to work as a temporary employee. The Act also allows the Board, based on a finding that the appointment is necessary to fill a critically needed position, to waive the 180-day "sit-out" period.

Farnaz Noori (EE # 49250) was employed in the Diagnostic Imaging unit from October 1991 to April 2024. Farnaz served as a Diagnostic Imaging Technologist III - B (Mammo and IR) from November 2018 until retirement. Since Farnaz retired, it has been challenging to recruit qualified candidates (permanent and temporary) due to the uncompetitive salary of this classification. In addition, Breast Cancer Screening is a Centers for Medicare & Medicaid Services (CMS) Reimbursement Metric where the hospital and health centers must meet their metric target by having core mammography staffing in order to receive reimbursement for

patients in the community.

The Pittsburg Health Center (PHC) averages 16 patients per day and since Farnaz's retirement, there was no choice but to block out the schedule for 11 days, which meant the Diagnostic Imaging unit was unable to perform mammography services to 176 patients in East County. The unit also forecasts to have additional days that will need to be blocked out of the PHC schedule due to limited staffing.

Bringing Farnaz back as a retiree will help reduce staffing gaps, improve appointment scheduling, and attend to critical patient care by providing on-time treatment to the community.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the department will not be able to fulfill the required metrics to receive reimbursement, there will be limited to no open scheduling for mammography services, and operational needs will not be supported appropriately.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1742 **Agenda Date:** 6/25/2024 **Agenda #:** D.2.

To: **Board of Supervisors**

From: Anna Roth, Health Services Director

Report Title: County Service Area (CSA) EM-1 Tentative Report (Measure H) - FY 2024-25

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

1. OPEN the public hearing; RECEIVE public comments and CLOSE the public hearing.

2. CONSIDER all objections or protests to the Tentative Report.

3. ADOPT the assessment set forth in the Tentative Report.

4. ADOPT a Resolution, confirming the Tentative Report and the assessment set forth therein.

FISCAL IMPACT:

There is no General Fund impact. Proposed Fiscal Year (FY) 2024/25 assessments for County Service Area (CSA) EM-1 total $239,091.02 for Zone A and $4,574,380.00 for Zone B.

BACKGROUND:

Revenues from the CSA EM-1 assessments are used to provide an enhanced countywide emergency medical service system as approved by the voters with the passage of Measure H in November 1988. Enhanced EMS services include additional staffed paramedic units to respond to 9-1-1 calls: support for firefighter EMS first responder programs, EMS communications and miscellaneous EMS enhancements.

The basic assessment rates proposed are $3.94 per single-family residence or benefit unit for Zone A (San Ramon Valley) and $10.00 per single-family residence or benefit unit for Zone B (balance of county). The lower rate for Zone A reflects the fact that certain EMS enhancements are funded by other revenue sources in the San Ramon Valley area. The proposed FY 2024/25 rates are unchanged from the previous year.

After confirmation of the Tentative Report, a Final Report will be prepared in conformance with the official assessment roll for Fiscal Year 2024/25. The Final Report will then be presented to the Board of Supervisors for confirmation. That confirmation will constitute the levy of the assessment.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to set the CSA EM-1 assessment rates prior to August 10, 2024, may result in the EM-1 assessments not being included in the property tax bills countywide.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF: Confirmation of Tentative Report for County Service Area EM-1 (Emergency Medical Services) Fiscal Year 2024-25 and Approval of Assessments.

WHEREAS, County Service Area EM-1 has been established to provide enhanced emergency medical services as miscellaneous extended services pursuant to the County Service Area Law (Government Code Sections 25210.1 and following);

WHEREAS, the Board, on June 25, 2024, held a public hearing and thereafter adopted Tentative Report for CSA EM-1, Fiscal Year 2024-25 has been filed with the Clerk of the Board pursuant to Ordinance Code Section 1012-2.602.

WHEREAS, the Tentative Report sets forth proposed assessments for Zone A and Zone B, which have been established within CSA EM-1 to receive specified miscellaneous services;

WHEREAS, notice of a Board hearing on the Tentative Report was published pursuant to Government Code Section 6066; and

WHEREAS, at the public hearing, the Board afforded to every interested person an opportunity to protest or object to the Tentative Report, either in writing or orally, and the Board has considered each protest and objection;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby confirms the Tentative Report for CSA EM-1, Fiscal Year 2024-25, and the assessments identified therein for Fiscal Year 2024-25.

May 31, 2024

TO: Clerk of the Board

FROM: Marshall Bennett, EMS Director

SUBJ: Filing of Tentative Report for CSA EM-1, FY 2024-25

Attached is the tentative report for CSA EM-1 for FY 2024-25 filed pursuant to Ordinance Code Section 1012-2.602. Also attached is a copy of the notice of the Board Hearing, which you have set for June 25, 2024, at 9:30 a.m. This notice is being published pursuant to Government Code Section 6066 and the appropriate affidavit of publication will be forwarded to you.

A Board Resolution and Board Order have been prepared and will be submitted with the required number of copies through the normal channels.

Thank you.

Attachments

cc: County Administrator
Health Services Director

May 31, 2024

The attached Tentative Report for County Service Area EM-1 (Zones A and B) for Fiscal Year 2024-25 is hereby filed pursuant to Ordinance Code Section 1012-2.602.

_____

Marshall Bennett, EMS Director

CONTRA COSTA HEALTH SERVICES
Emergency Medical Services Agency

May 31, 2024

County Service Area EM-1 (Zones A and B)

Tentative Report

Fiscal Year 2024-25

County Service Area EM-1 has been established to provide enhanced emergency medical services as a miscellaneous extended service within two designated zones:

Zone A: Those parcels located within the territory of the San Ramon Valley Fire Protection District.

Zone B: Those parcels located within Contra Costa County, but not within Zone A, above.

ASSESSMENTS will be levied on each parcel based upon a formula using the following factors:

BENEFIT UNIT: A number of BENEFIT UNITS has been assigned to each parcel based upon the Assessor's Use Code classification. For example, a single-family residence (Use Code 11) is assigned one BENEFIT UNIT. Parcels with other Use Code classifications are assigned a number of BENEFIT UNITS based upon the relative benefit from the miscellaneous extended services provided under CSA EM-1. Exhibit A is a Table of BENEFIT UNITS showing the number of BENEFIT UNITS assigned parcels for each Use Code classification.

RATE: The RATE is the dollar amount of the ASSESSMENT levied per BENEFIT UNIT. Separate RATES have been established for each zone based upon the miscellaneous extended services to be provided within that zone.

The formula for calculating the ASSESSMENT on each parcel is as follows:

ASSESSMENT = BENEFIT UNITS x RATE

Zone A

The RATE which has been established for Zone A is:

$3.94 per BENEFIT UNIT

Exhibit B is the "Zone A - Table of Assessments," showing the ASSESSMENT established for each parcel according to its USE CODE. A description of each parcel and the USE CODE number assigned thereto is contained in Exhibit C.

The total ASSESSMENTS for Zone A are $239,091.02 based upon 52,100 ASSESSED PARCELS.

Zone B

The RATE which has been established for Zone B is:

$10.00 per BENEFIT UNIT

Exhibit D is the "Zone B - Table of Assessments," showing the ASSESSMENT established for each parcel according to its USE CODE. A description of each parcel and the USE CODE number of assigned thereto is contained in Exhibit E.

The total ASSESSMENTS for Zone B are $4,574,380.00 based upon 302,906 ASSESSED PARCELS.

Exhibit A

COUNTY SERVICE AREA EM-1
(ZONES A AND B)

Table of Benefit Units

Benefit Units	Use Code	Description
		RESIDENTIAL:
0.0	10	Vacant, unbuildable
1.0	11	Single family, 1 residential on 1 Site and Duets w/o minor common areas
1.0	12	Single family, 1 residential on 2 or more sites
2.0	13	Single family, 2 or more residential on 1 or more sites
1.0	14	Single family on other than single family land
0.0	15	Miscellaneous improvements, 1or more site, incl. trees and vines
0.0	16	Single family attached residence, townhouse, and duets
0.0	17	Vacant, 1 site (includes PUD sites)
0.5	18	Vacant, 2 or more sites
1.0	19	Single family detached res. with major common area (pool, tennis, clubhouse, or other amenities), Cluster Homes
		MULTIPLE:
0.5	20	Vacant
2.0	21	Duplex
3.0	22	Triplex
4.0	23	Fourplex
3.0	24	Combinations, e.g., single and a double
5.0	25	Apartments, 5-12 units, inclusive
13.0	26	Apartments, 13-24 units, inclusive
25.0	27	Apartments, 25-59 units, inclusive
60.0	28	Apartments, 60 units or more
1.0	29	Condos, cooperatives (-1 Single Family) (-2 Rossmoor)
		COMMERCIAL:
0.5	30	Vacant
3.0	31	Commercial stores (not supermarkets)
3.0	32	Small grocery stores (7-11, mom and pop, quick stop)
3.0	33	Office buildings
10.0	34	Medical, dental
3.0	35	Service stations; car washes; bulk plants; mini lube
3.0	36	Auto repair
3.0	37	Community facilities; recreational; swim pool association
3.0	38	Golf courses
3.0	39	Bowling alleys

COUNTY SERVICE AREA EM-1
(ZONES A AND B)

Table of Benefit Units
(Continued)

Benefit Units	Use Code	Description
		COMMERCIAL
3.0	40	Boat Harbors
3.0	41	Supermarkets (not in shopping centers)
15.0	42	Shopping centers (all parcels include vacant for future shopping center)
3.0	43	Financial buildings (insurance and title companies, banks, savings, and loans)
20.0	44	Motels, hotels, and mobile home parks
3.0	45	Theaters
3.0	46	Drive-in restaurants (hamburgers, taco, etc.)
3.0	47	Restaurants (not drive-in; inside service only)
3.0	48	Multiple and commercial; miscellaneously improved
3.0	49	New car auto agencies
		INDUSTRIAL:
0.5	50	Vacant Land
20.0	51	Industrial Park (with structures)
3.0	52	Research and Development, with or without structures
20.0	53	Light industrial
500.0	54	Heavy industrial
3.0	55	Mini-warehouse (public storage)
3.0	56	Miscellaneous improvements, including trees & vines on light or heavy industrial
0.0	57	(unassigned)
0.0	58	(unassigned)
0.0	59	Pipeline rights-of-way
		LAND:
0.0	60	(unassigned)
1.0	61	Rural, residential improved; 1 to 10 acres
1.0	62	Rural, with or without miscellaneous structures, 1 to 10 acres
1.0	63	Urban acreage, 10 to 40 acres
2.0	64	Urban acreage, more than 40 acres
1.0	65	Orchards, vineyards, row crops, irrigated pastures, 10 to 40 acres
2.0	66	Orchards, vineyards, row crops, irrigated pastures over 40 acres
1.0	67	Dry farming, grazing and pasturing, 10 to 40 acres
2.0	68	Dry farming, grazing and pasturing, over 40 acres
1.0	69	Agricultural preserves

COUNTY SERVICE AREA EM-1
(ZONES A AND B)

Table of Benefit Units
(Continued)

Benefit Units	Use Code	Description
		INSTITUTIONAL:
50.0	70	Convalescent hospitals and rest homes
0.0	71	Churches
1.0	72	Schools & colleges, public or private, with or without improvements
100.0	73	Hospitals, with or without improvements
1.0	74	Cemeteries, mortuaries
1.0	75	Fraternal and service organizations, group homes, shelters
25.0	76	Retirement housing complex
0.0	77	Cultural uses (libraries, museums)
3.0	78	Parks and playgrounds
0.0	79	Government- owned, with or without buildings (federal, state, city, BART)
		MISCELLANEOUS:
0.0	80	Mineral rights (productive/nonproductive)
0.0	81	Private roads
3.0	82	Pipelines and canals
0.0	83	State board assessed parcels
1.0	84	Utilities, with or without buildings (not assessed by SBE)
1.0	85	Public and private parking
1.0	86	Taxable municipally- owned property
0.0	87	Common area parcels in PUD's (open spaces, recreational facilities)
0.0	88	Mobile home
0.0	89	Other, split parcels in different Tax Code Areas
1.0	99	Awaiting assignment

Exhibit B

COUNTY SERVICE AREA EM-1

Zone A - Table of Assessments

Use Code	Benefit Units	Zone A Rate	Assessment
10	0.0	$3.94	$0.00
11	1.0	$3.94	$3.94
12	1.0	$3.94	$3.94
13	2.0	$3.94	$7.88
14	1.0	$3.94	$3.94
15	0.0	$3.94	$0.00
16	0.0	$3.94	$0.00
17	0.0	$3.94	$0.00
18	0.5	$3.94	$1.97
19	1.0	$3.94	$3.94
20	0.5	$3.94	$1.97
21	2.0	$3.94	$7.88
22	3.0	$3.94	$11.82
23	4.0	$3.94	$15.76
24	3.0	$3.94	$11.82
25	5.0	$3.94	$19.70
26	13.0	$3.94	$51.22
27	25.0	$3.94	$98.50
28	60.0	$3.94	$236.40
29	1.0	$3.94	$3.94
30	0.5	$3.94	$1.97
31	3.0	$3.94	$11.82
32	3.0	$3.94	$11.82
33	3.0	$3.94	$11.82
34	10.0	$3.94	$39.40
35	3.0	$3.94	$11.82
36	3.0	$3.94	$11.82
37	3.0	$3.94	$11.82
38	3.0	$3.94	$11.82
39	3.0	$3.94	$11.82
40	3.0	$3.94	$11.82
41	3.0	$3.94	$11.82
42	5.0	$3.94	$59.10

COUNTY SERVICE AREA EM-1

Zone A- Table of Assessments
(continued)

Use Code	Benefit Units	Zone A Rate	Assessment
43	3.0	$3.94	$11.82
44	0.0	$3.94	$78.80
45	3.0	$3.94	$11.82
46	3.0	$3.94	$11.82
47	3.0	$3.94	$11.82
48	3.0	$3.94	$11.82
49	3.0	$3.94	$11.82
50	0.5	$3.94	$1.97
51	0.0	$3.94	$78.80
52	3.0	$3.94	$11.82
53	0.0	$3.94	$78.80
54	500.0	$3.94	$1,970.00
55	3.0	$3.94	$11.82
56	3.0	$3.94	$11.82
57	0.0	$3.94	$0.00
58	0.0	$3.94	$0.00
59	0.0	$3.94	$0.00
60	0.0	$3.94	$0.00
61	1.0	$3.94	$3.94
62	1.0	$3.94	$3.94
63	1.0	$3.94	$3.94
64	2.0	$3.94	$7.88
65	1.0	$3.94	$3.94
66	2.0	$3.94	$7.88
67	1.0	$3.94	$3.94
68	2.0	$3.94	$7.88
69	1.0	$3.94	$3.94
70	50.0	$3.94	$197.00
71	0.0	$3.94	$0.00
72	1.0	$3.94	$3.94
73	100.0	$3.94	$394.00
74	1.0	$3.94	$3.94
75	1.0	$3.94	$3.94

COUNTY SERVICE AREA EM-1

Zone A - Table of Assessments
(continued)

Use Code	Benefit Units	Zone A Rate	Assessment
76	25.0	$3.94	$98.50
77	0.0	$3.94	$0.00
78	3.0	$3.94	$11.82
79	0.0	$3.94	$0.00
80	0.0	$3.94	$0.00
81	0.0	$3.94	$0.00
82	3.0	$3.94	$11.82
83	0.0	$3.94	$0.00
84	1.0	$3.94	$3.94
85	1.0	$3.94	$3.94
86	1.0	$3.94	$3.94
87	0.0	$3.94	$0.00
88	0.0	$3.94	$0.00
89	0.0	$3.94	$0.00
99	1.0	$3.94	$3.94

Exhibit C

COUNTY SERVICE AREA EM-1

Zone A - Parcel Descriptions, Use Codes, and Benefit Units

On file at:

Contra Costa Emergency Medical Services Agency
777 Arnold Drive, Suite 110, Martinez, CA 94553

Exhibit D

COUNTY SERVICE AREA EM-1

Zone B - Table of Assessments

Use Code	Benefit Units	Zone B Rate	Assessment
10	0.0	$10.00	$0.00
11	1.0	$10.00	$10.00
12	1.0	$10.00	$10.00
13	2.0	$10.00	$20.00
14	1.0	$10.00	$10.00
15	0.0	$10.00	$0.00
16	0.0	$10.00	$0.00
17	0.0	$10.00	$0.00
18	0.5	$10.00	$5.00
19	1.0	$10.00	$10.00
20	0.5	$10.00	$5.00
21	2.0	$10.00	$20.00
22	3.0	$10.00	$30.00
23	4.0	$10.00	$40.00
24	3.0	$10.00	$30.00
25	5.0	$10.00	$50.00
26	13.0	$10.00	$130.00
27	25.0	$10.00	$250.00
28	60.0	$10.00	$600.00
29	1.0	$10.00	$10.00
30	0.5	$10.00	$5.00
31	3.0	$10.00	$30.00
32	3.0	$10.00	$30.00
33	3.0	$10.00	$30.00
34	10.0	$10.00	$100.00
35	3.0	$10.00	$30.00
36	3.0	$10.00	$30.00
37	3.0	$10.00	$30.00
38	3.0	$10.00	$30.00
39	3.0	$10.00	$30.00
40	3.0	$10.00	$30.00
41	3.0	$10.00	$30.00
42	15.0	$10.00	$150.00
43	3.0	$10.00	$30.00

COUNTY SERVICE AREA EM-1

Zone B - Table of Assessments
(continued)

Use Code	Benefit Units	Zone B Rate	Assessment
44	20.0	$10.00	$200.00
45	3.0	$10.00	$30.00
46	3.0	$10.00	$30.00
47	3.0	$10.00	$30.00
48	3.0	$10.00	$30.00
49	3.0	$10.00	$30.00
50	0.5	$10.00	$5.00
51	20.0	$10.00	$200.00
52	3.0	$10.00	$30.00
53	20.0	$10.00	$200.00
54	500.0	$10.00	$5,000.00
55	3.0	$10.00	$30.00
56	3.0	$10.00	$30.00
57	0.0	$10.00	$0.00
58	0.0	$10.00	$0.00
59	0.0	$10.00	$0.00
60	0.0	$10.00	$0.00
61	1.0	$10.00	$10.00
62	1.0	$10.00	$10.00
63	1.0	$10.00	$10.00
64	2.0	$10.00	$20.00
65	1.0	$10.00	$10.00
66	2.0	$10.00	$20.00
67	1.0	$10.00	$10.00
68	2.0	$10.00	$20.00
69	1.0	$10.00	$10.00
70	50.0	$10.00	$500.00
71	0.0	$10.00	$0.00
72	1.0	$10.00	$10.00
73	100.0	$10.00	$1,000.00
74	1.0	$10.00	$10.00
75	1.0	$10.00	$10.00
76	25.0	$10.00	$250.00

COUNTY SERVICE AREA EM-1

Zone B - Table of Assessments
(continued)

Use Code	Benefit Units	Zone B Rate	Assessment
77	0.0	$10.00	$0.00
78	3.0	$10.00	$30.00
79	0.0	$10.00	$0.00
80	0.0	$10.00	$0.00
81	0.0	$10.00	$0.00
82	3.0	$10.00	$30.00
83	0.0	$10.00	$0.00
84	1.0	$10.00	$10.00
85	1.0	$10.00	$10.00
86	1.0	$10.00	$10.00
87	0.0	$10.00	$0.00
88	0.0	$10.00	$0.00
89	0.0	$10.00	$0.00
99	1.0	$10.00	$10.00

Exhibit E

COUNTY SERVICE AREA EM-1

Zone B - Parcel Descriptions, Use Codes, and Benefit Units

On file at:

Contra Costa Emergency Medical Services Agency
777 Arnold Drive, Suite 110, Martinez, CA 94553

File #: 24-1743 **Agenda Date:** 6/25/2024 **Agenda #:** D.3.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: 40 Anson Way Kensington Design Review Development Plan Appeal (County File #CDDP23-03024)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

1. OPEN the public hearing on an appeal of the County Planning Commission's decision to approve a two-story, 993-square-foot residential addition at 40 Anson Way in the unincorporated Kensington area; RECEIVE testimony and CLOSE the public hearing.
2. DENY the appeal of Kris McClain.
3. DETERMINE that the proposed project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301(e)(2).
4. APPROVE a Kensington Design Review Development Plan for the project (County File No. CDDP23-03024).
5. APPROVE the findings in support of the project.
6. APPROVE the project conditions of approval.
7. APPROVE the 40 Anson Way Residential Addition Project.
8. DIRECT the Director of Conservation and Development to file a Notice of Exemption with the County Clerk.

FISCAL IMPACT:

The applicant has paid the necessary application deposit and is obligated to pay supplemental fees to cover all additional costs associated with the application process.

BACKGROUND:

This hearing is an appeal of the County Planning Commission's March 27, 2024, decision to approve Kensington Design Review Development Plan (County file CDDP23-03024) for a 993 square-foot, two-story, addition to the northern side of an existing single-family residence at 40 Anson Way, Kensington.

On May 11, 2023, the applicant submitted a Kensington Design Review application (County File No. CDKR23-00010) for a two-story residential addition to an existing single-family residence to the

Department of Conservation and Development, Community Development Division (CDD). Following circulation of a Notice of Intent to Render an Administrative Decision, a letter requesting a public hearing was received on June 7, 2023 from the neighboring property owner at 36 Anson Way. Subsequently, the applicant submitted the CDDP23-03024 Development Plan application.

Kensington Design Review Development Plan CDDP23-03024 was initially heard by the County Zoning Administrator (ZA) on February 5, 2024, during which the ZA accepted testimony from five persons, including the applicant, the property owner, the neighboring property owner, an attorney for the neighboring property owner, and an architect for the neighboring property owner. After receiving testimony and considering the project analysis provided by CDD staff, the ZA approved the Development Plan. Ms. Kris McClain, a neighboring property owner, appealed the ZA's decision on February 14, 2024.

On March 27, 2024, the County Planning Commission (CPC) heard the appeal of Kensington Design Review Development Plan CDDP23-03024, accepting testimony from five persons, including the applicant, the property owner, the neighboring property owner, an attorney for the neighboring property owner, and an architect for the neighboring property owner. After receiving testimony and considering CDD staff's project analysis, the CPC voted (4-1) to deny the appeal and uphold the ZA's approval of the Development Plan. Ms. McClain appealed the CPC's decision on April 5, 2024.

PROJECT DESCRIPTION

The applicant requests approval of a Kensington Design Review Development Plan to allow a 993 square-foot two-story addition behind an existing garage on the northern side of the existing single-family residence at 40 Anson Way. Currently, the northern side of the existing residence is one-story and approximately 13 feet in height. The two-story addition would expand the residential footprint and increase the northerly height of the home to 24 feet.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The 993 square-foot two-story addition to the northern side of an existing single-family residence is categorically exempt under CEQA Guidelines Section 15301(e)(2), which provides a Class 1 exemption for additions to existing structures of no more than 10,000 square feet in an area that is not environmentally sensitive and where all public services and facilities are available for maximum development permissible in the General Plan.

APPEAL

On April 5, 2024, Kris McClain, owner of the northern adjacent residence at 36 Anson Way, filed an appeal of the CPC's decision to approve the Kensington Design Review Development Plan. The appeal letter, included as Attachment 2, reiterates concerns previously considered by the ZA and the CPC. Summaries of the appeal points in the letter and staff responses are provided below.

Appeal Point 1: The Planning Commission acknowledged that the approval violates the County's own laws

which: (a) require an application for a variance for a three-story project; and (b) require reasonable protection of Ms. McClain's views, uses, enjoyment, and property values.

Staff Response 1(a): The appellant alleges that the project consists of a third story requiring variance approval based on the definition of "story" in County Ordinance Code Section 82-4.266. This was one of the appeal points considered and dismissed by the CPC based on clarification provided by CDD staff in written materials (CPC Staff Report Section VII(B)) and in oral presentation. At issue is an existing basement located on the opposite side of the existing residence, which the appellant contends should be included in measuring the building height for the proposed addition. Specifically, the relevant consideration as to whether the project violates Section 84-4.802 (Building Height) of the County Ordinance Code that limits the building to a maximum of two and one-half stories in height. Pursuant to the definition of "building height" in County Ordinance Code Section 82-4.214, building height is measured vertically from grade to the top of structure directly above. Since the basement is not located in the area of the proposed addition and is not between grade and the top of the addition, it is not counted when measuring the height of the proposed addition, consisting of two stories and 24 feet in height.

Following the presentation made to the CPC by CDD staff on March 27, 2024, the CPC asked staff a number of questions specific to building height, which demonstrated that the commissioners understood how staff had applied building height ordinances in measuring the proposed addition. No commissioner made any statement suggesting that they disagreed with staff's interpretation of the building height provisions of the County Ordinance Code, nor did any commissioner state that a variance should be required for the proposed project based on any provision of the County Code.

Staff Response 1(b): The appellant mischaracterizes the findings made by the CPC during the March 27, 2024 meeting. (A video of the meeting is available online for public review at County Planning Commission March 27, 2024 - Mar 27th, 2024 (granicus.com) <https://contra-costa.granicus.com/MediaPlayer.php?view_id=14&clip_id=3224>.) Although all commissioners acknowledged that the project would have some impact on Ms. McClain's existing views, the consensus view quickly emerged that this impact was not considered "substantial", which is the standard for consideration in the Kensington Ordinance. The one dissenting commissioner specifically stated agreement that the view impact to Ms. McClain was not "substantial," but the commissioner desired additional alternative designs be reviewed in an effort to preserve all existing views. Thus, although one commissioner believed that alternative designs should be considered, the CPC's unanimous view was that impacts from the proposed project were not considered substantial based on the evidence in the record. The Kensington Ordinance does not require a comparison of a project with all conceivable alternative designs, rather, it requires the evaluation of potentially substantial impacts that may arise from a specific proposed project. No commissioner stated any objection to the project based on inconsistency with any provision of the County Ordinance Code.

After discussion, the CPC denied the appeal and upheld the ZA's approval by a vote of 4-1. The findings adopted by the CPC included, among others, that the project proponent has a right to improve the value and enjoyment of their own home, and that the proposed project minimizes impacts on neighboring property owners. Thus, by adopting the findings included in Attachment 1, the CPC explicitly found that the project does not violate the Kensington Ordinance and does not substantially impair the value and enjoyment of the neighbor's property.

Appeal Point 2: Ms. McClain's view of Emeryville is a view that should merit "reasonable protection".

Staff Response: Throughout the planning process, including project review by the Kensington Municipal Advisory Council (KMAC), County Zoning Administrator, and County Planning Commission, the project's impact on Ms. McClain's views and the solar impact from an upstairs (second floor) dining room window has been the primary focus of discussion for consideration by the various hearing bodies. To date the project has been considered by the KMAC, the ZA, and the CPC. Each hearing body that has considered the proposed project has acknowledged that the project would impact a view from Ms. McClains home, and each has also found this impact to be less-than-substantial.

At the KMAC meeting on October 25, 2023, one KMAC member commented before making a motion to recommend project approval, that "if [the view of Emeryville] were the primary view of the house, I would be against the project. But it's not the primary view of the house." The multiple existing views of San Francisco Bay, including the Golden Gate Bridge and the Bay Bridge, from Ms. McClain's home that would remain unaffected by the project were also specifically mentioned by the ZA at the February 5, 2024, meeting, and by the CPC at the March 27, 2024 meeting, as prominent considerations in determining the project view impacts to be less-than-substantial. Notably, there was one vote in opposition to the project during the KMAC meeting and one vote in opposition to the project at the CPC hearing. In both cases, the dissenting voters indicated that their vote was not based on a finding that the project had a substantial impact on the neighbor (which is the standard of consideration) but rather, they expressed reservations with the project based on a belief that an alternative design is feasible. As mentioned previously, the Kensington Ordinance does not require a comparison of a project with all conceivable alternative designs, rather, it requires the evaluation of potentially substantial impacts that may arise from a specific proposed project.

The project would impact northerly views toward the City of Emeryville from Ms. McClain's upstairs dining room window. The view from the impacted window is considered a secondary view, with the primary view being westerly views of San Francisco Bay, toward which Ms. McClain enjoys unobstructed views from five windows in the upstairs (second floor) living area. That the project does not impact any of the neighbor's numerous existing primary views was the primary consideration by the KMAC, the ZA, and the CPC, each of whom found the project view impacts to be less-than-substantial. Despite being informed at every step of the way that the standard under consideration for the Kensington Ordinance is whether a project results in "substantial" impacts on neighboring property owners, the appellant has not offered any explanation as to how each hearing body erred in independently considering view impacts resulting from the project. The mere existence of any view impact resulting from the project is not evidence that Ms. McClain has been deprived of the reasonable protections afforded under the Kensington Ordinance, as suggested in the April 5, 2024, appeal comments. Therefore, staff finds that reasonable consideration has been given to the impacted views from Ms. McClain's property, and that the project does not result in substantial impacts to view from the neighboring property.

Appeal Point 3: The definition of "story" in the County Code prohibits approval of the current project without a variance.

The term "story" is defined in Section 82-4.266 of the County Ordinance Code to mean "that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except

that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly beneath above a basement or cellar is more than six feet above grade at any point, such basement shall be considered a story". This Code Section defines the term but does not place any limits on how many stories are allowed in any zoning district. For the R -6 Single-Family Residential District in which the project site is located, Code Section 84-4.802 limits "building height" to a maximum of 35-feet and two and one-half stories. The appellant contends that when counting an existing basement on the southern side of the residence that is lower in elevation than both stories within the proposed addition, the project results in a total of three stories, in violation of the County Ordinance Code. However, in evaluating the project's compliance with building height limitations of the R-6 District, it is necessary to consider the definition of "building height" in Section 82-4.214 of the County Ordinance Code, which states "'Building height' means the vertical distance measured from grade to the top of structure directly above". This definition precludes including the existing basement located at one portion of the existing residence with the addition located at an opposite portion of the existing residence. There is no section of the residence where both the basement and addition are located between grade and the top of structure directly above. The County and staff have consistently enforced building height regulations in this manner in Kensington and throughout the County. Despite being provided with this information, the appellant did not acknowledge the definition of "building height" in Code Section 82-4.214 in verbal comments to the CPC, nor in the written appeal of the CPC's decision and continues to claim that the project is in violation of building height regulations. Pursuant to Code Section 82-4.214, the project proposes an addition measuring 24 feet and two stories in height and is not at variance with the building height limitations for the R-6 District.

Appeal Point 4: Alternative designs exist that would increase space while providing reasonable protection for Ms. McClain as required by the General Plan.

The Kensington Ordinance does not require a comparison of a project with all conceivable alternative designs, rather, it requires the evaluation of potentially substantial impacts that may arise from a specific proposed project. The intent and purpose of the Kensington Ordinance is to balance the rights of the property owner to improve their property with the rights of neighboring property owners to avoid substantial impacts. The absence of substantial impacts resulting from the proposed project, as independently determined by the KMAC, the ZA, and the CPC, supports the applicant's right to improve the value and enjoyment of the property pursuant to the Kensington Ordinance. There is no provision of the Kensington Ordinance that would compel the project proponent to consider alternative designs when the preferred design has been found compliant with all applicable ordinances, including those protecting views, solar, access, and privacy for neighboring properties. Therefore, this appeal point does not demonstrate that the project was approved in violation of any provision of the Kensington Ordinance or any General Plan policy for the Kensington Area.

Appeal Point 5: The project proponent declines to sacrifice any of their own yard space, and instead insist on expanding upward into Ms. McClain's view.

The footprint for the proposed addition is located entirely in the rear yard of the project proponent's property. The proposed project includes a 992.6 square-foot addition, with most of this addition accommodated within a 607.12 square-foot footprint that is presently a portion of the rear yard. The project includes a 385.48 square-foot second story component, located entirely above what is presently rear yard space. Neither the ZA nor the CPC considered the concerns raised by the appellant, reiterated throughout all phases of the planning process,

to be substantial enough to outweigh the property owner's right to construct a two-story addition in conformance with height requirements for the R-6 District. The mere feasibility of the appellant's preferred single-story configuration offering a similar increase in square footage does not preclude two-story development pursuant to the Kensington Ordinance, or any other provision of the County Ordinance Code.

Appeal Point 6: The project proponent prioritizes their own interest in creating a new view over Ms. McClain's interest in protecting an existing view.

Notwithstanding the appellant's perception of the design priorities considered by the project proponent, approval of the project was ultimately based on the County's independent evaluation of the proposed project in determining whether the project would result in substantial impacts on any neighboring property. Without exception, members of various hearing bodies that have considered the project have found that the view impacts of the project do not substantially detract from the views currently enjoyed by Ms. McClain, including unobstructed views from her five western facing windows of San Francisco Bay that will not be affected by proposed project. Presently, the project proponent's home does not have any views comparable to those enjoyed on Ms. McClain's property as well as views available on numerous other properties in the neighborhood. The project would establish a view comparable to those on neighboring properties of the western facing view corridor at the rear of the lot. Unfortunately, the project would also result in a partial view obstruction for one of Ms. McClain's six second floor windows, leaving her with five windows having unobstructed views. In addition to not specifying how the various hearing bodies erred in determining these view impacts to be less-than-substantial in nature, the appellant does not provide any justification for why Ms. McClain's desire to maintain existing views from the sixth second floor window outweighs the project proponent's substantial property right to construct an addition that would establish a view within their own home. The degree of view protection being sought by the appellant is clearly inconsistent with the "reasonable protection" of views afforded to existing residences in the Kensington Community under General Plan Policy #3-211: *Allow for the review of new residential development that provides reasonable protection for existing residences in the Kensington community with regard to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight*. Inclusion of the word "reasonable" implies that some degree of view impact can be considered acceptable pursuant to the Kensington Ordinance, whereas the appellant has consistently taken the position that any view impact resulting from this project is in violation of Kensington policies.

Appeal Point 7: The project proponent includes unnecessary design elements that increase the height of the project.

The project proposes a two-story addition that is 24 feet in height, whereas Code Section 84-4.802 allows a maximum building height of two and one-half stories and 35 feet. The project is within the maximum allowed building height and would not result in substantial impacts on views, solar access, or privacy enjoyed on neighboring properties. Therefore, there is no basis in the County Ordinance Code to compel the project proponent to consider an alternative design.

Appeal Point 8: The project proponent refuses to move the third-floor addition away from Ms. McClain's residence.

The project is consistent with all development standards for residential construction and would not result in substantial impacts on views, solar access, or privacy enjoyed on neighboring properties. Therefore, there is no basis in the County Ordinance Code to compel the project proponent to consider an alternative design.

STAFF ANALYSIS

A. General Plan Consistency: The subject parcel at 40 Anson Way is located within the SH Single-Family Residential - High Density General Plan Land Use designation. The SH designation is intended to promote the orderly development of single-family residential neighborhoods. The existing ±1,949 square-foot residence consists of ±392 square feet of unconditioned garage space and ±1,557 square feet of existing conditioned living space. The project entails an addition to increase living area within an existing single-family residence by 993 square feet, resulting in a total of 2,549 square feet of conditioned living space. The proposed addition does not change the established residential use of the site, its residential density, or lot size. Thus, the single-family residential nature of the project does not conflict with the intent and purpose of the SH designation.

The project is also subject to the Policies for the Kensington Area, Policies 3-211 through 3-215 of the General Plan Land Use Element. Collectively, these policies provide for reasonable review of new residential development with protection for existing residences in the Kensington community. New residential projects are evaluated for view impacts, design compatibility, privacy, and solar access. The project's compliance with each of these policies is discussed below.

Additionally, this report includes discussion of the proposed design, including view impacts, design compatibility, parking, privacy, and solar access, as required by General Plan policies for the Kensington area. Therefore, the project is consistent with General Plan Policies 3-211 through 3-215.

Policy 3-211: *Allow for the review of new residential development that provides reasonable protection for existing residences in the Kensington community with regard to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight.*

This project was initially submitted to the CDD as administrative Kensington Design Review application CDKR23-00010. Upon the CDD's receipt of a written request for a public hearing on the CDKR23-00010 application in response to public notifications associated therewith, the applicant submitted the current CDDP23-03024 Development Plan application in order to continue the planning process. The processing of this application, culminating in a decision at a noticed public hearing, provides reasonable protection for neighboring property owners by providing a process including public notification and allowing additional opportunities for concerned neighbors to comment on the project before a decision is made. Staff finds the proposed residential addition to be consistent and compatible with the surrounding neighborhood and does not anticipate that the addition would result in a substantial impact on views, privacy, or solar access for neighboring properties.

Policy 3-212: *Preservation of views of scenic natural features (e.g. Bay, mountains) and the developed environment (e.g., bridges, San Francisco skyline) should be incorporated into the review of development applications.*

Section 84-74.404(r) of the Kensington Ordinance defines "view" as *"a scene from a window in habitable space of a neighboring residence. The term 'view' includes both up-slope and downslope scenes, but is distant or panoramic range in nature, as opposed to short range."* The subject parcel and neighboring parcels are situated on a western facing slope that descends steeply to the west towards the City of El Cerrito. The topography of the area is such that it allows many homes on the hillside to enjoy distant westerly views of city skylines, the San Francisco Bay, Golden Gate Bridge and/or Bay Bridge. On October 6, 2023, at the request of the Kensington MAC, the applicant installed story poles on the subject parcel in order to simulate the height and building mass of the proposed addition. On October 20, 2023, staff was permitted to view the story poles from two neighboring residences at 36 Anson Way (adjacent to and north of the subject parcel) and 39 Anson Way (across the street to the east of the subject parcel) in order to assess potential view impacts. Aesthetically, the proposed addition would have the greatest impact on a southern facing window on the second story of the residence at 36 Anson Way. Existing views from this southern facing window predominantly consist of neighboring residences and neighborhood trees. Since these existing views are not distant or panoramic in nature, they do not constitute a "view" as defined by the Kensington Ordinance. Based on the October 20, 2023, site visit, the proposed addition does not substantially degrade an existing "view" - as defined by the aforementioned County Ordinance - from within any neighboring residence. Therefore, the project preserves views in a manner consistent with Policy 3-212. Staff photographs depicting the story poles from neighboring residences are included below in the Zoning Compliance section of this report.

Policy 3-213: *Review proposed residential development for design compatibility with nearby development (e.g. building mass, height, mechanical devices) and provisions for adequate parking.*

The project neighborhood consists of a mix of one- and two-story single-family residences. Considering that two-story residences presently exist on immediately adjacent parcels to the north, south, east, and west, the building mass of the proposed two-story addition is consistent and compatible with the design of existing residential development in the vicinity. Additionally, the proposed addition would have a height of 24 feet, which is substantially less than the 35-foot maximum for residential development in the R-6 Single-Family Residential District pursuant to Section 84-4.802 of the County Code. Further, the existing two-car garage on the subject parcel meets the off-street parking requirement for the R-6 District pursuant to Section 84-4.1202 of the County Code. Therefore, based on the foregoing discussion, the project is considered compatible with existing development in the vicinity in terms of design, height, and the provision of adequate parking.

Policy 3-214: *New residential development will be reviewed against realistic impacts of privacy and sunlight on surrounding neighbors.*

Staff has evaluated the project to determine whether realistic impacts of privacy and sunlight would expectedly

arise from the addition. This addition is not expected to affect the privacy or solar access on neighboring parcels to any significant degree, as discussed in more detail in the Zoning Compliance discussion below.

Policy 3-215: *Consideration will be given to review of non-residential development in the Kensington community with Policies 3-211 through 3-213 herein.*

The proposed project is a residential addition to an existing single-family residence. Thus, this policy does not apply.

B. Zoning Compliance: The subject parcel is located in the R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, and -K Kensington Combining District. The proposed project does not involve removal or addition of any tree, and therefore, the regulations of the Tree Obstruction of Views Combining District do not apply to this application.

The intent and purpose of the R-6 District is to facilitate orderly development and maintenance of high-density, single-family residential neighborhoods. The proposed residential addition conforms to all R-6 development standards (e.g. front setback, side and rear yards, building height, off- street parking). Therefore, the proposed addition to an existing single-family residence meets the intent and purpose of the R-6 District.

The Kensington Combining District includes seven criteria for approval of the Development Plan. As detailed below, the project satisfies all seven criteria.

1. *Recognizing the rights of property owners to improve the value and enjoyment of their property.*

Finding: The project is a 993 square-foot two-story addition to the northern side of an existing single-family residence in the R-6 Single-Family Residential District. The proposed addition is in conformance with minimum setback, minimum side and rear yards, maximum building height, and minimum off-street parking requirements applicable to development in the R-6 District. Construction of a residential addition conforming to these development standards is permitted following the application review procedures for the Kensington Combining District, absent substantial impacts to neighboring parcels in terms of views, privacy, or solar access. The property owners have indicated that the increased square-footage is necessary to accommodate the needs of their family, while also providing office areas to better accommodate working from home. Additionally, the proposed two-story configuration will allow for improved views of the San Francisco Bay and city skyline from within the existing residence, similar to those enjoyed by residents of numerous other properties in the immediate vicinity.

2. *Recognizing the rights of property owners of vacant lots to establish a residence that is compatible with the neighborhood in terms of bulk, scale, and design.*

Finding: The subject parcel is not a vacant lot. Therefore, this criterion does not apply.

3. Minimizing impacts upon surrounding neighbors.

Finding: The project involves a two-story residential addition that is in conformance with all applicable development standards for the R-6 District. Section 84-74.204(b) of the Kensington Ordinance specifies that the ordinance is intended to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels. The project is consistent with these values as discussed below:

- Views: The appellant refers to photographs showing that the proposed addition, represented by story poles previously installed by the applicant, would block views of the City of Emeryville skyline from a southern-facing dining room window within 36 Anson Way. The Staff Reports prepared for Zoning Administrator (ZA) and County Planning Commission (CPC) hearings included the below photograph taken from the affected window by staff on October 20, 2023, and a discussion of the impact on views from this southern facing window. As noted in prior Staff Reports, existing views from this window predominantly consist of neighboring residences and neighborhood trees that do not constitute a "view" as defined by the Kensington Ordinance.



During the public hearing held February 5, 2024, the owner of 36 Anson Way stressed to the ZA that her southerly views of Emeryville are typically of higher quality, and that the weather conditions on the date of

CDD staff's visit adversely affected visibility. During public hearings held on February 5 (ZA), and March 27, 2024 (CPC), the ZA and CPC separately acknowledged that the project would obstruct views of Emeryville when viewed from the appellant's dining room window and specified that this alone would not necessarily conflict with the Kensington Ordinance unless it was determined to be a *substantial* impact to the neighbor's views.

The appellant's residence at 36 Anson Way includes several western facing windows which offer unobstructed views across the San Francisco Bay through the Golden Gate. The entire expanse of the Golden Gate Bridge, Angel Island, and Alcatraz Island are prominently visible from multiple vantage points within the appellant's residence, including kitchen, living room, and bedroom areas located on the upper floor. Despite the relatively poor visibility on the date of staff's visit, the aforementioned scenic features were immediately apparent on the western horizon. The photograph below provides additional context as to the quality of the viewing corridor to the west, as photographed by CDD staff from the rear yard at the southwestern corner of the appellant's home on October 20, 2023.



The upper floor of the appellant's home includes four western facing windows and a sliding glass door, through which they presently enjoy westerly views. The proposed addition would have no impact whatsoever on the western facing view corridor depicted above, as viewed from any habitable area within the appellant's home. Additionally, when standing directly in front of the appellant's impacted southern facing window, westerly views towards the bay will remain unobstructed by the addition. The appellant's existing westerly views are both more numerous and of objectively higher quality than that of their southerly views - in terms of scenic landscape, their visibility in less-than-ideal atmospheric conditions, as well as the lack of existing view obstructions. In approving the project at the public hearing of February 5, 2024, the ZA stated on multiple

occasions that a project is not required to demonstrate "no impact" on neighboring properties to comply with the Kensington Ordinance, rather, he specified that some degree of impacts (view, privacy, solar access, or otherwise) are expected to arise from any new construction and that the Kensington Ordinance is designed to prevent *substantial* impacts, as determined by the County Zoning Administrator, and in the case of appeals, by the County Planning Commission and Board of Supervisors. Considering that the proposed addition to 40 Anson Way would only affect a relatively lower quality southerly view from an upstairs south-facing window, and that it does not impact the primary westerly views from several other habitable areas within the neighboring property owner's home, the ZA found that the project would have a marginal impact on views enjoyed from appellants property. On March 27, 2024, the CPC agreed with the ZA's finding that project view impacts on the northerly neighbors' views of Emeryville are less than substantial and upheld the ZA's approval of the project. Therefore, the project is consistent with view protections codified in the Kensington Ordinance because it does not substantially degrade the quality of existing views, as enjoyed from several vantage points within habitable areas of the appellant's home.

- Privacy: The project proposes a two-story addition to the northern side of the existing single-family residence on the subject parcel. The neighboring property nearest to the proposed addition is the adjacent property to the north at 36 Anson Way. All upper-level windows of the residence at 36 Anson Way are oriented either towards the street to the east, or towards the scenic San Francisco Bay to the west. Since the addition does not include any northern or southern facing windows, the project would not substantially impair privacy for next door neighboring parcels, including the residence at 36 Anson Way. Therefore, the project minimizes privacy impacts upon surrounding neighbors.
- Light and Solar Access: The potential for residential construction to limit light and solar access on neighboring properties are predominantly influenced by siting (i.e. setbacks), size, and height. The project includes a two-story addition behind an existing garage on the northern side of the existing single-family residence on the subject parcel. The northern side of the existing residence is presently one-story and approximately 13 feet in height. The two-story addition would expand the residential footprint and increase the northerly height of the home to 24 feet.

The proposed addition would be located at least 42 feet 8 inches and 63 feet 2 inches from the western rear and southern side property lines respectively, and even further from homes located to the east across Anson Way. Therefore, the project would be expected to have negligible impacts to light or solar access on neighboring properties to the south, east, and west of the subject parcel.

The proposed addition would be located 8 feet 3 inches from the northern side property line (where 5 feet is the minimum required) and would be situated approximately 15 to 20 feet south of the existing adjacent residence to the north at 36 Anson Way. The 15 to 20 feet of separation between adjacent residences is typical for development in the R-6 District, where development standards allow for as little as 10 feet of separation. It is not uncommon for adjacent homes in the Kensington community to have less than 10 feet of separation due to lot dimensions and/or existing legal non-conforming residences constructed prior to the implementation of the County zoning code. Additionally, the 24-foot height of the proposed addition conforms to the 35-foot

maximum permissible building height for residential development in the R-6 District.

In a letter dated September 18, 2023, the consultant to the owner of the neighboring adjacent property to the north at 36 Anson Way, expressed a concern, amongst others, that the project unreasonably impairs access to daylight by casting shadows on the 36 Anson Way property. The letter includes a diagram depicting shadows cast on the property at 9 AM, 12 noon, and 3 PM on the winter solstice, whereon the proposed addition is approximated to cast a shadow over the western portion of the 36 Anson Way residence and rear yard at 9am, and over the southernmost portions of this residence at noon. Notably, the shadow analysis provided by the neighbor's consultant is limited to conditions expected at a specific time of year when the daylight hours are shortest (i.e. the sun rises later and sets earlier than any other date) and when the sun rises at its southernmost location in the sky. Using a web-based application (www.suncalc.org <http://www.suncalc.org>) and that shows the movement of the sun for a certain date at a certain place, staff prepared a Shadow Analysis (CPC Staff Report: Exhibit 4, Attachment 7) to approximate the project's effect on solar access for the summer solstice, and at the equinox. The shadow analysis shows the sun rising further to the north and higher in the sky throughout the rest of the year, and the extent of shadows cast on the northerly parcel are typically much less throughout the year than depicted by the consultant. A subsequent 3D Shadow Analysis prepared by staff utilizing a second web-based application (<https://shademap.app>), confirmed staff's findings regarding the non-substantial shadow impacts throughout most of the year. The 3D shadow analysis also suggests that the project impacts on solar access on the date of the Winter Solstice would be less significant than previously assumed, and that the appellants upstairs dining room window would only be partially shaded by the project on this date (if at all). Therefore, the project is not expected to affect the neighboring residence's solar access to any significant degree.

4. *Protecting the value and enjoyment of the neighbors' property.*

Finding: As previously mentioned, the addition would not significantly block any views in the project neighborhood or decrease privacy or access to sunlight. Therefore, absent significant impacts on neighboring parcels, the addition would preserve the value and enjoyment of the neighbors' property.

5. *Maintaining the community's property values*.

Finding: The project involves an addition to an existing single-family residence in an established residential neighborhood. The proposal does not involve an incompatible land use that would conflict with the surrounding residential community in a manner that may negatively affect property values. Additionally, the project does not substantially affect scenic views, privacy, or solar access for neighboring parcels to any significant degree. Therefore, the project maintains the community's property values.

6. *Maximizing the use of existing interior space.*

Finding: The existing single-family residence consists of a main floor at street level having approximately 1,576 square feet of living area and a 372 square foot two-car garage. A lower level beneath the southern end of the existing residence provides an additional 373 square feet of conditioned living space. There is no existing interior space within the residence that is not presently being utilized as part of the residence. Thus, the 993 square-foot increase in living space sought by the property owners could not feasibly be accomplished within the existing building envelope. Therefore, staff finds that the project maximizes the use of existing interior space.

CONCLUSION AND STAFF RECOMMENDATION

Construction of the proposed residential addition is consistent with the SH Single-Family Residential - High Density General Plan Land Use designation and complies with the intent and purpose of the R-6 Single-Family Residential Zoning District and the -K Kensington Combining District. Therefore, staff recommends that the Board of Supervisors deny the appeal and approve Kensington Design Review Development Plan CDDP23-03024 to allow a 993 square-foot two-story addition to an existing single-family residence, based on the findings and subject to the conditions of approval, which are included as Attachment 1.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board were to deny the project, the property owner would not be allowed to improve their property with a residential addition to the existing single-family residence.

Attachment 1

CDDP23-03024 Findings and Conditions of Approval

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP23-03024; CARI ROSNER JELEN (APPLICANT), ELENA SAXONHOUSE (OWNER)

FINDINGS

A. Kensington Combining District Findings

County Code Section 84-74.1206(b) requires a project within the Kensington Combining District to satisfy seven criteria to be approved.

1. *Recognizing the rights of property owners to improve the value and enjoyment of their property.*

   Project Finding: The project is a 993 square-foot two-story addition to the northern side of an existing single-family residence in the R-6 Single-Family Residential District. The proposed addition is in conformance with minimum setback, minimum side and rear yards, maximum building height, and minimum off-street parking requirements applicable to development in the R-6 District. Construction of a residential addition conforming to these development standards is permitted following the application review procedures for the Kensington Combining District, absent substantial impacts to neighboring parcels in terms of views, privacy, or solar access. The property owners have indicated that the increased square-footage is necessary to accommodate the needs of their family, while also providing office areas to better accommodate working from home. Additionally, the proposed two-story configuration will allow for improved views of the San Francisco Bay and city skyline from within the existing residence, similar to those enjoyed by residents of numerous other properties in the immediate vicinity.

2. *Recognizing the rights of property owners of vacant lots to establish a residence that is compatible with the neighborhood in terms of bulk, scale, and design.*

   Project Finding: The subject parcel is not a vacant lot. Therefore, this criterion does not apply.

3. *Minimizing impacts upon surrounding neighbors.*

   Project Finding: The project involves a two-story residential addition that is in conformance with all applicable development standards for the R-6 District. Section

84-74.204(b) of the Kensington Combining District Ordinance specifies that the ordinance is intended to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels. The project is consistent with these values as discussed below:

- Views: The appellant refers to photographs showing that the proposed addition, represented by story poles previously installed by the applicant, would block views of the City of Emeryville skyline from a southern-facing dining room window within 36 Anson Way. The Staff Reports prepared for Zoning Administrator (ZA) and County Planning Commission (CPC) hearings included photographs of the story poles, and a discussion of the impact on views from this southern facing window. As noted in prior Staff Reports, existing views from this window predominantly consist of neighboring residences and neighborhood trees that do not constitute a "view" as defined by the Kensington Ordinance.

  During the public hearing held February 5, 2024, the owner of 36 Anson Way stressed to the ZA that her southerly views of Emeryville are typically of higher quality, and that the weather conditions on the date of CDD staff's visit adversely affected visibility. During public hearings held on February 5 (ZA), and March 27, 2024 (CPC), the ZA and CPC separately acknowledged that the project would obstruct views of Emeryville when viewed from the appellant's dining room window and specified that this alone would not necessarily conflict with the Kensington Ordinance unless it was determined to be a *substantial* impact to the neighbor's views.

  The appellant's residence at 36 Anson Way includes several western facing windows which offer unobstructed views across the San Francisco Bay through the Golden Gate. The entire expanse of the Golden Gate Bridge, Angel Island, and Alcatraz Island are prominently visible from multiple vantage points within the appellant's residence, including kitchen, living room, and bedroom areas located on the upper floor. Despite the relatively poor visibility on the date of staff's visit, the aforementioned scenic features were immediately apparent on the western horizon. Photographic evidence included in the record provides additional context as to the quality of the viewing corridor to the west, as photographed by CDD staff from the rear yard at the southwestern corner of the appellant's home on October 20, 2023.

The upper floor of the appellant's home includes four western facing windows and a sliding glass door, through which they presently enjoy westerly views. The proposed addition would have no impact whatsoever on the western facing view corridor depicted above, as viewed from any habitable area within the appellant's home. Additionally, when standing directly in front of the appellant's impacted southern facing window, westerly views towards the bay will remain unobstructed by the addition. The appellant's existing westerly views are both more numerous and of objectively higher quality than that of their southerly views - in terms of scenic landscape, their visibility in less than ideal atmospheric conditions, as well as the lack of existing view obstructions.

In approving the project at the public hearing of February 5, 2024, the ZA stated on multiple occasions that a project is not required to demonstrate "no impact" on neighboring properties to comply with the Kensington Ordinance, rather, he specified that some degree of impacts (view, privacy, solar access, or otherwise) are expected to arise from any new construction and that the Kensington Ordinance is designed to prevent *substantial* impacts, as determined by the County Zoning Administrator, and in the case of appeals, by the County Planning Commission and Board of Supervisors. Considering that the proposed addition to 40 Anson Way would only affect a relatively lower quality southerly view from an upstairs south-facing window, and that it does not impact the primary westerly views from several other habitable areas within the neighboring property owner's home, the ZA found that the project would have a marginal impact on views enjoyed from appellants property. On March 27, 2024, the CPC agreed with the ZA's finding that project view impacts on the northerly neighbors' views of Emeryville are less than substantial and upheld the ZA's approval of the project. Therefore, the project is consistent with view protections codified in the Kensington Ordinance because it does not substantially degrade the quality of existing views, as enjoyed from several vantage points within habitable areas of the appellant's home.

- Privacy: The project proposes a two-story addition to the northern side of the existing single-family residence on the subject parcel. The neighboring property nearest to the proposed addition is the adjacent property to the north at 36 Anson Way. All upper-level windows of the residence at 36 Anson Way are oriented either towards the street to the east, or towards the scenic San Francisco Bay to the west. Since the addition does not include any northern or

southern facing windows, the project will not substantially impair privacy for next door neighboring parcels, including the residence at 36 Anson Way. Therefore, the project minimizes privacy impacts upon surrounding neighbors.

- Light and Solar Access: The potential for residential construction to limit light and solar access on neighboring properties are predominantly influenced by siting (i.e. setbacks), size, and height. The project includes a two-story addition behind an existing garage on the northern side of the existing single-family residence on the subject parcel. The northern side of the existing residence is presently one-story and approximately 13 feet in height. The two-story addition will expand the residential footprint and increase the northerly height of the home to 24 feet.

  The proposed addition will be located at least 42 feet 8 inches and 63 feet 2 inches from the western rear and southern side property lines respectively, and even further from homes located to the east across Anson Way. Therefore, the project will have negligible impacts to light or solar access on neighboring properties to the south, east, and west of the subject parcel.

  The proposed addition will be located 8 feet 3 inches from the northern side property line (where 5 feet is the minimum required) and will be situated approximately 15 to 20 feet south of the existing adjacent residence to the north at 36 Anson Way. The 15 to 20 feet of separation between adjacent residences is typical for development in the R-6 District, where development standards allow for as little as 10 feet of separation. It is not uncommon for adjacent homes in the Kensington community to have less than 10 feet of separation due to lot dimensions and/or existing legal non-conforming residences constructed prior to the implementation of the County zoning code. Additionally, the 24-foot height of the proposed addition conforms to the 35-foot maximum permissible building height for residential development in the R-6 District.

  In a letter dated September 18, 2023, the consultant to the owner of the neighboring adjacent property to the north at 36 Anson Way, expressed a concern, amongst others, that the project unreasonably impairs access to daylight by casting shadows on the 36 Anson Way property. The letter includes a diagram depicting shadows cast on the property at 9 AM, 12 noon, and 3 PM on the winter solstice, whereon the proposed addition is approximated to cast

a shadow over the western portion of the 36 Anson Way residence and rear yard at 9am, and over the southernmost portions of this residence at noon. Notably, the shadow analysis provided by the neighbor's consultant is limited to conditions expected at a specific time of year when the daylight hours are shortest (i.e. the sun rises later and sets earlier than any other date) and when the sun rises at its southernmost location in the sky. Using a web-based application (www.suncalc.org) that shows the movement of the sun for a certain date at a certain place, staff has prepared a Shadow Analysis to approximate the project's effect on solar access for the summer solstice, and at the equinox. The shadow analysis shows the sun rising further to the north and higher in the sky throughout the rest of the year, and the extent of shadows cast on the northerly parcel are typically much less throughout the year than depicted by the consultant. A subsequent 3D Shadow Analysis prepared by staff utilizing a second web-based application (https://shademap.app), confirmed staff's findings regarding the non-substantial shadow impacts throughout most of the year. The 3D shadow analysis also suggests that the project impacts on solar access on the date of the Winter Solstice would be less significant than previously assumed, and that the appellants upstairs dining room window would only be partially shaded by the project on this date (if at all). Therefore, the project is not expected to affect the neighboring residence's solar access to any significant degree.

4. *Protecting the value and enjoyment of the neighbors' property.*

   Project Finding: As previously mentioned, the addition will not significantly block any views in the project neighborhood or decrease privacy or access to sunlight. Therefore, absent significant impacts on neighboring parcels, the addition will preserve the value and enjoyment of the neighbors' property.

5. *Maintaining the community's property values.*

   Project Finding: The project involves an addition to an existing single-family residence in an established residential neighborhood. The proposal does not involve a noncompatible land use that conflicts with the surrounding residential community in a manner that may negatively affect property values. Additionally, the project does not substantially affect scenic views, privacy, or solar access for neighboring parcels to any significant degree. Therefore, the project maintains the community's property values.

6. *Maximizing the use of existing interior space.*

   Project Finding: The existing single-family residence consists of a main floor at street level having approximately 1,576 square feet of living area and a 372 square foot two-car garage. A lower level beneath the southern end of the existing residence provides an additional 373 square feet of conditioned living space. There is no existing interior space within the residence that is not presently being utilized as part of the residence. Thus, the 993 square-foot increase in living space sought by the property owners cannot feasibly be accomplished within the existing building envelope. Therefore, staff finds that the project maximizes the use of existing interior space.

7. *Promoting the general welfare, public health, and safety.*

   Project Finding: The residential addition does not change the land use on the subject parcel and as described above, will have minimal impact on neighboring properties. The project's compliance with applicable zoning standards and the requirement to obtain building permits will ensure that the addition does not present a hazard to public health and safety for the occupants or community at large. Thus, the project promotes the general welfare, public health, and safety of the Kensington community.

D. Environmental Findings

   The 993 square-foot two-story addition to the northern side of an existing single-family residence is categorically exempt under CEQA Guidelines Section 15301(e)(2), which provides a Class 1 exemption for additions to existing structures of no more than 10,000 square feet in an area that is not environmentally sensitive and where all public services and facilities are available for maximum development permissible in the General Plan.

CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP23-03024

Project Approval

1. Development Plan CDDP23-03024 to allow a 993 square-foot two-story addition to the northern side of an existing single-family residence is **APPROVED**.

2. The Development Plan approval describe above is based on the application and project plans received by the Department of Conservation and Development, Community Development Division (CDD) on July 11, 2023.

3. Any deviation from the approved plans shall require review and approval by the CDD and may require the filing of a new Kensington Design Review application.

Building Permits

5. No construction is approved with this permit. Any construction at the subject parcel will require issuance of building permits from the Department of Conservation and Development, Building Inspection Division, prior to commencement of work.

Application Costs

6. This application was subject to an initial application deposit of $3,000.00, which was paid with the application submittal, plus time and material costs if the application review expenses exceed 100% of the initial deposit. **Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first**. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due from the date of approval, the application shall be charged interest at a rate of ten percent (10%). The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

Construction

All construction activity shall comply with the following restrictions, which shall be included in the construction drawings.

7. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.

8. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate

stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

9. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

10. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.

11. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

    New Year's Day (State and Federal)

    Birthday of Martin Luther King, Jr. (State and Federal)

    Washington's Birthday (Federal)

    Lincoln's Birthday (State)

    President's Day (State)

    Cesar Chavez Day (State)

    Memorial Day (State and Federal)

    Juneteenth National Independence Holiday (Federal)

    Independence Day (State and Federal)

    Labor Day (State and Federal)

    Columbus Day (Federal)

    Veterans Day (State and Federal)

    Thanksgiving Day (State and Federal)

    Day after Thanksgiving (State)

    Christmas Day (State and Federal)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (opm.gov)

California Holidays: State Holidays (sos.ca.gov)

12. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90 days of the approval date of this permit.

B. The applicant shall submit building plans to the Building Inspection Division and comply with Division requirements. It is advisable to check with the Division prior to requesting a building permit or proceeding with the project.

C. The applicant must submit building plans to the Kensington Fire Protection District

and comply with its requirements. The applicant is advised that plans submitted for a building permit must receive prior approval and be stamped by the Fire Protection District.

D. The applicant is required to submit plans to the Stege Sanitary District for approval. Plans submitted for a building permit must receive prior approval and be stamped by the Sanitary District.

E. The applicant is responsible for contacting the Health Services Department Environmental Health Division regarding its requirements and permits.

F. The applicant is required to comply with the requirements of the East Bay Municipal Utility District.

G. The applicant is responsible for contacting the Contra Costa Mosquito and Vector Control District regarding its requirements and permits.

Attachment 2

CDDP23-03024 BOS Appeal Letter

RECEIVED on 04/05/2024 CDDP23-03024
By Contra Costa County
Department of Conservation and Development

HARPER & ARMSTRONG, LLP

1634 Telegraph Ave., #3, Oakland, CA 94612
Phone: (510) 420-8455 • Fax: (510) 858-5953 • shona.armstrong@harperarmstrong.com

By E-MAIL

April 5, 2024

Adrian Veliz, Senior Planner Department of Conservation and Development Contra Costa County 30 Muir Road Martinez, CA 94553 1-925-655-2879 Adrian.veliz@dcd.cccounty.us	County Board of Supervisors Clerk of the Board of Supervisors 1025 Escobar Street,1st Floor Martinez, CA 94553 925-655-2000 clerkoftheboard@cob.cccounty.us

Re: 40 Anson Way (CDDP23-03024)
Appeal to Board of Supervisors

To the Board of Supervisors:

I represent Kris McClain, the owner of 36 Anson Way, which is directly next door to 40 Anson Way. I write on behalf of Ms. McClain to appeal from the recent Planning Commission decision affirming the Zoning Administrator decision to approve a Kensington Design Review Development Plan, which proposes a 993 square-foot "two-story" addition to the northern side of an existing single-family residence at 40 Anson Way (CDDP23-03024) despite the fact that the proposed project is actually three-stories high and requires a variance according to the County Code; despite the project's unreasonable impacts on the use, enjoyment, and value of Ms. McClain's property; despite the project proponents' failure to consult with Ms. McClain about any specific proposed design prior to submitting their plans for approval; and despite the project proponents' refusal to compromise any of their goals in the interest of mitigating the impacts on Ms. McClain and her property values.

As Ms. McClain has made clear at each level of hearing, pursuant to Contra Costa County Code section 26-2.2406(c):

(1) The proposed project does not comply with the general plan and adversely affects her property rights.
(2) The proposed project does not meet required standards.
(3) Specified findings for the planning division are not supported by the evidence.

The grounds for Ms. McClain's appeal are elucidated in my appeal letter dated February 14, 2024. Those arguments remain central to our arguments on appeal at this level, but I will not recapitulate them here in detail.

I trust the Board members will review our prior letters and evidence, but please also note that, at the hearing held on March 27, 2024, the Planning Commission members acknowledged the validity of Ms. McClain's grounds for appeal, even though the Commission nevertheless affirmed the Zoning Administrator's decision. This creates legal error. Specifically, the Commission explicitly acknowledged:

1. Ms. McClain's view of Emeryville is a view that should merit "reasonable protection" pursuant to General Plan policies #3-211, 3-212;
2. The definition of "story" in the County Code does prohibit approval of the current project without a variance; there is no such thing as a "half story"; and the County has ignored its own legal definitions to approve the instant project without a variance.

The Planning Commission thus acknowledged that the approval violates the County's own laws, which: (a) require an application for a variance for a three-story project; and (b) require reasonable protection of Ms. McClain's views, uses, enjoyment, and property values.

As the project proponents' testimony at the prior appeal hearing made clear, there exist alternative, more considerate, design possibilities that would add the additional indoor living space the project proponents crave, while providing reasonable protection for Ms. McClain as required by the general plan. But the project proponents did not explore these options with Ms. McClain. They have, instead, assiduously protected and promoted their own interests entirely at Ms. McClain's expense. They wish to have Ms. McClain's cake and eat it too. Among other things, the project proponents are:

1. Declining to sacrifice any of their <u>own</u> yard space (They insist on expanding their home upward into Ms. McClain's view rather than expanding along the ground level into their own yard, because they value and use their own yard space and do not wish to sacrifice any of it.)
2. Prioritizing their own interest in *creating* a new view over Ms. McClain's interest in *protecting an existing view* (They are adding new third story that takes away Ms. McClain's view in order to create one for themselves.)
3. Including unnecessary vaulted ceilings as part of their third-floor addition (They are unnecessarily increasing the height of their project and the impact on Ms. McClain's views and access to sun and air.)
4. Refusing to even move their third-floor addition away from Ms. McClain's property/view corridor. (They are refusing to locate their third-floor addition further to the west on their current home's footprint or further to the south over the "basement" story," which could reduce the impact on Ms. McClain, but which would increase the project proponent's costs.)
5. Failing to consider a lower plate height for the third story addition per R305.1, which, in rooms with sloped ceilings, allows the required floor area of the room to have a ceiling

height of not less than 5 feet (1524 mm) so long as not less than 50 percent of the required floor area shall have a ceiling height of not less than 7 feet (2134 mm).

In essence, the project proponents are arrogating Ms. McClain's property value to themselves. All of the project proponents' design decisions have come at the expense of Ms. McClain's *existing* views, uses, and property value. Without reasonable consultation with Ms. McClain, the project proponents have enlisted the County in their effort to force Ms. McClain to accept the project as proposed, though the application violates the law.

Ms. McClain scrimped and saved for years to purchase a home with stunning views, which she appreciates and enjoys, and which add value to her home. She made her purchase secure in the knowledge that any third-floor addition on a neighboring property would require a variance that would trigger in depth consideration of her interests. The project proponents now wish to add value to their own home by constructing an impermissible third-floor addition robs Ms. McClain of her value. Allowing this blatant transfer of value with no compromises or discussion[1] does not provide Ms. McClain with the reasonable protection she is entitled to under the General Plan.

In no sense does the County's approval of the proposed plans: (a) comply with the law, which requires a variance for what, pursuant to the code, is a three-story project; (b) reasonably protect Ms. McClain's views; (c) minimize impacts to Ms. McClain's enjoyment and use of her property; or (d) reasonably protect Ms. McClain's property value. Furthermore, and importantly, permitting approvals that violate the law promotes discord among neighbors. Clear laws accurately followed and enforced provide certainty and predictability that minimizes neighbor conflict. This approval does the opposite and should be reversed.

Regards,

Shona Armstrong

Encl: Appeal letter submitted to Planning Commission February 14, 2024 (with attachment

[1] Testimony at the hearing below continued to mislead the Planning Commission about the nature and extent of discussions prior to the current application. It is true that prior to making their application, the project proponents informed Ms. McClain that they hoped she would approve an addition to their home, but at the time they approached Ms. McClain on January 12, 2023, per their own admission, they had only "conceptual" and "schematic" plans. As far as Ms. McClain could reasonably tell, these "plans" consisted of drawings of the existing home with verbal proposals about vague planned changes. There was no actual proposed plan for her to consider, review, comment on, or discuss. The applicants talked to Ms. McClain for a few minutes, did not offer any concrete proposal, and then departed when she refused to give them carte blanche approval to make additions to their home. Any design changes that occurred between Jan 12, 2023, and June 1, 2023, were entirely internally motivated. Though the applicants suggest these changes were for Ms. McClain's benefit, Ms. McClain had no input into or knowledge of the proposal or any changes thereto. In fact, the first time Ms. McClain was presented with any concrete plan to review was when she received a letter from the County informing her of the nature of the proposed project on June 1, 2023.

HARPER & ARMSTRONG, LLP

1634 Telegraph Ave., #3, Oakland, CA 94612

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By E-MAIL

February 14, 2024

Adrian Veliz
Senior Planner
Department of Conservation and Development
Contra Costa County
30 Muir Road
Martinez, CA 94553
1-925-655-2879
Adrian.veliz@dcd.cccounty.us

Re: 40 Anson Way (CDDP23-03024)

Dear Mr. Veliz:

I represent Kris McClain, the owner of 36 Anson Way, which is directly next door to 40 Anson Way. I write on Ms. McClain's behalf to appeal from the recent Zoning Administrator decision to approve a Kensington Design Review Development Plan, which proposes a 993 square-foot "two-story" addition to the northern side of an existing single-family residence at 40 Anson Way (CDDP23-03024) despite Ms. McClain's protests.

As Ms. McClain has made clear at each level of hearing, pursuant to Contra Costa County Code section 26-2.2406(c):

(1) The proposed project does not comply with the general plan and adversely affects her property rights.
(2) The proposed project does not meet required standards.
(3) Specified findings for the planning division are not supported by the evidence.

The negative impacts created by the proposed project warranted two meetings of the KMAC, which culminated in a split decision. In the face of clear law prohibiting the approval of this three-story project and in the face of clear general plan violations that harm the property value of one of Kensington's few Black homeowners at the expense of her neighbors, the Zoning Administrator erred by approving the application based on arbitrary, biased, uncodified grounds.

I. The Design Review Approval Violates the General Plan and Disregards the loss of value to Ms. McClain's Home.

A. The proposed project violates the General Plan.

The "General Plan Policies for the Kensington Area" appear at pages 3-98 to 3-100 of the General Plan:

Policy #3-211

> Allow for the review of new residential development that provides ***reasonable protection for existing residences in the Kensington community with regard to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight***.

Policy #3-212.

> ***Preservation of views*** of scenic natural features (e.g., Bay, mountains) and the developed environment (e.g., bridges, San Francisco skyline) should be incorporated into the review of development applications.

Policy #3-213.

> ***Review proposed residential development for design compatibility with nearby development*** (e.g., building mass, height, mechanical devices) and provisions for adequate parking.

3-214.

> New residential development will be reviewed against ***realistic impacts of privacy and sunlight*** on surrounding neighbors.

1. The proposed project specifically fails to reasonably protect Ms. McClain's residence with regard to views, building bulk, size, height, privacy, and access to sunlight.

a. Views

The photos Ms. McClain has provided at **Exhibit A and Exhibit B** show the story poles blocking the view from the south-facing window of her dining room out over the Emeryville skyline. The General Plan specifically requires protection and preservation of views of the developed environment. Policy 3-212 provides *examples* of the bridges and the San Francisco skyline, but these are examples; they do not constitute an exclusive list of the views that merit conservation. The County Zoning Administrator explicitly and completely discounted Ms. McClain's views of the Emeryville skyline, stating they simply do not count. The unnecessary

denigration of Emeryville is puzzling and betrays a condescending disregard for the views that Ms. McClain enjoys from her living space.

b. Design compatibility/building mass unnecessarily impairs Kris McClain's property.

As Heather Sanders-Jacob has already explained in her letter dated September 18, 2024, which is attached hereto as **Exhibit C** and incorporated herein, the proposed project creates an unnecessarily elevated mass that allows the owners of 40 Anson Way to expand *at the explicit and significant expense of Ms. McClain*. Both owners could achieve their aims were 40 Anson Way to build and expand downward along the hillside to create the additional square footage they desire or even were they to move the expansion to the other side of their house.

The owners at 40 Anson Way have never, however, sought input from or discussion about the impacts on Kris McClain. When they first approached Ms. McClain, they requested her before-the-fact approval of a project for which they had no drawings. They denied her permission to come into their home to discuss the options and impacts. The next time they approached Ms. McClain they presented her with a fait accompli.

The planning department makes much of the fact that the owners revised their plans to change the position of a balcony, but that change was motivated by the owners' own concerns. It was not a response to or an accommodation for the benefit of Ms. McClain, as they had never shown Ms. McClain the first round of drawings.

Even as modified, the proposed obstruction damages Ms. McClain's views and has tangible consequences for the value of her property. The diminished view significantly detracts from the appeal of the home to potential buyers or renters, thereby directly affecting its market value.

Furthermore, the presence of a blank wall resulting from the proposed project creates a sense of confinement and visual monotony, diminishing the overall livability and enjoyment of the property. This issue extends beyond mere inconvenience; it constitutes a tangible loss of value and an infringement upon Ms. McClain's rights as a homeowner to enjoy the full benefits of her property.

c. The building height violates the clear language of the law.

i. The language of the law provides an unambiguous definition of "story."

As previously explained, the proposed building exceeds the number of permissible stories. The proposal is within the SH zone of Kensington (Single Family Residential – High) Contra Costa County Code limits buildings to two stories in Kensingon. Section 82-4.266 of the code defines a story as follows:

> "Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of he topmost floor and the ceiling or roof above. <u>If the finished floor level directly above a basement or cellar is more than six feet above grade at any point, such basement or cellar shall be considered a story.</u>

Per 84-4.802 of the County Code, building height maximums are set by the following criteria:

> No single-family dwelling or other structure permitted in the R-6 [single family residential] district shall exceed two and one-half stories or thirty-five feet in height.

All single-family residential districts within Contra Costa County have the same building height restrictions. See Contra Costa County Code sections 84-6.802, 84-8.802, 84-10.802, 84-12.802, 84-14.802, 84-16.802, 84-18.802, 84-20.802.

Because the basement story at 40 Anson Way is a habitable space that includes an existing bedroom, bathroom, and office with full kitchen, the additional proposed level ***<u>pursuant to the clear language of the Contra Costa County Code</u>*** constitutes an impermissible third level. The diagram <u>below</u> is what was submitted to the Planning Department. This lower level was not omitted from the architect's drawing, and it should have compelled the planners to reject the proposal or require a variance application.



ii. Long pattern and practice and an ongoing informal agreement to disregard the law cannot change the meaning of the words written in the code.

The staff asserts repeatedly in written recommendations that the proposed project is a two-story building. The applicant asserts that the staff assured them the project would be processed

as a two-story building. The Zoning Administrator likewise asserts that the planning department has the leeway to interpret its code however it likes, and that the planning department always considers a project like this to be a two-story project, because the separate stories are not stacked atop one another. This interpretation appears groundless.

The Zoning Administrator made comments arrogating to the planning department the power to enforce rules either beyond or in contradiction to the language of the law. These comments misconstrue and inflate the powers of the Planning and Conservation Department. The Department and its staff are to execute the laws, not to legislate by fiat. The code is clear. Where neither the language nor the statutory history of an ordinance is ambiguous, "there is no need to defer to [agency] interpretation." *Riddick v. City of Malibu,* ___ Cal. App. ___, ____ (Feb 1, 2024) 2024 WL376305 (citing *Advanced Real Estate Services, Inc. v. Superior Court*, 196 Cal. App. 4th 338, 350 (2011); *Department of Industrial Relations v. Occupational Safety & Health Appeals Board*, 26 Cal. App. 5th 93, 106 (2018)).

> Here, there is no
>
> ***ambiguity*** concerning the meaning of the text, it is not composed of " 'technical, obscure, complex, open-ended' " language " 'entwined with issues of fact, policy, and discretion' " that would require resort to [the agency's] ***specialized expertise***. (*Yamaha, supra*, 19 Cal. 4th at p. 12, 78 Cal.Rptr.2d 1, 960 P.2d 1031.) [***The agency] therefore "enjoy[s] no comparative advantage over a generalist court in interpreting the legal text at issue.***" (*California Veterinary Medical Association v. City of West Hollywood,* (2007) 152 Cal. App. 4th 536, 556, 61 Cal.Rptr.3d 318.)

Riddick v. City of Malibu (Cal. Ct. App., Feb. 1, 2024, No. B323731) 2024 WL 376305, at *5 (emphasis added).

Other jurisdictions that legitimately apply the standard the Contra Costa County Planning Department applied here do so based on a Code or other publicly available guidance. For instance, in some jurisdictions, in which following the hillside's natural contour allows the approving agency to deem a story not a story when not stacked one atop the other, the examples and diagrams within the ordinances or regulations depict possible scenarios in detail and explain the exceptions to the rules. Attached hereto as **Exhibits D and E** are guidance documents from Berkeley and Los Angeles, which show that it is very easy to publish transparent detailed guidance that does not leave architects and homeowners to guess about when and why an approving agency might simply (and in violation of the law) disregard its own published ordinances.

Citizens rely on transparent, publicly available laws and regulations for setting their expectations about property purchases and making other important decisions. Publicly available, consistently enforced laws ensure that citizens cannot be ambushed by secret, unwritten rules that work to their detriment. Kris McClain bought her house secure in the fact that her views were protected, and she was entitled to set her expectations based on the clear language of the

law. If there is a law or regulation in Contra Costa County that provides an exception, no staff member or official has pointed it out.

Pursuant to the language of the code there can be no argument. This project comprises three stories. Decades of disregarding the clear language of the code in practice does not change the language of the code. If the County truly wishes to count stories only when they are stacked atop each other, then the County must re-write its code to actually say that.

d. Access to Sunlight

The initial solar access study at the winter solstice depicts the time of the year during which Ms. McClain is most highly impacted (and the time of year when sunlight is most valued). The impacts on Ms. McClain are significant.

From her upstairs living spaces, Ms. McClain will now be spending more time in the shadow of a blank wall rather than looking out over the skyline. The photos she has taken and attached as **Exhibit A and B**, particularly the photo taken in the evening when the sun is low (Exhibit B), along with the photos of the story poles, show the significant negative change she will experience due to loss of light. Evening light will be curtailed in Ms. McClain's dining room. On February 4, 2024, there was a power outage from 11:00 AM- 7:30 PM. The sun started to go down around 4:30-5PM. Ms. McClain was able to continue working up until the sun was gone. She had a deadline and was able to able to make it without losing a day due to loss in power. If 40 Anson was built up as proposed, much of the light she used for the last hours of the day would have been blocked because of the large shadow the third story would have created.

A corrected shadow study attached as **Exhibit F** is relabeled to depict more clearly that it is not only Ms. McClain's downstairs windows that are affected, but also her upstairs dining room windows that will suffer significant loss of light. The Zoning Administrator discounted the shadow study because he erroneously presumed it *only* affected the downstairs windows in Ms. McClain's garage (where, to be clear, she still uses and enjoys the light by growing many plants).

The proposed addition will therefore impair Ms. McClain's ability to nurture the collection of indoor plants she keeps in her dining room. In her own words:

> I got into plants in 2021. I have researched plants, their light, water, and placement needs. Each plant that I have is in its ideal spot, which was determined by their specific light requirements. The ones who require the most light, i.e, succulents and cactus plants, are under grow lights. The others depend on the morning sun which isn't as harsh as the afternoon sun. They all rely on light to grow. I have a fiddle leaf fig that was in a 6 inch pot. She is now in a 20 inch pot. If you know anything about the fiddle leaf plant, you'll know that this is a big deal. We all rely on the light coming from the dining room window.

The Zoning Administrator Planner specifically stated the lower-level windows and accessory structures like the greenhouse aren't protected items where solar access is concerned, but the new addition will also impair Ms. McClain's ability to garden the space on the southern side of her house. She takes much joy and finds peace in her landscaping and gardening, and she is concerned about the limitations that the lack of sunlight will impose on her choice of plantings. She chose the spot for her greenhouse based on the rise and fall of the sun. It faces north and south to maximize the sunlight. She also uses her lower deck to read and barbeque. All of these activities will be impaired by the proposed addition's negative impact on her sunlight.

B. <u>The proposed project adversely affects Ms. McClain's property values.</u>

When members of the Kensington Municipal Advisory Council visited Ms. McClain's property, they were impressed with her view and one member joked that his colleague could have such a view if her were willing to pay the price. It is common knowledge that the views create significant value. Ms. McClain's view will be impaired, and her property value will suffer concomitant damage.

In addition to loss of a portion of her view, Ms. McClain's reduced access to sunlight and her new close proximity to a bulky new three-story building will affect her property value.

II. The proposed project does not meet required standards.

As explained above, the Contra Costa County Code is clear, and the proposed project violates that code with respect to building height, and with respect to considering access to sunlight, preservation of views of skylines, and design compatibility. See **Exhibit C** (Letter from Shelterwerk re McClain Appeals 2023-09-18.)

III. Specified findings for the planning division are not supported by the evidence.

As explained above, the County's findings are not supported by the evidence, because the approval does NOT: (1) minimize impacts upon surrounding neighbors; (2) protect the value and enjoyment of the neighbors' property; (3) maintain neighbors' property values; or (4) promote the general welfare, public health, and safety, inasmuch as approving a project that violates the law as written leads to public confusion, abuse, and arbitrary decision making.

IV. Revised plans do not reflect sensitivity to or consideration of Ms. McClain's interests.

The project applicant provided an initial design and then a revised design to the planning staff. The first proposed design had even more extreme impacts on Ms. McClain. The project applicant has misleadingly packaged this redesign as an accommodation to Ms. McClain. In reality, the project applicants redesigned their project without consultation with or input from Ms. McClain.

V. 40 Anson Way could be developed in a manner that satisfies the applicants' goals without having such significant impacts on Ms. McClain and her property.

The owners of 40 Anson could remedy this problem by locating the addition on the southern side of their property or by considering a horizontal addition that would keep the entire home on a single level.

Ms. McClain has been fighting for agency throughout this disempowering design review process. When neighbors can communicate and work together, the project can be improved and the neighborly relationship preserved without negatively impacting the end product. There is still a chance for this to happen here.

VI. Conclusion

The Kensington-specific section of the Contra Costa County Code provides that the purpose of the local ordinances is as follows:

84-74.204 - Purpose and intent.

(a) The purpose of this chapter is to provide specific regulation to fairly and efficiently implement the Contra Costa County general plan policies for the Kensington Area so that future development recognizes the rights of property owners to improve the value and enjoyment of their property while minimizing impacts upon surrounding neighbors and not substantially impairing the value and enjoyment of their neighbors' property; maintains the community's property values; and promotes the general welfare, public health and safety.

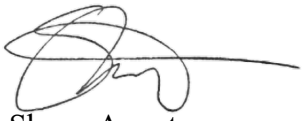
(b) It is a further purpose of this chapter to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels and compatibility with the neighborhood with regard to bulk and scale

(c) Features of a development that could influence these values include but are not limited to siting, size, bulk, building envelope, height, setbacks, relative scale, off-street parking spaces, window placement, artificial lighting and location of mechanical devices such as motors, fans and vents.

Part (a) recognizes the right of homeowners to develop their properties, while minimizing any impacts on their neighbors' property value, and while protecting the ability of their neighbors to enjoy their land. Parts (b) and (c) provide criteria for evaluating the impacts of development on neighboring properties. The proposed development at 40 Anson Way fails to minimize impacts as required by the code, violates the General Plan, and unnecessarily robs Ms. McClain of her cherished property values.

We invite you to arrange a visit to my client's property to view the impact the project will have. I can be reached at shona.armstrong@harperarmstrong.com and 510-508-5017.

Regards,



Shona Armstrong

EXHIBITS

Exhibit A:	Photos from Ms. McClain's dining area, deck, and garage, showing story pole impact on views from her dining room and deck during October 18-29, 2023
Exhibit B:	Photo from Ms. McClain's dining room window Feb 6, 2024, at 6:56 pm
Exhibit C:	LTR from Shelterwerk re 40 Anson Way 2023-09-18
Exhibit D:	Excerpts from Los Angeles Basin Hillside Ordinance
Exhibit E:	Berkeley Municipal Code section 23.106.060
Exhibit F:	Corrected shadow study pointing out affected upper windows

EXHIBIT A

(Photos from Ms. McClain's dining area, deck, and garage, showing story pole impact on views from her dining room and deck during October 18-29, 2023)















EXHIBIT B

(Photo from dining room February 6, 2024 at 6:56 pm)



EXHIBIT C

(Letter from Shelterwerk)

SHELTERWERK
ARCHITECTURE & DESIGN

September 18, 2023

Kris McClain
36 Anson Way
Kensington, CA 94707

Re: McClain Appeals

Dear Kris,

We have researched the proposed addition at 40 Anson Way, Kensington, CA, and made determinations about its impacts in consideration of Chapter 84-74 of the Contra Costa County Code, which lays the guidelines for building in Kensington, as well as 84-4 of the Contra Costa County Code, which lays out additional guidelines for residential building not necessarily covered within the Kensington section of the code.

To lay the foundation of our research on the impacts proposed construction at 40 Anson Way, we look at the purposes of the Kensington specific section of the Contra Costa County Code:

> 84-74.204 - Purpose and intent.
>
> (a) The purpose of this chapter is to provide specific regulation to fairly and efficiently implement the Contra Costa County general plan policies for the Kensington Area so that future development recognizes the rights of property owners to improve the value and enjoyment of their property while minimizing impacts upon surrounding neighbors and not substantially impairing the value and enjoyment of their neighbors' property; maintains the community's property values; and promotes the general welfare, public health and safety.
>
> (b) It is a further purpose of this chapter to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels and compatibility with the neighborhood with regard to bulk and scale
>
> (c) Features of a development that could influence these values include but are not limited to siting, size, bulk, building envelope, height, setbacks, relative scale, off-street parking spaces, window placement, artificial lighting and location of mechanical devices such as motors, fans and vents.

Part (a) recognizes the right of homeowners to develop their properties, while minimizing any impacts on their neighbors' property value, and while protecting the ability of their neighbors to enjoy their land. Parts (b) and (c) provide criteria for evaluating the impacts of development on neighboring properties. The proposed development at 40 Anson Way fails to minimize impacts as required by the code.

The Building Exceeds the Number of Permissible Stories:

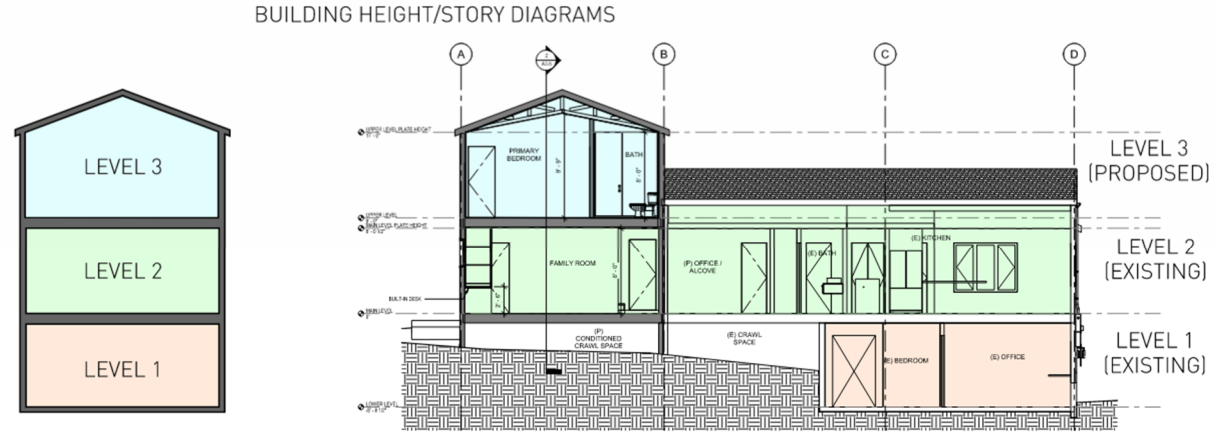
Contra Costa County Code limits buildings to two stories in Kensington. Section 82-4.266 of the code defines a story as follows:

> "Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or cellar is more than six feet above grade at any point, such basement or cellar shall be considered a story.

Per 84-4.802 of the municipal code, building height maximums are set by the following criteria:

> No single-family dwelling or other structure permitted in the R-6 district shall exceed two and one-half stories or thirty-five feet in height.

Due to the existing habitable basement at 40 Anson Way - which includes an existing a bedroom, bathroom, and "office" with full kitchen –the additional proposed level constitutes an impermissible third level. The diagram on the right is what was submitted to the Planning Department. This lower level wasn't omitted from the architect's drawings, and it didn't receive a comment, so maybe it slipped through the cracks, but it should compel the planners to reject the proposal or require a variance application.



(a) standard story stacking

(b) proposed story stacking at 40 Anson Way

The Proposed Building Unreasonably Impairs Views:

The proposed addition adds a large mass adjacent to the dining room window at 36 Anson Way. Panoramic views of the surrounding landscape are negatively impacted. The proposal submitted to the Planning Department provides an image noting views that will be impacted, but the vantage point from which the image was taken is a misrepresentation of reality. It appears to be zoomed in and possibly at a lower vantage point than what one would experience standing in front of the window. The following photo, looking from the backmost windows of 36 Anson Way show more

accurately the significant negative impact on views caused by the proposed addition at 40 Anson Way.

AREA OF IMPACTED VIEWS
(Image taken from window at 36 Anson Way)



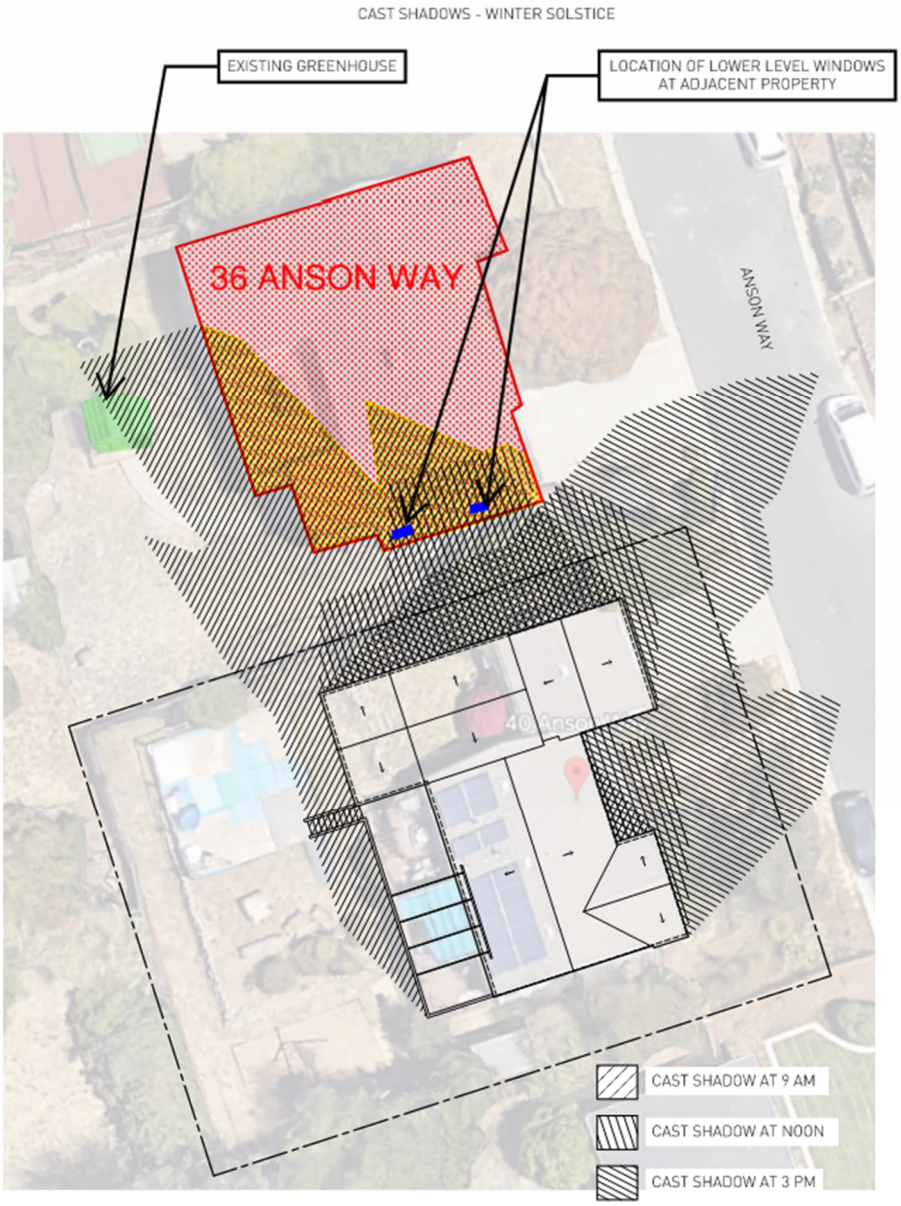
IMAGE OF AREA OF IMPACTED VIEWS SUBMITTED
TO PLANNING DEPARTMENT
(Development Plan Drawing Set dated 07/10/23)



APPROXIMATE NEIGHBOR VIEW TO SOUTHWEST (IMPACTED)

The Proposed Building Unreasonably Impairs Access to Daylight:

The addition at 40 Anson Way will cast shadows towards and past its northern property line and onto the lot of 36 Anson Way due to its proximity to a shared property line. A study of cast shadows during the Winter Solstice shows that the lower level South-facing windows at 36 Anson Way will be shaded out from 9 am through noon, greatly diminishing solar access during the period of the year where access to the sun is at its greatest premium. Additionally, shadows will be cast through a large part of the rear yard, including over an existing greenhouse and the garden area leading up to it. The excessive height of the proposed building is unnecessary, impermissible, and creates significant problems for the residents of 36 Anson Way that the county should be taking into consideration.



Large Size of the Home/Location of Addition/Utilization of Existing:

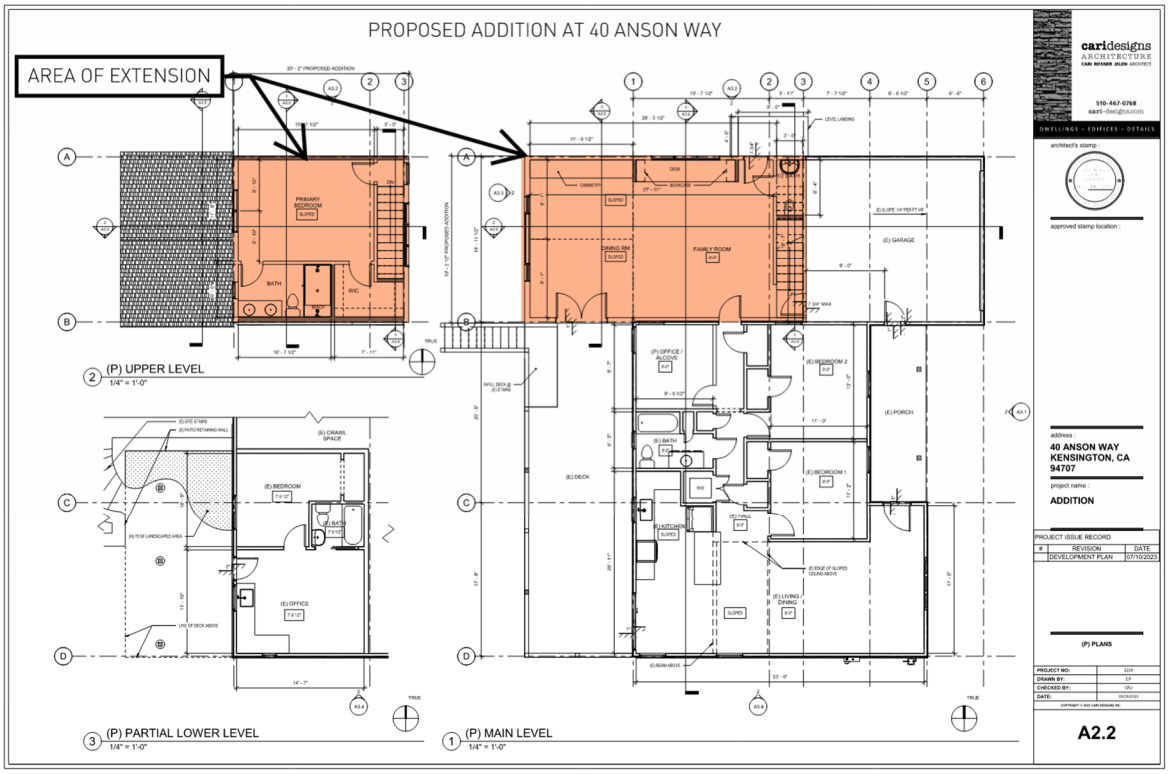
The proposed addition at 40 Anson Way creates a home with the following amenities:

- 5 bedrooms
- 2 kitchens
- 3 living spaces
- 3.5 baths
- 1 parking space

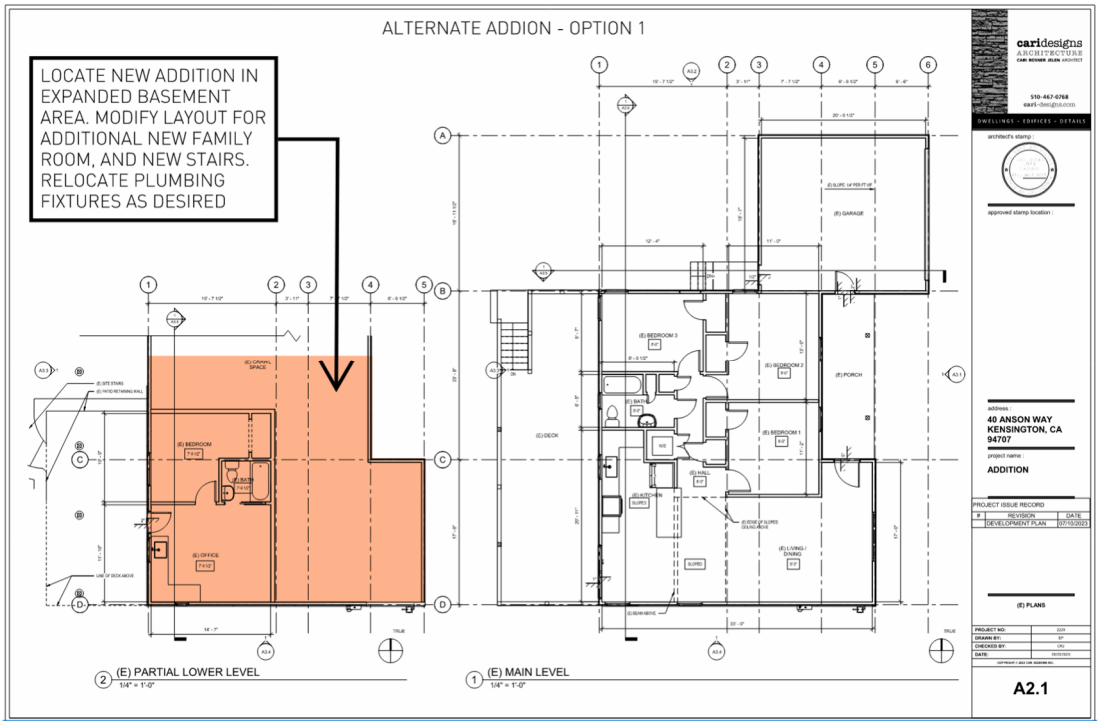
The existing habitable lower level currently has a full bathroom, kitchen, a bedroom, and space that can be used for living. By connecting the main house to the basement, many of the same rooms in the proposed design can be accessed from the main level without the need for extensive new construction.

Alternatively, if the owners of 40 Anson Way are intent on building a third level, then moving the extension to the opposite side of the house would eliminate any shadowing and view impacts on 36 Anson Way, while having a much more limited impact on the neighbors at 44 Anson Way.

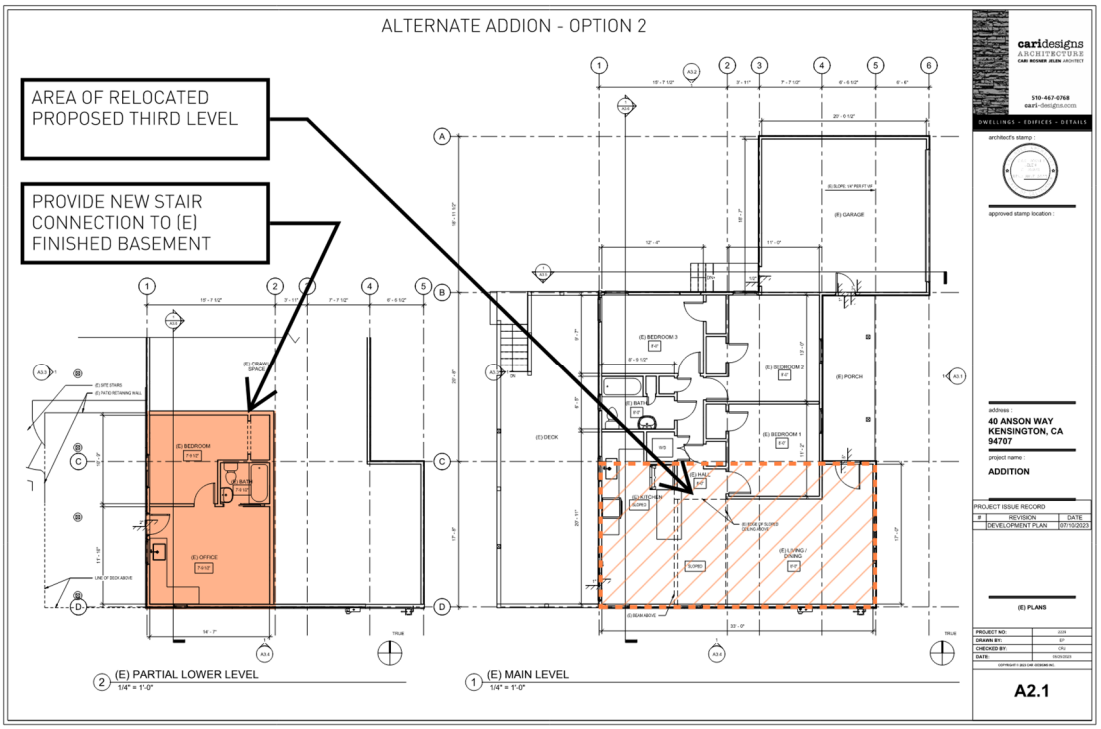
PROPOSED PROJECT WITH 3RD FLOOR ADDITION THAT CREATES SHADOWS AND BLOCKS VIEWS



PROPOSED PROJECT WITH 3RD FLOOR ADDITION MOVED TO OTHER SIDE – OPTION 1



PROPOSED PROJECT WITH 3RD FLOOR ADDITION MOVED TO OTHER SIDE – OPTION 2



Sincerely,

Heather Sanders-Jacob
Ashwin Biln

EXHIBIT D

(Excerpts from Los Angeles Basin Hillside Ordinance)

4. Height Limits. [§ 12.21 C.10.(d) of the LAMC]

No portion of a Building or Structure shall be erected or enlarged which exceeds the envelope height limits as outlined in Table 5 – Maximum Height of Structures, or as otherwise stated in the paragraphs below. For the provisions below, whenever Grade is mentioned, it shall mean Hillside Area Grade as defined in the Definitions Section of this document (or Section 12.03 of the LAMC).

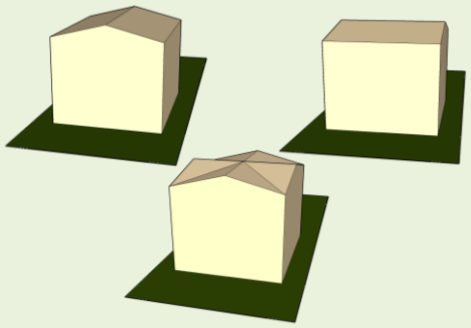
Table 5
Maximum Height of Structures (in feet)

Height Districts	*R1*	*RS*	*RE9*	*RE11*	*RE15*	*RE20*	*RE40*	*RA*
When the roof of the uppermost story of a building or structure or portion thereof has a slope of 25% or greater, the maximum height for said portion of building or structure thereof shall be as follows:								
1, 1L, & 1VL	33	33	33	36	36	36	36	36
1XL	30	30	30	30	30	30	30	30
1SS	22	22	22	22	22	22	22	22
When the roof of the uppermost story of a building or structure or portion thereof has a slope of less than 25%, the maximum height for said portion of building or structure thereof shall be as follows:								
1, 1L, & 1VL	28	28	28	30	30	30	30	30
1XL	28	28	28	30	30	30	30	30
1SS	18	18	18	18	18	18	18	18

25% Roof Slope

The 25% roof slope is a Southern California standard which is also commonly referred to as the 3:12 slope. This slope can be expressed as a ratio of 1 foot of vertical rise for every 4 feet of horizontal distance. In order to determine what the minimum height of the standard gabled roof, as measured from the top-plate of the building wall, simply divide the horizontal distance of the wall by 8.

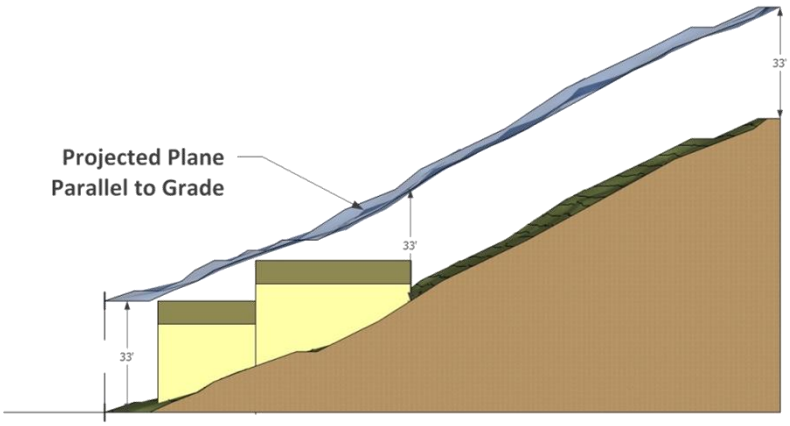
When a roof is made up of a combination of roof slopes, the portions of the structure with a roof slope less than 25% will be considered flat and as a result be required to comply with the lower height.



a. Measurement of Height. [§ 12.21 C.10.(d)(1) of the LAMC]

Notwithstanding any other provision in the Code, the height limits in Table 5 – Maximum Height of Structures above shall be measured as set forth below.

(1) **Maximum Envelope Height.** Envelope height (otherwise known as vertical height or "plumb line" height) shall be the vertical distance from the Grade of the site to a projected plane at the roof Structure or parapet wall located directly above and parallel to the Grade. Measurement of the envelope height shall originate at the lowest Grade within 5 horizontal feet of the exterior walls of a Building or Structure.



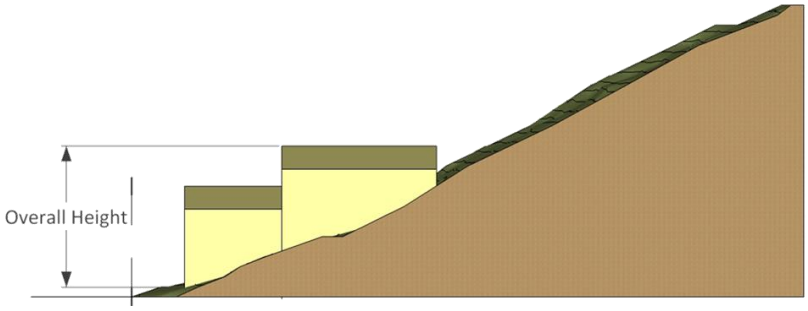
At no point shall any given section of any part of the proposed Building or Structure exceed the maximum envelope height.

A topographic map shall be submitted as a separate plan sheet or as part of the site plan identifying the 5-foot perimeter of the exterior walls, or any other information which the Department of Building and Safety deems necessary to determine compliance with this provision.

b. *Zoning Administrator's Authority. [§ 12.21 C.10.(d)(2) of the LAMC]*

A Zoning Administrator may allow Structures which exceed the maximum envelope height requirements of Table 5 – Maximum Height of Structures; however, the increase in height may not result in a Building or Structure which exceeds an overall height of 45 feet, pursuant to the authority and procedures established in Section 12.24 X.28 of the LAMC.

The overall height shall be measured from the lowest Elevation point within 5 horizontal feet of the exterior walls of a Building or Structure to the highest Elevation point of the roof Structure or parapet wall.



c. *Prevailing Height. [§ 12.21 C.10.(d)(3) of the LAMC]*

Notwithstanding the height limits in Table 5 – Maximum Height of Structures, when 40% or more of the existing One-Family Dwellings with Frontage on both sides of the block have Building heights exceeding these limits, the maximum envelope height for any Building on that block may be the average height of the Dwellings exceeding these limits.

d. *Lots in a Single-Story Height District. [§ 12.21 C.10.(d)(4) of the LAMC]*

As enabled by Section 12.21.1 A.1 of the LAMC, on Lots in a "SS" Single Story Height District, shown as "1SS" on a Zoning Map, no Building or Structure shall be erected or enlarged which exceeds one Story.

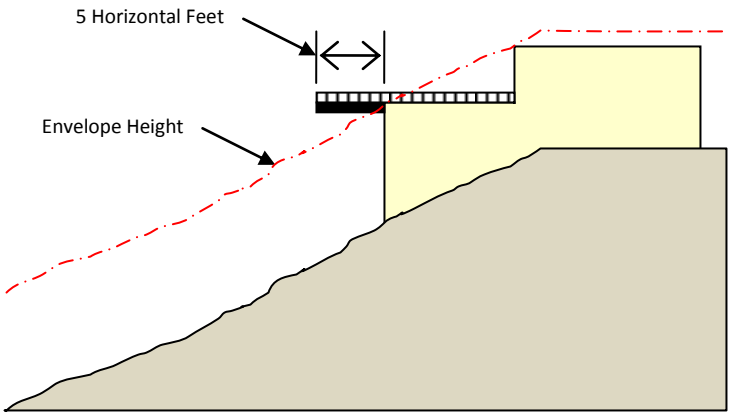
Notwithstanding the provision in Section 12.21.1 A.8 of the LAMC, in determining the number of Stories, any Basement which is exempt from the Residential Floor Area calculation, as outlined in Section 12.03 of the LAMC, shall not be considered a Story.

e. *Lots Fronting on Substandard Hillside Limited Streets. [§ 12.21 C.10.(d)(5) of the LAMC]*

For any Lot fronting onto a Substandard Hillside Limited Street and subject to the 5-foot Front Yard setback, no portion of a Building or Structure within 20 feet of the Front Lot Line shall exceed 24 feet in height. The 24 foot maximum Building and Structure height shall be measured from the Elevation at the centerline or midpoint of the Street on which the Lot fronts.

f. *Unenclosed/Uncovered Rooftop Decks and Cantilevered Balconies. [§ 12.21 C.10.(d)(6) of the LAMC]*

Unenclosed/uncovered rooftop decks, cantilevered balconies and "visually permeable railing" (no more than 42 inches in height), may project beyond the maximum envelope height no more than 5 horizontal feet.



For the purposes of this provision, "visually

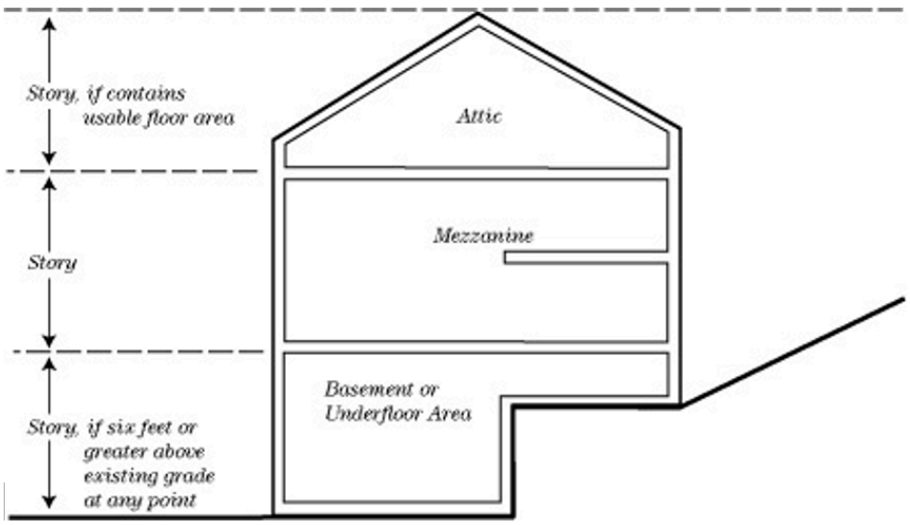
EXHIBIT E

(Berkeley Municipal Code section 23.106.060)

23.106.060 Story.

A. *Story Defined.* A story means the portion of a building included between the upper surface of any floor and the upper surface of the floor next above. See Figure 23.106-2: Story.

Figure 23.106-2. STORY



B. *Topmost Story.* The topmost story of a building is the portion of a building between the floor of the topmost floor and the ceiling or roof above.

C. *Below Grade Spaces.* If the finished floor level directly above the ceiling of a basement, garage structure, cellar, or unused underfloor space is more than 6 feet above existing grade at any point, such basement, cellar, or unused underfloor space is considered a story.

D. *Penthouses.* A penthouse used for purposes other than shelter of mechanical equipment or shelter of vertical shaft openings in the roof is considered a story.

E. *Mezzanines.* When the total floor area of a mezzanine exceeds 33.3 percent of the total floor area in that room, it constitutes an additional story. (Ord. 7787-NS § 2 (Exh. A), 2021)

The Berkeley Municipal Code is current through Ordinance 7891-NS, passed December 12, 2023.

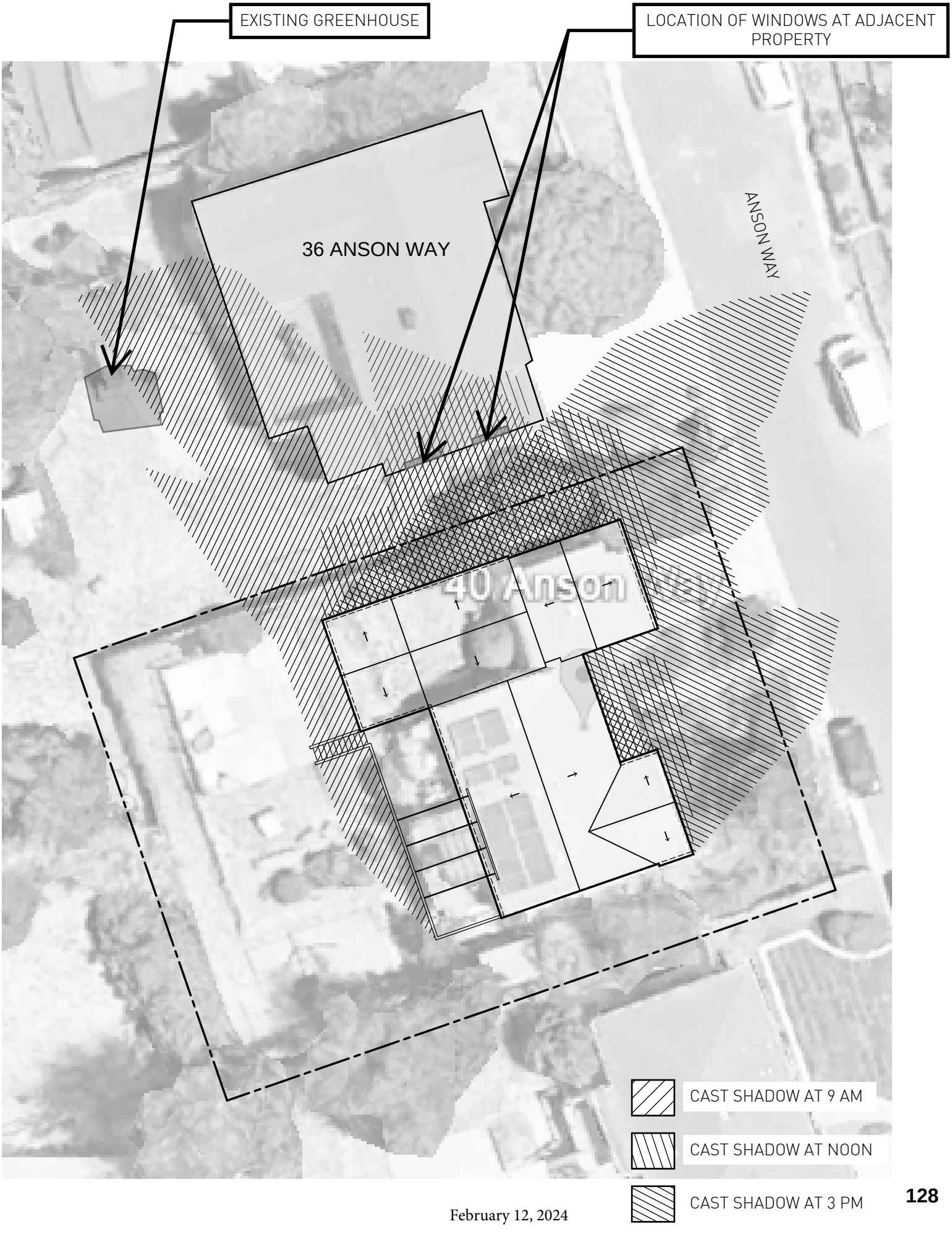
Disclaimer: The City Clerk's Office has the official version of the Berkeley Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: www.berkeleyca.gov

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EXHIBIT E

(Corrected shadow study pointing out affected upper windows)


EXISTING GREENHOUSE
LOCATION OF WINDOWS AT ADJACENT PROPERTY
36 ANSON WAY
ANSON WAY
40 Anson Way
CAST SHADOW AT 9 AM
CAST SHADOW AT NOON
CAST SHADOW AT 3 PM

Attachment 3

CDDP23-03024 Applicant's Appeal Response

Adrian Veliz, Senior Planner
Department of Conservation and Development
Contra Costa county
30 Muir Road,
Martinez, CA 94553

Via email (adrian.veliz@dcd.cccounty.us)

March 22, 2024

Re: 40 Anson Way Appeal Hearing (CDDP23-03024)

Dear Mr. Veliz,

We appreciate the thorough staff report prepared in response to the appeal submitted by the law firm of Harper & Armstrong, LLP on behalf of Kris McClain. We write to correct for the record several false statements in the appeal letter, and to provide additional information for the Planning Commission's context in considering the appeal.

I. Neighbor Consultation Process

Although we understand the consultation process with neighbors is at the discretion of a project applicant, and is not part of the County's consideration on appeal, we are uncomfortable letting false accusations about the process stand unrebutted on the public record. Namely, Ms. Armstrong opens her appeal arguments by alleging: "The owners at 40 Anson Way have never, however, sought input from or discussion about the impacts on Kris McClain. When they first approached Ms. McClain, they requested her before-the-fact approval of a project for which they had no drawings. They denied her permission to come into their home to discuss the options and impacts." (p. 3) Ms. Armstrong gets each one of these accusations entirely wrong, perhaps because she was not present at any of the discussions that took place.

As shown in the attached contemporaneous email from our architect following a meeting to discuss our plans to meet with Ms. McClain, we proposed and attended the meeting at 36 Anson in entirely good faith. *See* Attachment 1. The goal was to understand what the sight lines were from 36 Anson so that we could consider how to modify the design to lessen the impact. We never requested "before-the-fact approval;" we clearly stated we were there to have a discussion. Our architect did bring plans, and laid them out on Ms. McClain's dining room table. Ms. McClain complained she could not interpret those plans, so the architect pulled up additional plans on her laptop to look at. These were of the same quality as the final drawings submitted to the County, rather than being mere sketches as the appellant group has claimed. Finally, we certainly never "denied her permission to come into [our] home" and cannot imagine where this impression is coming from. When I learned that this was Ms. McClain's belief through her statements before the Zoning Administrator, I immediately approached her after the meeting to

explain that she was absolutely welcome to come to our home to better understand why we had planned an addition on the north side of our house.

In any event, we came away from the January 12, 2023 meeting with the understanding that Ms. McClain was opposed to any construction on the north side of our house, even if it were only one story. Nevertheless, we ultimately submitted plans that did not just "change the position of a balcony" as erroneously stated in the appeal (p. 3). Rather, the plans submitted omit a potential home office from the second story to allow for a smaller second story that allows for more southern and southwestern visibility from Ms. McClain's south-facing windows and from her deck, and less of a shadow impact on her yard. This is a far more significant change than "the position of a balcony": if we were to include the office in the design, we would be able to convert the basement space that we currently use for two home offices into an ADU and gain rental income. With the revised design, we will still need office space in the basement and forego what could have been a significant source of income to help fund the addition. To suggest that this does not represent a compromise is unfair and inaccurate.

Finally, the appellant group has never approached us directly with any request or proposal to change the design of the project. Although the County sent out a copy of the submitted plans on June 1, 2023, we have never received any direct communication from our neighbor or her representatives. We received a September 18, 2023 letter from Shelterwerk Architects proposing alternative designs only because it was forwarded to us by the County. Of note, that letter did not propose a one-story design on the north side of the house, as is now proposed for the first time in Ms. Armstrong's appeal. (We explained in a letter to the Kensington Municipal Advisory Council why the suggested approaches in Shelterwerk letter were unrealistic, and would not come close to meeting the goals of the project. *See* Attachment 2.)

II. Goals of the Project

As noted in the Staff Report, the Kensington Ordinance implementing the County's General Plan policies "recognizes the rights of property owners to improve the value and enjoyment of their property" in addition to protecting the rights of neighbors. Section 84-74.204(a). The planned addition will vastly improve the value and enjoyment of our property if it proceeds as designed. It is something we have been considering since we bought the house more than a decade ago.

We are grateful to have a lovely home in a beautiful neighborhood, but the current size and layout of our home presents several challenges for our family of four, with two boys ages 4 and 9. The main part of our house is 3BR 1BA and has just under 1,200 ft^2 of living space on the main level.[1] The separate area on the lower level is accessed only by going outside across the deck and down a set of stairs, and currently serves as two home offices.[2] Tulley works fully remotely and is required to have a home office for his job.

[1] Although the staff report states a larger square footage, Mr. Veliz confirmed over email dated March 19, 2024 that this was in error and includes the unfinished garage (392 ft^2) as living space.

[2] The lower level was added to the house during a 2004 remodel, prior to our purchase of the home in 2013. The appellant's statement that the owner of 36 Anson bought her house in reliance that an additional story would not be built on our home makes no sense because, even if she were correct that an

Our biggest challenge is that all of our indoor common spaces – living room, kitchen, dining area, and play area – are in one room that is not large enough for the many functions it serves. We are unable to have even one other family over for dinner comfortably, and do not have any separate areas for children and adults to spend time with friends. In addition, the four of us share one small bathroom. The bathroom on the basement level is not quickly or easily accessed, especially by our four-year-old or in rainy weather since it requires going outside. We also lack any guest space other than a narrow daybed squeezed into one of the offices. Finally, our interior living space (per county language which disqualifies the deck) does not fully take advantage of the spectacular west-facing views from our property.

After the proposed addition, our house would have two separate living spaces, including a new dining area where we could fit a table for eight or more people, another half bath on the main level, and a new primary bedroom suite. One of the existing bedrooms would become too small to use as a bedroom, but could be used as an office so that we could use one of the current offices as guest space. Both the new family/dining room and primary bedroom would have large west-facing windows with views of the Golden Gate Bridge. In other words, the addition will have an enormous positive impact on our family's quality of life and the value of our home.

Although we did consider trying to fit the needed space into one story, that approach had many problems, including leaving us with a view primarily into our back neighbors' backyard and house, creating potential privacy issues, eliminating the part of our backyard that we use to play catch or frisbee with the kids and host birthday parties, and other problems.

We regret that there is any impact at all on Ms. McClain's enjoyment of her property, but believe that those issues have been well addressed by the staff report. We include one additional photo, taken from our roof to approximate the height of her house to demonstrate the beautiful views that her property will continue to enjoy without any impact from the proposed project. *See* Attachment 3. Thank you for considering this letter.

Sincerely,

Elena Saxonhouse and Tulley Rafferty

Owners, 40 Anson Way

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additional story would constitute three stories (as rebutted by the staff report), the lower level did not exist in 1993.

ATTACHMENT 1

Gmail

Elena Saxonhouse <elenasax@gmail.com>

Meeting summary

Cari R Jelen, Architect <crj@cari-designs.com> Fri, Jan 6, 2023 at 12:32 PM
To: Tulley Rafferty <hobostew@gmail.com>, Elena Saxonhouse <elenasax@gmail.com>

HI Folx,

Just a quick summary- we discussed next steps of addressing your northern neighbor's concerns regarding her view to the south. The game plan is to go over with print outs of our possible designs and have a discussion to address her concerns. Some ways to minimize the height issues would be to do a split level or only partial 2-story addition, siting the second story in the least impactful space. Once we have an idea of her view/goals, we can do more schematic design and circle back with her.

Our goal is to get her on board before having to go to a hearing.

One thing that would be helpful is to have an approximate height difference between her living area story and yours, seeing as she is uphill. I would love to add that information to the drawings after the next round of design to allay her concerns.

Let me know your/her availability, and we can go from there.

Kind regards,
Cari

Cari Rosner Jelen, Architect
she/they
Check us out on Yelp!
cari-designs.com
510-467-0768

September 22, 2023

Re: 40 Anson Way, CDDP23-03024 (on September KMAC Meeting Agenda)

Dear KMAC members,

We write to respond to the letter from Shelterwerk Architects to Kris McClain, 36 Anson Way, forwarded to you by the County of Contra Costa Department of Conservation and Development. While we plan to make an oral presentation at the KMAC meeting next week, we thought it would be most efficient to respond to some of the assertions in the letter in advance.

Permissible Stories

- As our architect will explain at the upcoming meeting, the issue of the number of stories of our home with the addition did not "slip through the cracks." (Shelterwerk letter, p. 2.) Rather, our architect directly addressed this issue with the assigned planner. The planner found that the home with planned addition is still properly characterized as a two-story home. The planner determined that the project does not require a variance for number of stories, or for any other reason.

Impairment of Views

- The Shelterwerk letter addresses the south-facing window at 36 Anson, but neglects to mention the unobstructed views of the San Francisco Bay and Golden Gate Bridge from 36 Anson, which would not be impacted by the proposed addition. The west-facing view pictured below is taken from the roof of 40 Anson Way, which approximates the height of the west-facing windows of 36 Anson Way. When taken in this context, the impact to the south-facing window will not "substantially impair" the value and enjoyment of 36 Anson. CCC Code 84-74.204(a).



- Even if the south-facing view were significant in the context of the unimpacted west-facing view, blocking it would not impair Ms. McClain's enjoyment of her property for the simple reason that the shade of the south-facing window remains almost permanently down. We investigated this issue by placing a time-lapse camera in our backyard. Reviewing the footage, we were only able to identify one instance in which the shade was raised between the first day we began recording, July 12, 2023, and today's date. It appears that the shade was raised for 10 minutes or fewer that day (September 2, 2023). This is consistent with our experience over the past nearly 10 years– we rarely have seen the shade of the impacted window raised in the entire time we have lived next door. We would be happy to present the time-lapse evidence to KMAC if you find it to be relevant.

Characterization of 40 Anson and Proposed Addition

- Shelterwerk's characterization of our current home is misleading. The basement area, accessed by a separate entrance below the deck, is approximately 370 square feet, with two rooms and a bathroom. Though it has a wetbar and microwave, it is misleading to describe the outer room's amenities as including a "full kitchen."
- Shelterwerk's characterization of the home's amenities post-addition is incorrect. The bedroom that is currently at the northwest corner of the house would become an office nook as it would be too small to be properly characterized as a bedroom and will lack a closet. Accordingly, there would be 4 bedrooms, not 5. It is also misleading to describe the basement's amenities as including a "kitchen" and "living space," bringing those totals to 2 and 3, respectively.
- Post-addition, apart from the separately-accessed basement, our home will be similarly sized to Ms. McClain's home (2,183 square feet for 40 Anson, compared with 1,952 square feet for 36 Anson, per Zillow).

Proposed Alternative Designs

- Building another story on top of the southern part of the house would appear to require a variance for 3 stories.
- Building another story on top of the southern part of the house would block the Western facing view of our neighbors to the East.
- It is unclear where staircases could be placed to the proposed alternative upper or lower levels, other than in the middle of our current kitchen, living room, or hallway to the bedrooms.
- Building either staircase would substantially reduce the square-footage of our main level.
- The proposal to solely build out the basement and current crawlspace for our addition would deprive us of the ability to capitalize on the western facing views of the Bay for which Kensington is known.

- Both proposed alternatives would require us to move out of our home for the entire renovation, causing major disruptions and additional cost to our family of four with two young children. The proposed addition would allow us complete most of the construction without having to move out of our home.

We look forward to sharing more next week about the proposed project and the changes we made prior to submitting the plans to reduce the impact on our neighbor at 36 Anson.

Sincerely,

Elena Saxonhouse
Tulley Rafferty
40 Anson Way
Kensington, CA 94707

cc: Adrian Veliz, Senior Planner

ATTACHMENT 3 - West-facing view from 40 Anson roof (similar to unimpacted west-facing view from 36 Anson)



Attachment 4

CDDP23-03024 CPC Staff Report with Exhibits

Department of Conservation and Development

County Planning Commission

Wednesday, March 27, 2024 – 1:30 P.M.

STAFF REPORT **Agenda Item #____**

Project Title:	40 Anson Way Kensington Design Review Development Plan
County File:	CDDP23-03024
Appellant:	Shona Armstrong
Applicant/Owner:	Cari Rosner Jelen (Applicant) / Elena Saxonhouse (Owner)
Zoning/General Plan:	R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, -K Kensington Combining District / SH Single-Family Residential-High Density
Site Address/Location:	40 Anson Way in the Kensington area of unincorporated Contra Costa County (APN: 572-233-012)
California Environmental Quality Act (CEQA) Status:	Categorical Exemption, CEQA Guidelines Section 15301(e)(2)
Project Planner:	Adrian Veliz, Senior Planner, (925) 655-2879 adrian.veliz@dcd.cccounty.us
Staff Recommendation:	Deny the Appeal and Uphold the Zoning Administrator's Decision (See Section II for full recommendation)

I. PROJECT SUMMARY

This is an appeal of the Zoning Administrator's decision to approve a Kensington Design Review Development Plan to allow a 993 square-foot two-story addition to the northern side of an existing single-family residence.

II. RECOMMENDATION

Department of Conservation and Development, Community Development Division (CDD) staff recommends that the County Planning Commission:

A. DENY the appeal.

B. FIND that the project is categorically exempt from CEQA under Section 15301(e)(2) of the CEQA Guidelines.

C. UPHOLD the Zoning Administrator's decision to approve County File CDDP23-02034, based on the attached findings and subject to the attached conditions of approval.

D. DIRECT staff to file a Notice of Exemption with the County Clerk.

III. GENERAL INFORMATION

A. General Plan: SH Single-Family Residential – High Density.

B. Zoning: R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, -K Kensington Combining District.

C. California Environmental Quality Act (CEQA): CEQA Guidelines Section 15301(e)(2) Existing Structures, Class I exemption for additions to existing structures of no more than 10,000 square feet in an area that is not environmentally sensitive and where all public services and facilities are available for maximum development permissible in the General Plan.

IV. BACKGROUND

A. CDKR23-00010 Kensington Design Review Application: On May 11, 2023, the applicant submitted the CDKR23-00010 Kensington Design Review application for a two-story residential addition. A Notice of Intent to Render an Administrative Decision was sent to property owners within 300 feet of the subject parcel on June 1, 2023. CDD received a letter requesting a public hearing on June 7, 2023 from the neighboring property owner at 36 Anson Way, located adjacent to and north of the project site. In the letter, the neighboring property

owner requested an opportunity to discuss the compatibility of the proposed addition and its impact on adjacent residences.

B. CDDP23-03024 Kensington Design Review Development Plan: On July 11, 2023, the applicant submitted the application for the CDDP23-03024 Kensington Design Review Development Plan to allow staff to prepare and schedule a hearing before the Zoning Administrator (ZA) on the proposed two-story residential addition.

C. Zoning Administrator Decision on the Kensington Design Review Development Plan: On February 5, 2024, the CDDP23-03024 Development Plan application was heard by the ZA. After considering the testimony provided at the public hearing from five persons, including the applicant, owner, an attorney for the neighboring property owner, an architect for the neighboring property owner, and the neighboring property owner, the ZA found the project to be compliant with the letter and spirt of the Kensington Combining District Ordinance, and with development standards regulating residential construction on the project site, and approved CDDP23-03024, as recommended by staff.

D. Appeal of the Zoning Administrator Decision: An appeal of the Zoning Administrator decision was filed on February 14, 2024, within the 10-day appeal period by Shona Armstrong of Harper & Armstrong, on behalf of the neighboring property owner.

V. SITE/AREA DESCRIPTION

The property at 40 Anson Way is an 8,800 square-foot parcel located on the west side of Anson Way approximately 330 feet north of the intersection of Anson Way and Eureka Avenue. Eureka Avenue slopes downward to the west into the City of El Cerrito. The subject parcel slopes downward from northeast to southwest.

The project neighborhood, including the subject parcel, is comprised of single-family residences. The terrain in this part of Kensington consists of moderate to steeply sloped hillsides. Generally, elevation increases north and east of the site, whereas areas south and west of the site are located downslope. Due to the topography of the area many homes in the neighborhood have distant views to the west of city skylines, the San Francisco Bay, Golden Gate Bridge and/or Bay Bridge.

The subject parcel is rectangular in shape, having a width of 80 feet along Anson Way and a depth of 110 feet. The parcel includes an approximately 1,949 square-foot single-family residence that includes 1,576 square feet on the main floor and 373 square feet on a lower level, which was originally constructed in 1946.

VI. PROJECT DESCRIPTION

The applicant requests approval of a Development Plan to allow a 993 square-foot two-story addition on the northern side of the existing single-family residence behind an existing garage. Currently, the northern side of the existing residence is one-story and approximately 13 feet in height. The two-story addition would expand the residential footprint and increase the northerly height of the home to 24 feet.

VII. APPEAL

An appeal letter from Shona Armstrong on behalf of Kris McClain, the neighboring property owner at 36 Anson Way, was received on February 14, 2024. The appeal letter includes several exhibits including a letter dated September 18, 2023, from Heather Sanders-Jacob of Shelterwerk Architecture and Design, which is included in Exhibit 4, Staff Report for the February 5, 2024 Zoning Administrator Meeting (ZA Staff Report), as Attachment 6. The appeal is based on several appeal points, each of which is summarized below and followed by a staff response.

A. *Summary of Appeal Point #1: The proposed construction violates General Plan Policies for the Kensington Area by failing to reasonably protect Ms. McClain's residence with regard to views, design compatibility (including building bulk, size, and height), privacy, and access to sunlight.*

   Staff Response: The project is consistent with General Plan Policies for the Kensington area, each of which is discussed specifically in Section VIII.A, *Staff Analysis – General Plan Consistency*. The appellant asserts that the project has view impacts, unnecessary building bulk, and impairs access to sunlight, in violation of these policies. The County adopted Chapter 84-74 of the County Ordinance Code, the Kensington Combining District Ordinance (Kensington Ordinance), with the expressed purpose to "provide specific regulation to fairly and efficiently implement the Contra Costa County General Plan policies for the Kensington area[1]". In the following discussion staff evaluates the various respects

[1] Kensington Ordinance Section 84-74.204(a)

that the appellant contends the project conflicts with the provisions of the Kensington Ordinance.

1. Views: The appellant refers to photographs showing that the proposed addition, represented by story poles previously installed by the applicant, would block views of the City of Emeryville skyline from a southern-facing dining room window within 36 Anson Way. The ZA Staff Report in Exhibit 4 included the below photograph taken from this window by staff on October 20, 2023, and a discussion of the impact on views from this southern facing window. As noted in the ZA Staff Report, existing views from this window predominantly consist of neighboring residences and neighborhood trees that do not constitute a "view[2]" as defined by the Kensington Ordinance.



During the public hearing held February 5, 2024, the owner of 36 Anson Way stressed to the ZA that her southerly views of Emeryville are typically of higher quality, and that the weather conditions on the date of CDD staff's visit

[2] Kensington Ordinance Section 84-74.404(r)

adversely affected visibility. The ZA acknowledged that the project would obstruct views of Emeryville when viewed from the appellant's dining room window and specified that this alone would not necessarily conflict with the Kensington Ordinance unless it was determined to be a *substantial* impact to the neighbor's views.

The appellant's residence at 36 Anson Way includes several western facing windows which offer unobstructed views across the San Francisco Bay through the Golden Gate. The entire expanse of the Golden Gate Bridge, Angel Island, and Alcatraz Island are prominently visible from multiple vantage points within the appellant's residence, including kitchen, living room, and bedroom areas located on the upper floor. Despite the relatively poor visibility on the date of staff's visit, the aforementioned scenic features were immediately apparent on the western horizon. The photograph below provides additional context as to the quality of the viewing corridor to the west, as photographed by CDD staff from the rear yard at the southwestern corner of the appellant's home on October 20, 2023.



The upper floor of the appellant's home includes four western facing windows and a sliding glass door, through which they presently enjoy westerly views. The proposed addition would have no impact whatsoever on the western facing view corridor depicted above, as viewed from any habitable area within the appellant's home. Additionally, when standing directly in front of the appellant's impacted southern facing window, westerly views towards the bay will remain unobstructed by the addition. The appellant's existing westerly views are both more numerous and of objectively higher quality than that of their southerly views - in terms of scenic landscape, their visibility in less than ideal atmospheric conditions, as well as the lack of existing view obstructions. In approving the project at the public hearing of February 5, 2024, the ZA stated on multiple occasions that a project is not required to demonstrate "no impact" on neighboring properties to comply with the Kensington Ordinance, rather, he specified that some degree of impacts (view, privacy, solar access, or otherwise) are expected to arise from any new construction and that the Kensington Ordinance is designed to prevent *substantial* impacts, as determined by the County Zoning Administrator, and in the case of appeals, by the County Planning Commission and Board of Supervisors. Considering that the proposed addition to 40 Anson Way would only affect a relatively lower quality southerly view from an upstairs south-facing window, and that it does not impact the primary westerly views from several other habitable areas within the neighboring property owner's home, the ZA found that the project would have a marginal impact on views enjoyed from appellants property. Therefore, the project is consistent with view protections codified in the Kensington Ordinance because it does not substantially degrade the quality of existing views, as enjoyed from several vantage points within habitable areas of the appellant's home.

2. Design Compatibility: The appellant contends that the project creates an unnecessarily elevated mass that results in a sense of confinement and visual monotony. The appellant suggests that this can be remedied by redesigning the proposed project such that the second story is relocated to the opposite side of the residence (resulting in a need for a three-story variance), or in a single-story configuration occupying a larger footprint within the rear yard of the project site. Notably, the General Plan policies for the Kensington Area and the Kensington Ordinance only refer to "building bulk" in the context of neighborhood compatibility. The ZA Staff Report notes that the project vicinity consists of a mix of one- and two-story single-family residences. Accordingly, the design of the addition is consistent with the surrounding

neighborhood, which includes two-story residences on immediately adjacent parcels to the north, south, east, and west. The adjacent two-story residences on Anson Way range from 1,578 to 2,881 square feet in habitable living space according to County Assessor's Office data. The project would increase the habitable area of the existing home on the project site from approximately 1,949 square feet to 2,942 square feet, which is compatible with the observed range of homes in the immediate neighborhood. Additionally, the proposed two-story addition would have a height of 24 feet, which is substantially below the 35-foot maximum height for residential development in the R-6 Single-Family Residential District pursuant to Section 84-4.802 of the County Ordinance Code (County Code). The appeal letter does not object to the bulk of the building based on neighborhood compatibility, rather, it expresses the appellant's preference for where the building bulk should be located. Therefore, the appeal point does not demonstrate that the ZA's approval of the project is in conflict with General Plan policies for the Kensington area, or the Kensington Ordinance in terms of neighborhood compatibility.

3. Solar Access: The February 14, 2024 appeal letter reiterates concerns over impacts to solar access that were previously provided to staff in a letter from Heather Sanders-Jacob of Shelterwerk Architecture and Design, dated September 18, 2023, which is Attachment 6 of the ZA Staff Report in Exhibit 4. In response to this specific concern, the ZA clarified that he would consider a solar impact to be substantial if it affected a neighboring property "for much of the day through much of the year". As such, the ZA did not find the concerns raised in the Shelterwerk letter, identifying only one day of the year when the project would prevent morning sunlight from entering a southern facing dining room window to be substantial in nature. An eastern facing window in the dining room will continue to allow morning sunlight into this area of the home, unobstructed by the project, throughout most of the year. The appeal letter reiterates the solar access concerns from the Shelterwerk letter and does not allege solar impacts to living space within appellant's home beyond those already considered by the ZA. The appeal letter does not contest, nor mention, CDD staff's analysis of solar access for the neighboring property, finding solar impacts to be negligible throughout most of the year based on the shadow analysis, which is Attachment 7 of the ZA Staff Report in Exhibit 4.

   CDD staff has further evaluated the project's potential effect on solar access for the adjacent northern neighbor using a second web-based resource

(https://shademap.app) that renders a three-dimensional model of an urban environment and allows for shadow analysis at a specific date/time at a specified location. Using a feature of the application that simulates new building mass, staff has added a wall to the rear of the existing garage at 40 Anson Way to simulate the height of the proposed second-story addition. Although the proposed addition will have a height of 24 feet, the renderings included in attachment 8 are for an addition 31 feet in height, to provide a conservative approximation of the potential shadow impact resulting from the project. The three-dimensional staff shadow analysis is included om Exhibit 5. Exhibit 5 supports staff's earlier finding that the project impact to solar access would be negligible for most of the year, with no shading over the neighboring property owner's dining room window whatsoever between the Vernal and Autumnal Equinoxes (March 21 through September 21). In the case of the Winter Solstice, the model indicates that the shadow cast from a 31-foot building would traverse the southern side of the neighboring home at 36 Anson Way between 9:00am-3:00pm, with potential shading of the upstairs dining room window occurring between the hours of 12:00pm to 3:00pm. Since the model shows that the shadow cast by the addition would be primarily limited to the lower level of the neighboring property owner's home, it is reasonable to infer from Exhibit 5 that the project would not significantly obstruct sunlight from entering the appellant's upstairs dining room window, even on the date of the Winter Solstice. Therefore, the evidence in the record does not support appellant's claim that the project would result in substantial impacts to solar access enjoyed from habitable areas within their home.

With regards to solar impacts to outdoor gardening areas, including an existing greenhouse on appellant's property, the Kensington Ordinance specifies that "'solar access' means a *living area's* direct sunlight unobstructed by buildings or structures[3]". Therefore, the provisions of the ordinance protecting solar access do not apply to these areas of the property.

Based on the foregoing, the appeal point does not demonstrate substantial impacts to solar access that conflict with General Plan policies for the Kensington area or the Kensington Ordinance.

[3] Kensington Ordinance Section 84-74.404(q) – emphasis added.

B. *Summary of Appeal Point #2: The building height violates the clear language of the law.*

Staff Response: The appellant contends that the project should be considered a third-story addition that is at variance with development standards for the R-6 Single-Family Residential District. The appellant correctly notes that a basement within the existing residence on the project site is considered a "story", as defined under Section 82-4.266 of the County Code. The appellant asserts that the project should be considered a third-story addition since it would result in a home with three distinct levels on the project site, whereas Community Development Division (CDD) staff has consistently described the project as a two-story addition. The text of the relevant County Ordinances is provided below:

- Section 84-4.214 (Building Height): *"Building height" means the vertical distance measured from grade to the top of structure directly above with exceptions noted elsewhere in the code. Height may be measured from finished grade when such grade is below natural grade. Height shall be measured from natural grade when the finished grade is higher than the natural grade.*

- Section 84-4.802 (Building Height – Maximum): *No single-family dwelling or other structure permitted in the R-6 district shall exceed two and one-half stories or thirty-five feet in height.*

CDD staff does not consider the proposal to result in a three-story condition because the top level of the addition is positioned such that a vertical plane cannot intersect all three levels at any point within the home. In response to the assertion that the project constitutes a three-story variance, the ZA confirmed that the project complies with building height regulations. The ZA added that this determination is consistent with the way the CDD has routinely enforced building height regulations within unincorporated Contra Costa County for decades.

Development standards for the R-6 District, including County Code Section 84-4.802 (Building Height – Maximum), do not state that building height is to be measured in any manner other than that defined in Section 82-4.214 of the County Code. Thus, pursuant to County Code Section 82-4.214, the "building height" for the addition is "measured vertically from grade to the top of the structure directly above". Sheet A3.6 of the project plans, included in Exhibit 3,

clearly shows that the basement level is not in the area between grade and the top of the addition. Therefore, the basement is not counted for purposes of measuring "building height" for the proposed addition, based on the plain meaning of the words "from grade to the top of structure directly above".

Based on the above, staff finds no merit in appellants contention that CDD staff enforces building height regulations based on "secret, unwritten rules that work to [appellants] detriment". The CDD consistently enforces building height regulations for all new construction based on the published provisions of the County Code. The appellants discussion of ordinances and interpretations from jurisdictions outside of Contra Costa County are not relevant considerations in CDD staff's interpretation and enforcement of County Code Section 82-4.214, which provide clear direction on how building height is to be measured in unincorporated Contra Costa County.

C. *Summary of Appeal Point #3: The proposed project adversely affects Ms. McClain's property values.*

Staff Response: The comments suggest that project-related impacts to views, solar access, and building bulk will cause the neighboring property owner to suffer unspecified loss of property value. As discussed in response to Appeal Point #1, the project will not result in a substantial obstruction of views or solar access for the northerly neighbor, and the project design is compatible with the neighborhood in terms of size, building bulk, and height. It is without question that the appellant's home will continue to enjoy high quality views that positively contribute to the value of her home. The appellant does not provide any substantiation other than their stated opinion regarding the negative effect the project would have on the value of neighboring properties, if any.

D. *Summary of Appeal Point #4: The proposed project does not meet required standards.*

Staff Response: The project has been evaluated for consistency with development standards for the R-6 District, including minimum setback and side/rear yard requirements, and maximum building height, as specified in Chapter 84-4 of the County Code, and found to be compliant in all respects. Furthermore, the project has been evaluated for consistency with General Plan policies for the Kensington Area (Policies 3-211 through 3-215), as codified in Chapter 84-74 of the County Code (Kensington Ordinance).

Based on CDD staff's review of the applicable ordinances as they pertain to the proposed addition, the project was added to the February 5, 2024, Zoning Administrator agenda with a staff recommendation for approval. The ZA Staff Report included a detailed discussion of the appellant's claims of project-related impacts to views and solar access, which had been previously raised in the September 18, 2023 Shelterwerk letter, which is Attachment 6 of the ZA Staff Report in Exhibit 4. The ZA addressed view and solar access impacts, and appellant's claim that the project is at variance with building height regulations during the February 5, 2024 public hearing and found that the impacts described by the appellant did not amount to substantial impacts conflicting with the Kensington Ordinance, or any other provision of the County Code. The ZA approved the project as recommended by staff based on the findings and conditions of approval in the ZA Staff Report.

The Kensington Ordinance is intended to balance "the rights of property owners to improve the value and enjoyment of their property while minimizing impacts upon surrounding neighbors, and not *substantially* impairing the value and enjoyment of their neighbor's property[4]". While acknowledging that the neighboring property owner would prefer an alternative design that would eliminate the northerly second story element of the proposed project and preserve all existing views/solar access presently enjoyed from her residence, the Kensington Ordinance does not preclude property owners from building in compliance with applicable development standards (including two-story additions) absent substantial impacts on neighboring property owners. The view impacts from the project would affect a southerly view from a single window in the neighboring property owner's home at 36 Anson Way that offers intermittent fleeting views of Emeryville through surrounding residential development and neighborhood trees. The primary viewing corridor, towards which numerous upper-level windows in the neighboring property owner's home are oriented, will maintain unobstructed views over the San Francisco Bay. The appellant's stated concern with solar access impacts are specific to a single day of the year when the project would cast a shadow over the neighboring property during the morning hours immediately after sunrise. In consideration of the above and the detailed discussion of project compliance with applicable General Plan policies and zoning ordinances in response to Appeal Points #1 and #2, CDD staff does not agree that the project would result in significant impacts to the neighboring

[4] Kensington Ordinance Section 84-74.204(a) -Emphasis added.

property owner warranting redesign of the project pursuant to the Kensington Ordinance.

E. *Summary of Appeal Point #5: Specified findings for the planning division are not supported by the evidence.*

Staff Response: See the discussion regarding staff findings of project compliance with required standards in response to Appeal Point #4 above.

F. *Summary of Appeal Point #6: Revised plans do not reflect sensitivity to or consideration of Ms. McClain's interests.*

Staff Response: CDD staff cannot characterize or attest to the nature of outreach made by the property owner to neighboring property owners that occurred prior to the submittal of either the Kensington Design Review application or the subsequent Kensington Design Review Development Plan application. The Kensington Ordinance requires CDD staff to evaluate a project's consistency with its provisions, including those protecting views, solar access, privacy, and neighborhood compatibility. There are no codified provisions within the Kensington Ordinance requiring direct input from neighboring property owners. However, the Development Plan process allows neighboring property owners and their consultants to convey their concerns directly to staff for consideration during the planning process. Many of the concerns of the appellant were provided to staff in the September 18, 2023 Shelterwerk letter, which is included as an attachment to and discussed in the February 5, 2024 ZA Staff Report. The February 14, 2024 appeal letter does not claim any additional impacts beyond those previously evaluated by CDD staff and the ZA. Therefore, notwithstanding the appellant's misgivings regarding communication amongst neighbors, the interests of the neighboring property owner were duly considered by CDD staff prior to recommending that the ZA approve the project.

G. *Summary of Appeal Point #7: 40 Anson Way could be developed in a manner that satisfies the applicant's goals without having such significant impacts on Ms. McClain and her property.*

Staff Response: The appellant's comments assert a preference for a single-story addition as a solution to stated concerns with the project. In addition to recognizing the rights of neighboring property owners to avoid substantial impacts, the Kensington Ordinance also recognizes the rights of the property

owner to improve the value and enjoyment of their property. The proposed project is consistent with development standards for the R-6 District in all respects. Further, the ZA found the project to be consistent with the letter and spirit of the Kensington Ordinance in approving the project on February 5, 2024. The ZA did not consider the concerns raised by the appellant during the hearing, and reiterated in the February 14, 2024 appeal letter to be substantial enough to outweigh the property owner's right to construct a two-story addition in conformance with height requirements for the R-6 District. The mere feasibility of a single-story configuration offering a similar increase in square footage does not preclude two-story development pursuant to the Kensington Ordinance, or any other provision of the County Code.

VIII. STAFF ANALYSIS

A. General Plan Consistency: The subject parcel at 40 Anson Way is located within the SH Single-Family Residential – High Density General Plan Land Use designation. The SH designation is intended to promote the orderly development of single-family residential neighborhoods. The project entails an addition to increase living area within an existing 1,949 square-foot single-family residence by 993 square feet. The proposed addition does not change the established residential use of the site, its residential density, or lot size. Thus, the single-family residential nature of the project does not conflict with the intent and purpose of the SH designation.

The project is also subject to the Policies for the Kensington Area, Policies 3-211 through 3-215 of the General Plan Land Use Element. Collectively, these policies provide for reasonable review of new residential development with protection for existing residences in the Kensington community. New residential projects are evaluated for view impacts, design compatibility, privacy, and solar access. The project's compliance with each of these policies is discussed below.

Additionally, this report includes discussion of the proposed design, including view impacts, design compatibility, parking, privacy, and solar access, as required by General Plan policies for the Kensington area. Therefore, the project is consistent with General Plan Policies 3-211 through 3-215.

Policy 3-211: *Allow for the review of new residential development that provides reasonable protection for existing residences in the Kensington community with regard to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight.*

This project was initially submitted to the CDD as administrative Kensington Design Review application CDKR23-00010. Upon the CDD's receipt of a written request for a public hearing on the CDKR23-00010 application in response to public notifications associated therewith, the applicant submitted the current CDDP23-03024 Development Plan application in order to continue the planning process. The processing of this application, culminating in a decision at a noticed public hearing, provides reasonable protection for neighboring property owners by providing a process including public notification and allowing additional opportunities for concerned neighbors to comment on the project before a decision is made. As discussed in detail within Section VIII.B, *Zoning Compliance*, staff finds the proposed residential addition to be consistent and compatible with the surrounding neighborhood and does not anticipate that the addition would a substantial impact on views, privacy, or solar access for neighboring properties.

Policy 3-212: *Preservation of views of scenic natural features (e.g. Bay, mountains) and the developed environment (e.g., bridges, San Francisco skyline) should be incorporated into the review of development applications.*

Section 84-74.404(r) of the Kensington Ordinance defines "view" as *"a scene from a window in habitable space of a neighboring residence. The term 'view' includes both up-slope and downslope scenes, but is distant or panoramic range in nature, as opposed to short range."* The subject parcel and neighboring parcels are situated on a western facing slope that descends steeply to the west towards the City of El Cerrito. The topography of the area is such that it allows many homes on the hillside to enjoy distant westerly views of city skylines, the San Francisco Bay, Golden Gate Bridge and/or Bay Bridge. On October 6, 2023, at the request of the Kensington MAC, the applicant installed story poles on the subject parcel in order to simulate the height and building mass of the proposed addition. On October 20, 2023, staff was permitted to view the story poles from two neighboring residences at 36 Anson Way (adjacent to and north of the subject parcel) and 39 Anson Way (across the street to the east of the subject parcel) in order to assess potential view impacts. Aesthetically, the proposed addition would have the greatest impact on a southern facing window on the second story of the residence at 36 Anson Way. Existing views from this southern

facing window predominantly consist of neighboring residences and neighborhood trees. Since these existing views are not distant or panoramic in nature, they do not constitute a "view" as defined by the Kensington Ordinance. Based on the October 20, 2023, site visit, the proposed addition does not substantially degrade an existing "view" – as defined by the aforementioned County Ordinance – from within any neighboring residence. Therefore, the project preserves views in a manner consistent with Policy 3-212. Staff photographs depicting the story poles from neighboring residences are included in Exhibit 4, ZA Staff Report, as Attachment 5.

Policy 3-213: *Review proposed residential development for design compatibility with nearby development (e.g. building mass, height, mechanical devices) and provisions for adequate parking.*

The project neighborhood consists of a mix of one- and two-story single-family residences. Considering that two-story residences presently exist on immediately adjacent parcels to the north, south, east, and west, the building mass of the proposed two-story addition is consistent and compatible with the design of existing residential development in the vicinity. Additionally, the proposed addition would have a height of 24 feet, which is substantially less than the 35-foot maximum for residential development in the R-6 Single-Family Residential District pursuant to Section 84-4.802 of the County Code. Further, the existing two-car garage on the subject parcel meets the off-street parking requirement for the R-6 District pursuant to Section 84-4.1202 of the County Code. Therefore, based on the foregoing discussion, the project is considered compatible with existing development in the vicinity in terms of design, height, and the provision of adequate parking.

Policy 3-214: *New residential development will be reviewed against realistic impacts of privacy and sunlight on surrounding neighbors.*

Staff has evaluated the project to determine whether realistic impacts of privacy and sunlight would expectedly arise from the addition. This addition is not expected to affect the privacy or solar access on neighboring parcels to any significant degree, as previously discussed in detail in response to Appeal Point #1, and below in Section VIII.B.3 of the Zoning Compliance discussion below.

Policy 3-215: *Consideration will be given to review of non-residential development in the Kensington community with Policies 3-211 through 3-213 herein.*

The proposed project is a residential addition to an existing single-family residence. Thus, this policy does not apply.

B. Zoning Compliance: The subject parcel is located in the R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, and -K Kensington Combining District. The proposed project does not involve removal or addition of any tree, and therefore, the regulations of the Tree Obstruction of Views Combining District do not apply to this application.

The intent and purpose of the R-6 District is to facilitate orderly development and maintenance of high-density, single-family residential neighborhoods. The proposed residential addition conforms to all R-6 development standards (e.g. front setback, side and rear yards, building height, off- street parking). Therefore, the proposed addition to an existing single-family residence meets the intent and purpose of the R-6 District.

The Kensington Combining District includes seven criteria for approval of the Development Plan. As detailed below, the project satisfies all seven criteria.

1. *Recognizing the rights of property owners to improve the value and enjoyment of their property.*

   Finding: The project is a 993 square-foot two-story addition to the northern side of an existing single-family residence in the R-6 Single-Family Residential District. The proposed addition is in conformance with minimum setback, minimum side and rear yards, maximum building height, and minimum off-street parking requirements applicable to development in the R-6 District. Construction of a residential addition conforming to these development standards is permitted following the application review procedures for the Kensington Combining District, absent substantial impacts to neighboring parcels in terms of views, privacy, or solar access. The property owners have indicated that the increased square-footage is necessary to accommodate the needs of their family, while also providing office areas to better accommodate working from home. Additionally, the proposed two-story configuration will allow for improved views of the San Francisco Bay and city skyline from within

the existing residence, similar to those enjoyed by residents of numerous other properties in the immediate vicinity.

2. *Recognizing the rights of property owners of vacant lots to establish a residence that is compatible with the neighborhood in terms of bulk, scale, and design.*

   Finding: The subject parcel is not a vacant lot. Therefore, this criterion does not apply.

3. *Minimizing impacts upon surrounding neighbors*.

   Finding: The project involves a two-story residential addition that is in conformance with all applicable development standards for the R-6 District. Section 84-74.204(b) of the Kensington Ordinance specifies that the ordinance is intended to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels. The project is consistent with these values as discussed below:

   - Privacy: The project proposes a two-story addition to the northern side of the existing single-family residence on the subject parcel. The neighboring property nearest to the proposed addition is the adjacent property to the north at 36 Anson Way. All upper-level windows of the residence at 36 Anson Way are oriented either towards the street to the east, or towards the scenic San Francisco Bay to the west. Since the addition does not include any northern or southern facing windows, the project would not substantially impair privacy for next door neighboring parcels, including the residence at 36 Anson Way. Therefore, the project minimizes privacy impacts upon surrounding neighbors.

   - Light and Solar Access: The potential for residential construction to limit light and solar access on neighboring properties are predominantly influenced by siting (i.e. setbacks), size, and height. The project includes a two-story addition behind an existing garage on the northern side of the existing single-family residence on the subject parcel. The northern side of the existing residence is presently one-story and approximately 13 feet in height. The two-story addition

would expand the residential footprint and increase the northerly height of the home to 24 feet.

The proposed addition would be located at least 42 feet 8 inches and 63 feet 2 inches from the western rear and southern side property lines respectively, and even further from homes located to the east across Anson Way. Therefore, the project would be expected to have negligible impacts to light or solar access on neighboring properties to the south, east, and west of the subject parcel.

The proposed addition would be located 8 feet 3 inches from the northern side property line (where 5 feet is the minimum required) and would be situated approximately 15 to 20 feet south of the existing adjacent residence to the north at 36 Anson Way. The 15 to 20 feet of separation between adjacent residences is typical for development in the R-6 District, where development standards allow for as little as 10 feet of separation. It is not uncommon for adjacent homes in the Kensington community to have less than 10 feet of separation due to lot dimensions and/or existing legal non-conforming residences constructed prior to the implementation of the County zoning code. Additionally, the 24-foot height of the proposed addition conforms to the 35-foot maximum permissible building height for residential development in the R-6 District.

In a letter dated September 18, 2023, included in Exhibit 4, ZA Staff Report, as Attachment 6, the consultant to the owner of the neighboring adjacent property to the north at 36 Anson Way, expressed a concern, amongst others, that the project unreasonably impairs access to daylight by casting shadows on the 36 Anson Way property. The letter includes a diagram depicting shadows cast on the property at 9 AM, 12 noon, and 3 PM on the winter solstice, whereon the proposed addition is approximated to cast a shadow over the western portion of the 36 Anson Way residence and rear yard at 9am, and over the southernmost portions of this residence at noon. Notably, the shadow analysis provided by the neighbor's consultant is limited to conditions expected at a specific time of year when the daylight hours are shortest (i.e. the sun rises later and sets earlier than any other date) and when the sun rises at its southernmost location in the sky. Using a web-based application (www.suncalc.org) that shows the

movement of the sun for a certain date at a certain place, staff has prepared a Shadow Analysis (Exhibit 4, Attachment 7) to approximate the project's effect on solar access for the summer solstice, and at the equinox. The shadow analysis shows the sun rising further to the north and higher in the sky throughout the rest of the year, and the extent of shadows cast on the northerly parcel are typically much less throughout the year than depicted by the consultant. Therefore, the project is not expected to affect the neighboring residence's solar access to any significant degree.

4. *Protecting the value and enjoyment of the neighbors' property.*

   Finding: As previously mentioned, the addition would not significantly block any views in the project neighborhood or decrease privacy or access to sunlight. Therefore, absent significant impacts on neighboring parcels, the addition would preserve the value and enjoyment of the neighbors' property.

5. *Maintaining the community's property values*.

   Finding: The project involves an addition to an existing single-family residence in an established residential neighborhood. The proposal does not involve an incompatible land use that would conflict with the surrounding residential community in a manner that may negatively affect property values. Additionally, the project does not substantially affect scenic views, privacy, or solar access for neighboring parcels to any significant degree. Therefore, the project maintains the community's property values.

6. *Maximizing the use of existing interior space.*

   Finding: The existing single-family residence consists of a main floor at street level having approximately 1,576 square feet of living area and a 372 square foot two-car garage. A lower level beneath the southern end of the existing residence provides an additional 373 square feet of conditioned living space. There is no existing interior space within the residence that is not presently being utilized as part of the residence. Thus, the 993 square-foot increase in living space sought by the property owners could not feasibly be accomplished within the existing building envelope. Therefore, staff finds that the project maximizes the use of existing interior space.

7. *Promoting the general welfare, public health, and safety.*

   Finding: The residential addition does not change the land use on the subject parcel and as described above, would have minimal impact on neighboring properties. The project's compliance with applicable zoning standards and the requirement to obtain building permits will ensure that the addition does not present a hazard to public health and safety for the occupants or community at large. Thus, the project promotes the general welfare, public health, and safety of the Kensington community.

IX. CONCLUSION

Construction of the proposed residential addition is consistent with the SH Single-Family Residential-High Density General Plan Land Use designation and complies with the intent and purpose of the R-6 Single-Family Residential Zoning District and the -K Kensington Combining District. Therefore, staff recommends denying the appeal, and upholding the Zoning Administrator's approval of Kensington Design Review Development Plan CDDP23-03024 to allow a 993 square-foot two-story addition to an existing single-family residence, subject to the attached findings and conditions of approval, which are is included as Exhibit 1.

X. EXHIBITS

Exhibit 1: Findings and Conditions of Approval

Exhibit 2: Letter of Appeal received on February 14, 2024

Exhibit 3: Maps and Plans

Exhibit 4: Staff Report for the February 5, 2024 Zoning Administrator Meeting

Exhibit 5: 3D Shadow Analysis

Exhibit 6: PowerPoint Presentation

EXHIBIT 1

FINDINGS AND CONDITIONS OF APPROVAL

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP23-03024; CARI ROSNER JELEN (APPLICANT), ELENA SAXONHOUSE (OWNER)

FINDINGS

A. Kensington Combining District Findings

County Code Section 84-74.1206(b) requires a project within the Kensington Combining District to satisfy seven criteria to be approved.

1. *Recognizing the rights of property owners to improve the value and enjoyment of their property.*

   Project Finding: The project is a 993 square-foot two-story addition to the northern side of an existing single-family residence in the R-6 Single-Family Residential District. The proposed addition is in conformance with minimum setback, minimum side and rear yards, maximum building height, and minimum off-street parking requirements applicable to development in the R-6 District. Construction of a residential addition conforming to these development standards is permitted following the application review procedures for the Kensington Combining District, absent substantial impacts to neighboring parcels in terms of views, privacy, or solar access. The property owners have indicated that the increased square-footage is necessary to accommodate the needs of their family, while also providing office areas to better accommodate working from home. Additionally, the proposed two-story configuration will allow for improved views of the San Francisco Bay and city skyline from within the existing residence, similar to those enjoyed by residents of numerous other properties in the immediate vicinity.

2. *Recognizing the rights of property owners of vacant lots to establish a residence that is compatible with the neighborhood in terms of bulk, scale, and design.*

   Project Finding: The subject parcel is not a vacant lot. Therefore, this criterion does not apply.

3. *Minimizing impacts upon surrounding neighbors.*

   Project Finding: The project involves a two-story residential addition that is in conformance with all applicable development standards for the R-6 District. Section

84-74.204(b) of the Kensington Combining District Ordinance specifies that the ordinance is intended to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels. The project is consistent with these values as discussed below:

- Privacy: The project proposes a two-story addition to the northern side of the existing single-family residence on the subject parcel. The neighboring property nearest to the proposed addition is the adjacent property to the north at 36 Anson Way. All upper-level windows of the residence at 36 Anson Way are oriented either towards the street to the east, or towards the scenic San Francisco Bay to the west. Since the addition does not include any northern or southern facing windows, the project will not substantially impair privacy for next door neighboring parcels, including the residence at 36 Anson Way. Therefore, the project minimizes privacy impacts upon surrounding neighbors.

- Light and Solar Access: The potential for residential construction to limit light and solar access on neighboring properties are predominantly influenced by siting (i.e. setbacks), size, and height. The project includes a two-story addition behind an existing garage on the northern side of the existing single-family residence on the subject parcel. The northern side of the existing residence is presently one-story and approximately 13 feet in height. The two-story addition will expand the residential footprint and increase the northerly height of the home to 24 feet.

  The proposed addition will be located at least 42 feet 8 inches and 63 feet 2 inches from the western rear and southern side property lines respectively, and even further from homes located to the east across Anson Way. Therefore, the project will have negligible impacts to light or solar access on neighboring properties to the south, east, and west of the subject parcel.

  The proposed addition will be located 8 feet 3 inches from the northern side property line (where 5 feet is the minimum required) and will be situated approximately 15 to 20 feet south of the existing adjacent residence to the north at 36 Anson Way. The 15 to 20 feet of separation between adjacent residences is typical for development in the R-6 District, where development standards allow for as little as 10 feet of separation. It is not uncommon for adjacent homes in the Kensington community to have less than 10 feet of separation due to lot dimensions and/or existing legal non-conforming

residences constructed prior to the implementation of the County zoning code. Additionally, the 24-foot height of the proposed addition conforms to the 35-foot maximum permissible building height for residential development in the R-6 District.

In a letter dated September 18, 2023, the consultant to the owner of the neighboring adjacent property to the north at 36 Anson Way, expressed a concern, amongst others, that the project unreasonably impairs access to daylight by casting shadows on the 36 Anson Way property. The letter includes a diagram depicting shadows cast on the property at 9 AM, 12 noon, and 3 PM on the winter solstice, whereon the proposed addition is approximated to cast a shadow over the western portion of the 36 Anson Way residence and rear yard at 9am, and over the southernmost portions of this residence at noon. Notably, the shadow analysis provided by the neighbor's consultant is limited to conditions expected at a specific time of year when the daylight hours are shortest (i.e. the sun rises later and sets earlier than any other date) and when the sun rises at its southernmost location in the sky. Using a web-based application (www.suncalc.org) that shows the movement of the sun for a certain date at a certain place, staff has prepared a Shadow Analysis to approximate the project's effect on solar access for the summer solstice, and at the equinox. The shadow analysis shows the sun rising further to the north and higher in the sky throughout the rest of the year, and the extent of shadows cast on the northerly parcel are typically much less throughout the year than depicted by the consultant. Therefore, the project is not expected to affect the neighboring residence's solar access to any significant degree.

4. *Protecting the value and enjoyment of the neighbors' property.*

   Project Finding: As previously mentioned, the addition will not significantly block any views in the project neighborhood or decrease privacy or access to sunlight. Therefore, absent significant impacts on neighboring parcels, the addition will preserve the value and enjoyment of the neighbors' property.

5. *Maintaining the community's property values.*

   Project Finding: The project involves an addition to an existing single-family residence in an established residential neighborhood. The proposal does not involve a noncompatible land use that conflicts with the surrounding residential community in

a manner that may negatively affect property values. Additionally, the project does not substantially affect scenic views, privacy, or solar access for neighboring parcels to any significant degree. Therefore, the project maintains the community's property values.

6. *Maximizing the use of existing interior space.*

   Project Finding: The existing single-family residence consists of a main floor at street level having approximately 1,576 square feet of living area and a 372 square foot two-car garage. A lower level beneath the southern end of the existing residence provides an additional 373 square feet of conditioned living space. There is no existing interior space within the residence that is not presently being utilized as part of the residence. Thus, the 993 square-foot increase in living space sought by the property owners cannot feasibly be accomplished within the existing building envelope. Therefore, staff finds that the project maximizes the use of existing interior space.

7. *Promoting the general welfare, public health, and safety.*

   Project Finding: The residential addition does not change the land use on the subject parcel and as described above, will have minimal impact on neighboring properties. The project's compliance with applicable zoning standards and the requirement to obtain building permits will ensure that the addition does not present a hazard to public health and safety for the occupants or community at large. Thus, the project promotes the general welfare, public health, and safety of the Kensington community.

D. Environmental Findings

The 993 square-foot two-story addition to the northern side of an existing single-family residence is categorically exempt under CEQA Guidelines Section 15301(e)(2), which provides a Class 1 exemption for additions to existing structures of no more than 10,000 square feet in an area that is not environmentally sensitive and where all public services and facilities are available for maximum development permissible in the General Plan.

CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP23-03024

Project Approval

1. Development Plan CDDP23-03024 to allow a 993 square-foot two-story addition to the northern side of an existing single-family residence is **APPROVED**.

2. The Development Plan approval describe above is based on the application and project plans received by the Department of Conservation and Development, Community Development Division (CDD) on July 11, 2023.

3. Any deviation from the approved plans shall require review and approval by the CDD and may require the filing of a new Kensington Design Review application.

Building Permits

5. No construction is approved with this permit. Any construction at the subject parcel will require issuance of building permits from the Department of Conservation and Development, Building Inspection Division, prior to commencement of work.

Application Costs

6. This application was subject to an initial application deposit of $3,000.00, which was paid with the application submittal, plus time and material costs if the application review expenses exceed 100% of the initial deposit. **Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first**. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due from the date of approval, the application shall be charged interest at a rate of ten percent (10%). The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

Construction

All construction activity shall comply with the following restrictions, which shall be included in the construction drawings.

7. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.

8. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

9. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

10. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.

11. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

    New Year's Day (State and Federal)

    Birthday of Martin Luther King, Jr. (State and Federal)

    Washington's Birthday (Federal)

    Lincoln's Birthday (State)

    President's Day (State)

    Cesar Chavez Day (State)

    Memorial Day (State and Federal)

    Juneteenth National Independence Holiday (Federal)

    Independence Day (State and Federal)

    Labor Day (State and Federal)

    Columbus Day (Federal)

    Veterans Day (State and Federal)

    Thanksgiving Day (State and Federal)

    Day after Thanksgiving (State)

    Christmas Day (State and Federal)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (opm.gov)

California Holidays: State Holidays (sos.ca.gov)

12. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90 days of the approval date of this permit.

B. The applicant shall submit building plans to the Building Inspection Division and comply with Division requirements. It is advisable to check with the Division prior to requesting a building permit or proceeding with the project.

C. The applicant must submit building plans to the Kensington Fire Protection District and comply with its requirements. The applicant is advised that plans submitted for a building permit must receive prior approval and be stamped by the Fire Protection District.

D. The applicant is required to submit plans to the Stege Sanitary District for approval. Plans submitted for a building permit must receive prior approval and be stamped by the Sanitary District.

E. The applicant is responsible for contacting the Health Services Department Environmental Health Division regarding its requirements and permits.

F. The applicant is required to comply with the requirements of the East Bay Municipal Utility District.

G. The applicant is responsible for contacting the Contra Costa Mosquito and Vector Control District regarding its requirements and permits.

EXHIBIT 2

LETTER OF APPEAL RECEIVED ON FEBRUARY 14, 2024

RECEIVED on 02/14/2024 CDDP23-03024
By Contra Costa County
Department of Conservation and Development

HARPER & ARMSTRONG, LLP

1634 Telegraph Ave., #3, Oakland, CA 94612
Phone: (510) 420-8455 • Fax: (510) 858-5953 • shona.armstrong@harperarmstrong.com

By E-MAIL

February 14, 2024

Adrian Veliz
Senior Planner
Department of Conservation and Development
Contra Costa County
30 Muir Road
Martinez, CA 94553
1-925-655-2879
Adrian.veliz@dcd.cccounty.us

Re: 40 Anson Way (CDDP23-03024)

Dear Mr. Veliz:

I represent Kris McClain, the owner of 36 Anson Way, which is directly next door to 40 Anson Way. I write on Ms. McClain's behalf to appeal from the recent Zoning Administrator decision to approve a Kensington Design Review Development Plan, which proposes a 993 square-foot "two-story" addition to the northern side of an existing single-family residence at 40 Anson Way (CDDP23-03024) despite Ms. McClain's protests.

As Ms. McClain has made clear at each level of hearing, pursuant to Contra Costa County Code section 26-2.2406(c):

(1) The proposed project does not comply with the general plan and adversely affects her property rights.
(2) The proposed project does not meet required standards.
(3) Specified findings for the planning division are not supported by the evidence.

The negative impacts created by the proposed project warranted two meetings of the KMAC, which culminated in a split decision. In the face of clear law prohibiting the approval of this three-story project and in the face of clear general plan violations that harm the property value of one of Kensington's few Black homeowners at the expense of her neighbors, the Zoning Administrator erred by approving the application based on arbitrary, biased, uncodified grounds.

I. The Design Review Approval Violates the General Plan and Disregards the loss of value to Ms. McClain's Home.

A. The proposed project violates the General Plan.

The "General Plan Policies for the Kensington Area" appear at pages 3-98 to 3-100 of the General Plan:

Policy #3-211

> Allow for the review of new residential development that provides ***reasonable protection for existing residences in the Kensington community with regard to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight***.

Policy #3-212.

> ***Preservation of views*** of scenic natural features (e.g., Bay, mountains) and the developed environment (e.g., bridges, San Francisco skyline) should be incorporated into the review of development applications.

Policy #3-213.

> ***Review proposed residential development for design compatibility with nearby development*** (e.g., building mass, height, mechanical devices) and provisions for adequate parking.

3-214.

> New residential development will be reviewed against ***realistic impacts of privacy and sunlight*** on surrounding neighbors.

1. The proposed project specifically fails to reasonably protect Ms. McClain's residence with regard to views, building bulk, size, height, privacy, and access to sunlight.

a. Views

The photos Ms. McClain has provided at **Exhibit A and Exhibit B** show the story poles blocking the view from the south-facing window of her dining room out over the Emeryville skyline. The General Plan specifically requires protection and preservation of views of the developed environment. Policy 3-212 provides *examples* of the bridges and the San Francisco skyline, but these are examples; they do not constitute an exclusive list of the views that merit conservation. The County Zoning Administrator explicitly and completely discounted Ms. McClain's views of the Emeryville skyline, stating they simply do not count. The unnecessary

denigration of Emeryville is puzzling and betrays a condescending disregard for the views that Ms. McClain enjoys from her living space.

b. Design compatibility/building mass unnecessarily impairs Kris McClain's property.

As Heather Sanders-Jacob has already explained in her letter dated September 18, 2024, which is attached hereto as **Exhibit C** and incorporated herein, the proposed project creates an unnecessarily elevated mass that allows the owners of 40 Anson Way to expand *at the explicit and significant expense of Ms. McClain*. Both owners could achieve their aims were 40 Anson Way to build and expand downward along the hillside to create the additional square footage they desire or even were they to move the expansion to the other side of their house.

The owners at 40 Anson Way have never, however, sought input from or discussion about the impacts on Kris McClain. When they first approached Ms. McClain, they requested her before-the-fact approval of a project for which they had no drawings. They denied her permission to come into their home to discuss the options and impacts. The next time they approached Ms. McClain they presented her with a fait accompli.

The planning department makes much of the fact that the owners revised their plans to change the position of a balcony, but that change was motivated by the owners' own concerns. It was not a response to or an accommodation for the benefit of Ms. McClain, as they had never shown Ms. McClain the first round of drawings.

Even as modified, the proposed obstruction damages Ms. McClain's views and has tangible consequences for the value of her property. The diminished view significantly detracts from the appeal of the home to potential buyers or renters, thereby directly affecting its market value.

Furthermore, the presence of a blank wall resulting from the proposed project creates a sense of confinement and visual monotony, diminishing the overall livability and enjoyment of the property. This issue extends beyond mere inconvenience; it constitutes a tangible loss of value and an infringement upon Ms. McClain's rights as a homeowner to enjoy the full benefits of her property.

c. The building height violates the clear language of the law.

i. The language of the law provides an unambiguous definition of "story."

As previously explained, the proposed building exceeds the number of permissible stories. The proposal is within the SH zone of Kensington (Single Family Residential – High) Contra Costa County Code limits buildings to two stories in Kensingon. Section 82-4.266 of the code defines a story as follows:

> "Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of he topmost floor and the ceiling or roof above. <u>If the finished floor level directly above a basement or cellar is more than six feet above grade at any point, such basement or cellar shall be considered a story.</u>

Per 84-4.802 of the County Code, building height maximums are set by the following criteria:

> No single-family dwelling or other structure permitted in the R-6 [single family residential] district shall exceed two and one-half stories or thirty-five feet in height.

All single-family residential districts within Contra Costa County have the same building height restrictions. See Contra Costa County Code sections 84-6.802, 84-8.802, 84-10.802, 84-12.802, 84-14.802, 84-16.802, 84-18.802, 84-20.802.

Because the basement story at 40 Anson Way is a habitable space that includes an existing bedroom, bathroom, and office with full kitchen, the additional proposed level ***<u>pursuant to the clear language of the Contra Costa County Code</u>*** constitutes an impermissible third level. The diagram <u>below</u> is what was submitted to the Planning Department. This lower level was not omitted from the architect's drawing, and it should have compelled the planners to reject the proposal or require a variance application.



ii. Long pattern and practice and an ongoing informal agreement to disregard the law cannot change the meaning of the words written in the code.

The staff asserts repeatedly in written recommendations that the proposed project is a two-story building. The applicant asserts that the staff assured them the project would be processed

as a two-story building. The Zoning Administrator likewise asserts that the planning department has the leeway to interpret its code however it likes, and that the planning department always considers a project like this to be a two-story project, because the separate stories are not stacked atop one another. This interpretation appears groundless.

The Zoning Administrator made comments arrogating to the planning department the power to enforce rules either beyond or in contradiction to the language of the law. These comments misconstrue and inflate the powers of the Planning and Conservation Department. The Department and its staff are to execute the laws, not to legislate by fiat. The code is clear. Where neither the language nor the statutory history of an ordinance is ambiguous, "there is no need to defer to [agency] interpretation." *Riddick v. City of Malibu,* ___ Cal. App. ___, ____ (Feb 1, 2024) 2024 WL376305 (citing *Advanced Real Estate Services, Inc. v. Superior Court*, 196 Cal. App. 4th 338, 350 (2011); *Department of Industrial Relations v. Occupational Safety & Health Appeals Board*, 26 Cal. App. 5th 93, 106 (2018)).

> Here, there is no
>
> ***ambiguity*** concerning the meaning of the text, it is not composed of " 'technical, obscure, complex, open-ended' " language " 'entwined with issues of fact, policy, and discretion' " that would require resort to [the agency's] ***specialized expertise***. (*Yamaha, supra*, 19 Cal. 4th at p. 12, 78 Cal.Rptr.2d 1, 960 P.2d 1031.) [***The agency] therefore "enjoy[s] no comparative advantage over a generalist court in interpreting the legal text at issue.***" (*California Veterinary Medical Association v. City of West Hollywood,* (2007) 152 Cal. App. 4th 536, 556, 61 Cal.Rptr.3d 318.)

Riddick v. City of Malibu (Cal. Ct. App., Feb. 1, 2024, No. B323731) 2024 WL 376305, at *5 (emphasis added).

Other jurisdictions that legitimately apply the standard the Contra Costa County Planning Department applied here do so based on a Code or other publicly available guidance. For instance, in some jurisdictions, in which following the hillside's natural contour allows the approving agency to deem a story not a story when not stacked one atop the other, the examples and diagrams within the ordinances or regulations depict possible scenarios in detail and explain the exceptions to the rules. Attached hereto as **Exhibits D and E** are guidance documents from Berkeley and Los Angeles, which show that it is very easy to publish transparent detailed guidance that does not leave architects and homeowners to guess about when and why an approving agency might simply (and in violation of the law) disregard its own published ordinances.

Citizens rely on transparent, publicly available laws and regulations for setting their expectations about property purchases and making other important decisions. Publicly available, consistently enforced laws ensure that citizens cannot be ambushed by secret, unwritten rules that work to their detriment. Kris McClain bought her house secure in the fact that her views were protected, and she was entitled to set her expectations based on the clear language of the

law. If there is a law or regulation in Contra Costa County that provides an exception, no staff member or official has pointed it out.

Pursuant to the language of the code there can be no argument. This project comprises three stories. Decades of disregarding the clear language of the code in practice does not change the language of the code. If the County truly wishes to count stories only when they are stacked atop each other, then the County must re-write its code to actually say that.

d. Access to Sunlight

The initial solar access study at the winter solstice depicts the time of the year during which Ms. McClain is most highly impacted (and the time of year when sunlight is most valued). The impacts on Ms. McClain are significant.

From her upstairs living spaces, Ms. McClain will now be spending more time in the shadow of a blank wall rather than looking out over the skyline. The photos she has taken and attached as **Exhibit A and B**, particularly the photo taken in the evening when the sun is low (Exhibit B), along with the photos of the story poles, show the significant negative change she will experience due to loss of light. Evening light will be curtailed in Ms. McClain's dining room. On February 4, 2024, there was a power outage from 11:00 AM- 7:30 PM. The sun started to go down around 4:30-5PM. Ms. McClain was able to continue working up until the sun was gone. She had a deadline and was able to able to make it without losing a day due to loss in power. If 40 Anson was built up as proposed, much of the light she used for the last hours of the day would have been blocked because of the large shadow the third story would have created.

A corrected shadow study attached as **Exhibit F** is relabeled to depict more clearly that it is not only Ms. McClain's downstairs windows that are affected, but also her upstairs dining room windows that will suffer significant loss of light. The Zoning Administrator discounted the shadow study because he erroneously presumed it *only* affected the downstairs windows in Ms. McClain's garage (where, to be clear, she still uses and enjoys the light by growing many plants).

The proposed addition will therefore impair Ms. McClain's ability to nurture the collection of indoor plants she keeps in her dining room. In her own words:

> I got into plants in 2021. I have researched plants, their light, water, and placement needs. Each plant that I have is in its ideal spot, which was determined by their specific light requirements. The ones who require the most light, i.e, succulents and cactus plants, are under grow lights. The others depend on the morning sun which isn't as harsh as the afternoon sun. They all rely on light to grow. I have a fiddle leaf fig that was in a 6 inch pot. She is now in a 20 inch pot. If you know anything about the fiddle leaf plant, you'll know that this is a big deal. We all rely on the light coming from the dining room window.

The Zoning Administrator Planner specifically stated the lower-level windows and accessory structures like the greenhouse aren't protected items where solar access is concerned, but the new addition will also impair Ms. McClain's ability to garden the space on the southern side of her house. She takes much joy and finds peace in her landscaping and gardening, and she is concerned about the limitations that the lack of sunlight will impose on her choice of plantings. She chose the spot for her greenhouse based on the rise and fall of the sun. It faces north and south to maximize the sunlight. She also uses her lower deck to read and barbeque. All of these activities will be impaired by the proposed addition's negative impact on her sunlight.

B. <u>The proposed project adversely affects Ms. McClain's property values.</u>

When members of the Kensington Municipal Advisory Council visited Ms. McClain's property, they were impressed with her view and one member joked that his colleague could have such a view if her were willing to pay the price. It is common knowledge that the views create significant value. Ms. McClain's view will be impaired, and her property value will suffer concomitant damage.

In addition to loss of a portion of her view, Ms. McClain's reduced access to sunlight and her new close proximity to a bulky new three-story building will affect her property value.

II. The proposed project does not meet required standards.

As explained above, the Contra Costa County Code is clear, and the proposed project violates that code with respect to building height, and with respect to considering access to sunlight, preservation of views of skylines, and design compatibility. See **Exhibit C** (Letter from Shelterwerk re McClain Appeals 2023-09-18.)

III. Specified findings for the planning division are not supported by the evidence.

As explained above, the County's findings are not supported by the evidence, because the approval does NOT: (1) minimize impacts upon surrounding neighbors; (2) protect the value and enjoyment of the neighbors' property; (3) maintain neighbors' property values; or (4) promote the general welfare, public health, and safety, inasmuch as approving a project that violates the law as written leads to public confusion, abuse, and arbitrary decision making.

IV. Revised plans do not reflect sensitivity to or consideration of Ms. McClain's interests.

The project applicant provided an initial design and then a revised design to the planning staff. The first proposed design had even more extreme impacts on Ms. McClain. The project applicant has misleadingly packaged this redesign as an accommodation to Ms. McClain. In reality, the project applicants redesigned their project without consultation with or input from Ms. McClain.

V. 40 Anson Way could be developed in a manner that satisfies the applicants' goals without having such significant impacts on Ms. McClain and her property.

The owners of 40 Anson could remedy this problem by locating the addition on the southern side of their property or by considering a horizontal addition that would keep the entire home on a single level.

Ms. McClain has been fighting for agency throughout this disempowering design review process. When neighbors can communicate and work together, the project can be improved and the neighborly relationship preserved without negatively impacting the end product. There is still a chance for this to happen here.

VI. Conclusion

The Kensington-specific section of the Contra Costa County Code provides that the purpose of the local ordinances is as follows:

84-74.204 - Purpose and intent.

(a) The purpose of this chapter is to provide specific regulation to fairly and efficiently implement the Contra Costa County general plan policies for the Kensington Area so that future development recognizes the rights of property owners to improve the value and enjoyment of their property while minimizing impacts upon surrounding neighbors and not substantially impairing the value and enjoyment of their neighbors' property; maintains the community's property values; and promotes the general welfare, public health and safety.

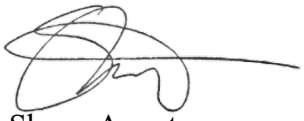
(b) It is a further purpose of this chapter to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels and compatibility with the neighborhood with regard to bulk and scale

(c) Features of a development that could influence these values include but are not limited to siting, size, bulk, building envelope, height, setbacks, relative scale, off-street parking spaces, window placement, artificial lighting and location of mechanical devices such as motors, fans and vents.

Part (a) recognizes the right of homeowners to develop their properties, while minimizing any impacts on their neighbors' property value, and while protecting the ability of their neighbors to enjoy their land. Parts (b) and (c) provide criteria for evaluating the impacts of development on neighboring properties. The proposed development at 40 Anson Way fails to minimize impacts as required by the code, violates the General Plan, and unnecessarily robs Ms. McClain of her cherished property values.

We invite you to arrange a visit to my client's property to view the impact the project will have. I can be reached at shona.armstrong@harperarmstrong.com and 510-508-5017.

Regards,



Shona Armstrong

EXHIBITS

Exhibit A:	Photos from Ms. McClain's dining area, deck, and garage, showing story pole impact on views from her dining room and deck during October 18-29, 2023
Exhibit B:	Photo from Ms. McClain's dining room window Feb 6, 2024, at 6:56 pm
Exhibit C:	LTR from Shelterwerk re 40 Anson Way 2023-09-18
Exhibit D:	Excerpts from Los Angeles Basin Hillside Ordinance
Exhibit E:	Berkeley Municipal Code section 23.106.060
Exhibit F:	Corrected shadow study pointing out affected upper windows

EXHIBIT A

(Photos from Ms. McClain's dining area, deck, and garage, showing story pole impact on views from her dining room and deck during October 18-29, 2023)















EXHIBIT B

(Photo from dining room February 6, 2024 at 6:56 pm)



EXHIBIT C

(Letter from Shelterwerk)

SHELTERWERK
ARCHITECTURE & DESIGN

September 18, 2023

Kris McClain
36 Anson Way
Kensington, CA 94707

Re: McClain Appeals

Dear Kris,

We have researched the proposed addition at 40 Anson Way, Kensington, CA, and made determinations about its impacts in consideration of Chapter 84-74 of the Contra Costa County Code, which lays the guidelines for building in Kensington, as well as 84-4 of the Contra Costa County Code, which lays out additional guidelines for residential building not necessarily covered within the Kensington section of the code.

To lay the foundation of our research on the impacts proposed construction at 40 Anson Way, we look at the purposes of the Kensington specific section of the Contra Costa County Code:

> 84-74.204 - Purpose and intent.
>
> (a) The purpose of this chapter is to provide specific regulation to fairly and efficiently implement the Contra Costa County general plan policies for the Kensington Area so that future development recognizes the rights of property owners to improve the value and enjoyment of their property while minimizing impacts upon surrounding neighbors and not substantially impairing the value and enjoyment of their neighbors' property; maintains the community's property values; and promotes the general welfare, public health and safety.
>
> (b) It is a further purpose of this chapter to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels and compatibility with the neighborhood with regard to bulk and scale
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> (c) Features of a development that could influence these values include but are not limited to siting, size, bulk, building envelope, height, setbacks, relative scale, off-street parking spaces, window placement, artificial lighting and location of mechanical devices such as motors, fans and vents.

Part (a) recognizes the right of homeowners to develop their properties, while minimizing any impacts on their neighbors' property value, and while protecting the ability of their neighbors to enjoy their land. Parts (b) and (c) provide criteria for evaluating the impacts of development on neighboring properties. The proposed development at 40 Anson Way fails to minimize impacts as required by the code.

The Building Exceeds the Number of Permissible Stories:

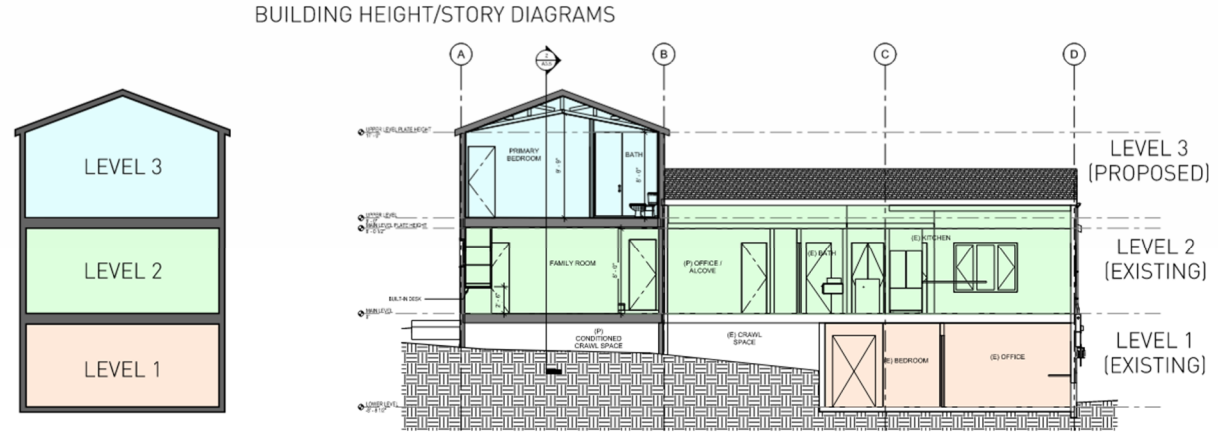
Contra Costa County Code limits buildings to two stories in Kensington. Section 82-4.266 of the code defines a story as follows:

> "Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or cellar is more than six feet above grade at any point, such basement or cellar shall be considered a story.

Per 84-4.802 of the municipal code, building height maximums are set by the following criteria:

> No single-family dwelling or other structure permitted in the R-6 district shall exceed two and one-half stories or thirty-five feet in height.

Due to the existing habitable basement at 40 Anson Way - which includes an existing a bedroom, bathroom, and "office" with full kitchen –the additional proposed level constitutes an impermissible third level. The diagram on the right is what was submitted to the Planning Department. This lower level wasn't omitted from the architect's drawings, and it didn't receive a comment, so maybe it slipped through the cracks, but it should compel the planners to reject the proposal or require a variance application.



(a) standard story stacking

(b) proposed story stacking at 40 Anson Way

The Proposed Building Unreasonably Impairs Views:

The proposed addition adds a large mass adjacent to the dining room window at 36 Anson Way. Panoramic views of the surrounding landscape are negatively impacted. The proposal submitted to the Planning Department provides an image noting views that will be impacted, but the vantage point from which the image was taken is a misrepresentation of reality. It appears to be zoomed in and possibly at a lower vantage point than what one would experience standing in front of the window. The following photo, looking from the backmost windows of 36 Anson Way show more

accurately the significant negative impact on views caused by the proposed addition at 40 Anson Way.

AREA OF IMPACTED VIEWS
(Image taken from window at 36 Anson Way)



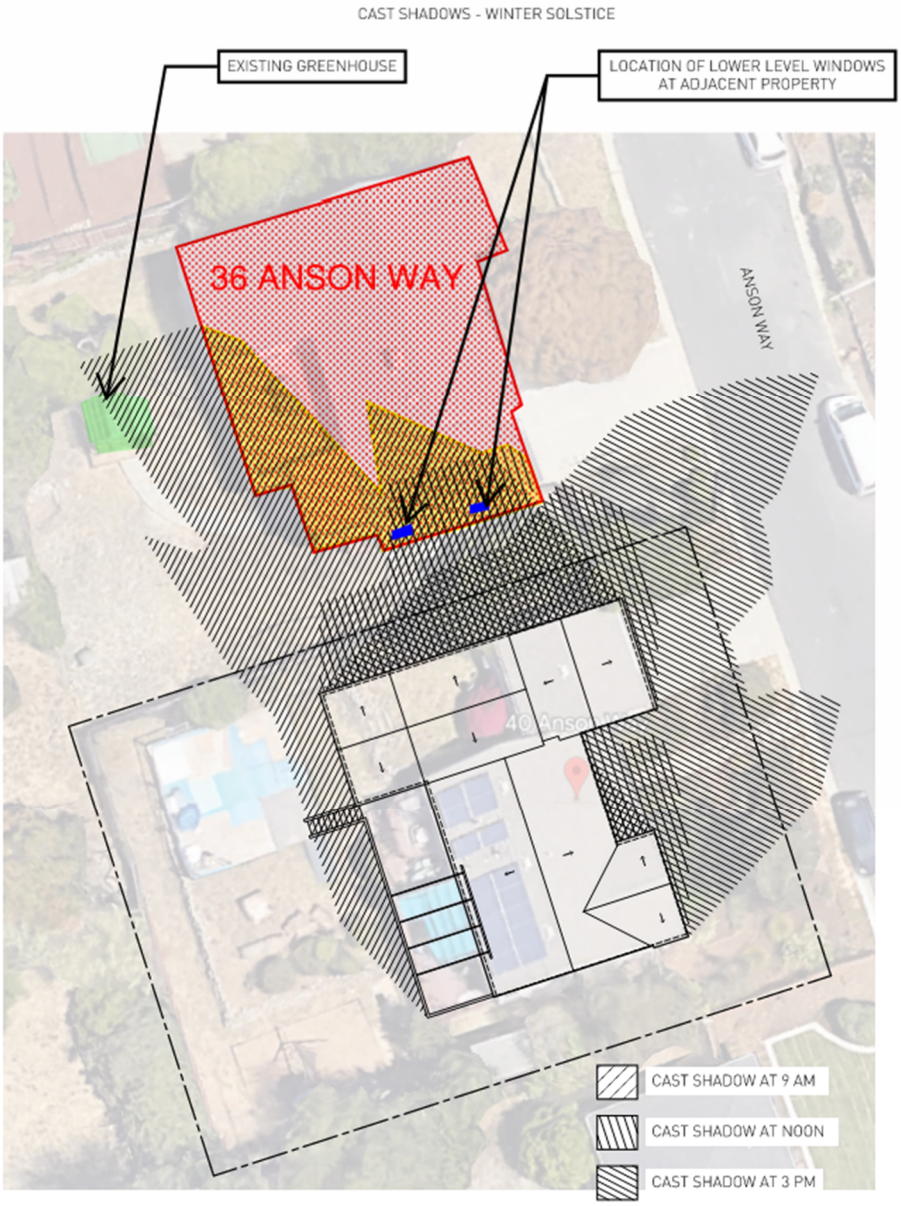
IMAGE OF AREA OF IMPACTED VIEWS SUBMITTED
TO PLANNING DEPARTMENT
(Development Plan Drawing Set dated 07/10/23)



APPROXIMATE NEIGHBOR VIEW TO SOUTHWEST (IMPACTED)

The Proposed Building Unreasonably Impairs Access to Daylight:

The addition at 40 Anson Way will cast shadows towards and past its northern property line and onto the lot of 36 Anson Way due to its proximity to a shared property line. A study of cast shadows during the Winter Solstice shows that the lower level South-facing windows at 36 Anson Way will be shaded out from 9 am through noon, greatly diminishing solar access during the period of the year where access to the sun is at its greatest premium. Additionally, shadows will be cast through a large part of the rear yard, including over an existing greenhouse and the garden area leading up to it. The excessive height of the proposed building is unnecessary, impermissible, and creates significant problems for the residents of 36 Anson Way that the county should be taking into consideration.



Large Size of the Home/Location of Addition/Utilization of Existing:

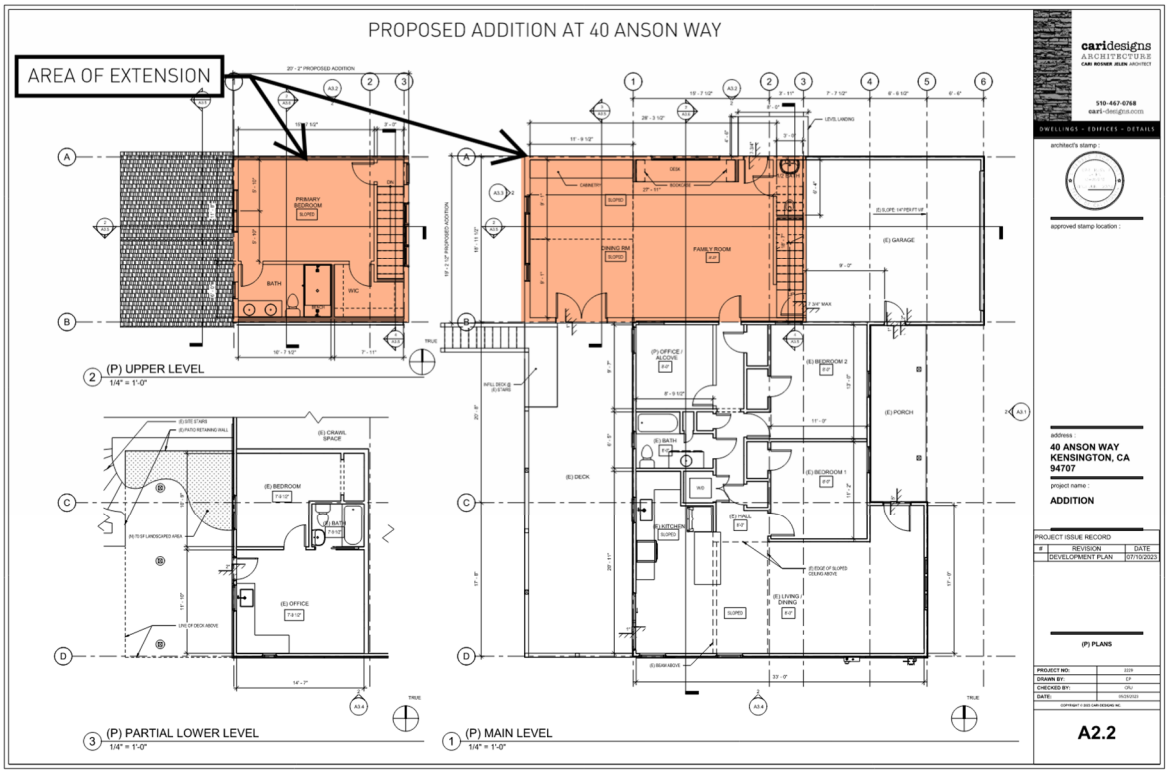
The proposed addition at 40 Anson Way creates a home with the following amenities:

- 5 bedrooms
- 2 kitchens
- 3 living spaces
- 3.5 baths
- 1 parking space

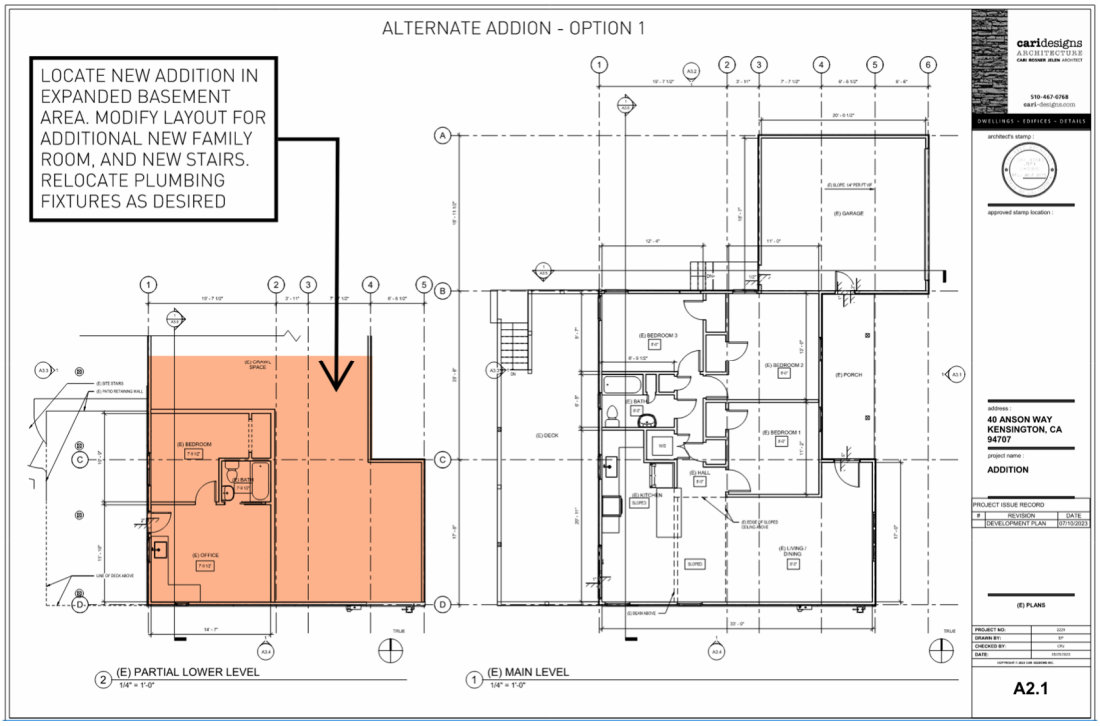
The existing habitable lower level currently has a full bathroom, kitchen, a bedroom, and space that can be used for living. By connecting the main house to the basement, many of the same rooms in the proposed design can be accessed from the main level without the need for extensive new construction.

Alternatively, if the owners of 40 Anson Way are intent on building a third level, then moving the extension to the opposite side of the house would eliminate any shadowing and view impacts on 36 Anson Way, while having a much more limited impact on the neighbors at 44 Anson Way.

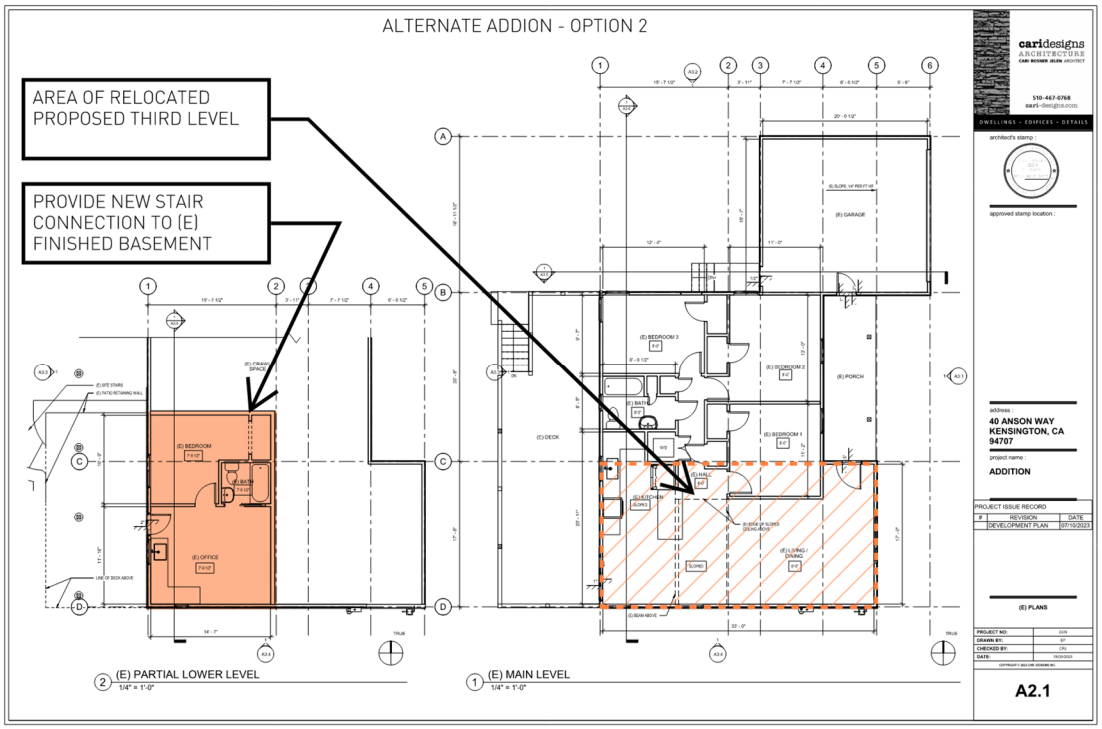
PROPOSED PROJECT WITH 3RD FLOOR ADDITION THAT CREATES SHADOWS AND BLOCKS VIEWS



PROPOSED PROJECT WITH 3RD FLOOR ADDITION MOVED TO OTHER SIDE – OPTION 1



PROPOSED PROJECT WITH 3RD FLOOR ADDITION MOVED TO OTHER SIDE – OPTION 2



Sincerely,

Heather Sanders-Jacob
Ashwin Biln

EXHIBIT D

(Excerpts from Los Angeles Basin Hillside Ordinance)

4. Height Limits. [§ 12.21 C.10.(d) of the LAMC]

No portion of a Building or Structure shall be erected or enlarged which exceeds the envelope height limits as outlined in Table 5 – Maximum Height of Structures, or as otherwise stated in the paragraphs below. For the provisions below, whenever Grade is mentioned, it shall mean Hillside Area Grade as defined in the Definitions Section of this document (or Section 12.03 of the LAMC).

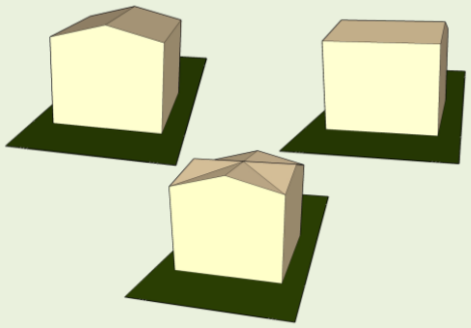
Table 5
Maximum Height of Structures (in feet)

Height Districts	*R1*	*RS*	*RE9*	*RE11*	*RE15*	*RE20*	*RE40*	*RA*
When the roof of the uppermost story of a building or structure or portion thereof has a slope of 25% or greater, the maximum height for said portion of building or structure thereof shall be as follows:								
1, 1L, & 1VL	33	33	33	36	36	36	36	36
1XL	30	30	30	30	30	30	30	30
1SS	22	22	22	22	22	22	22	22
When the roof of the uppermost story of a building or structure or portion thereof has a slope of less than 25%, the maximum height for said portion of building or structure thereof shall be as follows:								
1, 1L, & 1VL	28	28	28	30	30	30	30	30
1XL	28	28	28	30	30	30	30	30
1SS	18	18	18	18	18	18	18	18

25% Roof Slope

The 25% roof slope is a Southern California standard which is also commonly referred to as the 3:12 slope. This slope can be expressed as a ratio of 1 foot of vertical rise for every 4 feet of horizontal distance. In order to determine what the minimum height of the standard gabled roof, as measured from the top-plate of the building wall, simply divide the horizontal distance of the wall by 8.

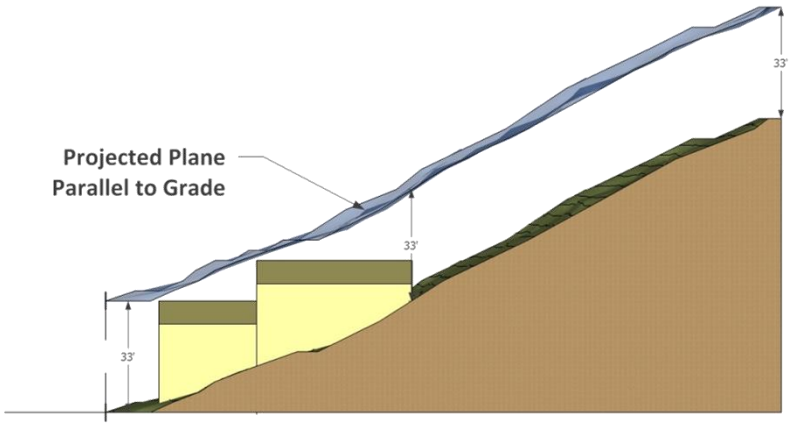
When a roof is made up of a combination of roof slopes, the portions of the structure with a roof slope less than 25% will be considered flat and as a result be required to comply with the lower height.



a. Measurement of Height. [§ 12.21 C.10.(d)(1) of the LAMC]

Notwithstanding any other provision in the Code, the height limits in Table 5 – Maximum Height of Structures above shall be measured as set forth below.

(1) **Maximum Envelope Height.** Envelope height (otherwise known as vertical height or "plumb line" height) shall be the vertical distance from the Grade of the site to a projected plane at the roof Structure or parapet wall located directly above and parallel to the Grade. Measurement of the envelope height shall originate at the lowest Grade within 5 horizontal feet of the exterior walls of a Building or Structure.



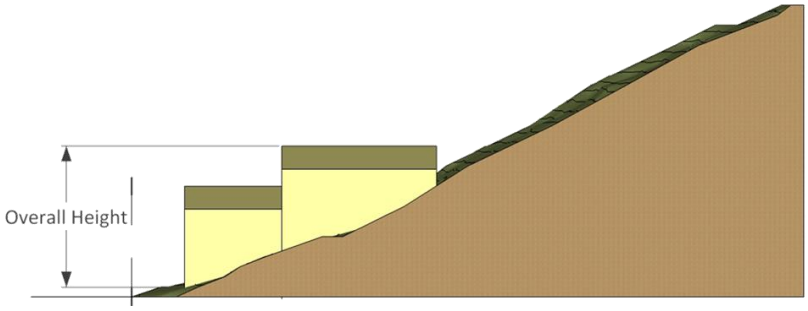
At no point shall any given section of any part of the proposed Building or Structure exceed the maximum envelope height.

A topographic map shall be submitted as a separate plan sheet or as part of the site plan identifying the 5-foot perimeter of the exterior walls, or any other information which the Department of Building and Safety deems necessary to determine compliance with this provision.

b. *Zoning Administrator's Authority. [§ 12.21 C.10.(d)(2) of the LAMC]*

A Zoning Administrator may allow Structures which exceed the maximum envelope height requirements of Table 5 – Maximum Height of Structures; however, the increase in height may not result in a Building or Structure which exceeds an overall height of 45 feet, pursuant to the authority and procedures established in Section 12.24 X.28 of the LAMC.

The overall height shall be measured from the lowest Elevation point within 5 horizontal feet of the exterior walls of a Building or Structure to the highest Elevation point of the roof Structure or parapet wall.



c. *Prevailing Height. [§ 12.21 C.10.(d)(3) of the LAMC]*

Notwithstanding the height limits in Table 5 – Maximum Height of Structures, when 40% or more of the existing One-Family Dwellings with Frontage on both sides of the block have Building heights exceeding these limits, the maximum envelope height for any Building on that block may be the average height of the Dwellings exceeding these limits.

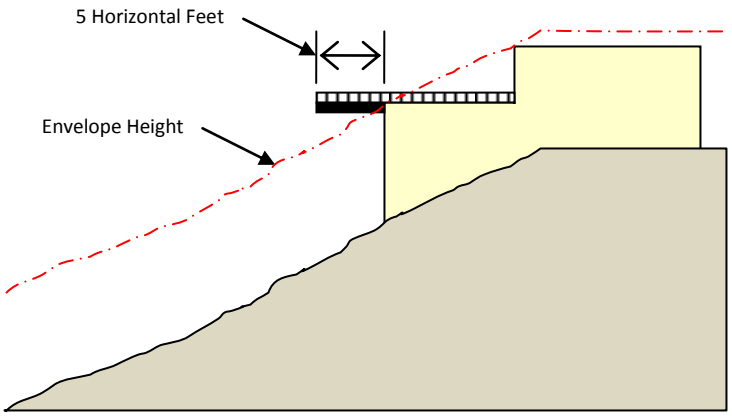
d. *Lots in a Single-Story Height District. [§ 12.21 C.10.(d)(4) of the LAMC]*

As enabled by Section 12.21.1 A.1 of the LAMC, on Lots in a "SS" Single Story Height District, shown as "1SS" on a Zoning Map, no Building or Structure shall be erected or enlarged which exceeds one Story.

Notwithstanding the provision in Section 12.21.1 A.8 of the LAMC, in determining the number of Stories, any Basement which is exempt from the Residential Floor Area calculation, as outlined in Section 12.03 of the LAMC, shall not be considered a Story.

e. *Lots Fronting on Substandard Hillside Limited Streets. [§ 12.21 C.10.(d)(5) of the LAMC]*

For any Lot fronting onto a Substandard Hillside Limited Street and subject to the 5-foot Front Yard setback, no portion of a Building or Structure within 20 feet of the Front Lot Line shall exceed 24 feet in height. The 24 foot maximum Building and Structure height shall be measured from the Elevation at the centerline or midpoint of the Street on which the Lot fronts.



f. *Unenclosed/Uncovered Rooftop Decks and Cantilevered Balconies. [§ 12.21 C.10.(d)(6) of the LAMC]*

Unenclosed/uncovered rooftop decks, cantilevered balconies and "visually permeable railing" (no more than 42 inches in height), may project beyond the maximum envelope height no more than 5 horizontal feet.

For the purposes of this provision, "visually

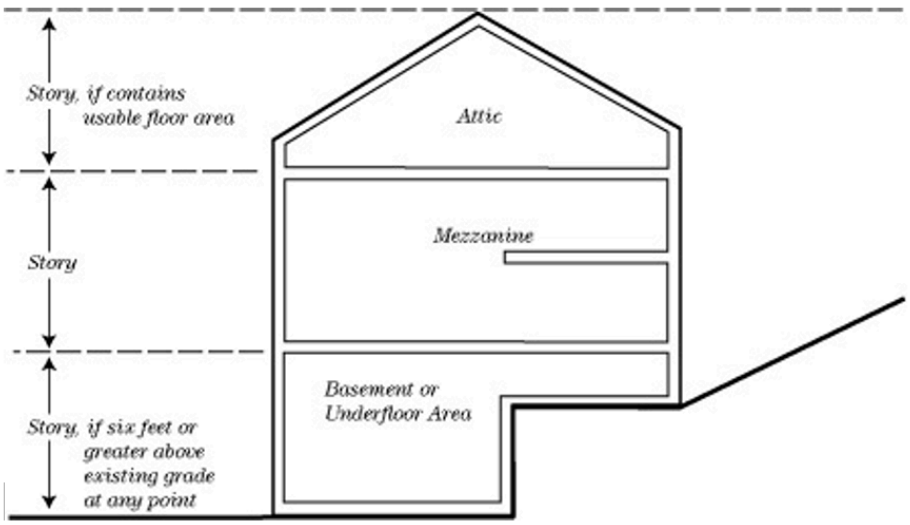
EXHIBIT E

(Berkeley Municipal Code section 23.106.060)

23.106.060 Story.

A. *Story Defined.* A story means the portion of a building included between the upper surface of any floor and the upper surface of the floor next above. See Figure 23.106-2: Story.

Figure 23.106-2. STORY



B. *Topmost Story.* The topmost story of a building is the portion of a building between the floor of the topmost floor and the ceiling or roof above.

C. *Below Grade Spaces.* If the finished floor level directly above the ceiling of a basement, garage structure, cellar, or unused underfloor space is more than 6 feet above existing grade at any point, such basement, cellar, or unused underfloor space is considered a story.

D. *Penthouses.* A penthouse used for purposes other than shelter of mechanical equipment or shelter of vertical shaft openings in the roof is considered a story.

E. *Mezzanines.* When the total floor area of a mezzanine exceeds 33.3 percent of the total floor area in that room, it constitutes an additional story. (Ord. 7787-NS § 2 (Exh. A), 2021)

The Berkeley Municipal Code is current through Ordinance 7891-NS, passed December 12, 2023.

Disclaimer: The City Clerk's Office has the official version of the Berkeley Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: www.berkeleyca.gov

Hosted by Code Publishing Company, A General Code Company.

EXHIBIT E

(Corrected shadow study pointing out affected upper windows)

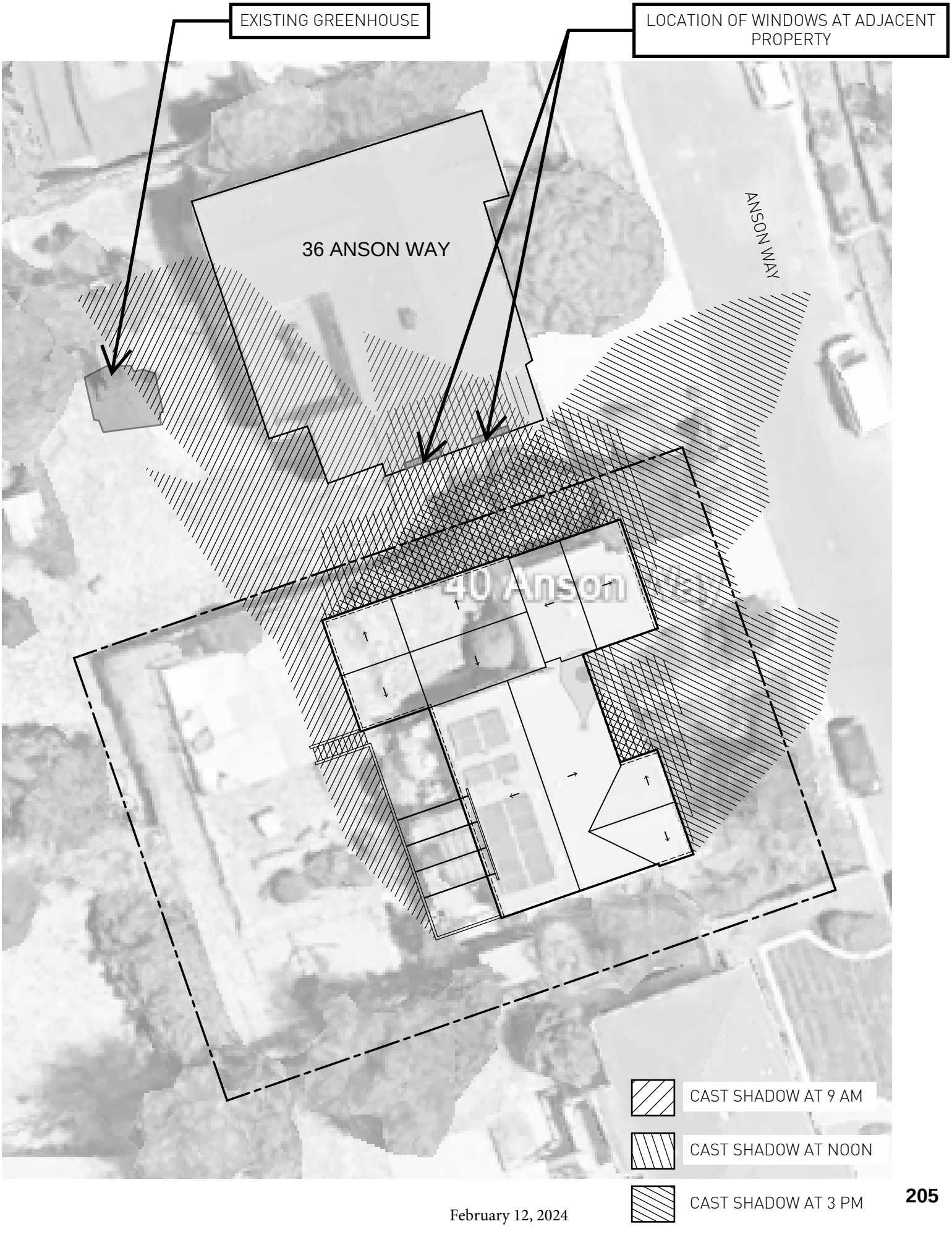

EXISTING GREENHOUSE
LOCATION OF WINDOWS AT ADJACENT PROPERTY
36 ANSON WAY
ANSON WAY
40 Anson Hall
CAST SHADOW AT 9 AM
CAST SHADOW AT NOON
CAST SHADOW AT 3 PM

EXHIBIT 3

MAPS AND PLANS

BLAKEMONT M.B. 28-22

TAX CODE AREA

21

22

17

24

CONTRA COSTA (HIGHGATE RD.)

FRANCISCAN WAY

ANSON WAY

EUREKA AVE.

1" = 100'

231

232

233

234

6-4-92
100LSM48

ADDED TO
504-403-019

CORPORATION LINE

(CITY OF EL CERRITO)

PROJECT SITE

REVISED	CHANGE	BY
9-25-92	100LSM48	MJ

P.B.
505

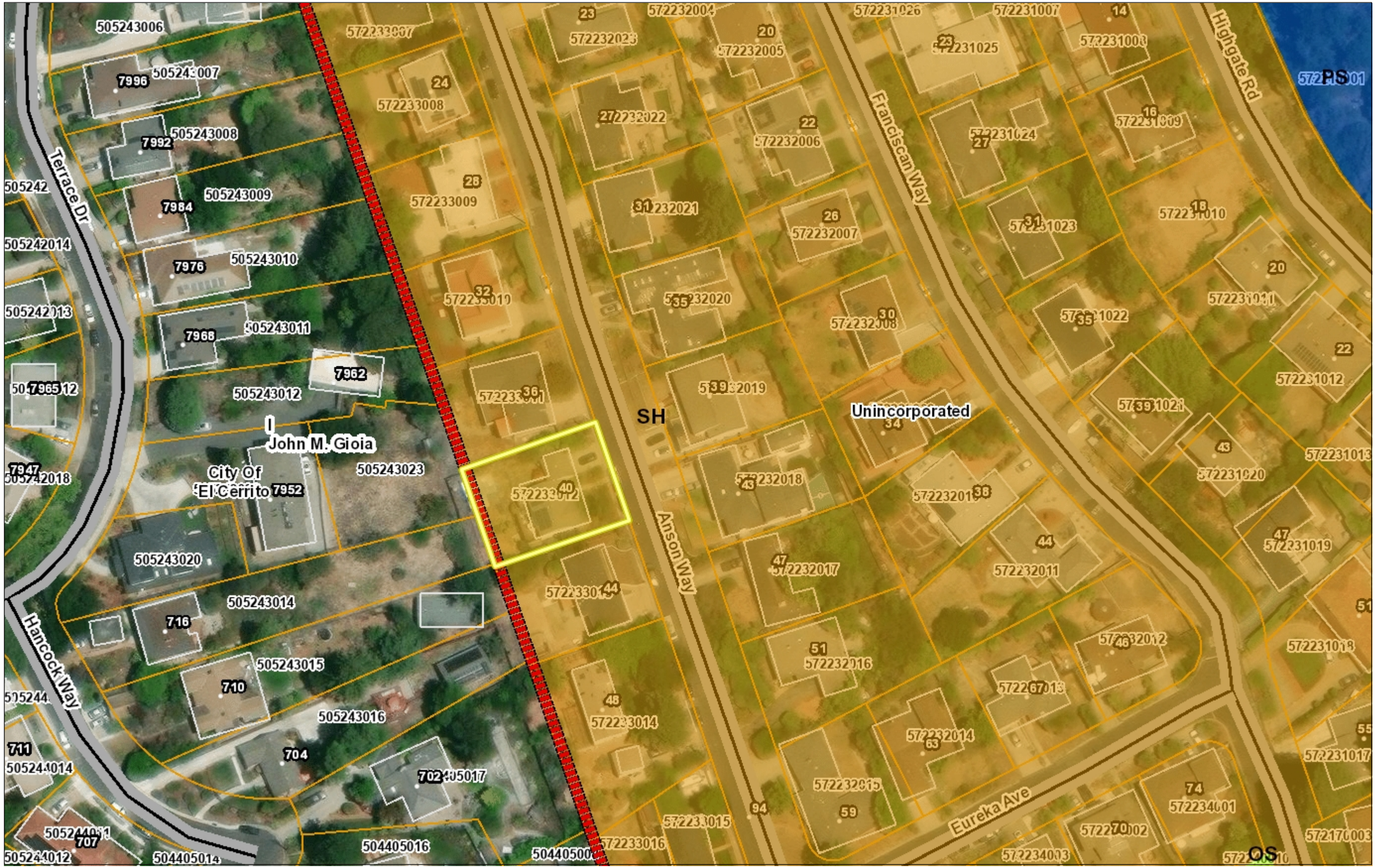
1962 ROLL 9-25-92

ASSESSOR'S MAP

BOOK 572 PAGE 23

7/1/ COUNTY OFCONTRA COSTA, C **207**

General Plan Map



0.0 0 0.02 0.0 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Board of Supervisors' Districts
- City Limits
- Unincorporated
- General Plan
  - SV (Single Family Residential - Ver
  - SL (Single Family Residential - Low
  - SM (Single Family Residential - Me
  - SH (Single Family Residential - Hig
  - ML (Multiple Family Residential - Lo
  - MM (Multiple Family Residential - M
  - MH (Multiple Family Residential - H
  - MV (Multiple Family Residential - V
  - MS (Multiple Family Residential - V
  - CC (Congregate Care/Senior Housi
  - MO (Mobile Home)
  - M-1 (Parker Avenue Mixed Use)
  - M-2 (Downtown/Waterfront Rodeo I
  - M-3 (Pleasant Hill BART Mixed Use
  - M-4 (Willow Pass Road Mixed Use)
  - M-5 (Willow Pass Road Commercia
  - M-6 (Bay Point Residential Mixed U
  - M-7 (Pittsburg/Bay Point BART Sta
  - M-8 (Dougherty Valley Village Cent
  - M-9 (Montalvin Manor Mixed Use)
  - M-10 (Willow Pass Business Park M
  - M-11 (Appian Way Mixed Use)
  - M-12 (Triangle Area Mixed Use)
  - M-13 (San Pablo Dam Road Mixed
  - M-14 (Heritage Mixed Use)
  - CO (Commercial)
  - OF (Office)
  - BP (Business Park)
  - LI (Light Industry)
  - HI (Heavy Industry)
  - AL, OIBA (Agricultural Lands & Off
  - CR (Commercial Recreation)
  - ACO (Airport Commercial)
  - LF (Landfill)
  - PS (Public/Semi-Public)

1: 1,128

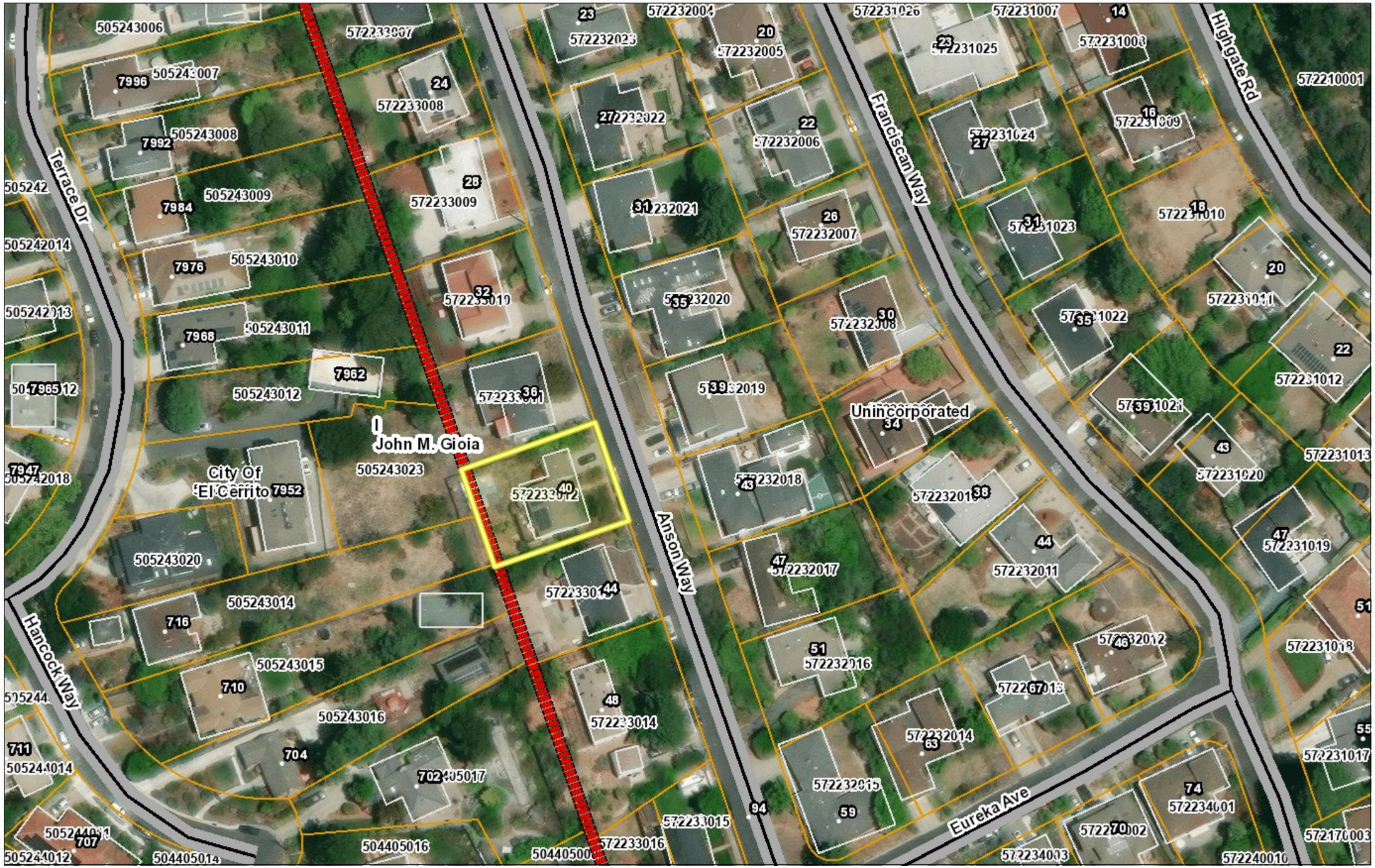
Notes

Contra Costa County -DOIT GIS

Zoning Map


Terrace Dr
Franciscan Way
Highgate Rd
Anson Way
Hancock Way
Eureka Ave
Unincorporated
R-6 -TOV -K
John M. Gioia
City Of
El Cerrito
505243006
505243007
505243008
505243009
505243010
505243011
505243012
505243023
505243020
505243014
505243015
505243016
505243017
505242
505242014
505242013
505244
505244014
505244012
504405016
504405014
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572232023
572232005
572231026
572231007
572231025
572231008
572210001
572233007
572233008
572232022
572232006
572231024
572231009
572233009
572232021
572232007
572231023
572231010
572233010
572232020
572232008
572231011
572231022
572231012
572232019
572231021
572233012
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572231020
572231013
572232017
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572232016
572232012
572231018
572267013
572232014
572231017
572232015
572234001
572233015
572233016
572234003
572240010
572170003
572231027
572231028
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572231066

Aerial Map



Legend

- Board of Supervisors' Districts
- City Limits
- Unincorporated
- Address Points
- Streets
- Building Footprints
- Assessment Parcels
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 1,128

0.0 0 0.02 0.0 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS

ABBREVIATIONS

A.D.	AREA DRAIN
ADJ.	ADJUSTABLE
A.F.F.	ABOVE FINISHED FLOOR
AGGR.	AGGREGATE
ASPH.	ASPHALT
ARCH.	ARCHITECTURAL
BLDG.	BUILDING
BLK.	BLOCK
BLKG.	BLOCKING
B.O.	BOTTOM OF
BW	BOTTOM OF WALL
CPT.	CARPET
CAB.	CABINET
C.J.	CONSTRUCTION JOINT
C.L.	CENTER LINE
CLOS.	CLOSET
CLG.	CEILING
CLR.	CLEAR
C.O.	CLEAN OUT
COL.	COLUMN
CONC.	CONCRETE
CONT.	CONTINUOUS
CSMT.	CASEMENT
C.T.	CERAMIC TILE
C.S.	COUNTER SINK
DEMO.	DEMOLITION
DET.	DETAIL
D.H.	DOUBLE HUNG
D.F.	DOUGLAS FIR
DIAG.	DIAGONAL
DIM.	DIMENSION
DWGS.	DRAWINGS
DN.	DOWN
DS.	DOWNSPOUT
(E)	EXISTING
E.J.	EXPANSION JOINT
EL.	ELEVATION
EQ.	EQUAL
EXT.	EXTERIOR
F.A.	FIRE ALARM
F.D.	FLOOR DRAIN
FIN.	FINISH
F.O.S.	FACE OF STUD
F.O.C.	FACE OF CONCRETE
F.O.A	FACE OF WALL
FTG.	FOOTING
GA.	GAUGE
GALV.	GALVANIZED
GL.	GLASS
GLU. LAM.	GLUE LAMINATED
G.S.M.	GALV. SHEET METAL
GYP.	GYPSUM
G.W.B.	GYPSUM WALL BOARD
H.B.	HOSE BIBB
HGT.	HEIGHT
H.M.	HOLLOW METAL
HOR.	HORIZONTAL
H.P	HIGH POINT
I.D.	INSIDE DIAMETER
INSUL.	INSULATION
INT.	INTERIOR
JST.	JOIST
J.BOX	JUNCTION BOX
LAB.	LABORATORY
LAM.	LAMINATE
LAV.	LAVATORY
LT.	LIGHT
MAX.	MAXIMUM
MECH.	MECHANICAL
MEMB.	MEMBRANE
MFR.	MANUFACTURER
MIN.	MINIMUM
MISC.	MISCELLANEOUS
M.O.	MASONRY OPENING
MTL.	METAL
MUL.	MULLION
A(N)	NEW
N.I.C.	NOT IN CONTRACT
NO.	NUMBER
NOM.	NOMINAL
N.T.S.	NOT TO SCALE
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
O.H.	OVERHEAD
OPG.	OPENING
OPNG.	OPENING
OPP.	OPPOSITE
P.L.	PROPERTY LINE
P/L	PLATE
PLAS.	PLASTER
PLWD.	PLYWOOD
PR.	PAIR
PTD.	PAINTED
R.	RISER
R.D.	RUN
REFR.	REFRIGERATOR
REINF.	REINFORCED
RM.	ROOM
R.O.	ROUGH OPENING
RTG.	RETAINING
SAG	SUPPLY AIR GRILL
S.V.	SHEET VINYL
S.H.	SINGLE HUNG
SHT.	SHEET
SHTG.	SHEATHING
SPEC.	SPECIFICATION
SQ.	SQUARE
S.S.	STAINLESS STEEL
STAGG.	STAGGERED.
STD.	STANDARD
STL.	STEEL
STRUC.	STRUCTURAL
T.	TREAD
TC	TOP OF CURB
T&G	TONGUE AND GROOVE
THK.	THICK
T.W.	TOP OF WALL
TYP.	TYPICAL
U.O.N.	UNLESS OTHERWISE NOTED
VERT.	VERTICAL
V.I.F	VERIFY IN FIELD
W/	WITH
W.C.	WATER CLOSET
WD.	WOOD
W/H	WATER HEATER
W.P	WATERPROOF
W.PT	WORK POINT
YD.	YARD

CODE REQUIREMENTS

STATE CODES:
2022 CALIFORNIA BUILDING CODE
2022 CALIFORNIA ENERGY CODE
2022 CALIFORNIA CALGREEN
2022 CALIFORNIA ELECTRICAL CODE
2022 CALIFORNIA PLUMBING CODE
2022 CALIFORNIA MECHANICAL CODE
2022 CALIFORNIA FIRE CODE

LOCAL CODES :
CONTRA COSTA CODE
KENSINGTON PLANNING ORDINANCE

DRAWING LIST	
ARCHITECTURE	
A0.1	COVER SHEET
A0.2	(E) SITE
A0.3	(P) 3D VIEWS
A0.4	GROSS FLOOR AREA PLANS
A2.1	(E) PLANS
A2.2	(P) PLANS
A3.1	(E) & (P) ELEVATIONS
A3.2	(E) & (P) ELEVATIONS
A3.3	(E) & (P) ELEVATIONS
A3.4	(E) & (P) ELEVATIONS
A3.5	(E) & (P) SECTIONS
A3.6	(E) & (P) SECTIONS

PROJECT INFORMATION

PROJECT ADDRESS:

40 ANSON WAY, KENSINGTON, CA 94707

APN : 572-233-012
ZONING DISTRICT : R6, -TOV, -K
LOT SIZE: 8,800 SF
CONSTRUCTION DATE: 1946
DWELLING UNITS: 1 PRIMARY

SET BACK	ALLOWABLE	EXISTING	DEMO	NEW	COMPLETE
FRONT	20 FT	14'-7 1/2"	---	---	NO CHANGE
SIDE	5 FT / 15 FT AGGREGATE	14'-2 1/2" / 8'-3" 22'-5 1/2" AGG.	---	7'-3"	14'-2 1/2" / 7'-3" 21'-5 1/2" AGG.
REAR	15 FT	55'-0"	---	---	NO CHANGE
HEIGHT IN FEET					
HEIGHT	35	20'-0 1/2" +/-	---	24'-0"	24'-0"
STORIES	2.5	2	---	---	2
PARKING - MIN SIZE 9'-0" X 19'-0" AND SHALL BE ENTIRELY OUTSIDE OF SETBACK					
	1 MIN.	2	---	---	NO CHANGE
GROSS FLOOR AREA PER 84-74.404 (SEE SHEET A0.4 FOR BREAKDOWN)					
	3300 OR KMAC HEARING	2,368.6	70	992.6	3,292.2
LOT COVERAGE					
	NA	2,082 SF	---	635	2,717 SF

GROSS FLOOR AREA HEARING THRESHOLD CALCULATION PER 84-74.802:

THRESHOLD = PARCEL AREA X 0.540-0.00002(PARCEL AREA) AND INCREASED TO THE NEXT HIGHEST ONE HUNDRED UNLESS EVENLY DIVISIBLE BY ONE HUNDRED
THRESHOLD = 8,800 X 0.540-0.00002(8800) = 3,203

GROSS FLOOR AREA HEARING THRESHOLD IS 3,300 SQ FT

SCOPE OF WORK

- 2-STORY ADDITION

PROJECT TEAM

ARCHITECT:

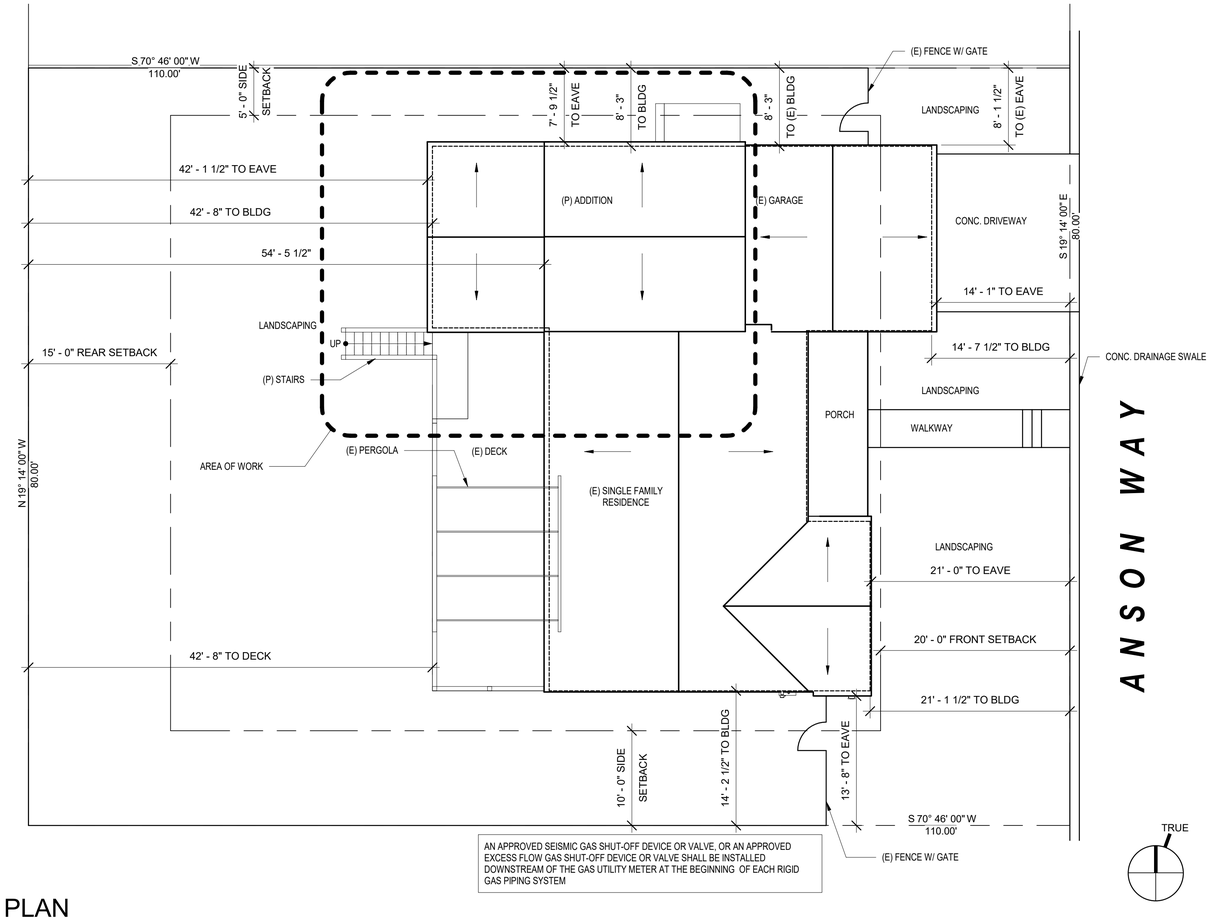
CARI DESIGNS ARCHITECTURE
800 BANCROFT WAY SUITE 200
BERKELEY, CA 94710

CARI ROSNER JELEN
crj@cari-designs.com
510-467-0768

OWNER:

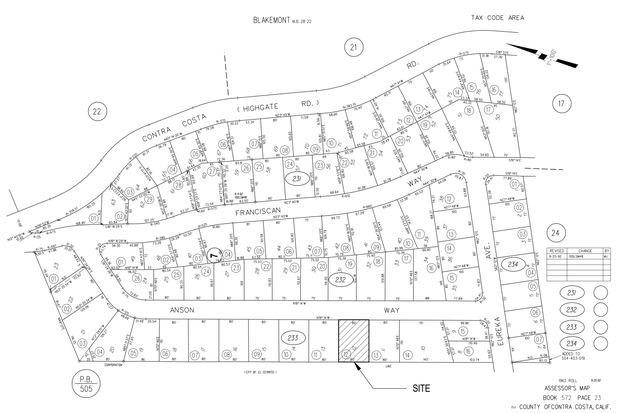
TULLEY RAFFERTY AND ELENA SAXONHOUSE
40 ANSON WAY
KENSINGTON, CA 94707

hobostew@gmail.com
510-685-9514



AN APPROVED SEISMIC GAS SHUT-OFF DEVICE OR VALVE, OR AN APPROVED EXCESS FLOW GAS SHUT-OFF DEVICE OR VALVE SHALL BE INSTALLED DOWNSTREAM OF THE GAS UTILITY METER AT THE BEGINNING OF EACH RIGID GAS PIPING SYSTEM

1 (P) SITE PLAN
1/8" = 1'-0"



2 APN MAP
NTS

RECEIVED on 7/11/2023 CDDP23-03024
By Contra Costa County
Department of Conservation and Development

caridesigns
ARCHITECTURE
CARI ROSNER JELEN ARCHITECT
510-467-0768
cari-designs.com
DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

40 ANSON WAY KENSINGTON, CA 94707

project name :

ADDITION

PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

COVER SHEET

PROJECT NO:	2229
DRAWN BY:	EP
CHECKED BY:	CRJ
DATE:	05/25/2023

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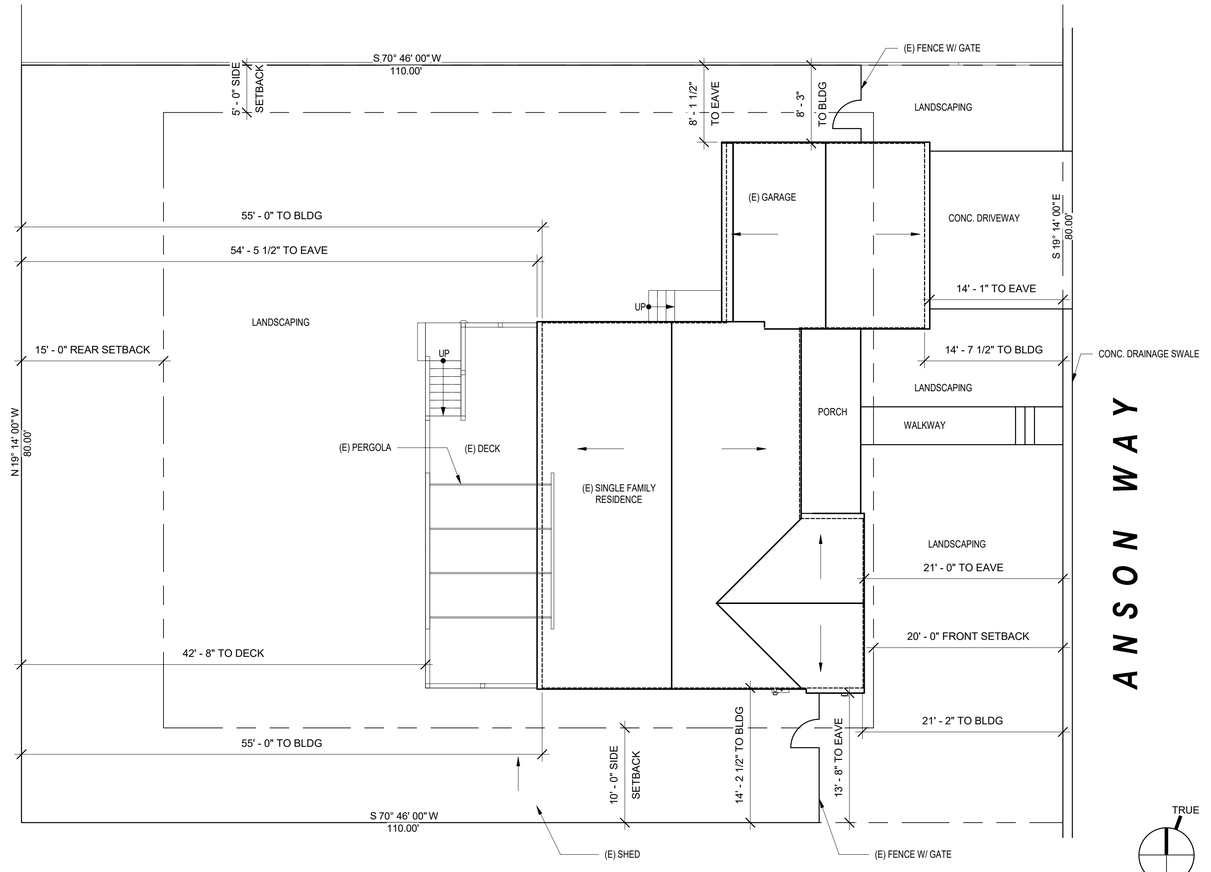
A0.1



APPROXIMATE NEIGHBOR VIEW TO SOUTHWEST (IMPACTED)



APPROXIMATE PARTIAL NEIGHBOR VIEW TO WEST (UN-IMPACTED)



2 (E) SITE PLAN
1/8" = 1'-0"

caridesigns
ARCHITECTURE
CARI ROSNER JELEN ARCHITECT

510-467-0768
cari-designs.com

DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

**40 ANSON WAY
KENSINGTON, CA
94707**

project name :

ADDITION

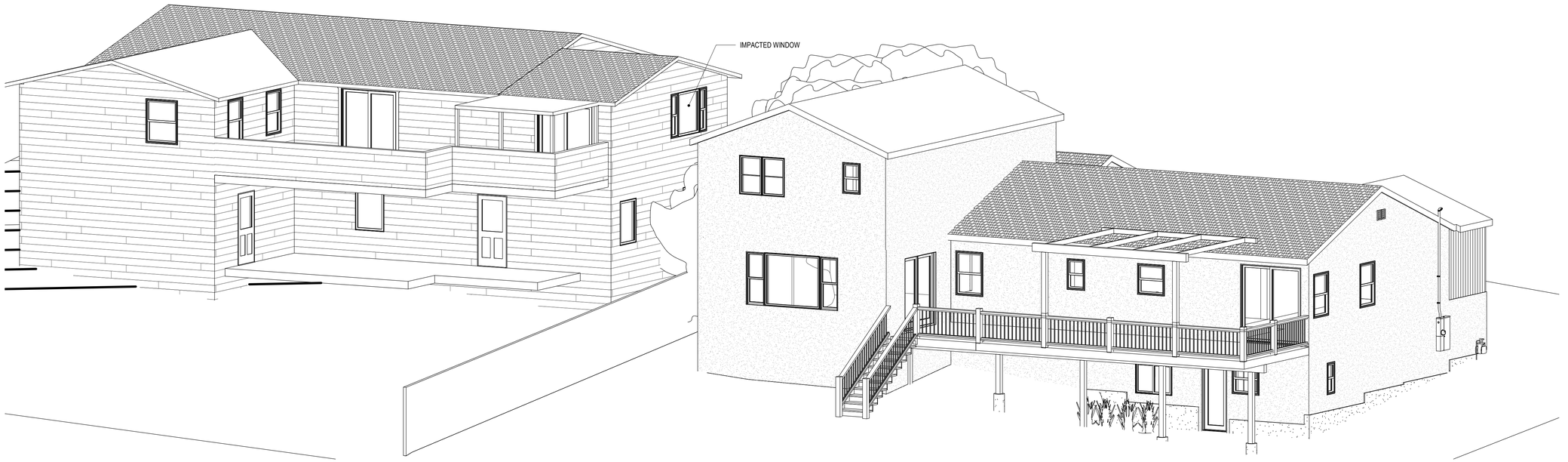
PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

(E) SITE

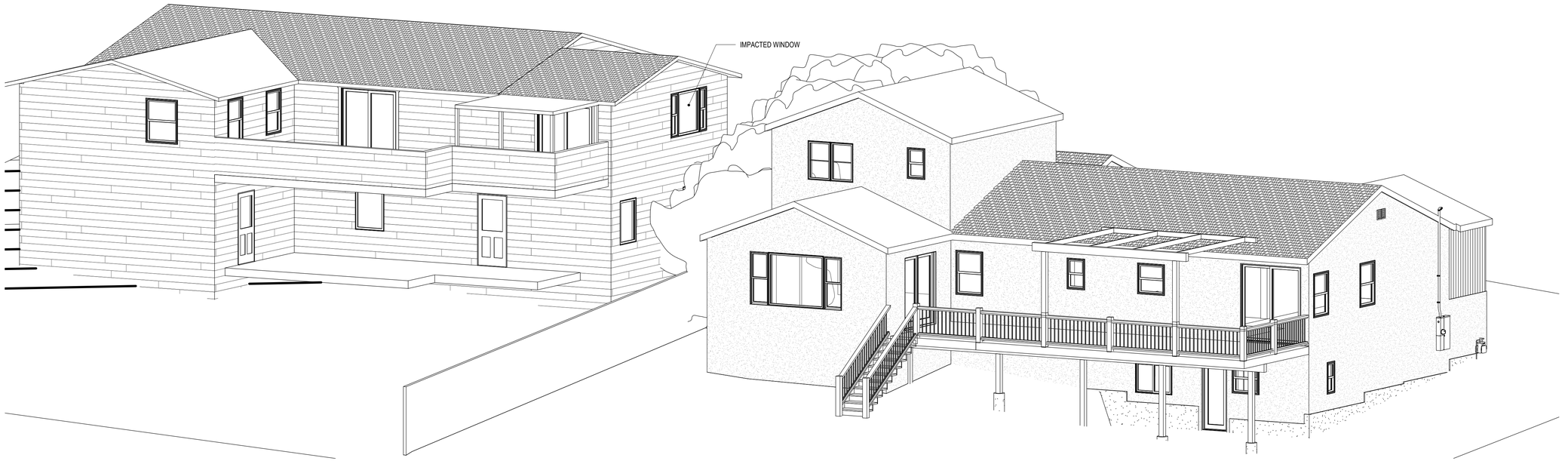
PROJECT NO:	2229
DRAWN BY:	EP
CHECKED BY:	CRJ
DATE:	05/25/2023

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A0.2



2 3D VIEW - INITIAL PROPOSED DESIGN



1 3D VIEW - PROPOSED DESIGN AFTER NEIGHBOR OUTREACH

caridesigns
ARCHITECTURE
CARI ROSNER JELEN ARCHITECT

510-467-0768
cari-designs.com

DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

**40 ANSON WAY
KENSINGTON, CA
94707**

project name :

ADDITION

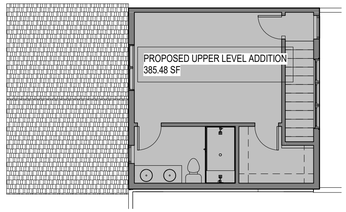
PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

(P) 3D VIEWS

PROJECT NO:	2229
DRAWN BY:	EP
CHECKED BY:	CRJ
DATE:	05/25/2023

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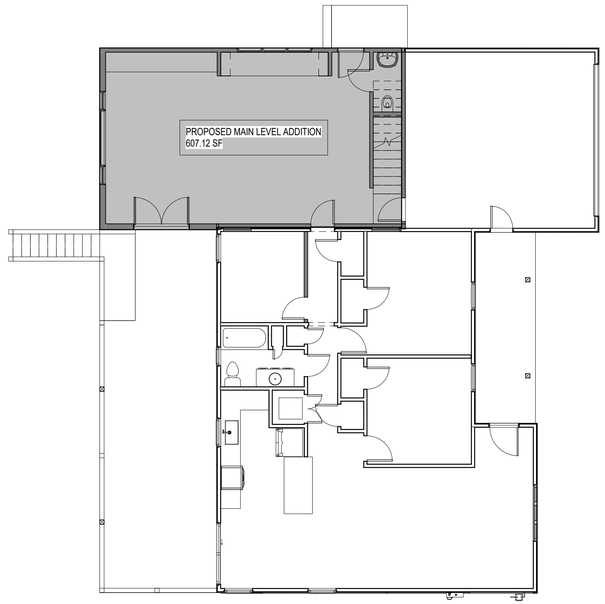
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5 (P) UPPER LEVEL - GROSS FAR PLAN

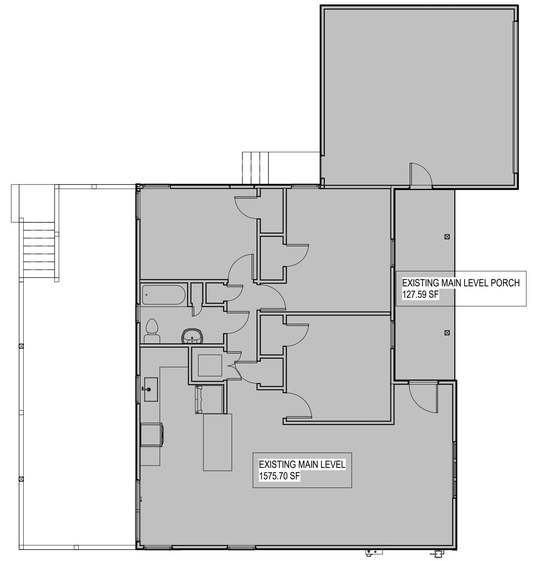
1/8" = 1'-0"

GROSS FLOOR AREA CHART					
		EXISTING	DEMO	PROPOSED	FINAL
LOWER LEVEL	RESIDENCE	372.94 SF	---	---	372.94 SF
	COVERED PATIO	292.40 SF	70.00 SF	---	222.40 SF
MAIN LEVEL	RESIDENCE	1,575.70 SF	---	607.12 SF	2,182.82 SF
	PORCH	127.59 SF	---	---	127.59 SF
UPPER LEVEL	RESIDENCE	---	---	385.48 SF	385.48 SF
PROJECT TOTAL		2,368.63 SF	70.00 SF	992.60 SF	3,291.23 SF



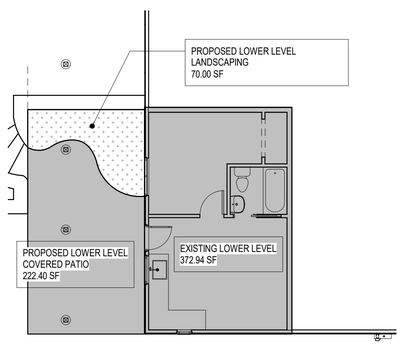
4 (P) MAIN LEVEL - GROSS FAR PLAN

1/8" = 1'-0"



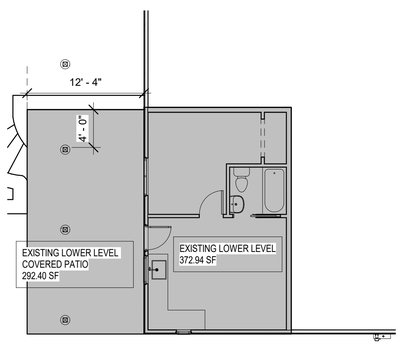
2 (E) MAIN LEVEL GROSS FAR PLAN

1/8" = 1'-0"



3 (P) LOWER LEVEL - GROSS FAR PLAN

1/8" = 1'-0"



1 (E) LOWER LEVEL - GROSS FAR PLAN

1/8" = 1'-0"

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DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

40 ANSON WAY KENSINGTON, CA 94707

project name :

ADDITION

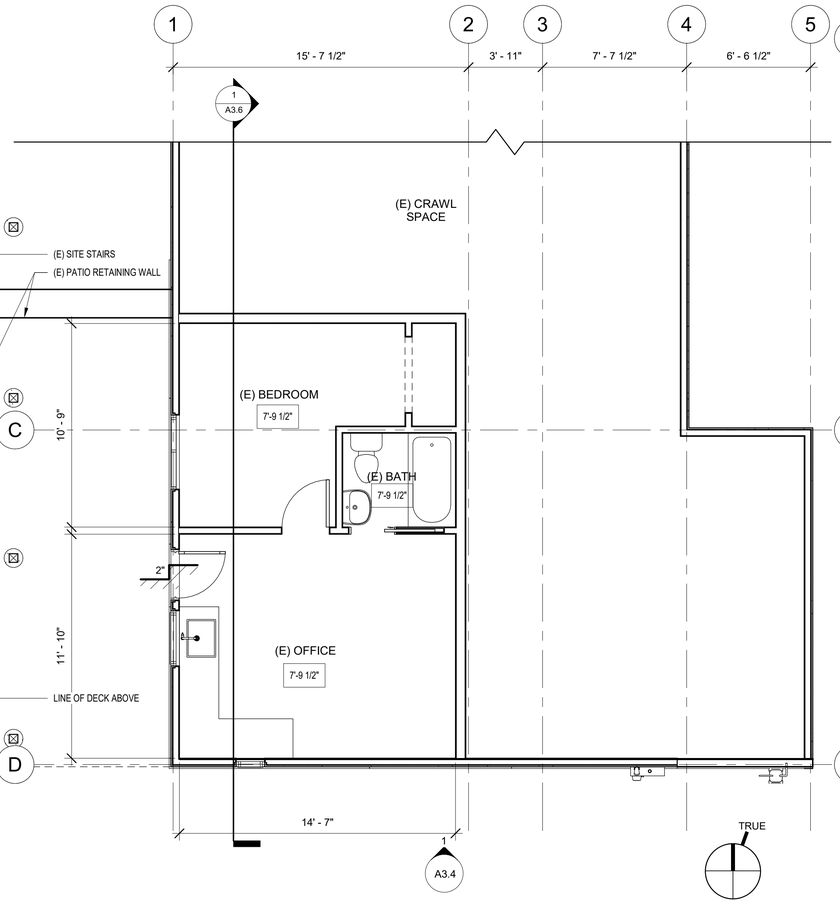
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#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

GROSS FLOOR AREA PLANS

PROJECT NO:	2229
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CHECKED BY:	Checker
DATE:	05/25/2023

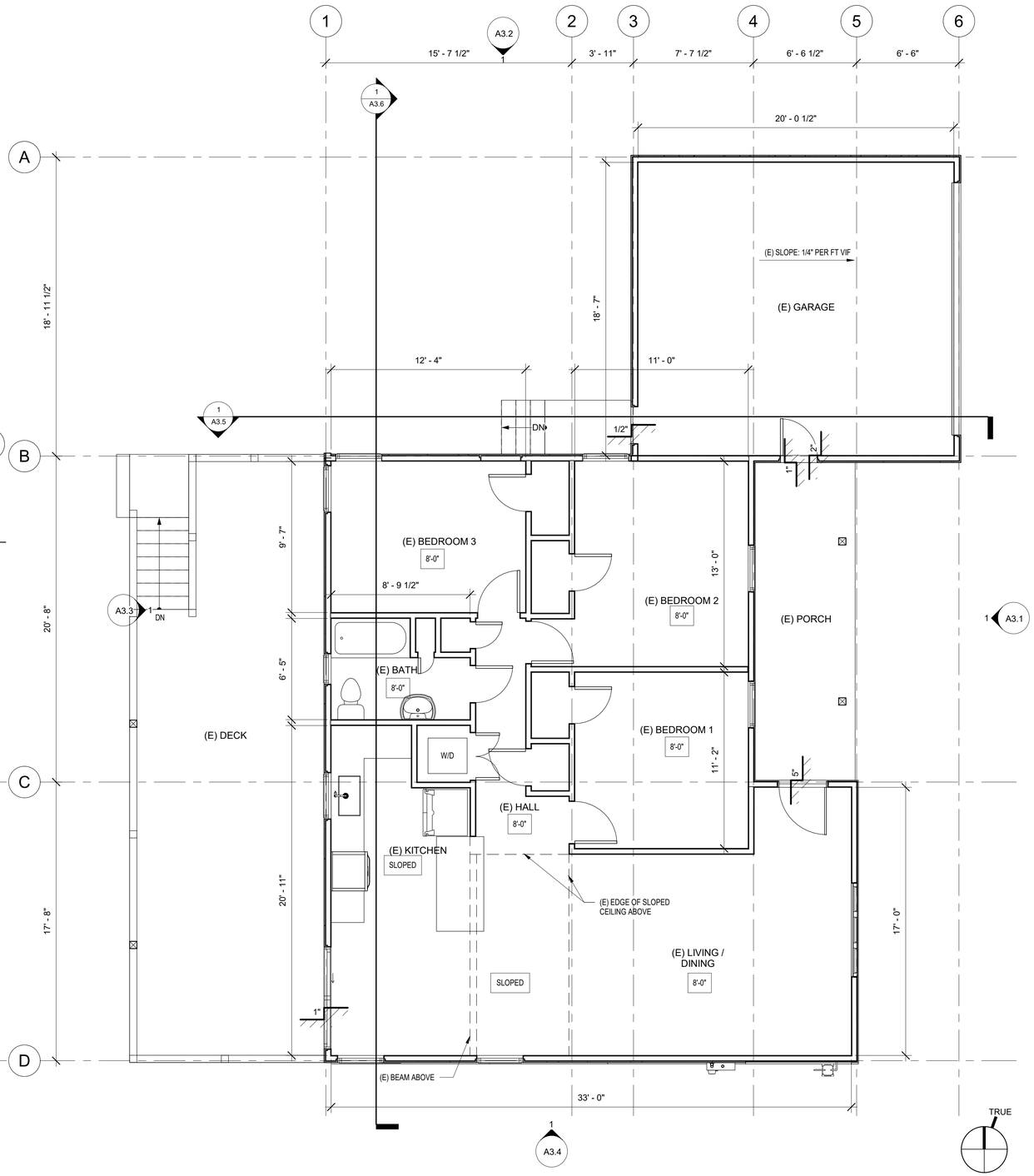
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A0.4



2 (E) PARTIAL LOWER LEVEL

1/4" = 1'-0"



1 (E) MAIN LEVEL

1/4" = 1'-0"

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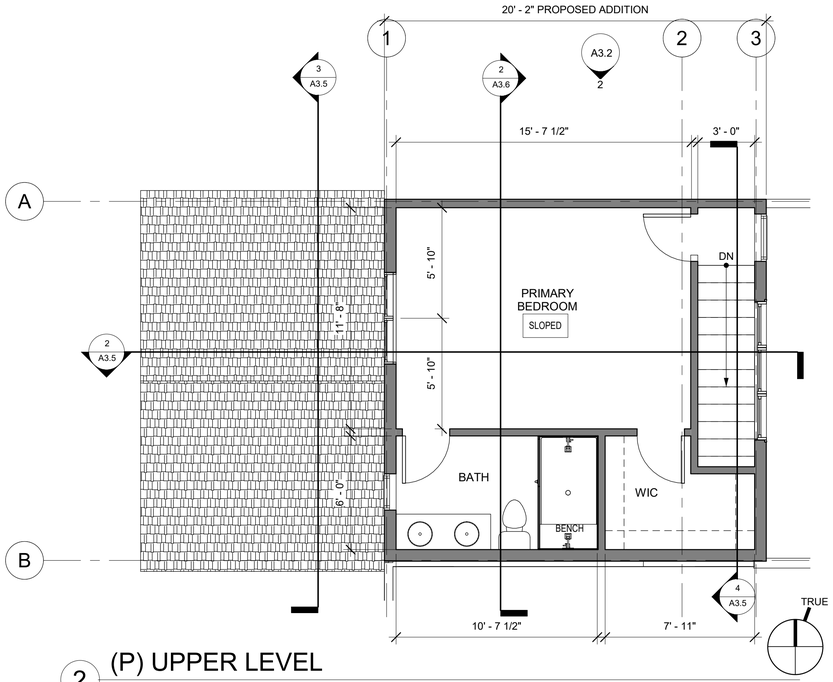
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#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

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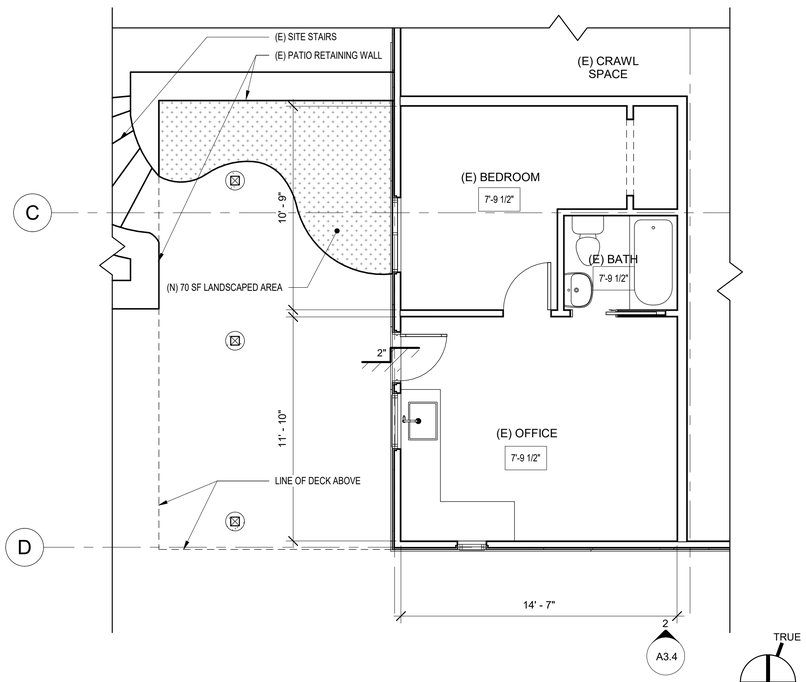
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DATE:	05/25/2023

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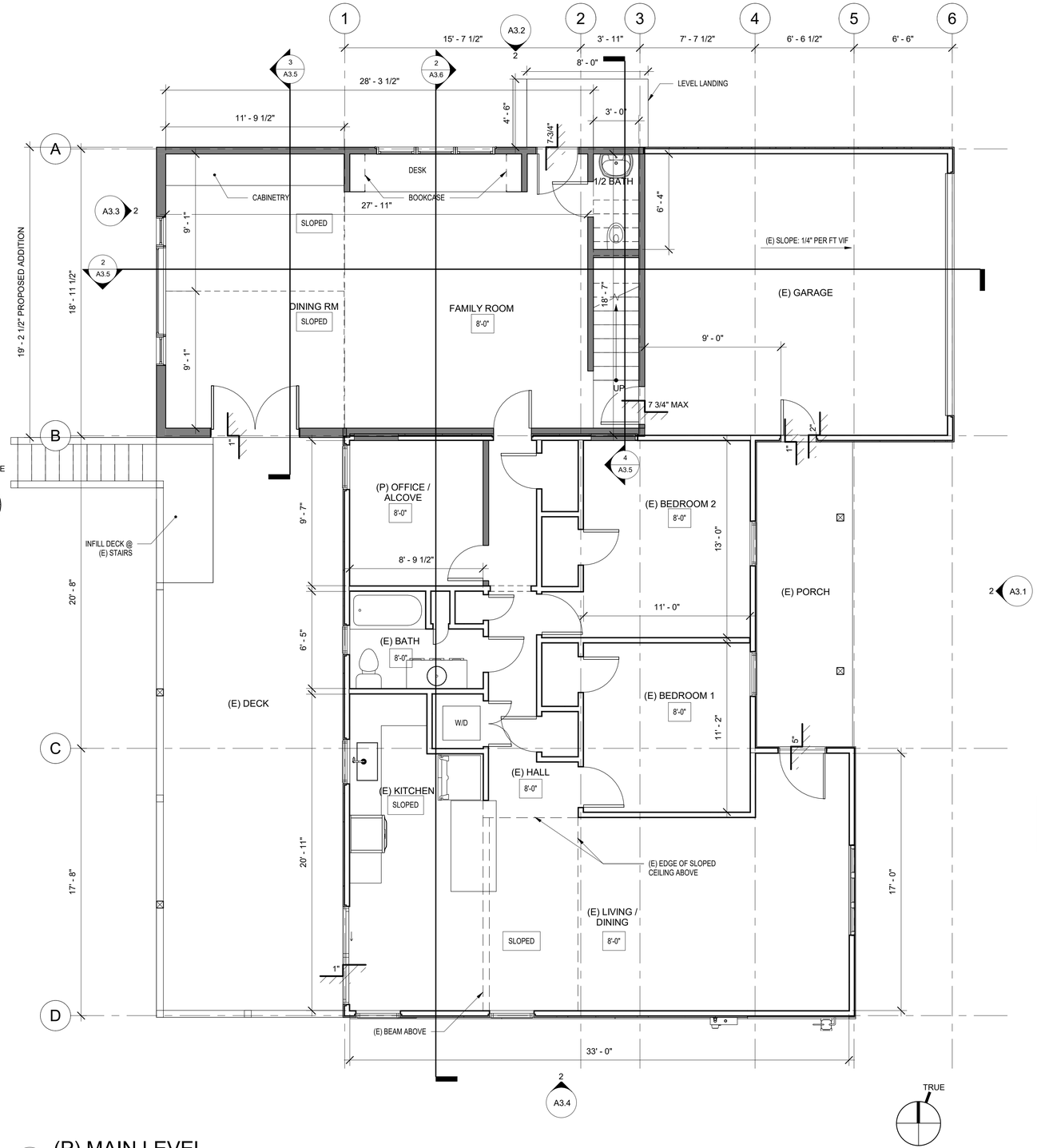
A2.1



2 (P) UPPER LEVEL
1/4" = 1'-0"



3 (P) PARTIAL LOWER LEVEL
1/4" = 1'-0"



1 (P) MAIN LEVEL
1/4" = 1'-0"

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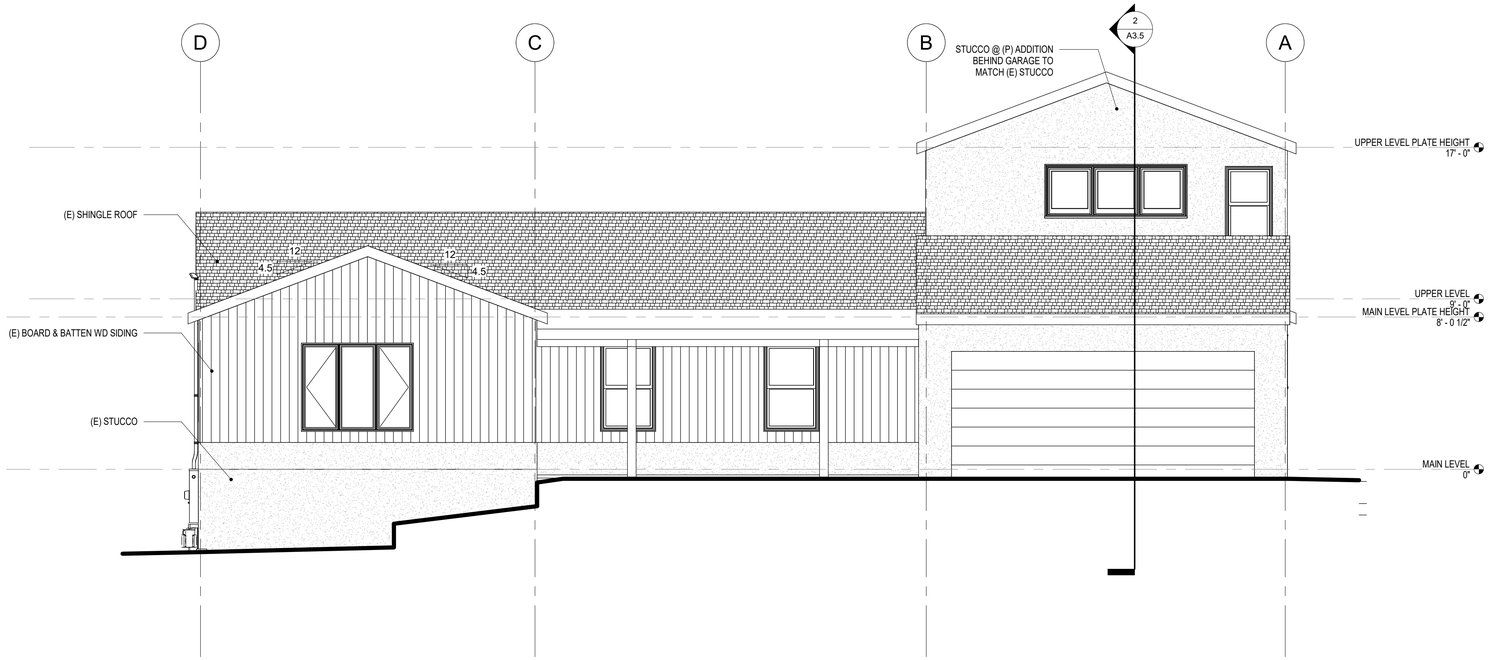
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(P) PLANS

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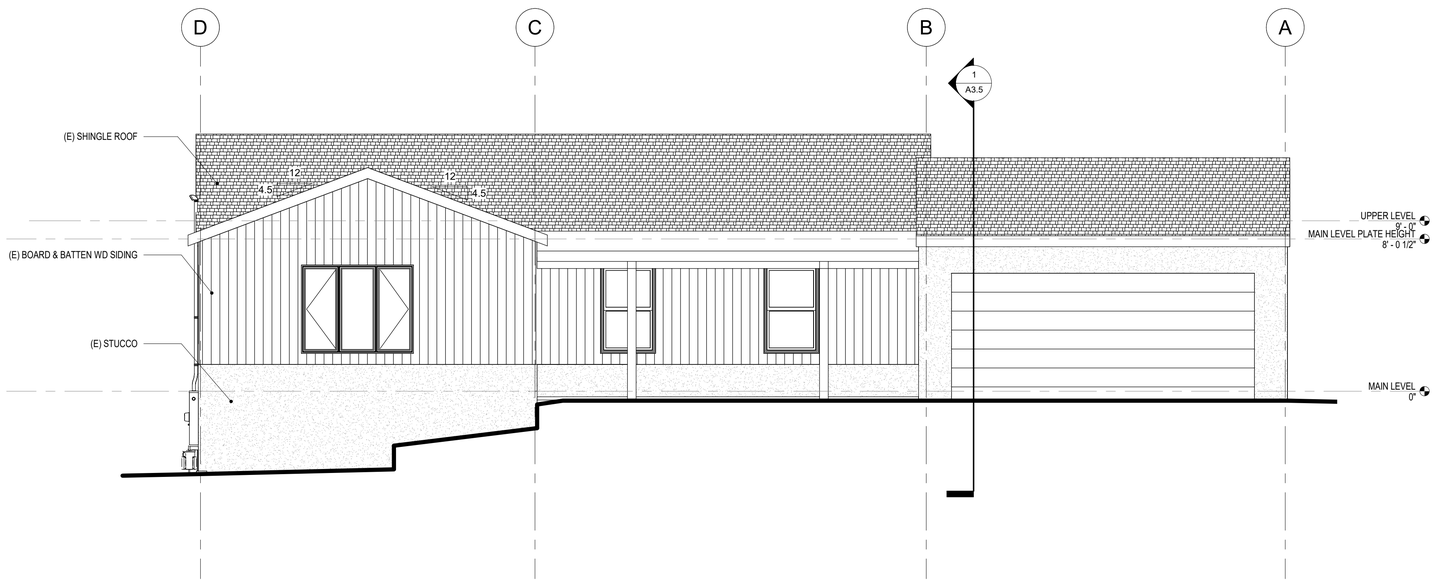
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A2.2



2 (P) EAST ELEVATION

1/4" = 1'-0"



1 (E) EAST ELEVATION

1/4" = 1'-0"

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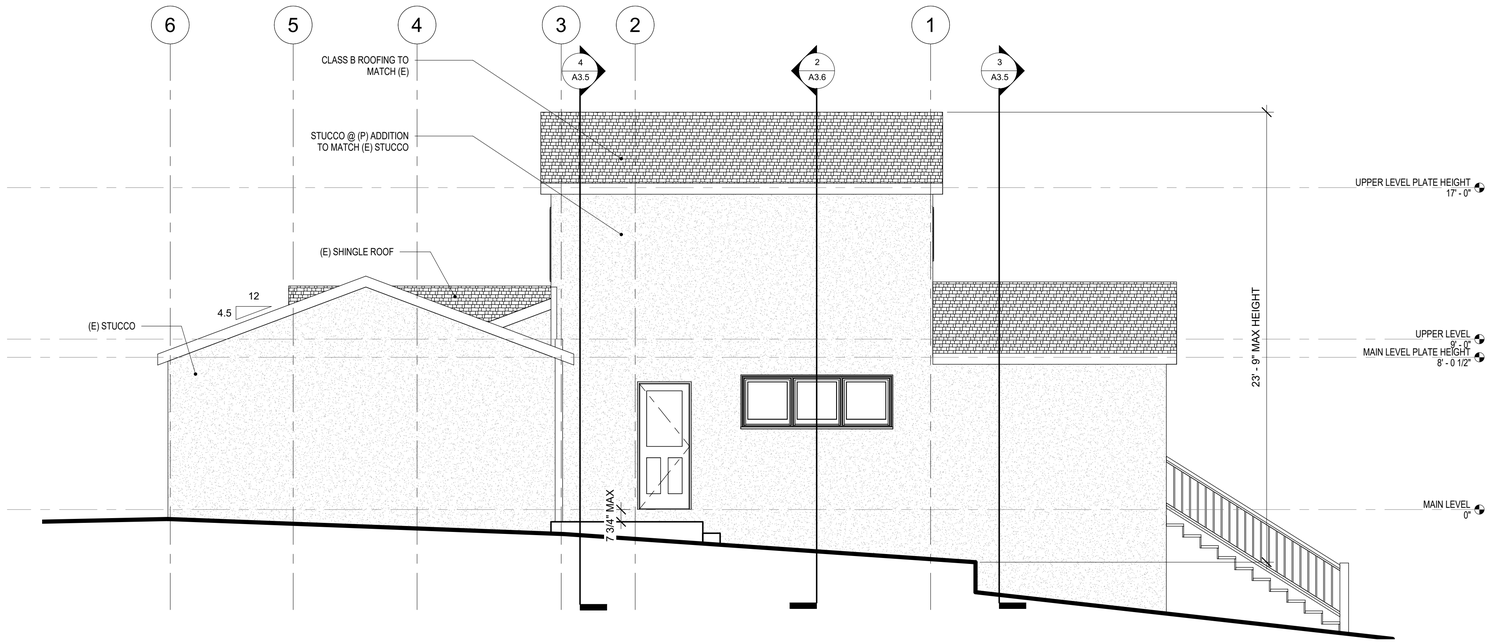
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(E) & (P) ELEVATIONS

PROJECT NO:	2229
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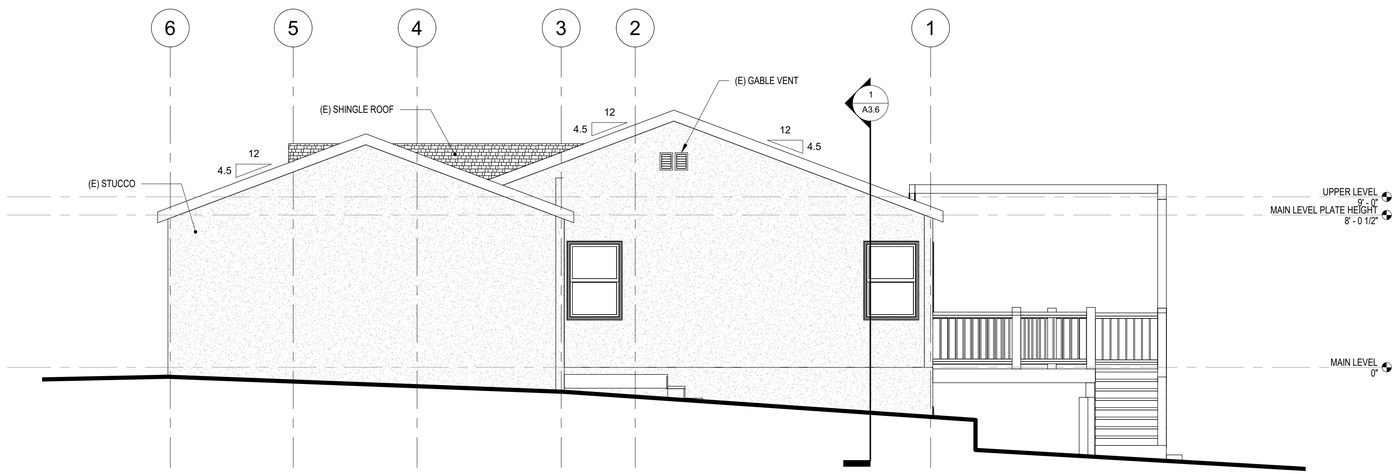
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A3.1



2 (P) NORTH ELEVATION

1/4" = 1'-0"



1 (E) NORTH ELEVATION

1/4" = 1'-0"

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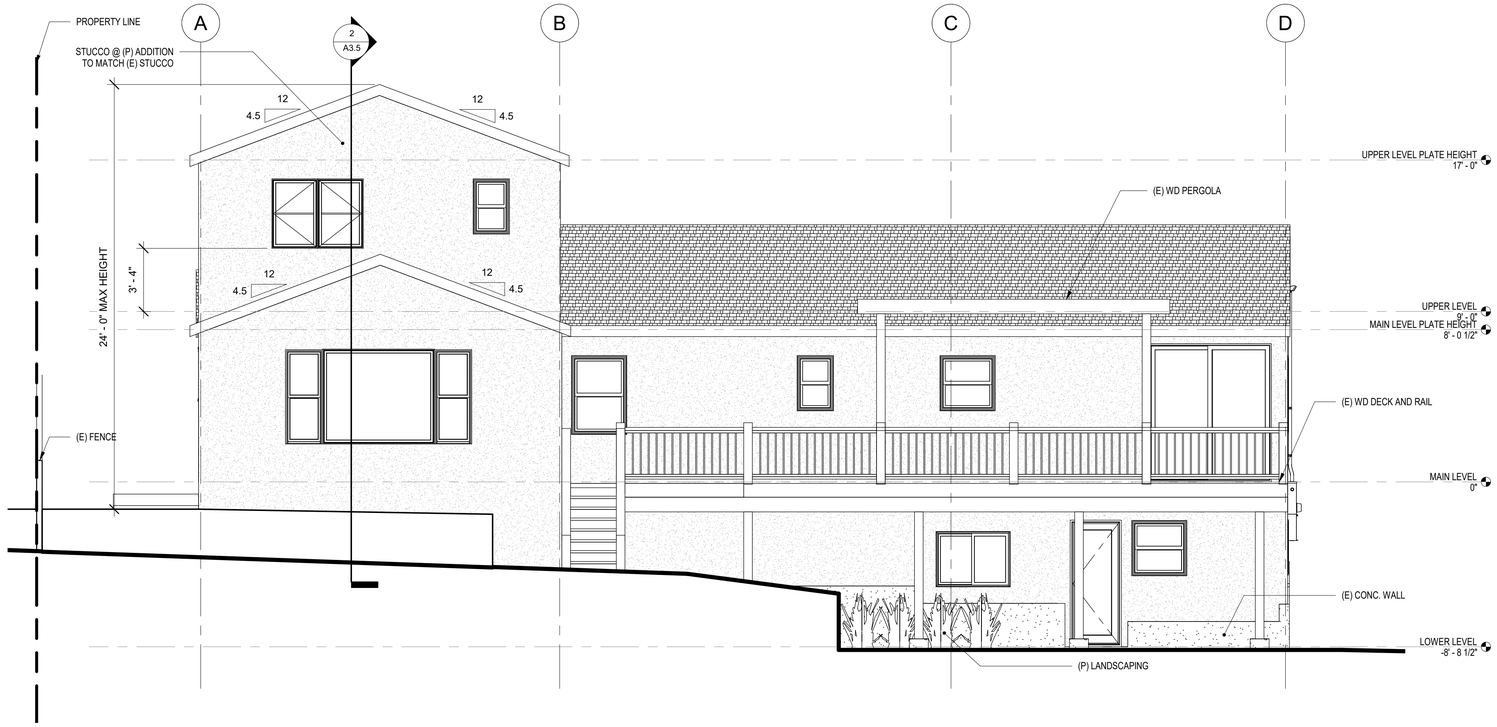
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	DEVELOPMENT PLAN	07/10/2023

(E) & (P) ELEVATIONS

PROJECT NO:	2229
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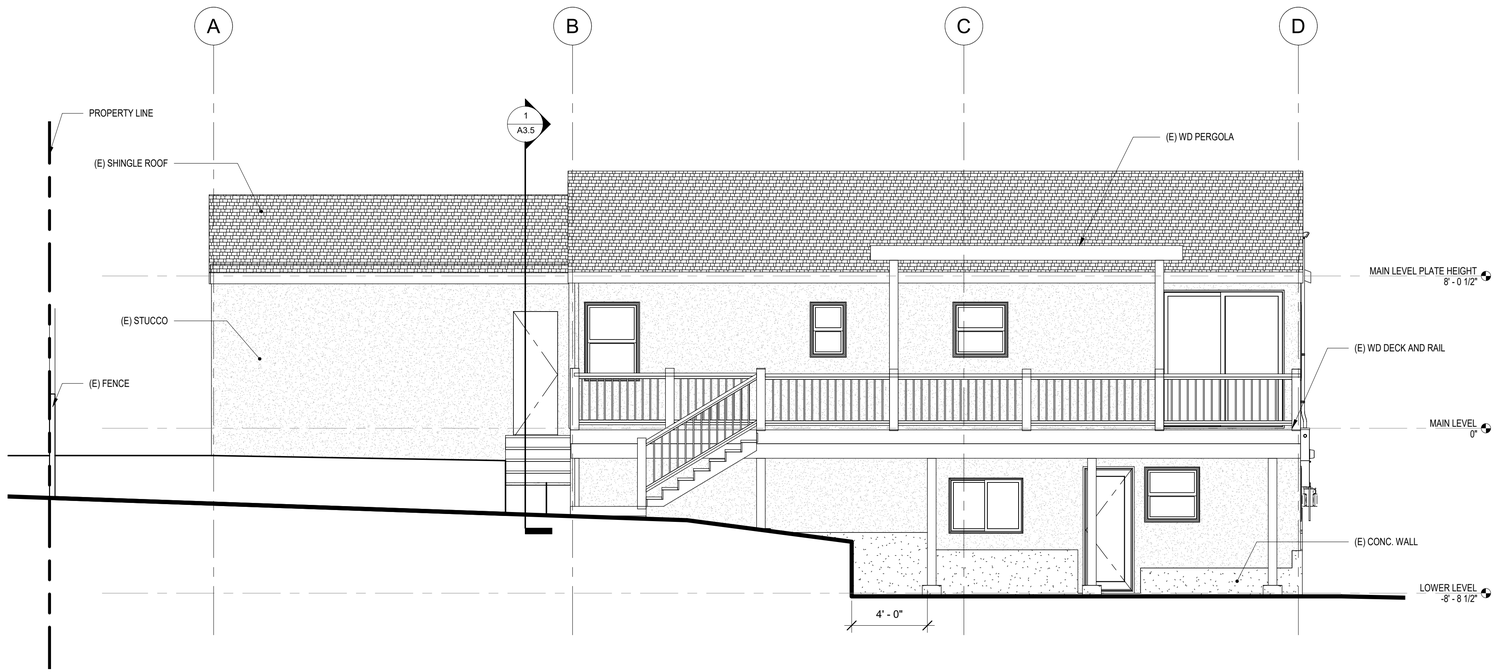
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A3.2



2 (P) WEST ELEVATION

1/4" = 1'-0"



1 (E) WEST ELEVATION

1/4" = 1'-0"

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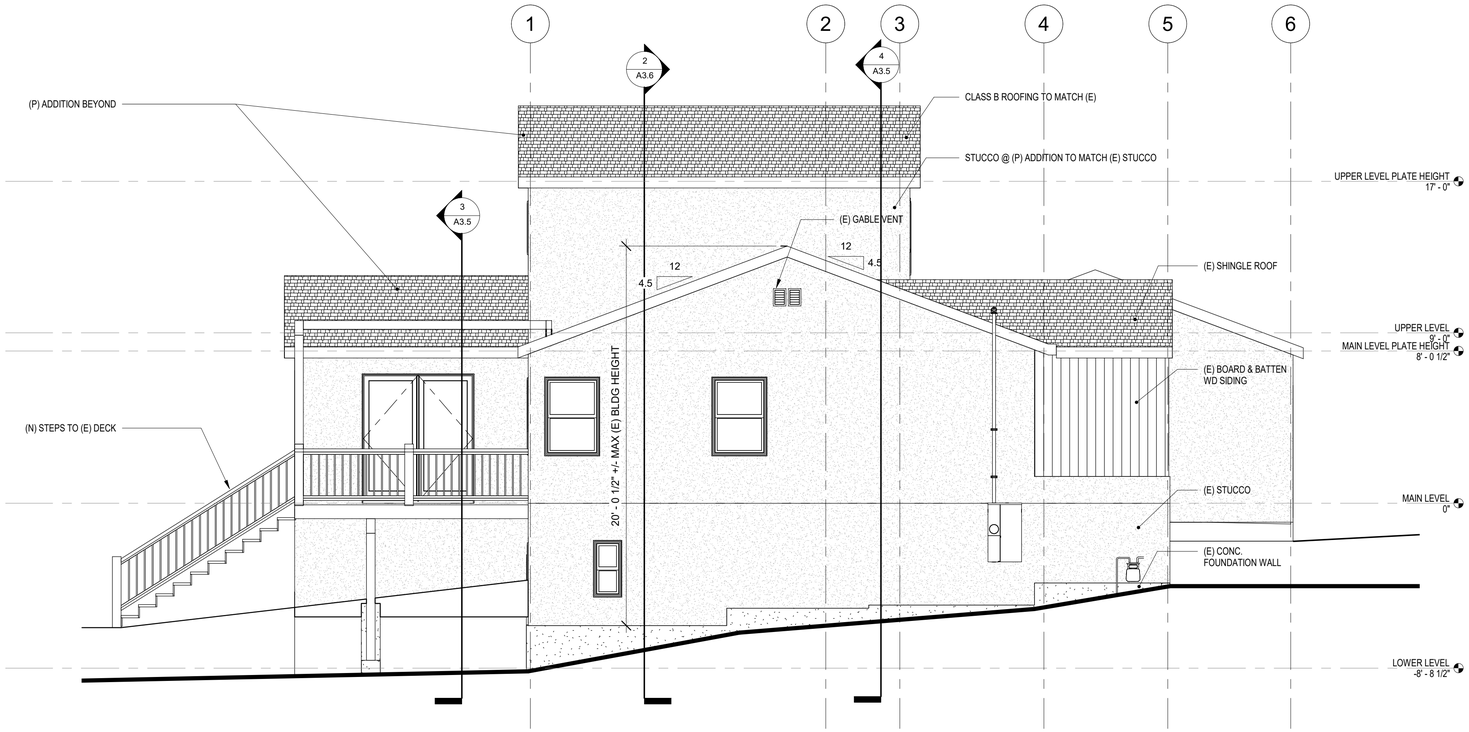
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(E) & (P) ELEVATIONS

PROJECT NO:	2229
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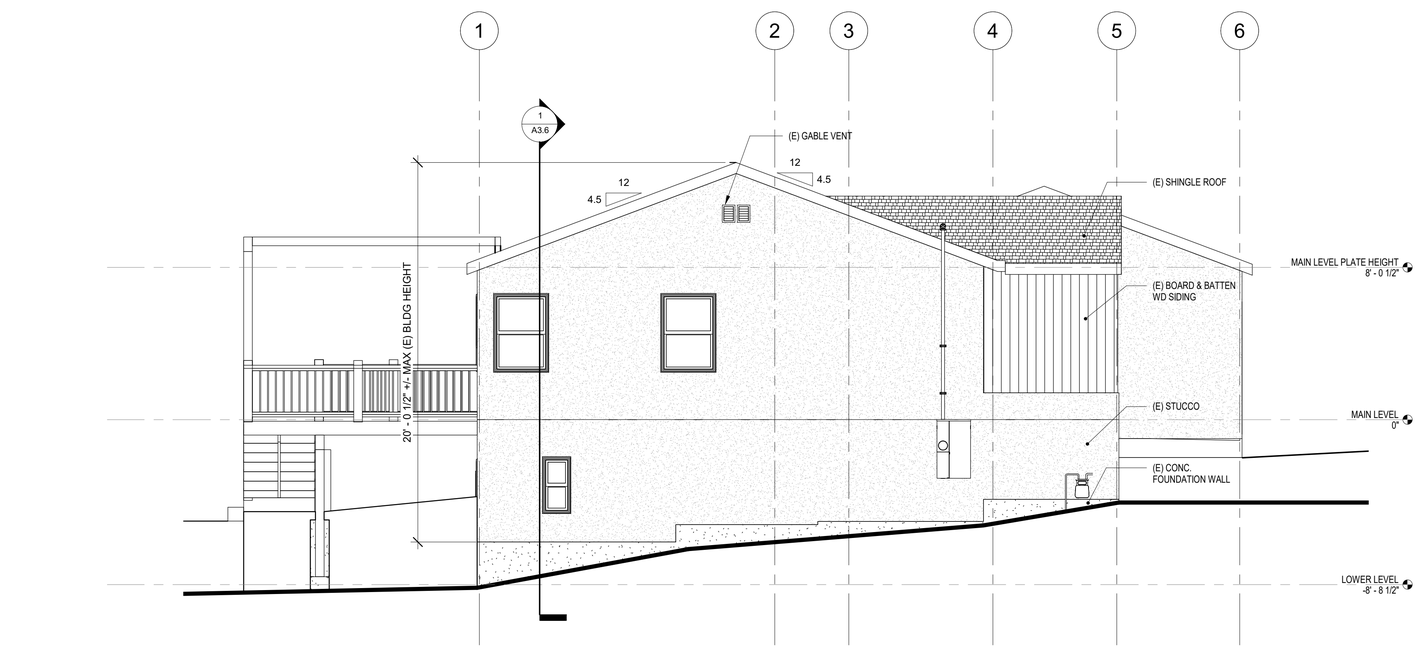
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A3.3



2 (P) SOUTH ELEVATION

1/4" = 1'-0"



1 (E) SOUTH ELEVATION

1/4" = 1'-0"

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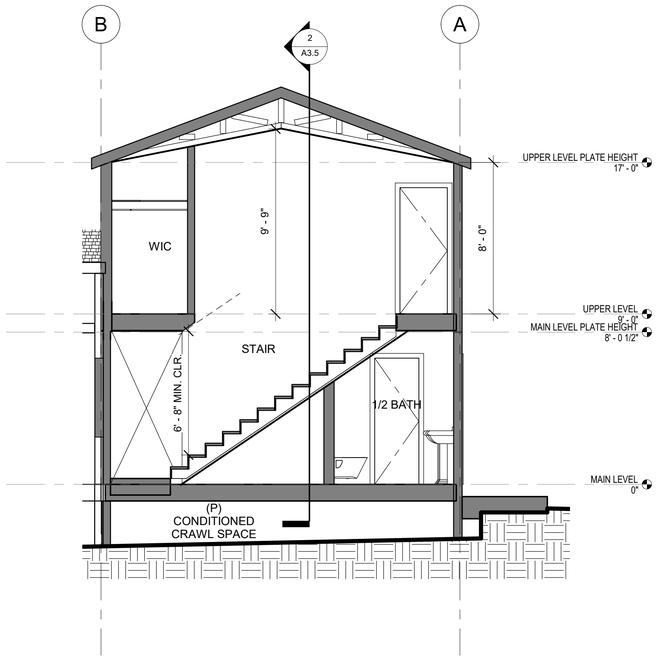
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	DEVELOPMENT PLAN	07/10/2023

(E) & (P) ELEVATIONS

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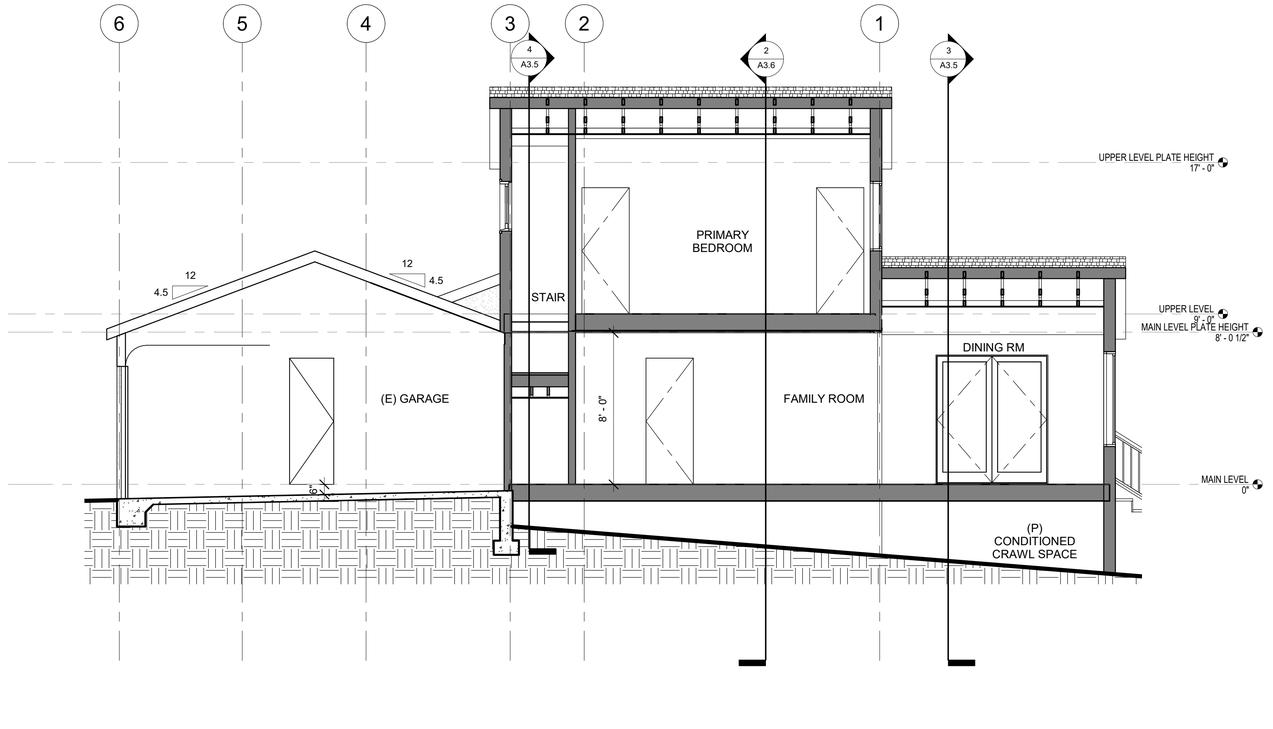
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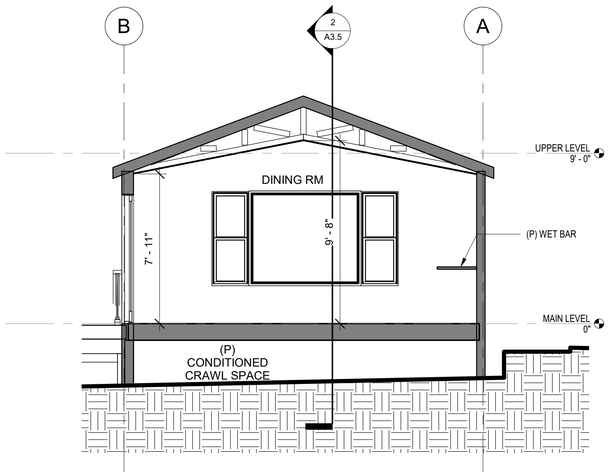
4 (P) STAIR SECTION

1/4" = 1'-0"



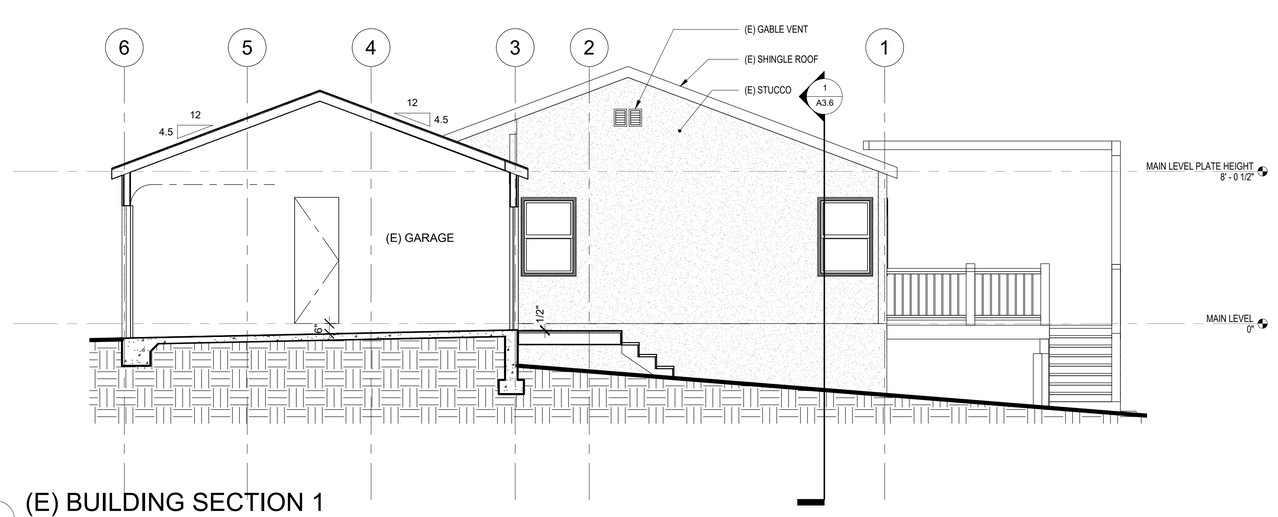
2 (P) BUILDING SECTION 1

1/4" = 1'-0"



3 (P) BUILDING SECTION 2

1/4" = 1'-0"



1 (E) BUILDING SECTION 1

1/4" = 1'-0"

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architect's stamp :



approved stamp location :

address :

40 ANSON WAY
KENSINGTON, CA
94707

project name :

ADDITION

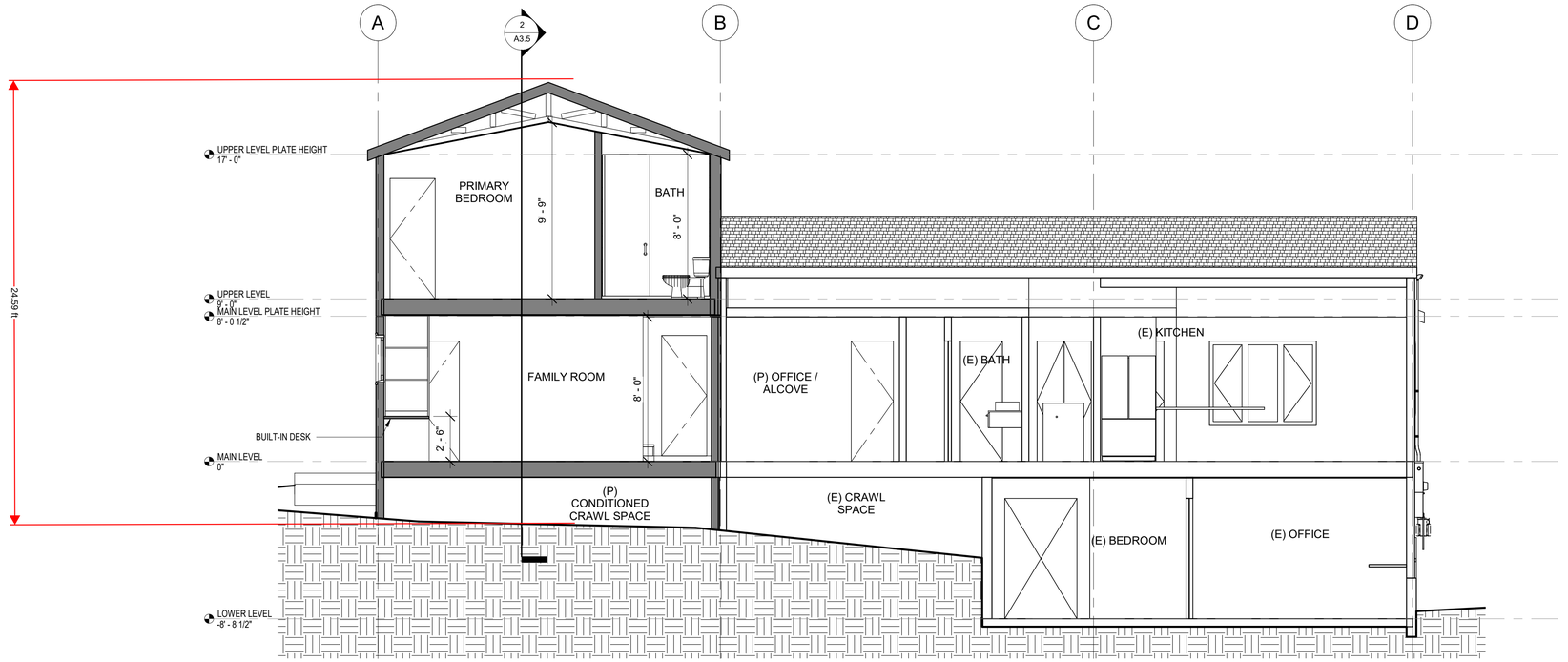
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#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

(E) & (P) SECTIONS

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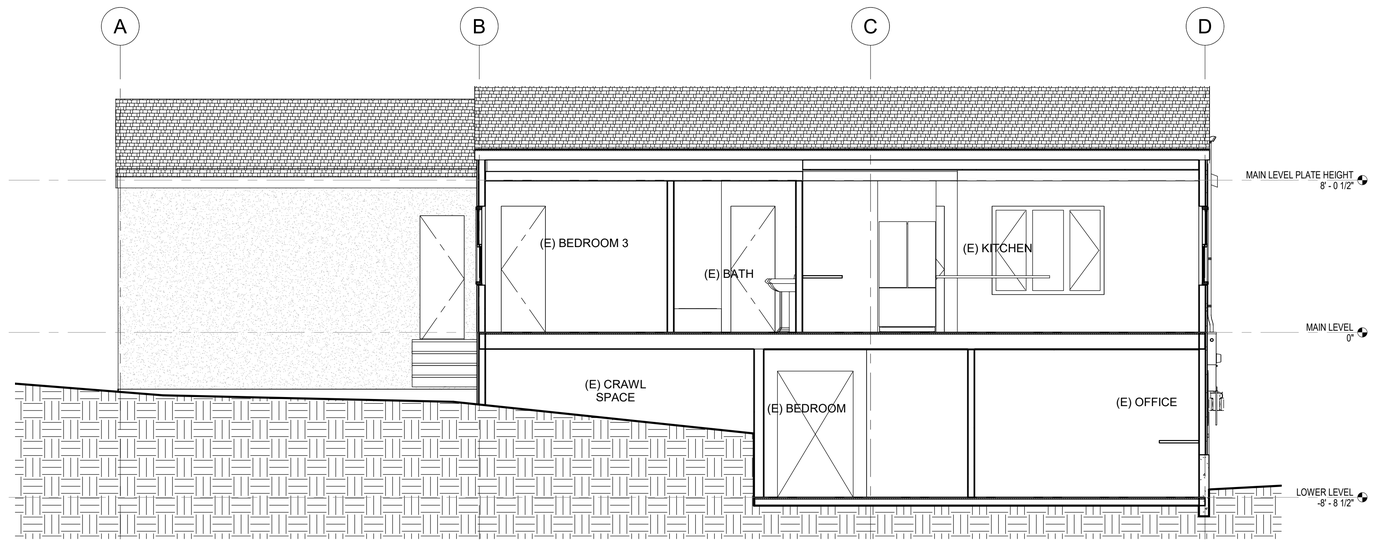
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A3.5



2 (P) BUILDING SECTION 3

1/4" = 1'-0"



1 (E) BUILDING SECTION 3

1/4" = 1'-0"

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(E) & (P) SECTIONS

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A3.6

EXHIBIT 4

STAFF REPORT FOR THE FEBRUARY 5, 2024 ZONING ADMINISTRATOR MEETING

Department of Conservation and Development

County Zoning Administrator

Monday, February 5, 2024 – 1:30 P.M.

STAFF REPORT **Agenda Item #____**

Project Title:	40 Anson Way Kensington Design Review Development Plan
County File(s):	CDDP23-03024
Applicant/Owners:	Cari Rosner Jelen (Applicant) / Elena Saxonhouse (Owner)
Zoning/General Plan:	R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, -K Kensington Combining District / SH Single-Family Residential-High Density
Site Address/Location:	40 Anson Way in the Kensington area of unincorporated Contra Costa County (APN: 572-233-012)
California Environmental Quality Act (CEQA) Status:	Categorical Exemption, CEQA Guidelines Section 15301(e)(2)
Project Planner:	Adrian Veliz, Senior Planner, (925) 655-2879 adrian.veliz@dcd.cccounty.us
Staff Recommendation:	Approve (See section II for full recommendation)

I. PROJECT SUMMARY

The applicant requests approval of a Kensington Design Review Development Plan to allow a 993 square-foot two-story addition to the northern side of an existing single-family residence.

II. RECOMMENDATION

Department of Conservation and Development, Community Development Division (CDD) staff recommends that the County Zoning Administrator:

A. FIND that the project is categorically exempt from CEQA under Section 15301(e)(2) of the CEQA Guidelines.

B. APPROVE Kensington Design Review Development Plan CDDP23-03024 to allow a 993 square-foot two-story addition to an existing single-family residence, subject to the attached findings and conditions of approval.

C. DIRECT staff to file a Notice of Exemption with the County Clerk.

III. GENERAL INFORMATION

A. General Plan: SH Single-Family Residential – High Density.

B. Zoning: R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, -K Kensington Combining District.

C. California Environmental Quality Act (CEQA): CEQA Guidelines Section 15301(e)(2) Existing Structures, Class I exemption for additions to existing structures of no more than 10,000 square feet in an area that is not environmentally sensitive and where all public services and facilities are available for maximum development permissible in the General Plan.

D. Previous Application:

CDKR23-00010: This application for Kensington Design Review for a two-story residential addition was submitted on May 11, 2023. A Notice of Intent to Render an Administrative Decision was sent to property owners within 300 feet of the subject parcel on June 1, 2023. On June 7, 2023, the CDD received a written request for a hearing, and the applicant submitted an application for the CDDP23-03024 Development Plan on July 11, 2023.

IV. SITE/AREA DESCRIPTION

The property at 40 Anson Way is an 8,800 square-foot parcel located on the west side of Anson Way approximately 330 feet north of the intersection of Anson Way and Eureka Avenue. Eureka Avenue slopes downward to the west into the City of El Cerrito. The subject parcel slopes downward from northeast to southwest.

The project neighborhood, including the subject parcel, is comprised of single-family residences. The terrain in this part of Kensington consists of moderate to steeply sloped hillsides. Generally, elevation increases north and east of the site, whereas areas south and west of the site are located downslope. Due to the topography of the area many homes in the neighborhood have distant views to the west of city skylines, the San Francisco Bay, Golden Gate Bridge and/or Bay Bridge.

The subject parcel is rectangular in shape, having a width of 80 feet along Anson Way and a depth of 110 feet. The parcel includes a 1,357 square-foot single-family residence, which was originally constructed in 1946

V. PROJECT DESCRIPTION

The applicant requests approval of a Development Plan to allow a 993 square-foot two-story addition behind an existing garage on the northern side of the existing single-family residence. Currently, the northern side of the existing residence is one-story and approximately 13 feet in height. The two-story addition would expand the residential footprint and increase the northerly height of the home to 24 feet.

VI. AGENCY COMMENTS

An Agency Comment Request packet for the proposed residential addition was sent on March 14, 2023, to a number of public agencies, including Building Inspection Division, Kensington Fire Protection District, Stege Sanitary District, East Bay Municipal Utility District, and Kensington Municipal Advisory Council. Agency comments received by staff are included in Attachment 3. Following are summaries of the agency comments received.

A. East Bay Municipal Utility District: On July 28, 2023, the East Bay Municipal Utility District submitted a memorandum stating that if additional water service is needed, the applicant should contact their New Business Office and that new water service will not be provided unless applicable water efficiency measures are installed.

   An Advisory Note is included in the Conditions of Approval and Advisory Notes whereby the applicant is responsible for contacting the East Bay Municipal Utility District regarding additional water service.

B. Kensington Municipal Advisory Council (MAC): On October 26, 2023, the Kensington MAC submitted an email stating that at its meeting on October 25, 2023, the MAC recommended approval of the application by a vote of 3-1, with a fifth member abstaining.

VII. REQUEST FOR PUBLIC HEARING

On June 7, 2023, the neighboring property owner at 36 Anson Way, located adjacent to and north of the subject parcel submitted a letter requesting a public hearing on Kensington Design Review CDKR23-00010. The letter is included in Attachment 4. In the letter, the neighboring property owner requested an opportunity to discuss the compatibility of the proposed addition and its impact on adjacent residences.

VIII. STAFF ANALYSIS

A. General Plan Consistency: The subject parcel at 40 Anson Way is located within the SH Single-Family Residential – High Density General Plan land use designation. The SH designation is intended to promote the orderly development of single-family residential neighborhoods. The project entails an addition to increase living area within an existing 1,357 square-foot single-family residence by 993 square feet. The proposed addition does not change the established residential use of the site, it's residential density, or lot size. Thus, the single-family residential nature of the project does not conflict with the intent and purpose of the SH designation.

The project is also subject to the Policies for the Kensington Area, Policies 3-211 through 3-215 of the General Plan Land Use Element. Collectively, these policies provide for reasonable review of new residential development with protection for existing residences in the Kensington community. New residential projects are evaluated for view impacts, design compatibility, privacy, and solar access. The project's compliance with each of these policies is discussed below.

Additionally, this report includes discussion of the proposed design, including view impacts, design compatibility, parking, privacy, and solar access, as required by General Plan policies for the Kensington area. Therefore, the project is consistent with General Plan Policies 3-211 through 3-215.

Policy 3-211: *Allow for the review of new residential development that provides reasonable protection for existing residences in the Kensington community with*

regard to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight.

This project was initially submitted to the CDD as administrative Kensington Design Review application CDKR23-00010. Upon the CDD's receipt of a written request for a public hearing on the CDKR23-00010 application in response to public notifications associated therewith, the applicant submitted the current CDDP23-03024 Development Plan application in order to continue the planning process. The processing of this application, culminating in a Zoning Administrator decision at a noticed public hearing, provides reasonable protection for neighboring property owners by providing a process including public notification and allowing additional opportunities for concerned neighbors to comment on the project before a decision is made. As discussed in detail within the Zoning Compliance section of this report, staff finds the proposed residential addition to be consistent and compatible with the surrounding neighborhood and does not anticipate that the addition would have a substantial impact on views, privacy, or solar access for neighboring properties.

Policy 3-212: *Preservation of views of scenic natural features (e.g. Bay, mountains) and the developed environment (e.g., bridges, San Francisco skyline) should be incorporated into the review of development applications.*

Section 84-74.404(r) of the Kensington Combining District Ordinance (County Code Chapter 84-74) defines "view" as *"a scene from a window in habitable space of a neighboring residence. The term 'view' includes both up-slope and downslope scenes, but is distant or panoramic range in nature, as opposed to short range."* The subject parcel and neighboring parcels are situated on a western facing slope that descends steeply to the west towards the City of El Cerrito. The topography of the area is such that it allows many homes on the hillside to enjoy distant westerly views of city skylines, the San Francisco Bay, Golden Gate Bridge and/or Bay Bridge. On October 6, 2023, at the request of the Kensington MAC, the applicant installed story poles on the subject parcel in order to simulate the height and building mass of the proposed addition. On October 20, 2023, staff was permitted to view the story poles from two neighboring residences at 36 Anson Way (adjacent to and north of the subject parcel) and 39 Anson Way (across the street to the east of the subject parcel) in order to assess potential view impacts. Aesthetically, the proposed addition would have the greatest impact on a southern facing window on the second story of the residence at 36 Anson Way. Existing views from this southern facing window

predominantly consist of neighboring residences and neighborhood trees. Since these existing views are not distant or panoramic in nature, they do not constitute a "view" as defined by the Kensington Combining District Ordinance. Based on the October 20, 2023 site visit, the proposed addition does not substantially degrade any existing "view" – as defined by the aforementioned County Ordinance - from within any neighboring residence. Therefore, the project preserves views in a manner consistent with Policy 3-212. Staff photographs depicting the story poles from neighboring residences are included in this report as Attachment 5.

Policy 3-213: *Review proposed residential development for design compatibility with nearby development (e.g. building mass, height, mechanical devices) and provisions for adequate parking.*

The project neighborhood consists of a mix of one- and two-story single-family residences. Considering that two-story residences presently exist on immediately adjacent parcels to the north, south, east, and west, the building mass of the proposed two-story addition is consistent and compatible with the design of existing residential development in the vicinity. Additionally, the proposed addition would have a height of 24 feet, which is substantially less than the 35-foot maximum for residential development in the R-6 Single-Family Residential District pursuant to Section 84-4.802 of the County Code. Further, the existing two-car garage on the subject parcel meets the off-street parking requirement for the R-6 District pursuant to Section 84-4.1202 of the County Code. Therefore, based on the foregoing discussion, the project is considered compatible with existing development in the vicinity in terms of design, height, and the provision of adequate parking.

Policy 3-214: *New residential development will be reviewed against realistic impacts of privacy and sunlight on surrounding neighbors.*

Staff has evaluated the project to determine whether realistic impacts of privacy and sunlight would expectedly arise from the addition. The addition is not expected to affect the privacy or solar access on neighboring parcels to any significant degree, as discussed in detail in the below Zoning Compliance Section B.3 below.

Policy 3-215: *Consideration will be given to review of non-residential development in the Kensington community with Policies 3-211 through 3-213 herein.*

The proposed project is a residential addition to an existing single-family residence. Thus, this policy does not apply.

B. Zoning Compliance: The subject parcel is located in the R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, and -K Kensington Combining District. The proposed project does not involve removal or addition of any tree, and therefore, the regulations of the Tree Obstruction of Views Combining District do not apply to this application.

The intent and purpose of the R-6 District is to facilitate orderly development and maintenance of high-density, single-family residential neighborhoods. The proposed residential addition conforms to all R-6 development standards (e.g. front setback, side and rear yards, building height, off- street parking). Therefore, the proposed addition to an existing single-family residence meets the intent and purpose of the R-6 District.

The Kensington Combining District includes seven criteria for approval of the Development Plan. As detailed below, the project satisfies all seven criteria.

1. *Recognizing the rights of property owners to improve the value and enjoyment of their property.*

   Finding: The project is a 993 square-foot two-story addition to the northern side of an existing single-family residence in the R-6 Single-Family Residential District. The proposed addition is in conformance with minimum setback, minimum side and rear yards, maximum building height, and minimum off-street parking requirements applicable to development in the R-6 District. Construction of a residential addition conforming to these development standards is permitted following the application review procedures for the Kensington Combining District, absent substantial impacts to neighboring parcels in terms of views, privacy, or solar access. The property owners have indicated that the increased square-footage is necessary to accommodate the needs of their family, while also providing office areas to better accommodate working from home. Additionally, the proposed two-story configuration will allow for improved views of the San Francisco Bay and city skyline from within

the existing residence, similar to those enjoyed by residents of numerous other properties in the immediate vicinity.

2. *Recognizing the rights of property owners of vacant lots to establish a residence that is compatible with the neighborhood in terms of bulk, scale, and design.*

   Finding: The subject parcel is not a vacant lot. Therefore, this criterion does not apply.

3. *Minimizing impacts upon surrounding neighbors*.

   Finding: The project involves a two-story residential addition that is in conformance with all applicable development standards for the R-6 District. Section 84-74.204(b) of the Kensington Combining District Ordinance specifies that the ordinance is intended to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels. The project is consistent with these values as discussed below:

   - Privacy: The project proposes a two-story addition to the northern side of the existing single-family residence on the subject parcel. The neighboring property nearest to the proposed addition is the adjacent property to the north at 36 Anson Way. All upper-level windows of the residence at 36 Anson Way are oriented either towards the street to the east, or towards the scenic San Francisco Bay to the west. Since the addition does not include any northern or southern facing windows, the project would not substantially impair privacy for next door neighboring parcels, including the residence at 36 Anson Way. Therefore, the project minimizes privacy impacts upon surrounding neighbors.

   - Light and Solar Access: The potential for residential construction to limit light and solar access on neighboring properties are predominantly influenced by siting (i.e. setbacks), size, and height. The project includes a two-story addition behind an existing garage on the northern side of the existing single-family residence on the subject parcel. The northern side of the existing residence is presently one-story and approximately 13 feet in height. The two-story addition

would expand the residential footprint and increase the northerly height of the home to 24 feet.

The proposed addition would be located at least 42 feet 8 inches and 63 feet 2 inches from the western rear and southern side property lines respectively, and even further from homes located to the east across Anson Way. Therefore, the project would be expected to have negligible impacts to light or solar access on neighboring properties to the south, east, and west of the subject parcel.

The proposed addition would be located 8 feet 3 inches from the northern side property line (where 5 feet is the minimum required) and would be situated approximately 15 to 20 feet south of the existing adjacent residence to the north at 36 Anson Way. The 15 to 20 feet of separation between adjacent residences is typical for development in the R-6 District, where development standards allow for as little as 10 feet of separation. It is not uncommon for adjacent homes in the Kensington community to have less than 10 feet of separation due to lot dimensions and/or existing legal non-conforming residences constructed prior to the implementation of the County zoning code. Additionally, the 24-foot height of the proposed addition conforms to the 35-foot maximum permissible building height for residential development in the R-6 District.

In a letter dated September 18, 2023, included with this report as Attachment 6, the consultant to the owner of the neighboring adjacent property to the north at 36 Anson Way, expressed a concern, amongst others, that the project unreasonably impairs access to daylight by casting shadows on the 36 Anson Way property. The letter includes a diagram depicting shadows cast on the property at 9 AM, 12 noon, and 3 PM on the winter solstice, whereon the proposed addition is approximated to cast a shadow over the western portion of the 36 Anson Way residence and rear yard at 9am, and over the southernmost portions of this residence at noon. Notably, the shadow analysis provided by the neighbor's consultant is limited to conditions expected at a specific time of year when the daylight hours are shortest (i.e. the sun rises later and sets earlier than any other date) and when the sun rises at its southernmost location in the sky. Using a web-based application (www.suncalc.org) that shows the movement

of the sun for a certain date at a certain place, staff has prepared a Shadow Analysis (Attachment 7) to approximate the project's effect on solar access for the summer solstice, and at the equinox. The shadow analysis shows the sun rising further to the north and higher in the sky throughout the rest of the year, and the extent of shadows cast on the northerly parcel are typically much less throughout the year than depicted by the consultant. Therefore, the project is not expected to affect the neighboring residence's solar access to any significant degree.

4. *Protecting the value and enjoyment of the neighbors' property.*

   Finding: As previously mentioned, the addition would not significantly block any views in the project neighborhood or decrease privacy or access to sunlight. Therefore, absent significant impacts on neighboring parcels, the addition would preserve the value and enjoyment of the neighbors' property.

5. *Maintaining the community's property values*.

   Finding: The project involves an addition to an existing single-family residence in an established residential neighborhood. The proposal does not involve a incompatible land use that would conflict with the surrounding residential community in a manner that may negatively affect property values. Additionally, the project does not substantially affect scenic views, privacy, or solar access for neighboring parcels to any significant degree. Therefore, the project maintains the community's property values.

6. *Maximizing the use of existing interior space.*

   Finding: The existing single-family residence consists of a main floor at street level having approximately 1,202 square feet of living area and a 372 square foot two-car garage. A lower level beneath the southern end of the existing residence provides an additional 373 square feet of conditioned living space. There is no existing interior space within the residence that is not presently being utilized as part of the residence. Thus, the 993 square-foot increase in living space sought by the property owners could not feasibly be accomplished within the existing building envelope. Therefore, staff finds that the project maximizes the use of existing interior space.

7. *Promoting the general welfare, public health, and safety.*

   Finding: The residential addition does not change the land use on the subject parcel and, as described above, would have minimal impact on neighboring properties. The project's compliance with applicable zoning standards and the requirement to obtain building permits will ensure that the addition does not present a hazard to public health and safety for the occupants or community at large. Thus, the project promotes the general welfare, public health, and safety of the Kensington community.

IX. CONCLUSION

A. Construction of the proposed residential addition is consistent with the SH Single-Family Residential-High Density General Plan land use designation and complies with the intent and purpose of the R-6 Single-Family Residential Zoning District and the -K Kensington Combining District. Therefore, staff recommends approval of Kensington Design Review Development Plan CDDP23-03024 to allow a 993 square-foot two-story addition to an existing single-family residence, subject to the attached findings and conditions of approval.

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP23-03024; CARI ROSNER JELEN (APPLICANT), ELENA SAXONHOUSE (OWNER)

FINDINGS

A. Kensington Combining District Findings

County Code Section 84-74.1206(b) requires a project within the Kensington Combining District to satisfy seven criteria to be approved.

1. *Recognizing the rights of property owners to improve the value and enjoyment of their property.*

   Project Finding: The project is a 993 square-foot two-story addition to the northern side of an existing single-family residence in the R-6 Single-Family Residential District. The proposed addition is in conformance with minimum setback, minimum side and rear yards, maximum building height, and minimum off-street parking requirements applicable to development in the R-6 District. Construction of a residential addition conforming to these development standards is permitted following the application review procedures for the Kensington Combining District, absent substantial impacts to neighboring parcels in terms of views, privacy, or solar access. The property owners have indicated that the increased square-footage is necessary to accommodate the needs of their family, while also providing office areas to better accommodate working from home. Additionally, the proposed two-story configuration will allow for improved views of the San Francisco Bay and city skyline from within the existing residence, similar to those enjoyed by residents of numerous other properties in the immediate vicinity.

2. *Recognizing the rights of property owners of vacant lots to establish a residence that is compatible with the neighborhood in terms of bulk, scale, and design.*

   Project Finding: The subject parcel is not a vacant lot. Therefore, this criterion does not apply.

3. *Minimizing impacts upon surrounding neighbors.*

   Project Finding: The project involves a two-story residential addition that is in conformance with all applicable development standards for the R-6 District. Section

84-74.204(b) of the Kensington Combining District Ordinance specifies that the ordinance is intended to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels. The project is consistent with these values as discussed below:

- Privacy: The project proposes a two-story addition to the northern side of the existing single-family residence on the subject parcel. The neighboring property nearest to the proposed addition is the adjacent property to the north at 36 Anson Way. All upper-level windows of the residence at 36 Anson Way are oriented either towards the street to the east, or towards the scenic San Francisco Bay to the west. Since the addition does not include any northern or southern facing windows, the project will not substantially impair privacy for next door neighboring parcels, including the residence at 36 Anson Way. Therefore, the project minimizes privacy impacts upon surrounding neighbors.

- Light and Solar Access: The potential for residential construction to limit light and solar access on neighboring properties are predominantly influenced by siting (i.e. setbacks), size, and height. The project includes a two-story addition behind an existing garage on the northern side of the existing single-family residence on the subject parcel. The northern side of the existing residence is presently one-story and approximately 13 feet in height. The two-story addition will expand the residential footprint and increase the northerly height of the home to 24 feet.

  The proposed addition will be located at least 42 feet 8 inches and 63 feet 2 inches from the western rear and southern side property lines respectively, and even further from homes located to the east across Anson Way. Therefore, the project will have negligible impacts to light or solar access on neighboring properties to the south, east, and west of the subject parcel.

  The proposed addition will be located 8 feet 3 inches from the northern side property line (where 5 feet is the minimum required) and will be situated approximately 15 to 20 feet south of the existing adjacent residence to the north at 36 Anson Way. The 15 to 20 feet of separation between adjacent residences is typical for development in the R-6 District, where development standards allow for as little as 10 feet of separation. It is not uncommon for adjacent homes in the Kensington community to have less than 10 feet of separation due to lot dimensions and/or existing legal non-conforming

residences constructed prior to the implementation of the County zoning code. Additionally, the 24-foot height of the proposed addition conforms to the 35-foot maximum permissible building height for residential development in the R-6 District.

In a letter dated September 18, 2023, the consultant to the owner of the neighboring adjacent property to the north at 36 Anson Way, expressed a concern, amongst others, that the project unreasonably impairs access to daylight by casting shadows on the 36 Anson Way property. The letter includes a diagram depicting shadows cast on the property at 9 AM, 12 noon, and 3 PM on the winter solstice, whereon the proposed addition is approximated to cast a shadow over the western portion of the 36 Anson Way residence and rear yard at 9am, and over the southernmost portions of this residence at noon. Notably, the shadow analysis provided by the neighbor's consultant is limited to conditions expected at a specific time of year when the daylight hours are shortest (i.e. the sun rises later and sets earlier than any other date) and when the sun rises at its southernmost location in the sky. Using a web-based application (www.suncalc.org) that shows the movement of the sun for a certain date at a certain place, staff has prepared a Shadow Analysis to approximate the project's effect on solar access for the summer solstice, and at the equinox. The shadow analysis shows the sun rising further to the north and higher in the sky throughout the rest of the year, and the extent of shadows cast on the northerly parcel are typically much less throughout the year than depicted by the consultant. Therefore, the project is not expected to affect the neighboring residence's solar access to any significant degree.

4. *Protecting the value and enjoyment of the neighbors' property.*

Project Finding: As previously mentioned, the addition will not significantly block any views in the project neighborhood or decrease privacy or access to sunlight. Therefore, absent significant impacts on neighboring parcels, the addition will preserve the value and enjoyment of the neighbors' property.

5. *Maintaining the community's property values.*

Project Finding: The project involves an addition to an existing single-family residence in an established residential neighborhood. The proposal does not involve a noncompatible land use that conflicts with the surrounding residential community in

a manner that may negatively affect property values. Additionally, the project does not substantially affect scenic views, privacy, or solar access for neighboring parcels to any significant degree. Therefore, the project maintains the community's property values.

6. *Maximizing the use of existing interior space.*

   Project Finding. The existing single-family residence consists of a main floor at street level having approximately 1,202 square feet of living area and a 372 square foot two-car garage. A lower level beneath the southern end of the existing residence provides an additional 373 square feet of conditioned living space. There is no existing interior space within the residence that is not presently being utilized as part of the residence. Thus, the 993 square-foot increase in living space sought by the property owners cannot feasibly be accomplished within the existing building envelope. Therefore, staff finds that the project maximizes the use of existing interior space.

7. *Promoting the general welfare, public health, and safety.*

   Project Finding. The residential addition does not change the land use on the subject parcel and as described above, will have minimal impact on neighboring properties. The project's compliance with applicable zoning standards and the requirement to obtain building permits will ensure that the addition does not present a hazard to public health and safety for the occupants or community at large. Thus, the project promotes the general welfare, public health, and safety of the Kensington community.

D. Environmental Findings

The 993 square-foot two-story addition to the northern side of an existing single-family residence is categorically exempt under CEQA Guidelines Section 15301(e)(2), which provides a Class 1 exemption for additions to existing structures of no more than 10,000 square feet in an area that is not environmentally sensitive and where all public services and facilities are available for maximum development permissible in the General Plan..

CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP23-03024

Project Approval

1. Development Plan CDDP23-03024 to allow a 993 square-foot two-story addition to the northern side of an existing single-family residence is **APPROVED**.

2. The Development Plan approval describe above is based on the application and project plans received by the Department of Conservation and Development, Community Development Division (CDD) on July 11, 2023.

3. Any deviation from the approved plans shall require review and approval by the CDD and may require the filing of a new Kensington Design Review application.

Building Permits

5. No construction is approved with this permit. Any construction at the subject parcel will require issuance of building permits from the Department of Conservation and Development, Building Inspection Division, prior to commencement of work.

Application Costs

6. This application was subject to an initial application deposit of $3,000.00, which was paid with the application submittal, plus time and material costs if the application review expenses exceed 100% of the initial deposit. **Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first**. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due from the date of approval, the application shall be charged interest at a rate of ten percent (10%). The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

Construction

All construction activity shall comply with the following restrictions, which shall be included in the construction drawings.

7. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.

8. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

9. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

10. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.

11. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

    New Year's Day (State and Federal)

    Birthday of Martin Luther King, Jr. (State and Federal)

    Washington's Birthday (Federal)

    Lincoln's Birthday (State)

    President's Day (State)

    Cesar Chavez Day (State)

    Memorial Day (State and Federal)

    Juneteenth National Independence Holiday (Federal)

    Independence Day (State and Federal)

    Labor Day (State and Federal)

    Columbus Day (Federal)

    Veterans Day (State and Federal)

    Thanksgiving Day (State and Federal)

    Day after Thanksgiving (State)

    Christmas Day (State and Federal)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (opm.gov)

California Holidays: State Holidays (sos.ca.gov)

12. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90 days of the approval date of this permit.

B. The applicant shall submit building plans to the Building Inspection Division and comply with Division requirements. It is advisable to check with the Division prior to requesting a building permit or proceeding with the project.

C. The applicant must submit building plans to the Kensington Fire Protection District and comply with its requirements. The applicant is advised that plans submitted for a building permit must receive prior approval and be stamped by the Fire Protection District.

D. The applicant is required to submit plans to the Stege Sanitary District for approval. Plans submitted for a building permit must receive prior approval and be stamped by the Sanitary District.

E. The applicant is responsible for contacting the Health Services Department Environmental Health Division regarding its requirements and permits.

F. The applicant is required to comply with the requirements of the East Bay Municipal Utility District.

G. The applicant is responsible for contacting the Contra Costa Mosquito and Vector Control District regarding its requirements and permits.

ATTACHMENTS

ATTACHMENT 1: MAPS

ATTACHMENT 2: PROJECT PLANS

ATTACHMENT 3: AGENCY COMMENTS

ATTACHMENT 4: REQUEST FOR PUBLIC HEARING

ATTACHMENT 5: SITE VISIT PHOTOGRAPHS

ATTACHMENT 6: PUBLIC COMMENTS

ATTACHMENT 7: SHADOW ANALYSIS

ATTACHMENT 1

MAPS

BLAKEMONT M.B. 28-22

TAX CODE AREA

21

22

17

24

CONTRA COSTA (HIGHGATE RD.)

FRANCISCAN WAY

ANSON WAY

EUREKA AVE.

1" = 100'

231

232

233

234

6-4-92
100LSM48

REVISED	CHANGE	BY
9-25-92	100LSM48	MJ

ADDED TO 504-403-019

CORPORATION LINE

(CITY OF EL CERRITO)

PROJECT SITE

P.B. 505

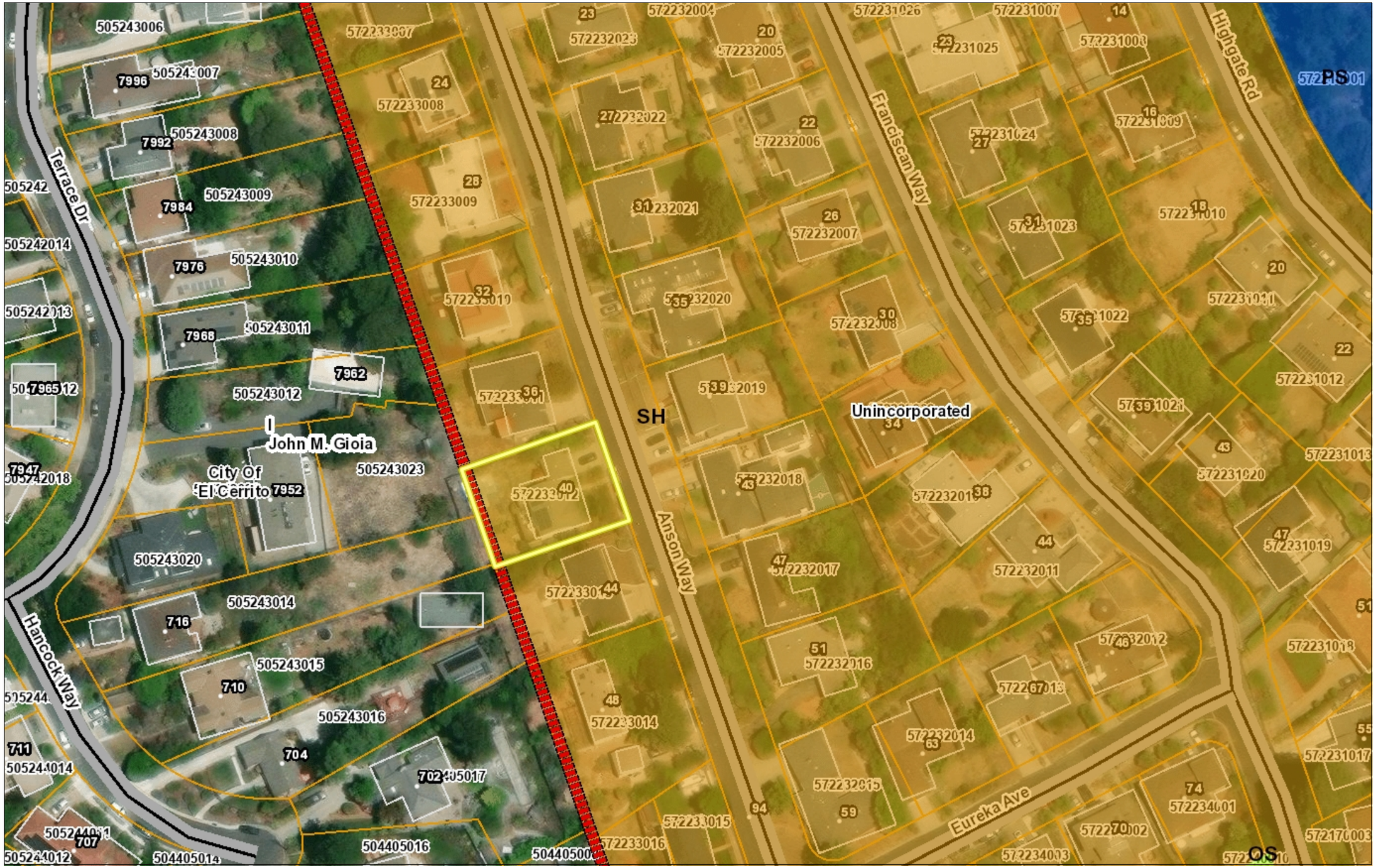
1962 ROLL 9-25-92

ASSESSOR'S MAP

BOOK 572 PAGE 23

7/1/ COUNTY OFCONTRA COSTA, C

General Plan Map



Legend

- Board of Supervisors' Districts
- City Limits
- Unincorporated
- General Plan
  - SV (Single Family Residential - Ver
  - SL (Single Family Residential - Low
  - SM (Single Family Residential - Me
  - SH (Single Family Residential - Hig
  - ML (Multiple Family Residential - Lo
  - MM (Multiple Family Residential - M
  - MH (Multiple Family Residential - H
  - MV (Multiple Family Residential - V
  - MS (Multiple Family Residential - V
  - CC (Congregate Care/Senior Housi
  - MO (Mobile Home)
  - M-1 (Parker Avenue Mixed Use)
  - M-2 (Downtown/Waterfront Rodeo I
  - M-3 (Pleasant Hill BART Mixed Use
  - M-4 (Willow Pass Road Mixed Use)
  - M-5 (Willow Pass Road Commercia
  - M-6 (Bay Point Residential Mixed U
  - M-7 (Pittsburg/Bay Point BART Sta
  - M-8 (Dougherty Valley Village Cent
  - M-9 (Montalvin Manor Mixed Use)
  - M-10 (Willow Pass Business Park M
  - M-11 (Appian Way Mixed Use)
  - M-12 (Triangle Area Mixed Use)
  - M-13 (San Pablo Dam Road Mixed
  - M-14 (Heritage Mixed Use)
  - CO (Commercial)
  - OF (Office)
  - BP (Business Park)
  - LI (Light Industry)
  - HI (Heavy Industry)
  - AL, OIBA (Agricultural Lands & Off
  - CR (Commercial Recreation)
  - ACO (Airport Commercial)
  - LF (Landfill)
  - PS (Public/Semi-Public)

1: 1,128

0.0 0 0.02 0.0 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

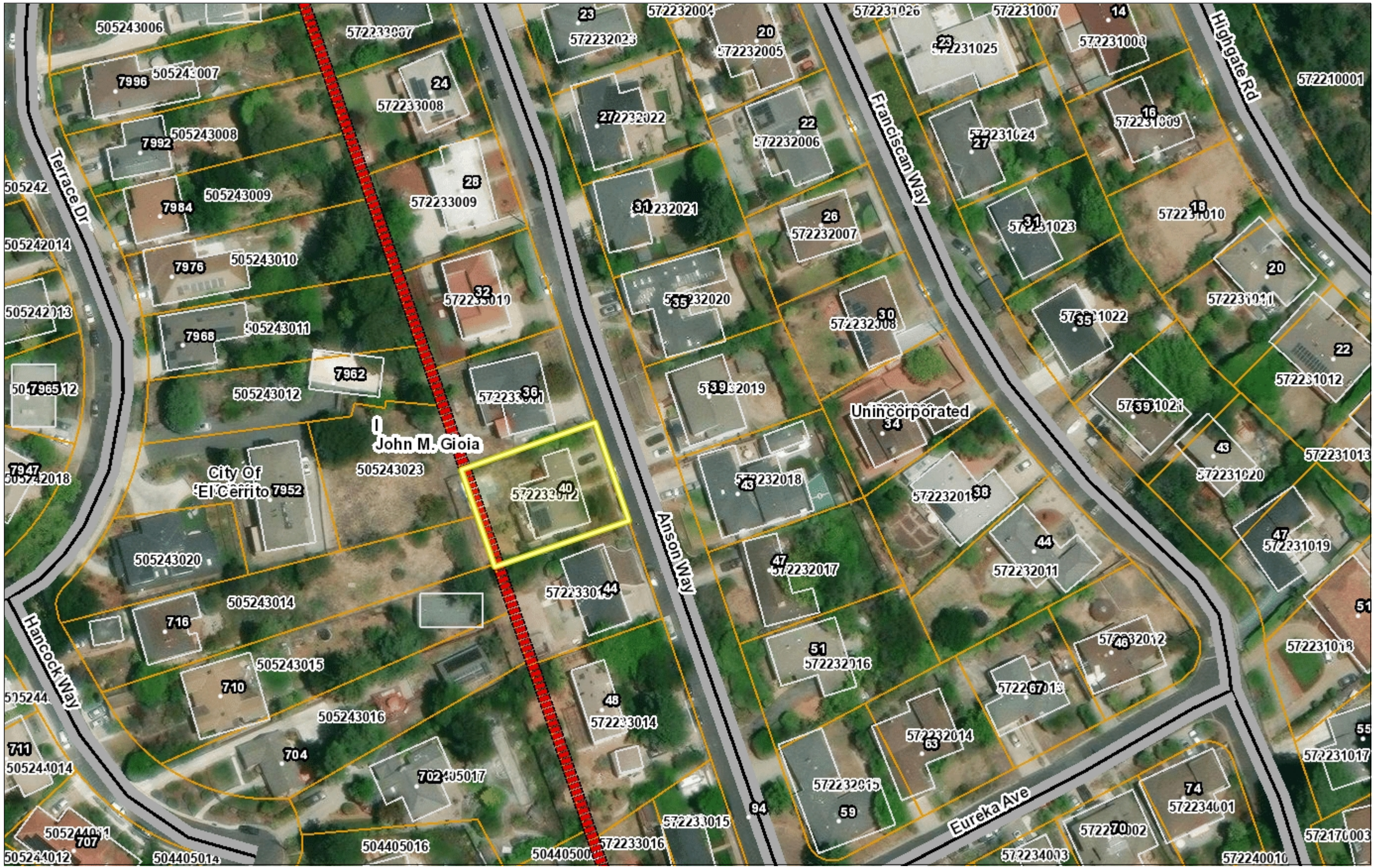
Notes

Contra Costa County -DOIT GIS

Zoning Map


Terrace Dr
Franciscan Way
Highgate Rd
Anson Way
Hancock Way
Eureka Ave
Unincorporated
R-6 -TOV -K
John M. Gioia
City Of
El Cerrito
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572232015

Aerial Map



Legend

- Board of Supervisors' Districts
- City Limits
- Unincorporated
- Address Points
- Streets
- Building Footprints
- Assessment Parcels
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 1,128

0.0 0 0.02 0.0 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS

ATTACHMENT 2

PROJECT PLANS

ABBREVIATIONS

A.D.	AREA DRAIN
ADJ.	ADJUSTABLE
A.F.F.	ABOVE FINISHED FLOOR
AGGR.	AGGREGATE
ASPH.	ASPHALT
ARCH.	ARCHITECTURAL
BLDG.	BUILDING
BLK.	BLOCK
BLKG.	BLOCKING
B.O.	BOTTOM OF
BW	BOTTOM OF WALL
CPT.	CARPET
CAB.	CABINET
C.J.	CONSTRUCTION JOINT
C.L.	CENTER LINE
CLOS.	CLOSET
CLG.	CEILING
CLR.	CLEAR
C.O.	CLEAN OUT
COL.	COLUMN
CONC.	CONCRETE
CONT.	CONTINUOUS
CSMT.	CASEMENT
C.T.	CERAMIC TILE
C.S.	COUNTER SINK
DEMO.	DEMOLITION
DET.	DETAIL
D.H.	DOUBLE HUNG
D.F.	DOUGLAS FIR
DIAG.	DIAGONAL
DIM.	DIMENSION
DWGS.	DRAWINGS
DN.	DOWN
DS.	DOWNSPOUT
(E)	EXISTING
E.J.	EXPANSION JOINT
EL.	ELEVATION
EQ.	EQUAL
EXT.	EXTERIOR
F.A.	FIRE ALARM
F.D.	FLOOR DRAIN
FIN.	FINISH
F.O.S.	FACE OF STUD
F.O.C.	FACE OF CONCRETE
F.O.A	FACE OF WALL
FTG.	FOOTING
GA.	GAUGE
GALV.	GALVANIZED
GL.	GLASS
GLU. LAM.	GLUE LAMINATED
G.S.M.	GALV. SHEET METAL
GYP.	GYPSUM
G.W.B.	GYPSUM WALL BOARD
H.B.	HOSE BIBB
HGT.	HEIGHT
H.M.	HOLLOW METAL
HOR.	HORIZONTAL
H.P	HIGH POINT
I.D.	INSIDE DIAMETER
INSUL.	INSULATION
INT.	INTERIOR
JST.	JOIST
J.BOX	JUNCTION BOX
LAB.	LABORATORY
LAM.	LAMINATE
LAV.	LAVATORY
LT.	LIGHT
MAX.	MAXIMUM
MECH.	MECHANICAL
MEMB.	MEMBRANE
MFR.	MANUFACTURER
MIN.	MINIMUM
MISC.	MISCELLANEOUS
M.O.	MASONRY OPENING
MTL.	METAL
MUL.	MULLION
A(N)	NEW
N.I.C.	NOT IN CONTRACT
NO.	NUMBER
NOM.	NOMINAL
N.T.S.	NOT TO SCALE
O.C.	ON CENTER
O.D.	OUTSIDE DIAMETER
O.H.	OVERHEAD
OPG.	OPENING
OPNG.	OPENING
OPP.	OPPOSITE
P.L.	PROPERTY LINE
P/L	PLATE
PLAS.	PLASTER
PLWD.	PLYWOOD
PR.	PAIR
PTD.	PAINTED
R.	RISER
R.D.	RUN
REFR.	REFRIGERATOR
REINF.	REINFORCED
RM.	ROOM
R.O.	ROUGH OPENING
RTG.	RETAINING
SAG	SUPPLY AIR GRILL
S.V.	SHEET VINYL
S.H.	SINGLE HUNG
SHT.	SHEET
SHTG.	SHEATHING
SPEC.	SPECIFICATION
SQ.	SQUARE
S.S.	STAINLESS STEEL
STAGG.	STAGGERED.
STD.	STANDARD
STL.	STEEL
STRUC.	STRUCTURAL
T.	TREAD
TC	TOP OF CURB
T&G	TONGUE AND GROOVE
THK.	THICK
T.W.	TOP OF WALL
TYP.	TYPICAL
U.O.N.	UNLESS OTHERWISE NOTED
VERT.	VERTICAL
V.I.F	VERIFY IN FIELD
W/	WITH
W.C.	WATER CLOSET
WD.	WOOD
W/H	WATER HEATER
W.P	WATERPROOF
W.PT	WORK POINT
YD.	YARD

CODE REQUIREMENTS

STATE CODES:
2022 CALIFORNIA BUILDING CODE
2022 CALIFORNIA ENERGY CODE
2022 CALIFORNIA CALGREEN
2022 CALIFORNIA ELECTRICAL CODE
2022 CALIFORNIA PLUMBING CODE
2022 CALIFORNIA MECHANICAL CODE
2022 CALIFORNIA FIRE CODE

LOCAL CODES :
CONTRA COSTA CODE
KENSINGTON PLANNING ORDINANCE

DRAWING LIST	
ARCHITECTURE	
A0.1	COVER SHEET
A0.2	(E) SITE
A0.3	(P) 3D VIEWS
A0.4	GROSS FLOOR AREA PLANS
A2.1	(E) PLANS
A2.2	(P) PLANS
A3.1	(E) & (P) ELEVATIONS
A3.2	(E) & (P) ELEVATIONS
A3.3	(E) & (P) ELEVATIONS
A3.4	(E) & (P) ELEVATIONS
A3.5	(E) & (P) SECTIONS
A3.6	(E) & (P) SECTIONS

PROJECT INFORMATION

PROJECT ADDRESS:

40 ANSON WAY, KENSINGTON, CA 94707

APN : 572-233-012
ZONING DISTRICT : R6, -TOV, -K
LOT SIZE: 8,800 SF
CONSTRUCTION DATE: 1946
DWELLING UNITS: 1 PRIMARY

SET BACK	ALLOWABLE	EXISTING	DEMO	NEW	COMPLETE
FRONT	20 FT	14'-7 1/2"	---	---	NO CHANGE
SIDE	5 FT / 15 FT AGGREGATE	14'-2 1/2" / 8'-3" 22'-5 1/2" AGG.	---	7'-3"	14'-2 1/2" / 7'-3" 21'-5 1/2" AGG.
REAR	15 FT	55'-0"	---	---	NO CHANGE
HEIGHT IN FEET					
HEIGHT	35	20'-0 1/2" +/-	---	24'-0"	24'-0"
STORIES	2.5	2	---	---	2
PARKING - MIN SIZE 9'-0" X 19'-0" AND SHALL BE ENTIRELY OUTSIDE OF SETBACK					
	1 MIN.	2	---	---	NO CHANGE
GROSS FLOOR AREA PER 84-74.404 (SEE SHEET A0.4 FOR BREAKDOWN)					
	3300 OR KMAC HEARING	2,368.6	70	992.6	3,292.2
LOT COVERAGE					
	NA	2,082 SF	---	635	2,717 SF

GROSS FLOOR AREA HEARING THRESHOLD CALCULATION PER 84-74.802:

THRESHOLD = PARCEL AREA X 0.540-0.00002(PARCEL AREA) AND INCREASED TO THE NEXT HIGHEST ONE HUNDRED UNLESS EVENLY DIVISIBLE BY ONE HUNDRED
THRESHOLD = 8,800 X 0.540-0.00002(8800) = 3,203

GROSS FLOOR AREA HEARING THRESHOLD IS 3,300 SQ FT

SCOPE OF WORK

- 2-STORY ADDITION

PROJECT TEAM

ARCHITECT:

CARI DESIGNS ARCHITECTURE
800 BANCROFT WAY SUITE 200
BERKELEY, CA 94710

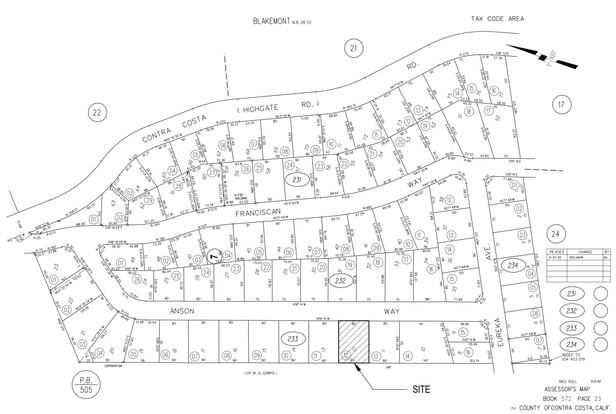
CARI ROSNER JELEN
crj@cari-designs.com
510-467-0768

OWNER:

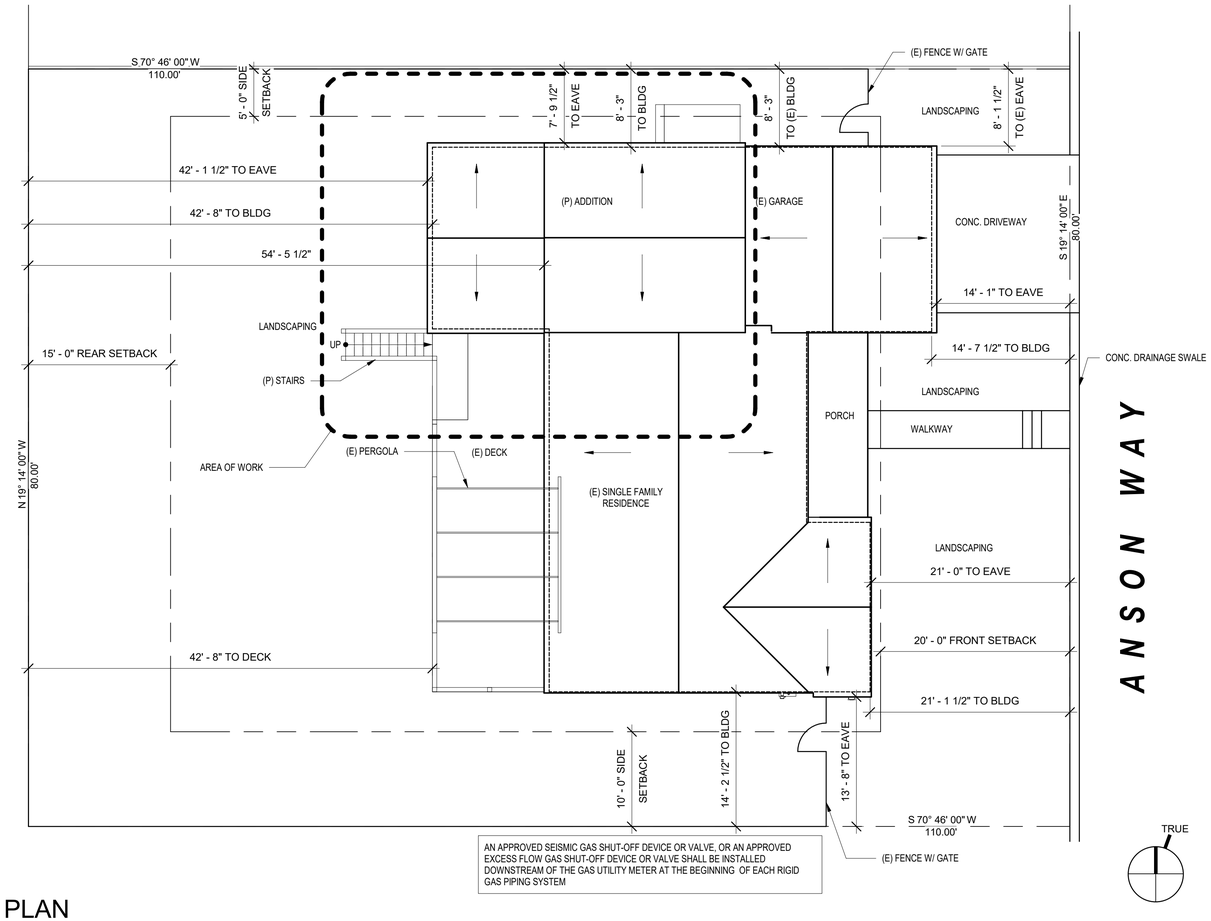
TULLEY RAFFERTY AND ELENA SAXONHOUSE
40 ANSON WAY
KENSINGTON, CA 94707

hobostew@gmail.com
510-685-9514

RECEIVED on 7/11/2023 CDDP23-03024
By Contra Costa County
Department of Conservation and Development



2 APN MAP
NTS



AN APPROVED SEISMIC GAS SHUT-OFF DEVICE OR VALVE, OR AN APPROVED EXCESS FLOW GAS SHUT-OFF DEVICE OR VALVE SHALL BE INSTALLED DOWNSTREAM OF THE GAS UTILITY METER AT THE BEGINNING OF EACH RIGID GAS PIPING SYSTEM

1 (P) SITE PLAN
1/8" = 1'-0"

cari designs ARCHITECTURE
CARI ROSNER JELEN ARCHITECT
510-467-0768
cari-designs.com

DWELLINGS - EDIFICES - DETAILS

architect's stamp :

CARI ROSNER JELEN C-35976 REN.: JUNE 2023 LICENSED ARCHITECT STATE OF CALIFORNIA

approved stamp location :

address :

40 ANSON WAY KENSINGTON, CA 94707

project name :

ADDITION

PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

COVER SHEET

PROJECT NO:	2229
DRAWN BY:	EP
CHECKED BY:	CRJ
DATE:	05/25/2023

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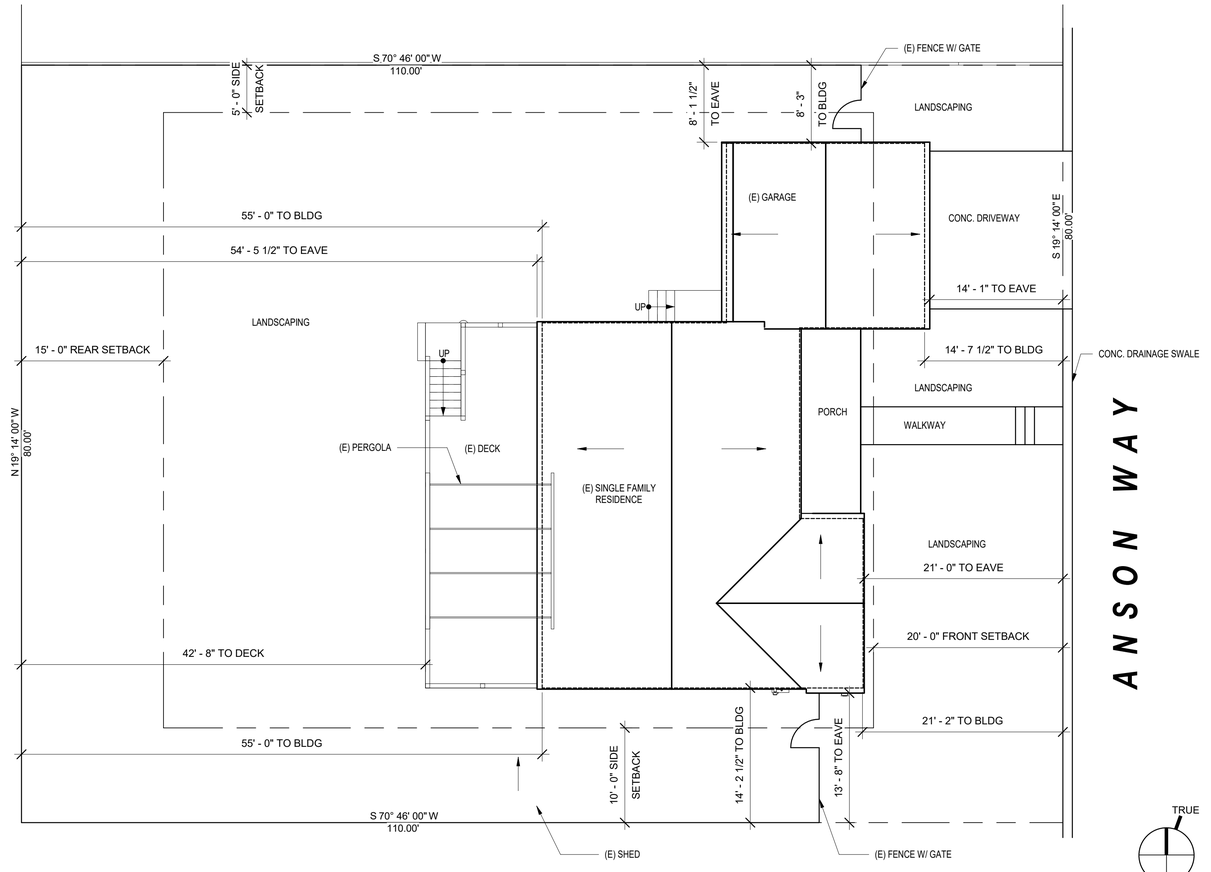
A0.1



APPROXIMATE NEIGHBOR VIEW TO SOUTHWEST (IMPACTED)



APPROXIMATE PARTIAL NEIGHBOR VIEW TO WEST (UN-IMPACTED)



2 (E) SITE PLAN
1/8" = 1'-0"

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cari-designs.com
DWELLINGS - EDIFICES - DETAILS

architect's stamp :

CARI ROSNER JELEN
C-35976
REN.: JUNE 2023

approved stamp location :

address :

**40 ANSON WAY
KENSINGTON, CA
94707**

project name :

ADDITION

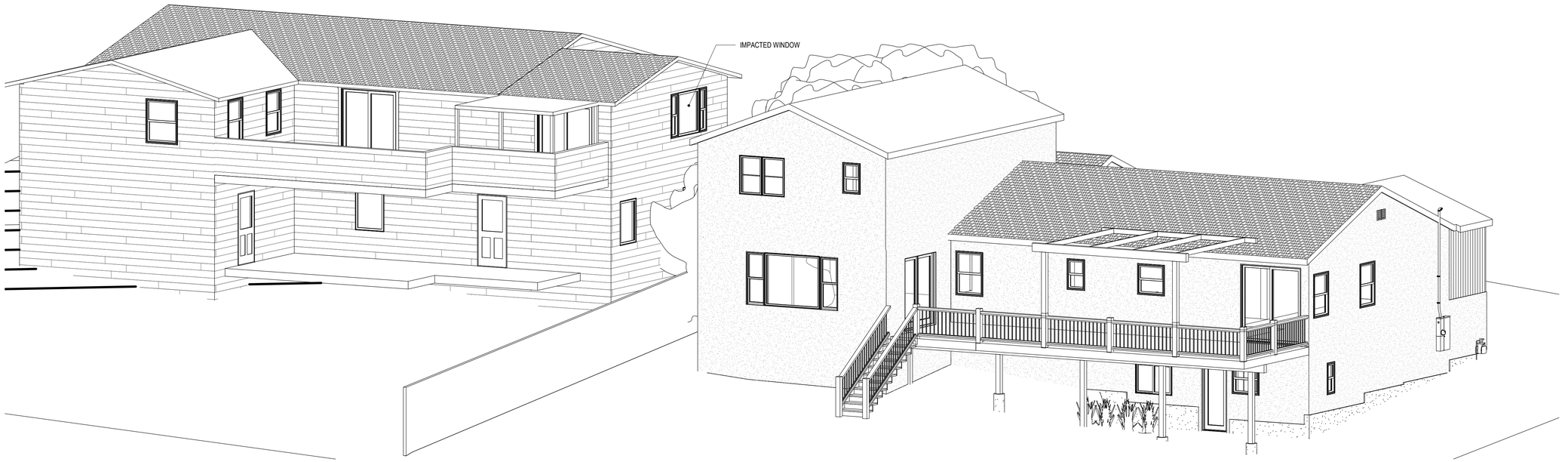
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	DEVELOPMENT PLAN	07/10/2023

(E) SITE

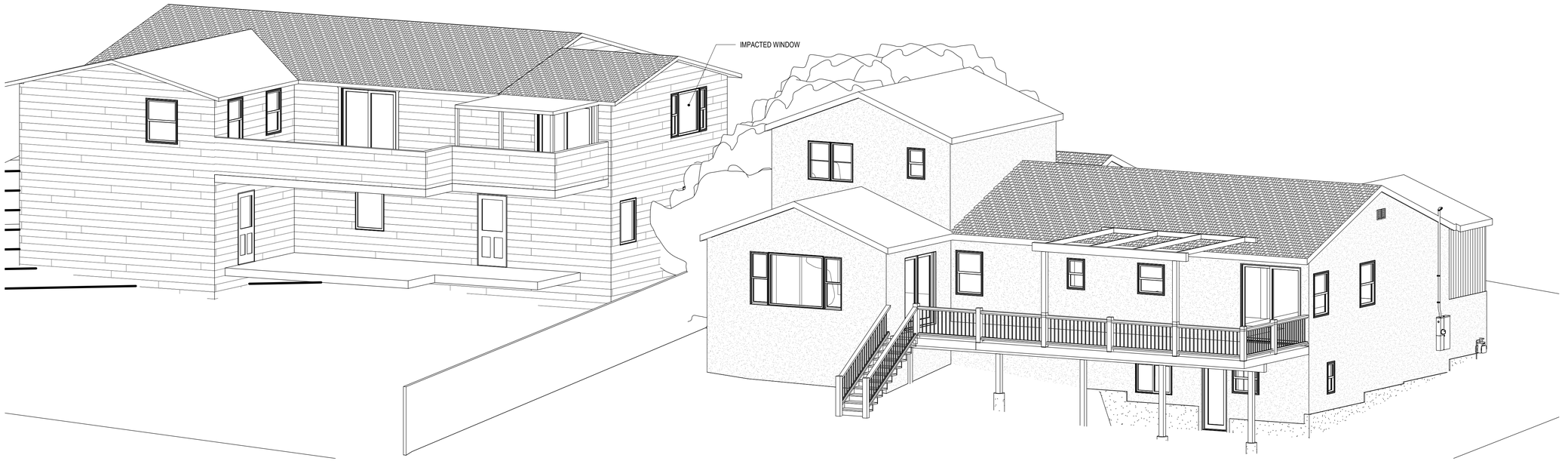
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A0.2



2 3D VIEW - INITIAL PROPOSED DESIGN



1 3D VIEW - PROPOSED DESIGN AFTER NEIGHBOR OUTREACH

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DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

40 ANSON WAY
KENSINGTON, CA
94707

project name :

ADDITION

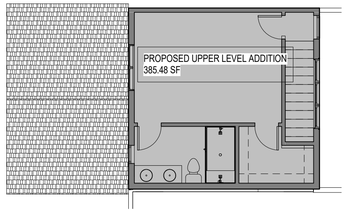
PROJECT ISSUE RECORD		
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	DEVELOPMENT PLAN	07/10/2023

(P) 3D VIEWS

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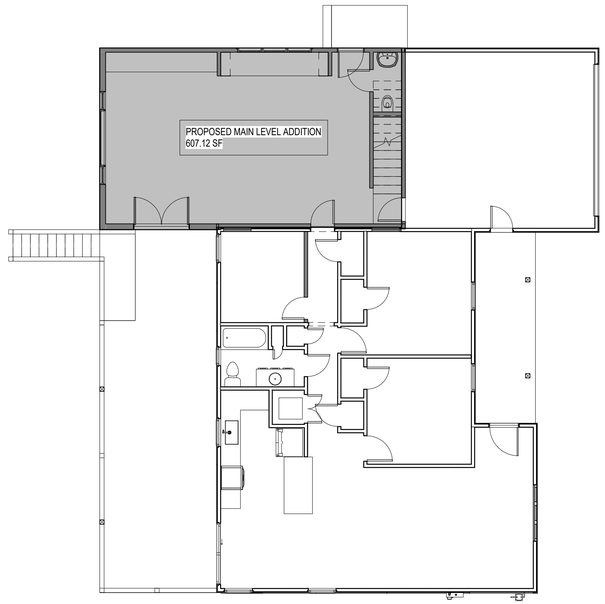
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5 (P) UPPER LEVEL - GROSS FAR PLAN

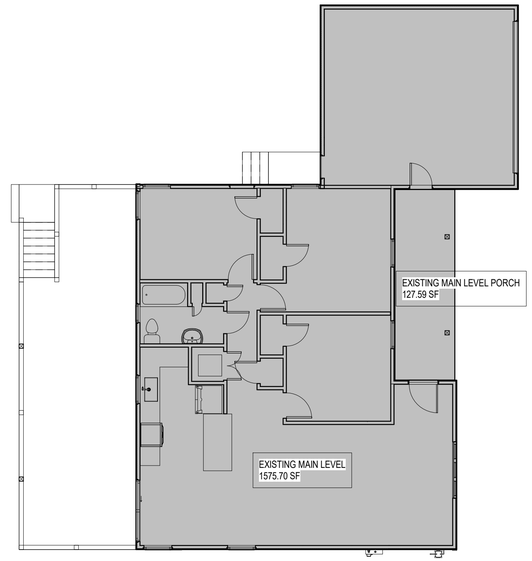
1/8" = 1'-0"

GROSS FLOOR AREA CHART					
		EXISTING	DEMO	PROPOSED	FINAL
LOWER LEVEL	RESIDENCE	372.94 SF	---	---	372.94 SF
	COVERED PATIO	292.40 SF	70.00 SF	---	222.40 SF
MAIN LEVEL	RESIDENCE	1,575.70 SF	---	607.12 SF	2,182.82 SF
	PORCH	127.59 SF	---	---	127.59 SF
UPPER LEVEL	RESIDENCE	---	---	385.48 SF	385.48 SF
PROJECT TOTAL		2,368.63 SF	70.00 SF	992.60 SF	3,291.23 SF



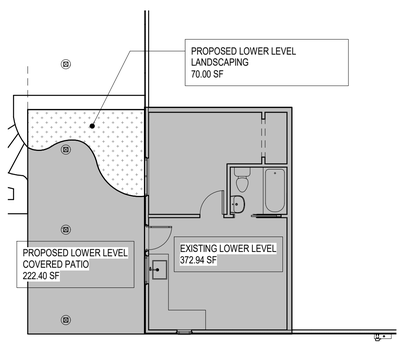
4 (P) MAIN LEVEL - GROSS FAR PLAN

1/8" = 1'-0"



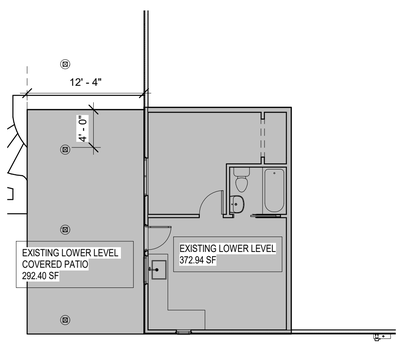
2 (E) MAIN LEVEL GROSS FAR PLAN

1/8" = 1'-0"



3 (P) LOWER LEVEL - GROSS FAR PLAN

1/8" = 1'-0"



1 (E) LOWER LEVEL - GROSS FAR PLAN

1/8" = 1'-0"

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DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

40 ANSON WAY KENSINGTON, CA 94707

project name :

ADDITION

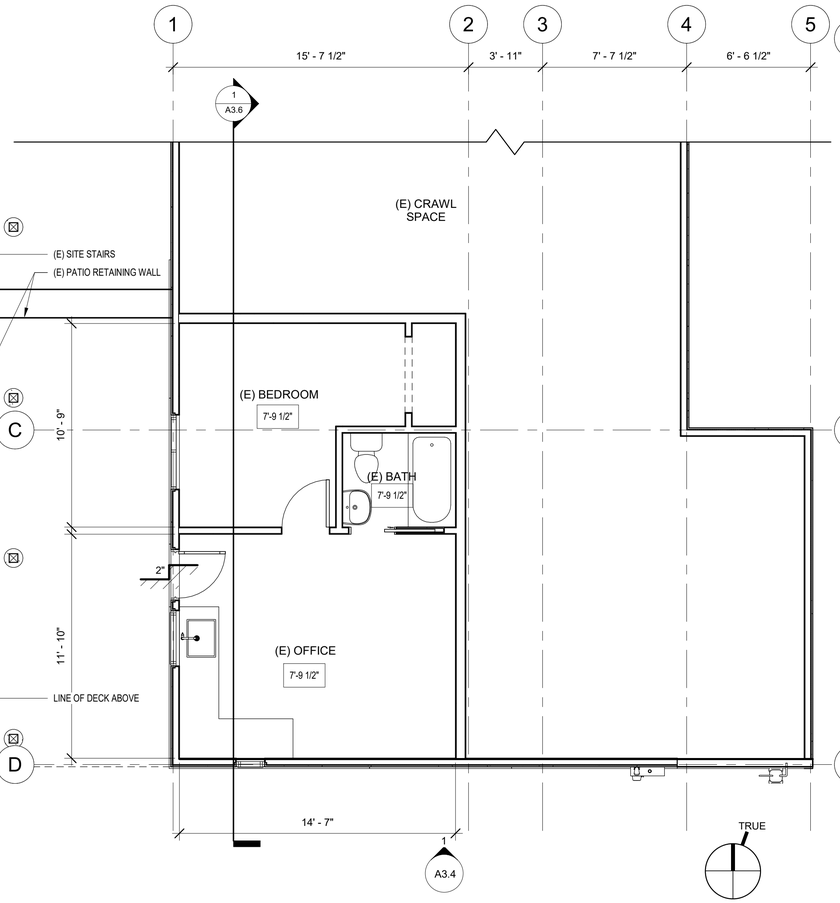
PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

GROSS FLOOR AREA PLANS

PROJECT NO:	2229
DRAWN BY:	Author
CHECKED BY:	Checker
DATE:	05/25/2023

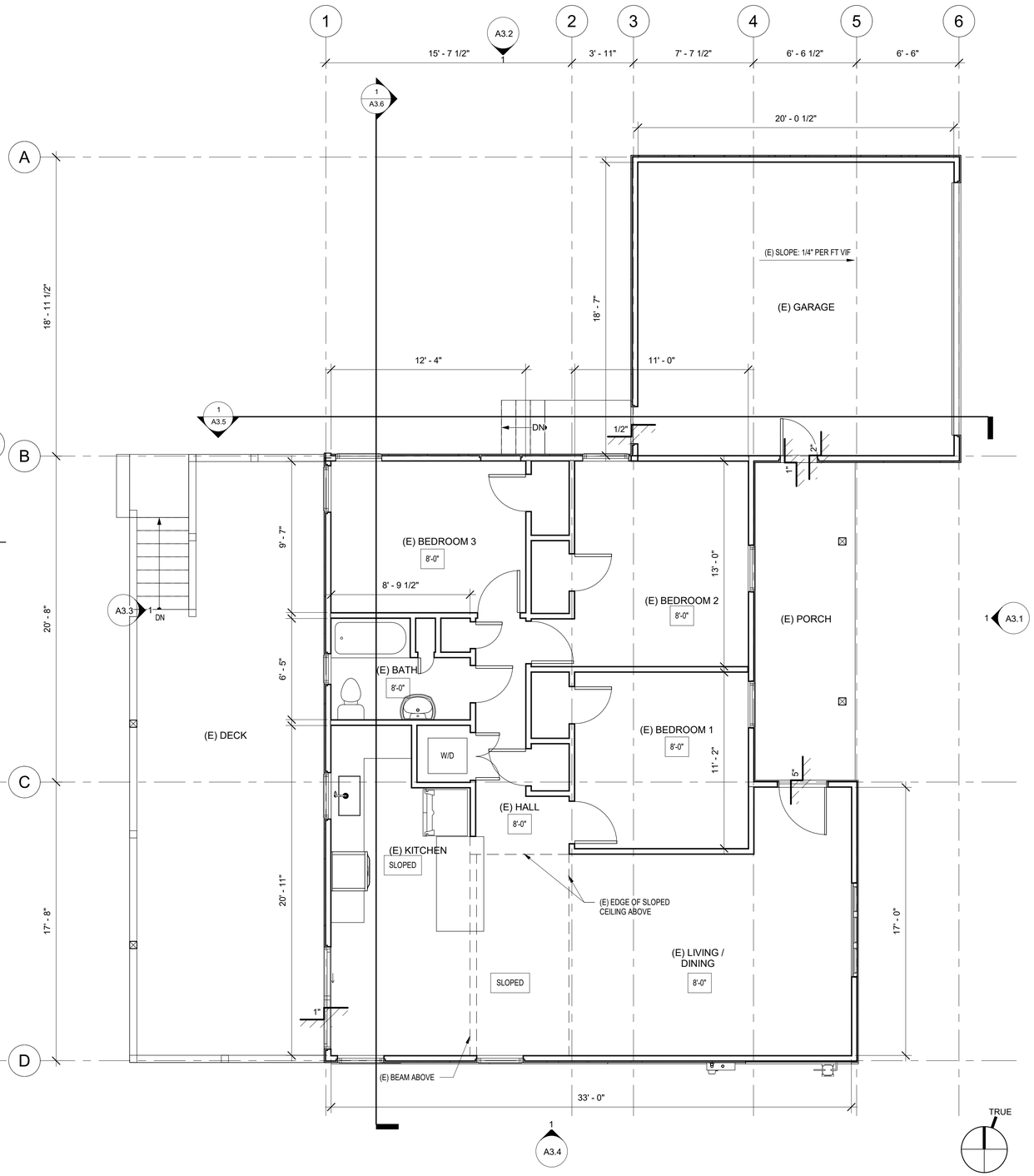
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A0.4



2 (E) PARTIAL LOWER LEVEL

1/4" = 1'-0"



1 (E) MAIN LEVEL

1/4" = 1'-0"

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architect's stamp :



approved stamp location :

address :

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project name :

ADDITION

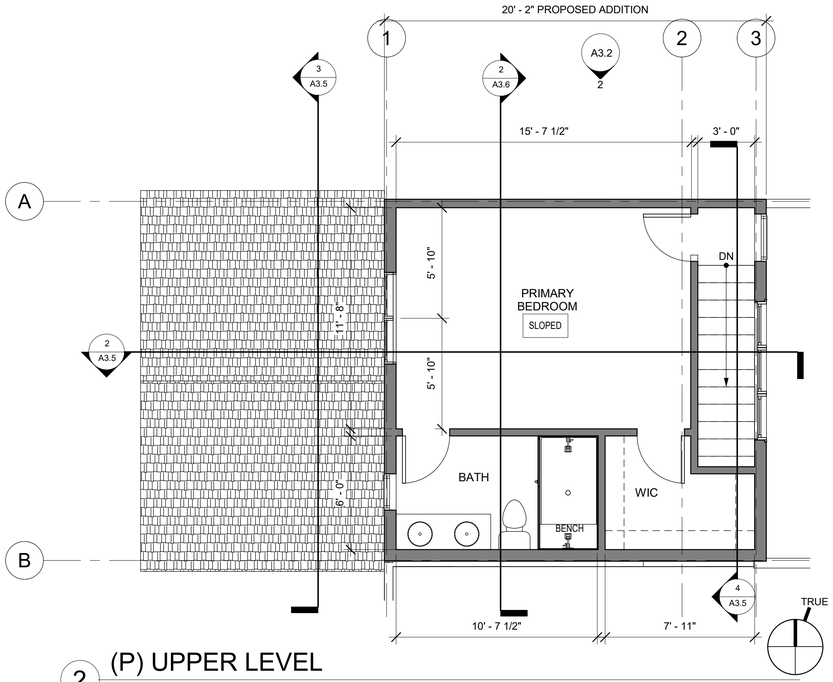
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	DEVELOPMENT PLAN	07/10/2023

(E) PLANS

PROJECT NO:	2229
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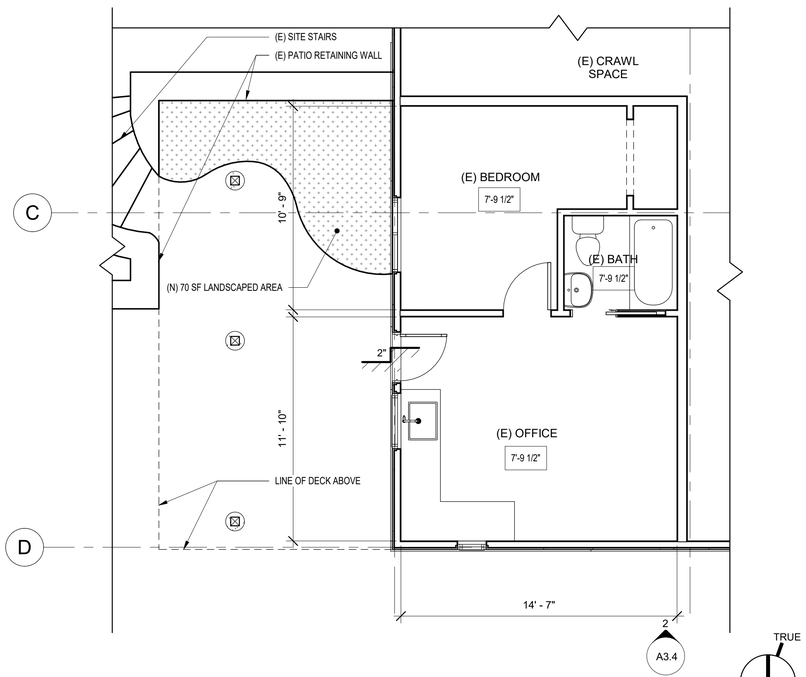
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A2.1



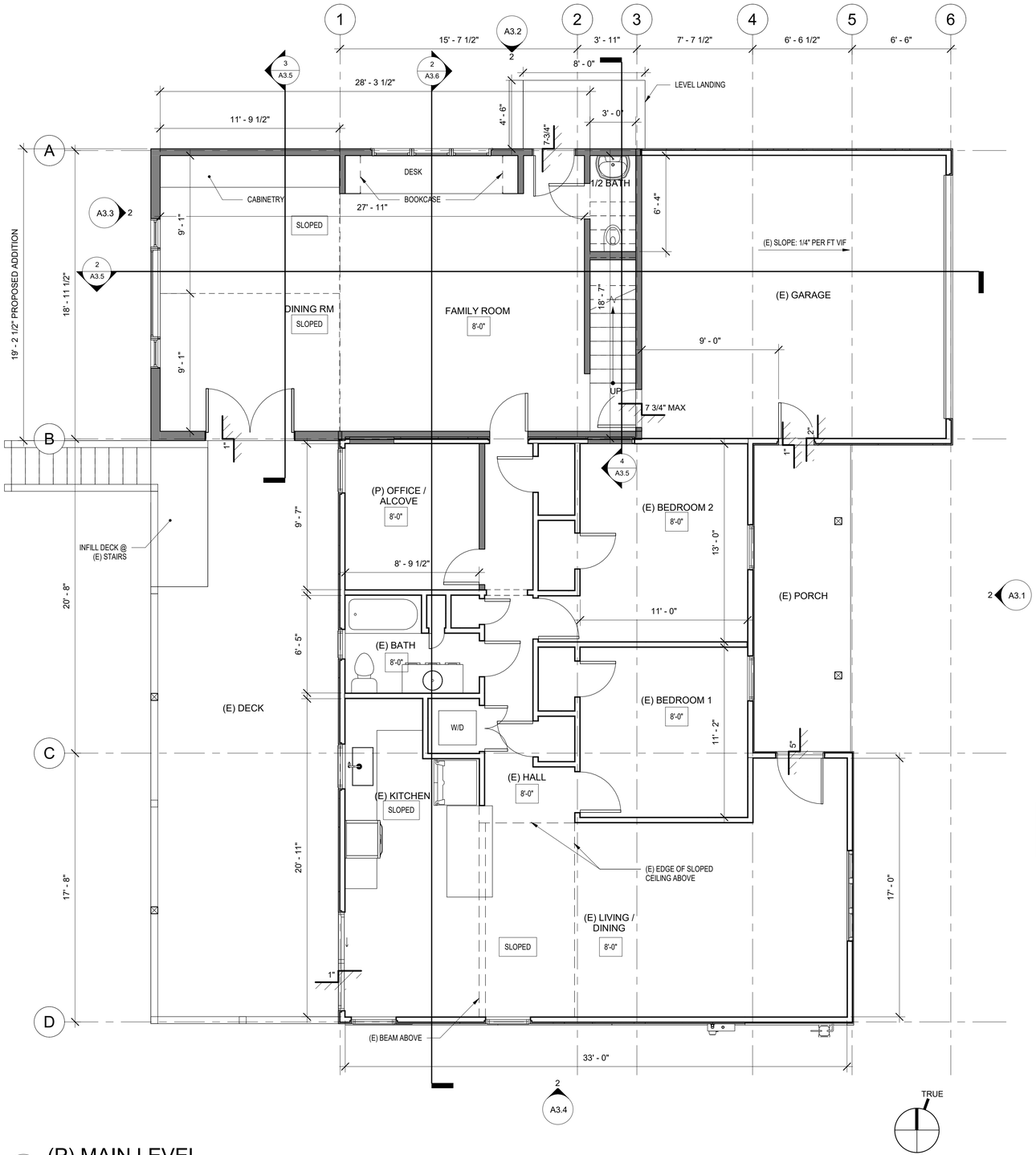
2 (P) UPPER LEVEL

1/4" = 1'-0"



3 (P) PARTIAL LOWER LEVEL

1/4" = 1'-0"



1 (P) MAIN LEVEL

1/4" = 1'-0"

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DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

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project name :

ADDITION

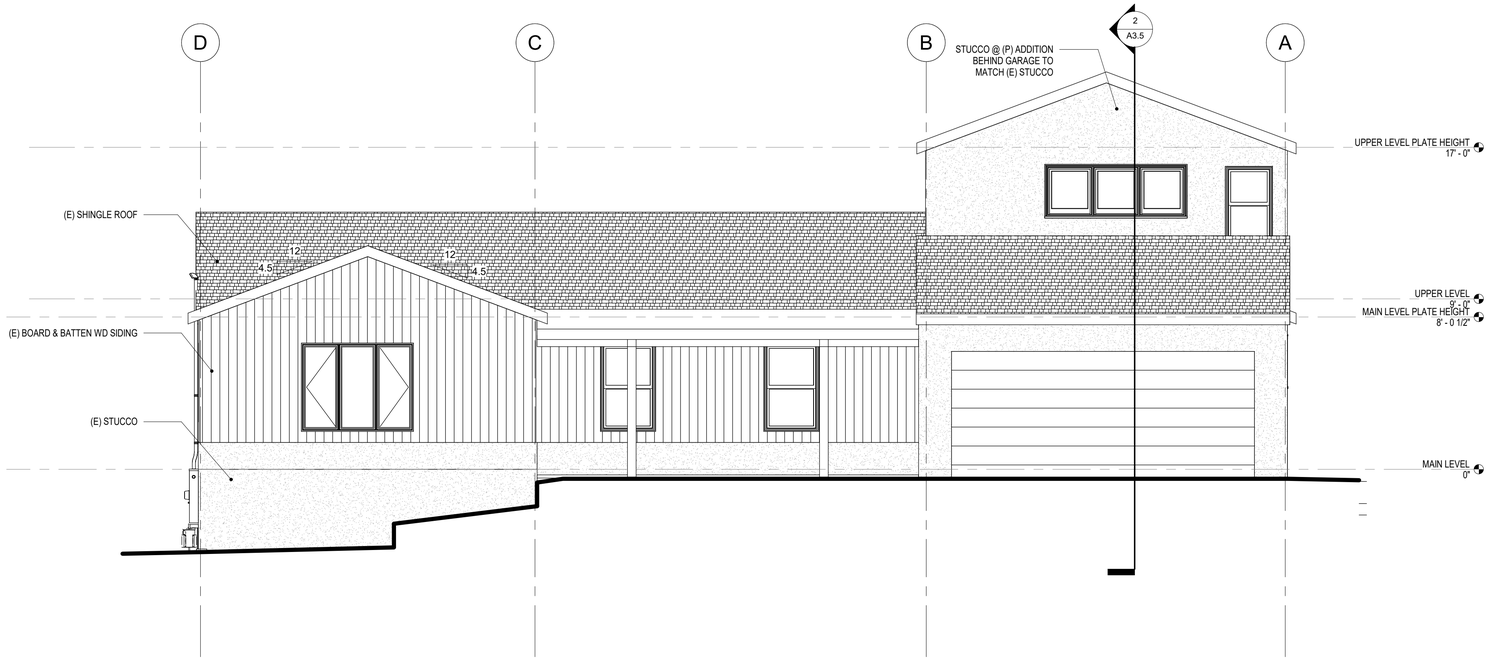
PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

(P) PLANS

PROJECT NO:	2229
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DATE:	05/25/2023

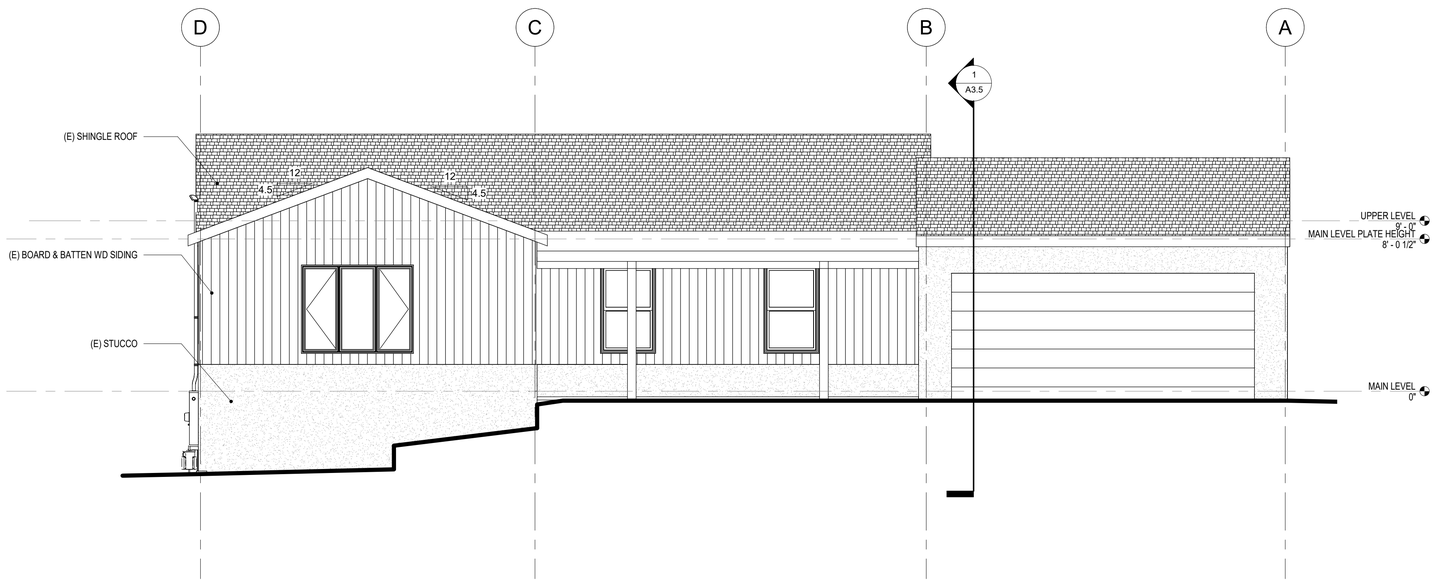
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A2.2



2 (P) EAST ELEVATION

1/4" = 1'-0"



1 (E) EAST ELEVATION

1/4" = 1'-0"

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architect's stamp :



approved stamp location :

address :

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project name :

ADDITION

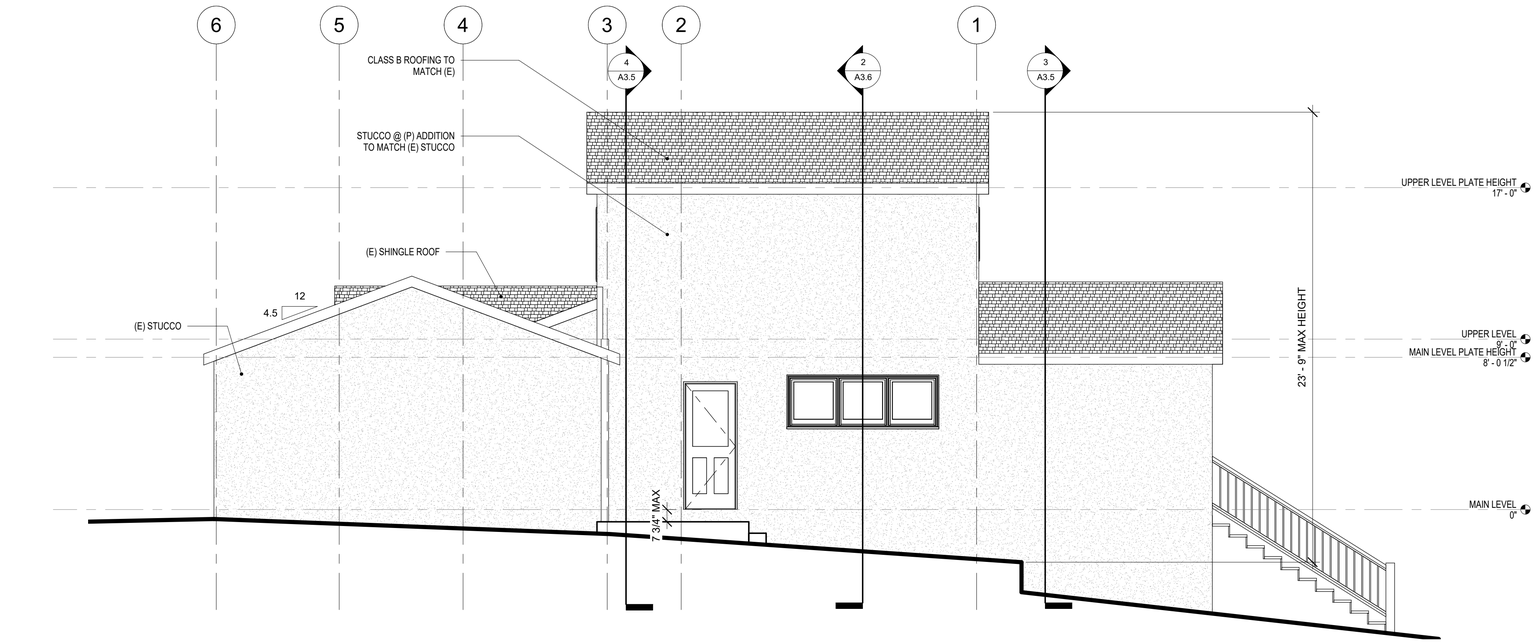
PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

(E) & (P) ELEVATIONS

PROJECT NO:	2229
DRAWN BY:	EP
CHECKED BY:	CRJ
DATE:	05/25/2023

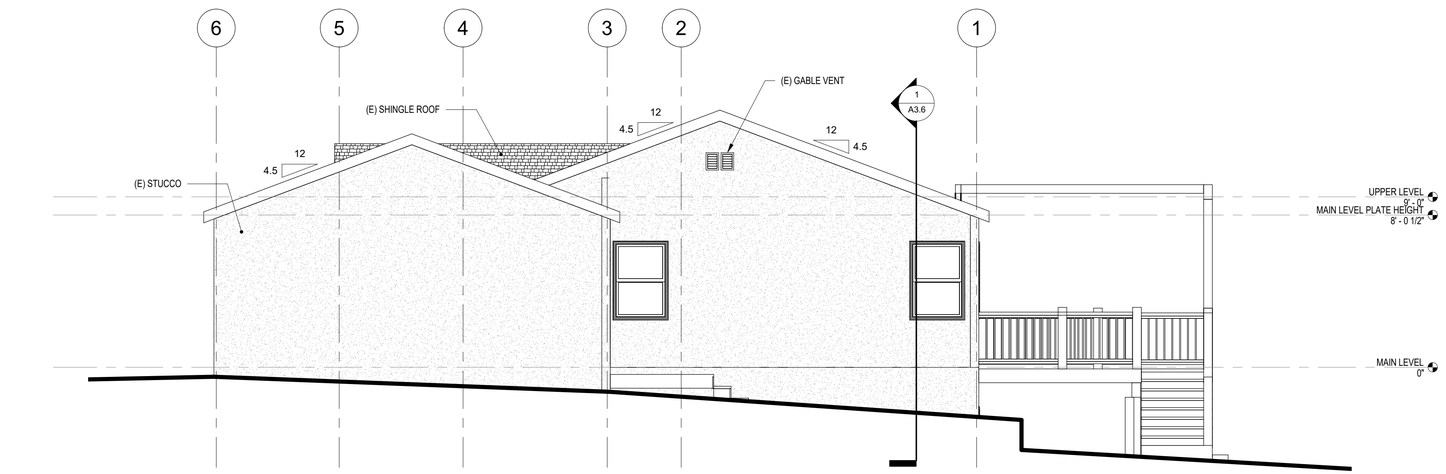
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A3.1



2 (P) NORTH ELEVATION

1/4" = 1'-0"



1 (E) NORTH ELEVATION

1/4" = 1'-0"

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DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

40 ANSON WAY KENSINGTON, CA 94707

project name :

ADDITION

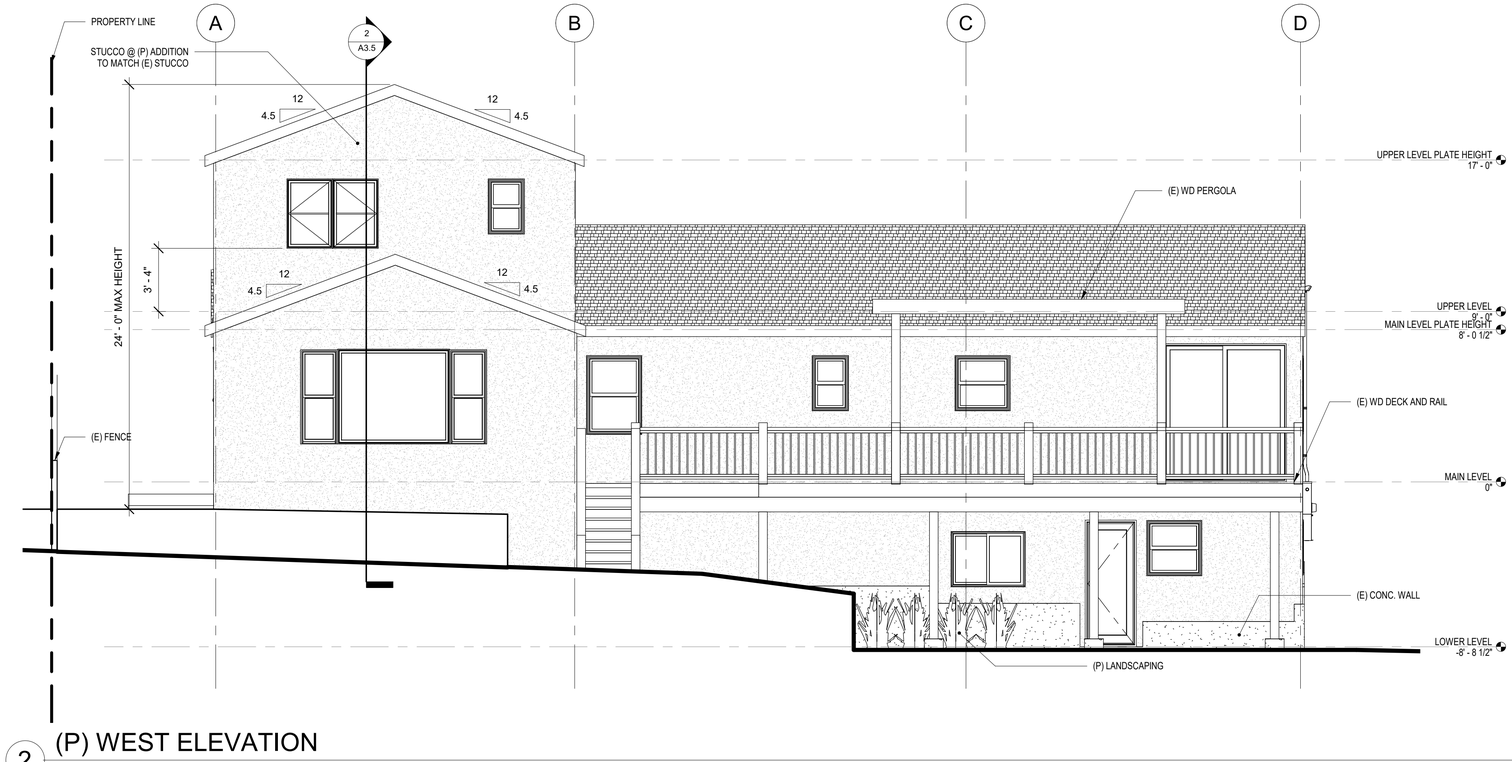
PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

(E) & (P) ELEVATIONS

PROJECT NO:	2229
DRAWN BY:	EP
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DATE:	05/25/2023

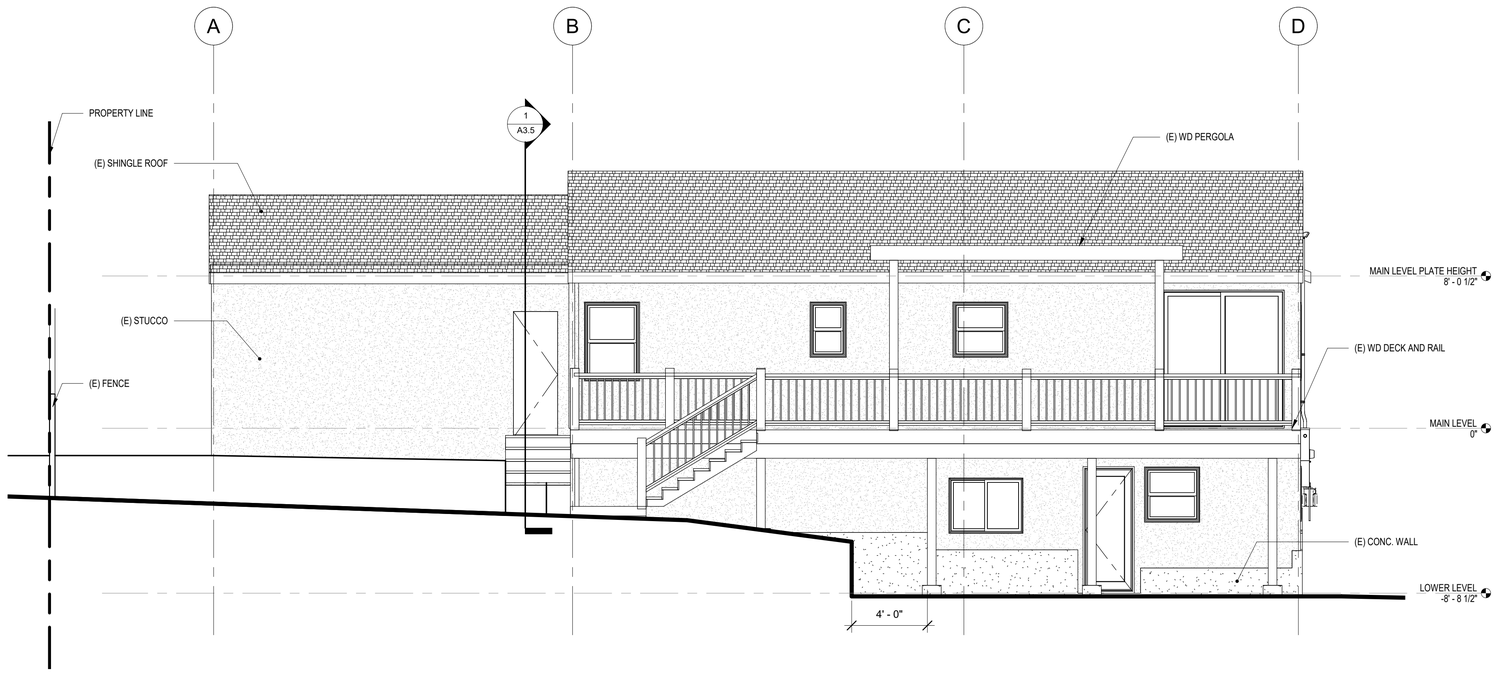
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A3.2



2 (P) WEST ELEVATION

1/4" = 1'-0"



1 (E) WEST ELEVATION

1/4" = 1'-0"

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DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

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project name :

ADDITION

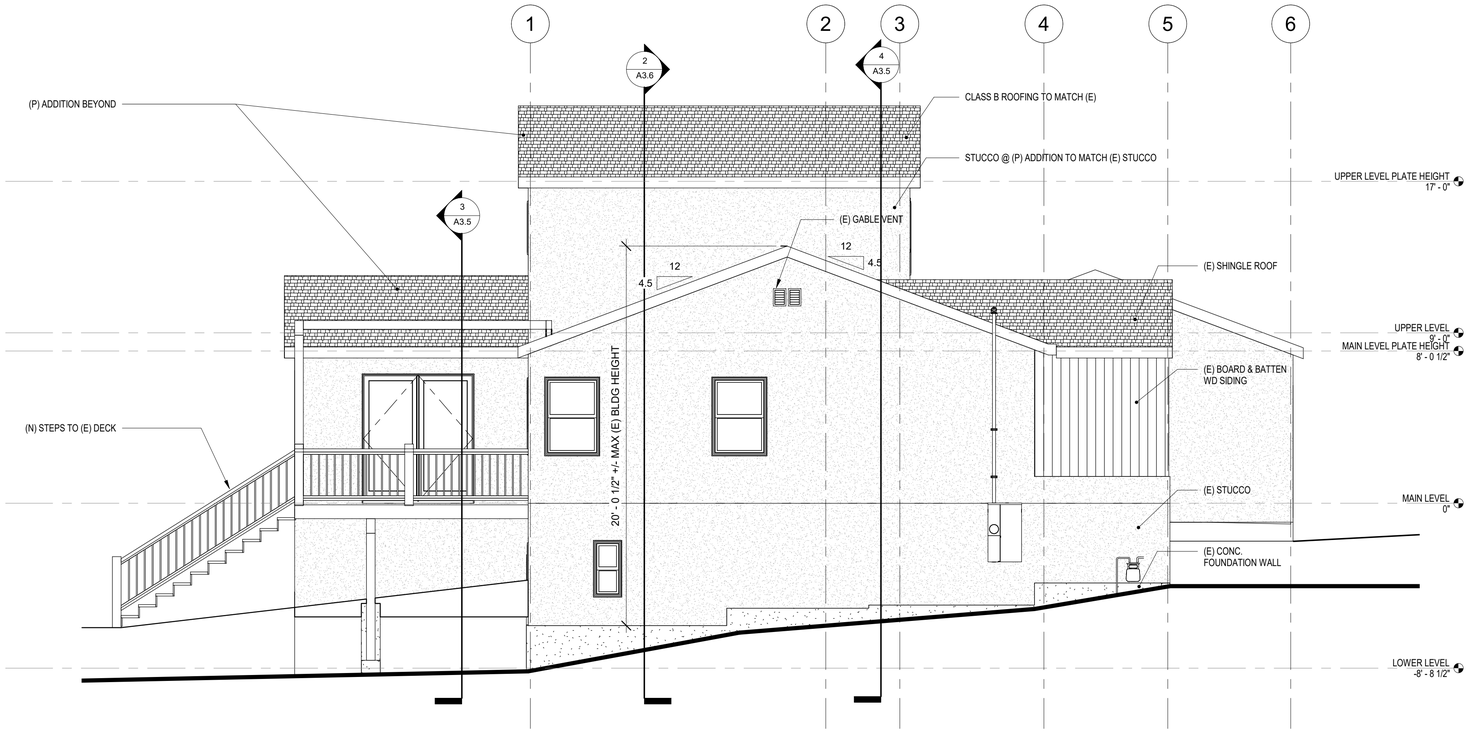
PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

(E) & (P) ELEVATIONS

PROJECT NO:	2229
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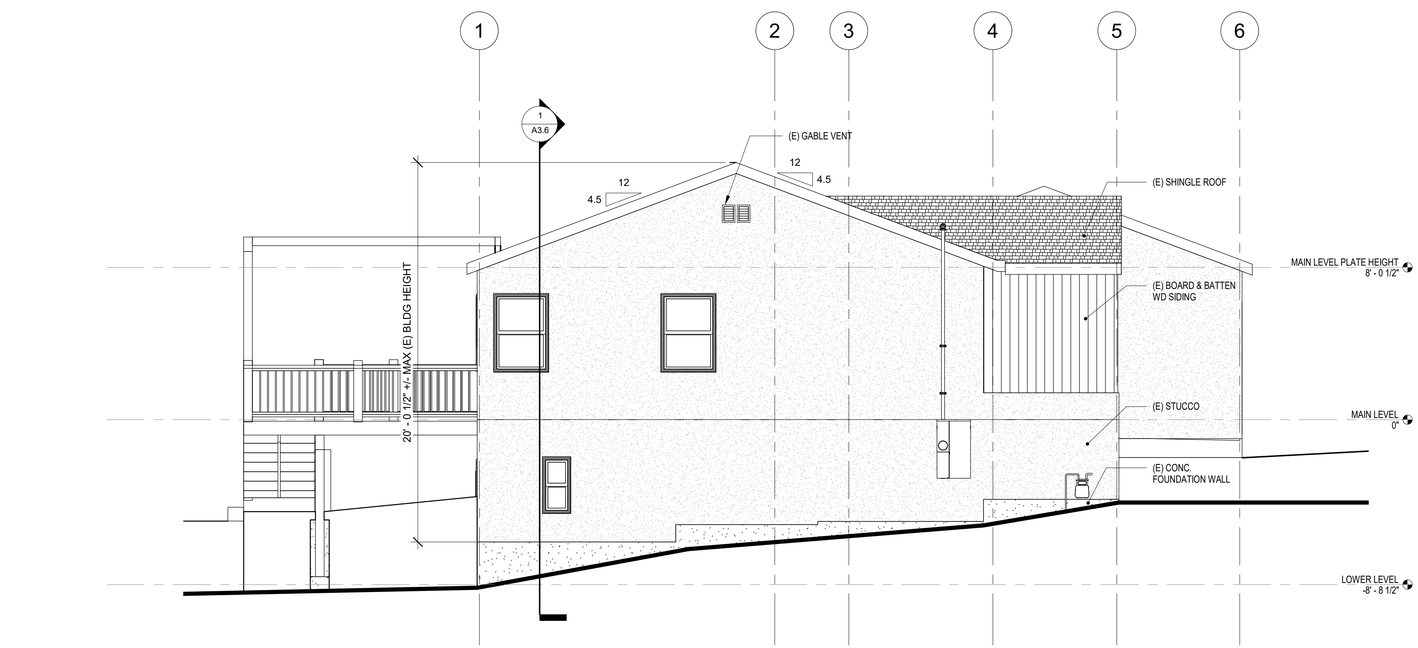
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A3.3



2 (P) SOUTH ELEVATION

1/4" = 1'-0"



1 (E) SOUTH ELEVATION

1/4" = 1'-0"

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ARCHITECTURE
CARI ROSNER JELEN ARCHITECT

510-467-0768
cari-designs.com

DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

40 ANSON WAY
KENSINGTON, CA
94707

project name :

ADDITION

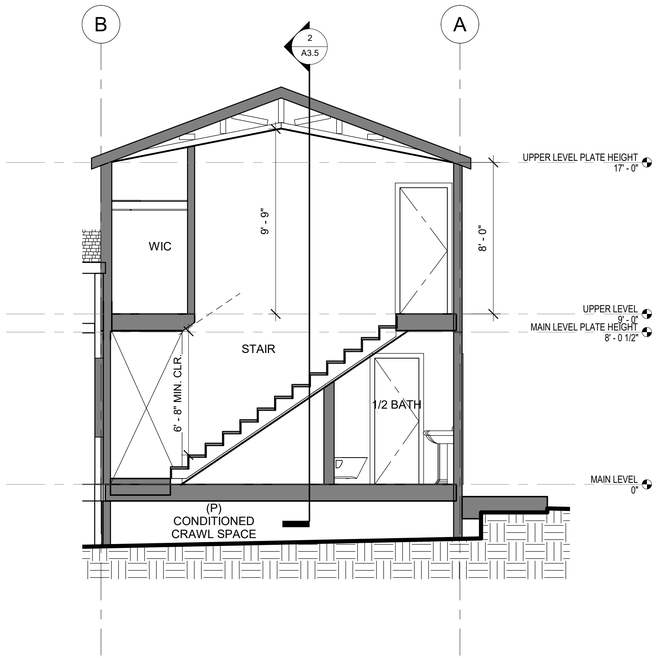
PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

(E) & (P) ELEVATIONS

PROJECT NO:	2229
DRAWN BY:	EP
CHECKED BY:	CRJ
DATE:	05/25/2023

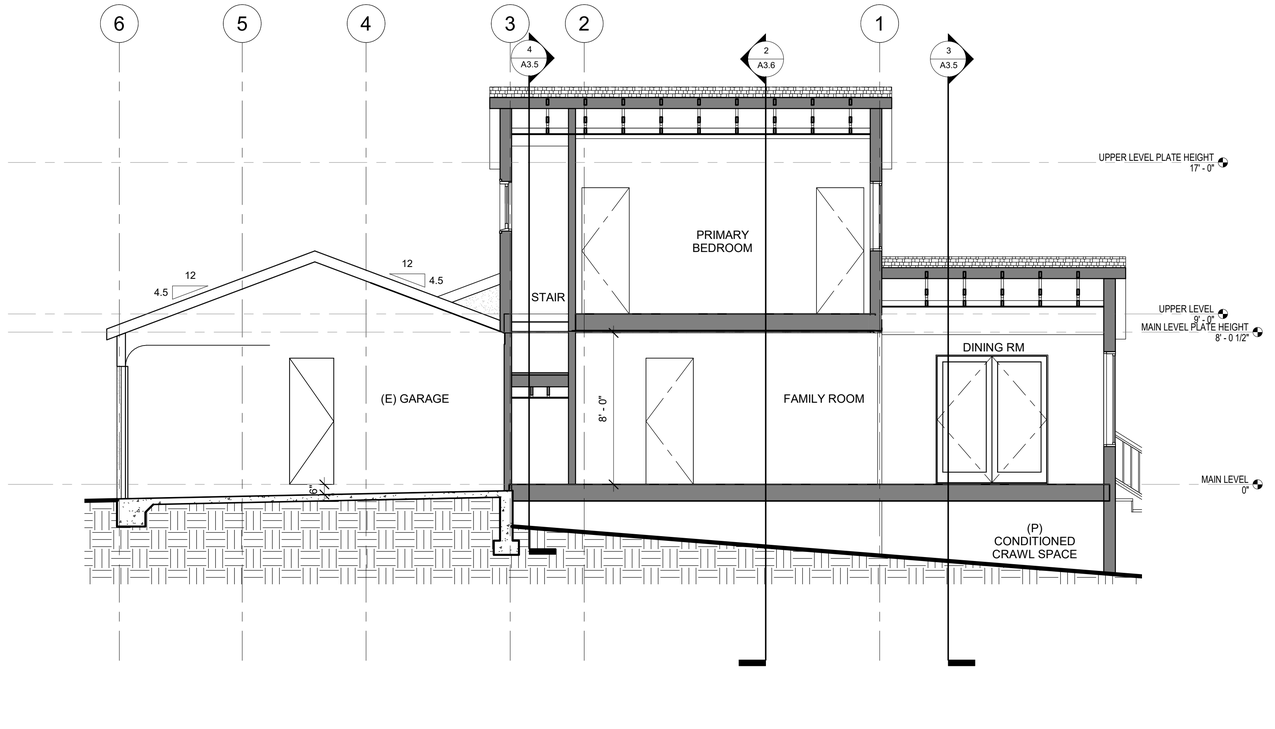
COPYRIGHT © 2023 CARI-DESIGNS INC.

A3.4



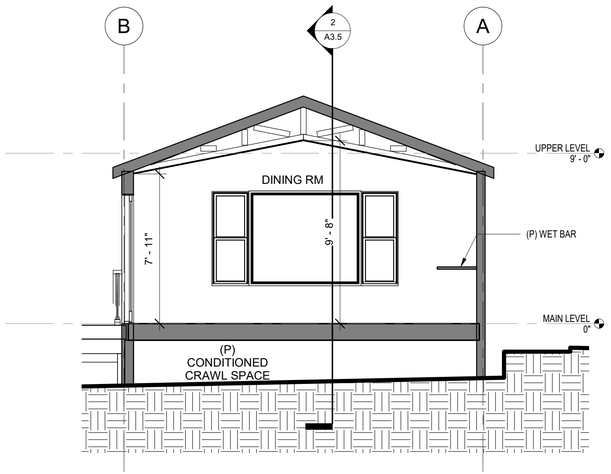
4 (P) STAIR SECTION

1/4" = 1'-0"



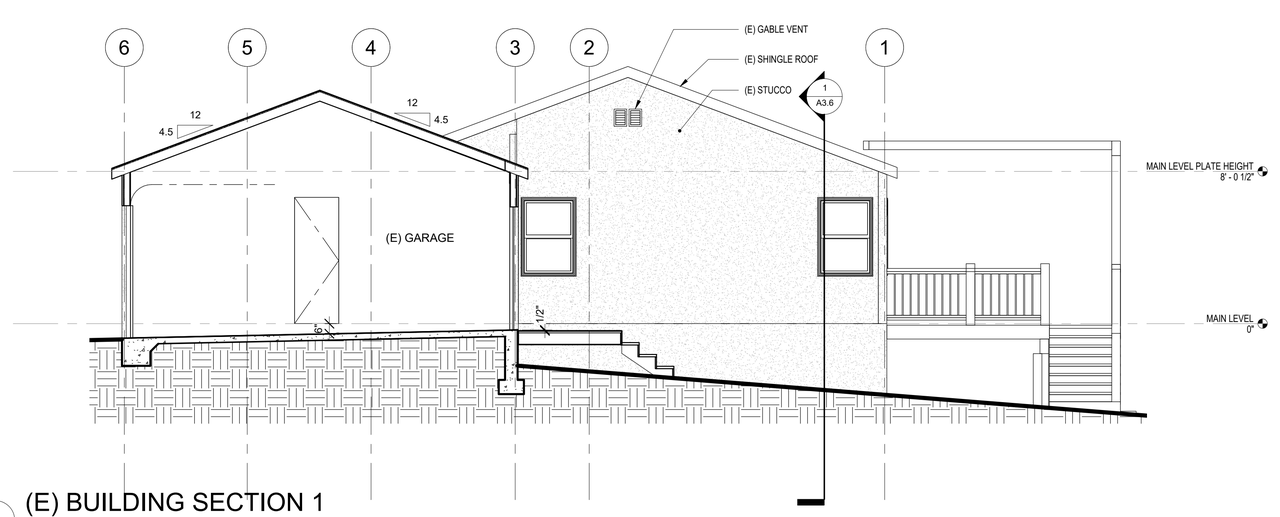
2 (P) BUILDING SECTION 1

1/4" = 1'-0"



3 (P) BUILDING SECTION 2

1/4" = 1'-0"



1 (E) BUILDING SECTION 1

1/4" = 1'-0"

caridesigns
ARCHITECTURE
CARI ROSNER JELEN ARCHITECT

510-467-0768
cari-designs.com

DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

40 ANSON WAY
KENSINGTON, CA
94707

project name :

ADDITION

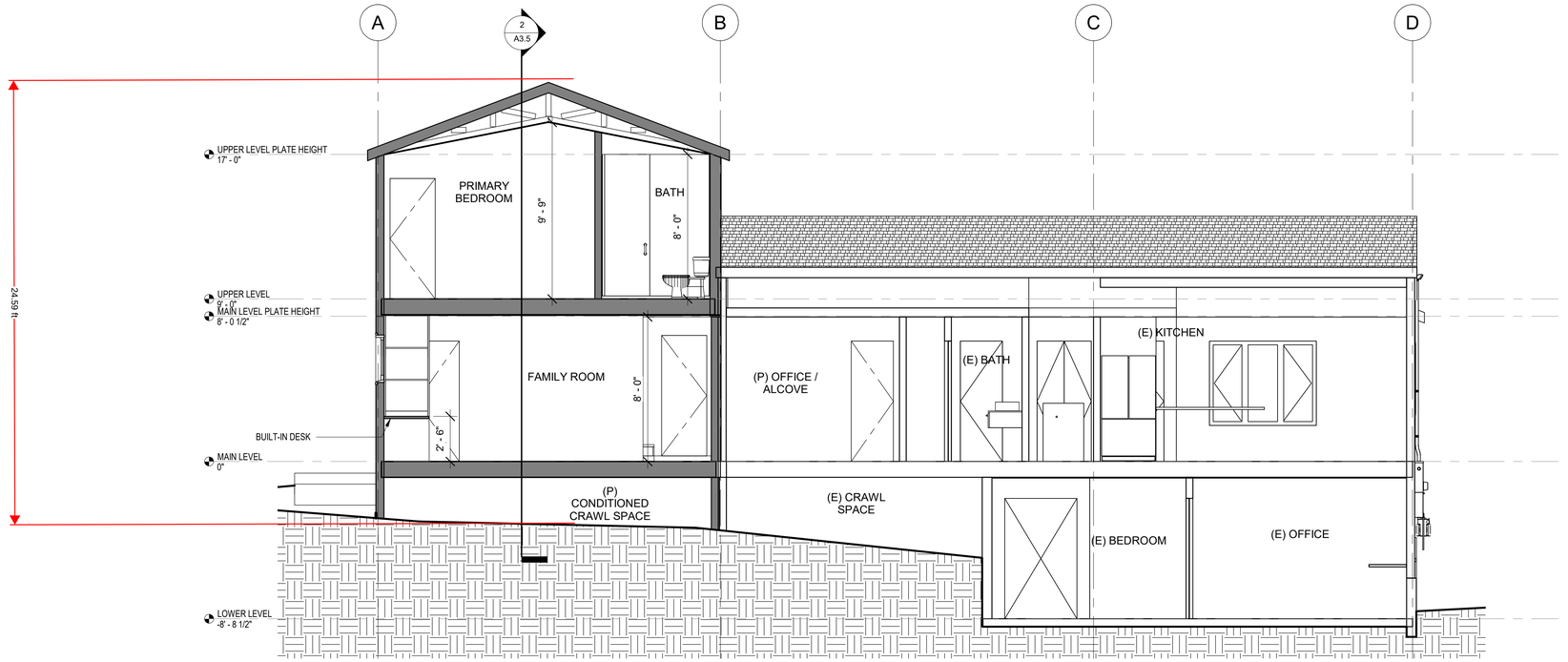
PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

(E) & (P) SECTIONS

PROJECT NO:	2229
DRAWN BY:	EP
CHECKED BY:	CRJ
DATE:	05/25/2023

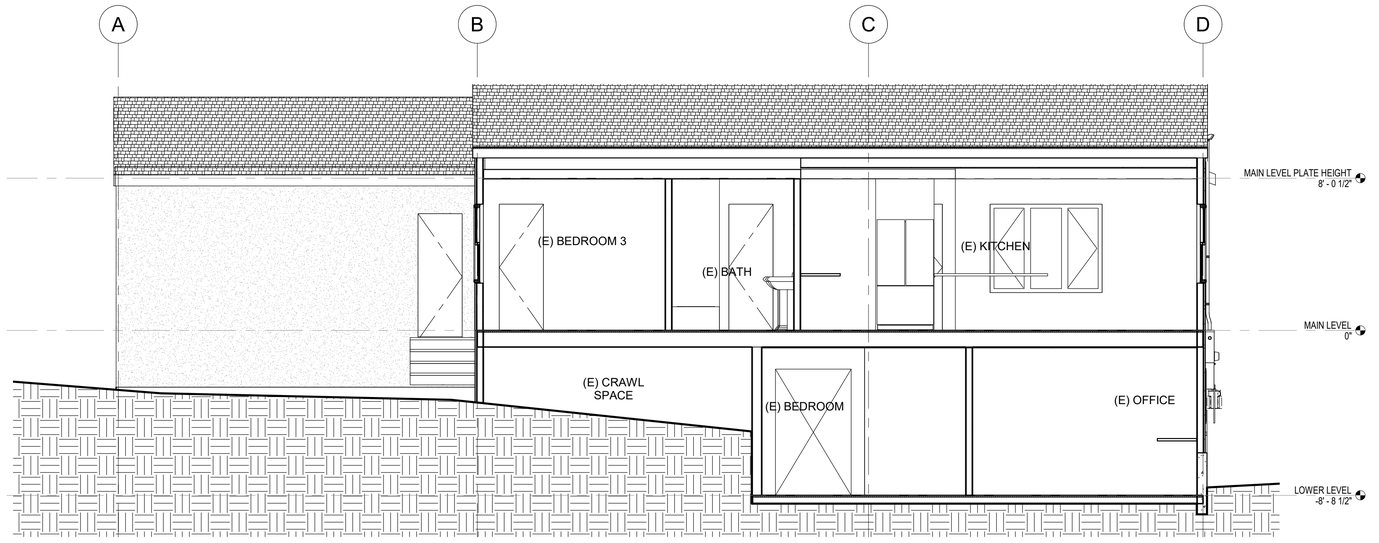
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A3.5



2 (P) BUILDING SECTION 3

1/4" = 1'-0"



1 (E) BUILDING SECTION 3

1/4" = 1'-0"

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CARI ROSNER JELEN ARCHITECT

510-467-0768
cari-designs.com

DWELLINGS - EDIFICES - DETAILS

architect's stamp :



approved stamp location :

address :

40 ANSON WAY KENSINGTON, CA 94707

project name :

ADDITION

PROJECT ISSUE RECORD		
#	REVISION	DATE
	DEVELOPMENT PLAN	07/10/2023

(E) & (P) SECTIONS

PROJECT NO:	2229
DRAWN BY:	EP
CHECKED BY:	CRJ
DATE:	05/25/2023

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A3.6

ATTACHMENT 3

AGENCY COMMENTS

REVIEW OF AGENCY PLANNING APPLICATION

THIS IS NOT A PROPOSAL TO PROVIDE WATER SERVICES

The technical data supplied herein is based on preliminary information, is subject to revision and is to be used for planning purpose ONLY

DATE: 07/28/2023	EBMUD MAP(S): 1482B518	EBMUD FILE:S-11443
AGENCY: Department of Conservation and Development Attn: Adrian Veliz 30 Muir Road MARTINEZ, CA 94553	AGENCY FILE: CDDP23-03024	FILE TYPE: Development Plan
APPLICANT: Cari Rosner Jelen 800 Bancroft Way, Suite 200 Berkeley, CA 94710		OWNER: Elena Saxonhouse 40 Anson Way Kensington, CA 94707-1105

DEVELOPMENT DATA

ADDRESS/LOCATION: 40 Anson Way City:KENSINGTON Zip Code: 94707-1105

ZONING:R-6, -TOV -K PREVIOUS LAND USE:

DESCRIPTION: A 2-story addition to an existing single family home including a new deck and bathroom	TOTAL ACREAGE:0.2 ac.

TYPE OF DEVELOPMENT:
Single Family Residential:1 Units

WATER SERVICES DATA

PROPERTY: in EBMUD	ELEVATION RANGES OF STREETS: 423-445	ELEVATION RANGE OF PROPERTY TO BE DEVELOPED: 414-431

All of development may be served from existing main(s)
Location of Main(s):Anson Way

PRESSURE ZONE	SERVICE ELEVATION RANGE
A4BA	400-500

None from main extension(s)
Location of Existing Main(s):

PRESSURE ZONE	SERVICE ELEVATION RANGE

COMMENTS

If additional water service is needed, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine the costs and conditions of providing additional water service to the development. Engineering and installation of water meters requires substantial lead time which should be provided for in the project sponsor's development schedule. No water meters are allowed to be located in driveways. The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense. Due to EBMUD's limited water supply, all customers should plan for shortages in time of drought.

AAL

CHARGES & OTHER REQUIREMENTS FOR SERVICE:
Contact the EBMUD New Business Office at (510)287-1008.

07/28/2023

Jennifer L Mcgregor,Senior Civil Engineer; DATE
WATER SERVICE PLANNING SECTION

From:	Everett Louie
To:	Adrian Veliz
Subject:	FW: KMAC Votes and video
Date:	Thursday, October 26, 2023 2:40:02 PM

See below for 40 anson way in kensington.

From: Robert Rogers <Robert.Rogers@bos.cccounty.us>
Sent: Thursday, October 26, 2023 1:54 PM
To: Branka Tatarevic <Branka.Tatarevic@dcd.cccounty.us>; Everett Louie <Everett.Louie@dcd.cccounty.us>; Grant Farrington <Grant.Farrington@dcd.cccounty.us>; Maria Lara-Lemus <Maria.Lara-Lemus@dcd.cccounty.us>
Cc: Lloyd Cowell <lloydcowell@hotmail.com>
Subject: KMAC Votes and video

HI all,

Last night's KMAC Meeting can be viewed here: https://youtu.be/ApYhsbTPbHI

Action items:

Votes:

30 Kingston: Approved 5-0
40 Anson: Approved 3-1-1
211 Yale: Approved 5-0
418 Colusa: Approved 5-0
154 Lawson: Approved 5-0

Thank you,
Robert

Robert Rogers
District Coordinator
Office of County Supervisor John Gioia
11780 San Pablo Ave., Suite D
El Cerrito, CA, 94530
510.942.2224
www.cocobos.org/gioia

ATTACHMENT 4

REQUEST FOR PUBLIC HEARING

FROM THE DESK OF

K. McClain

June 7, 2023

Kris McClain
36 Anson Way
Kensington, CA 94707
Ph. (510) 407-1305

To Whom it may concern,

By way of this letter, I am requesting a public hearing in reference to File number **CDKR23-00010.** The property is located at 40 Anson Way, Kensington, CA 94707. The request is to have an opportunity to discuss the compatibility of the project, and how it could have an impact on adjacent homes.

Sincerely yours,

K. McClain

ATTACHMENT 5

SITE VISIT PHOTOGRAPHS






196

ATTACHMENT 6

PUBLIC COMMENTS

SHELTERWERK
ARCHITECTURE & DESIGN

September 18, 2023

Kris McClain
36 Anson Way
Kensington, CA 94707

Re: McClain Appeals

Dear Kris,

We have researched the proposed addition at 40 Anson Way, Kensington, CA, and made determinations about its impacts in consideration of Chapter 84-74 of the Contra Costa County Code, which lays the guidelines for building in Kensington, as well as 84-4 of the Contra Costa County Code, which lays out additional guidelines for residential building not necessarily covered within the Kensington section of the code.

To lay the foundation of our research on the impacts proposed construction at 40 Anson Way, we look at the purposes of the Kensington specific section of the Contra Costa County Code:

> 84-74.204 - Purpose and intent.
>
> (a) The purpose of this chapter is to provide specific regulation to fairly and efficiently implement the Contra Costa County general plan policies for the Kensington Area so that future development recognizes the rights of property owners to improve the value and enjoyment of their property while minimizing impacts upon surrounding neighbors and not substantially impairing the value and enjoyment of their neighbors' property; maintains the community's property values; and promotes the general welfare, public health and safety.
>
> (b) It is a further purpose of this chapter to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels and compatibility with the neighborhood with regard to bulk and scale
>
> (c) Features of a development that could influence these values include but are not limited to siting, size, bulk, building envelope, height, setbacks, relative scale, off-street parking spaces, window placement, artificial lighting and location of mechanical devices such as motors, fans and vents.

Part (a) recognizes the right of homeowners to develop their properties, while minimizing any impacts on their neighbors' property value, and while protecting the ability of their neighbors to enjoy their land. Parts (b) and (c) provide criteria for evaluating the impacts of development on neighboring properties. The proposed development at 40 Anson Way fails to minimize impacts as required by the code.

The Building Exceeds the Number of Permissible Stories:

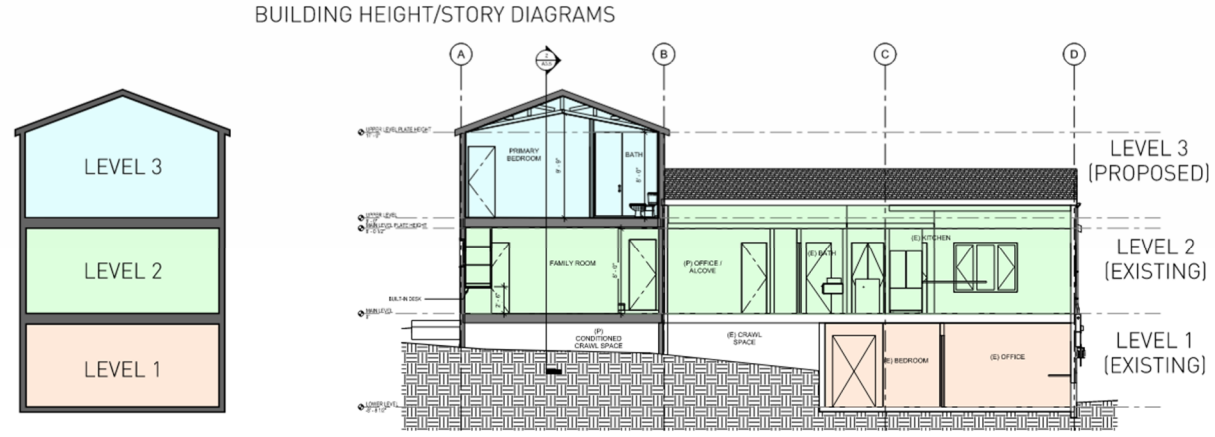
Contra Costa County Code limits buildings to two stories in Kensington. Section 82-4.266 of the code defines a story as follows:

> "Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or cellar is more than six feet above grade at any point, such basement or cellar shall be considered a story.

Per 84-4.802 of the municipal code, building height maximums are set by the following criteria:

> No single-family dwelling or other structure permitted in the R-6 district shall exceed two and one-half stories or thirty-five feet in height.

Due to the existing habitable basement at 40 Anson Way - which includes an existing a bedroom, bathroom, and "office" with full kitchen –the additional proposed level constitutes an impermissible third level. The diagram on the right is what was submitted to the Planning Department. This lower level wasn't omitted from the architect's drawings, and it didn't receive a comment, so maybe it slipped through the cracks, but it should compel the planners to reject the proposal or require a variance application.



(a) standard story stacking

(b) proposed story stacking at 40 Anson Way

The Proposed Building Unreasonably Impairs Views:

The proposed addition adds a large mass adjacent to the dining room window at 36 Anson Way. Panoramic views of the surrounding landscape are negatively impacted. The proposal submitted to the Planning Department provides an image noting views that will be impacted, but the vantage point from which the image was taken is a misrepresentation of reality. It appears to be zoomed in and possibly at a lower vantage point than what one would experience standing in front of the window. The following photo, looking from the backmost windows of 36 Anson Way show more

accurately the significant negative impact on views caused by the proposed addition at 40 Anson Way.

AREA OF IMPACTED VIEWS
(Image taken from window at 36 Anson Way)



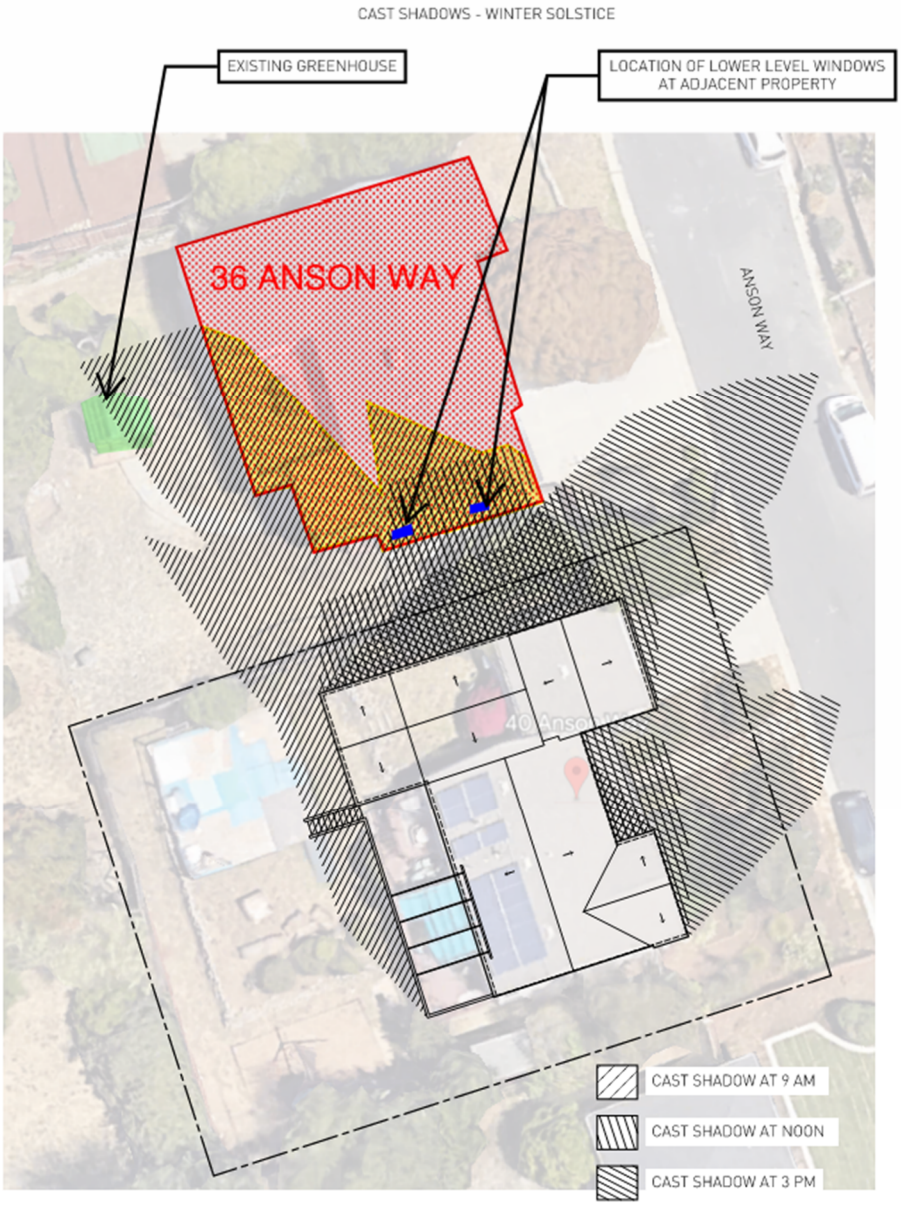
IMAGE OF AREA OF IMPACTED VIEWS SUBMITTED
TO PLANNING DEPARTMENT
(Development Plan Drawing Set dated 07/10/23)



APPROXIMATE NEIGHBOR VIEW TO SOUTHWEST (IMPACTED)

The Proposed Building Unreasonably Impairs Access to Daylight:

The addition at 40 Anson Way will cast shadows towards and past its northern property line and onto the lot of 36 Anson Way due to its proximity to a shared property line. A study of cast shadows during the Winter Solstice shows that the lower level South-facing windows at 36 Anson Way will be shaded out from 9 am through noon, greatly diminishing solar access during the period of the year where access to the sun is at its greatest premium. Additionally, shadows will be cast through a large part of the rear yard, including over an existing greenhouse and the garden area leading up to it. The excessive height of the proposed building is unnecessary, impermissible, and creates significant problems for the residents of 36 Anson Way that the county should be taking into consideration.



Large Size of the Home/Location of Addition/Utilization of Existing:

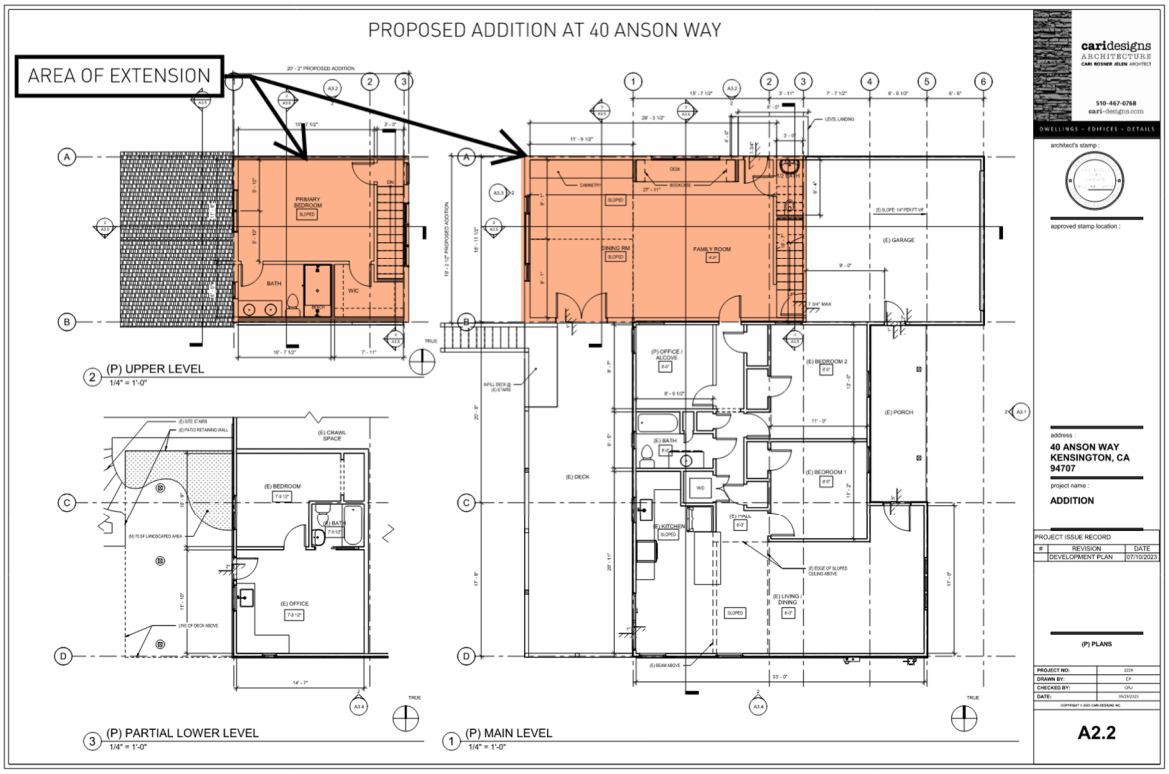
The proposed addition at 40 Anson Way creates a home with the following amenities:

- 5 bedrooms
- 2 kitchens
- 3 living spaces
- 3.5 baths
- 1 parking space

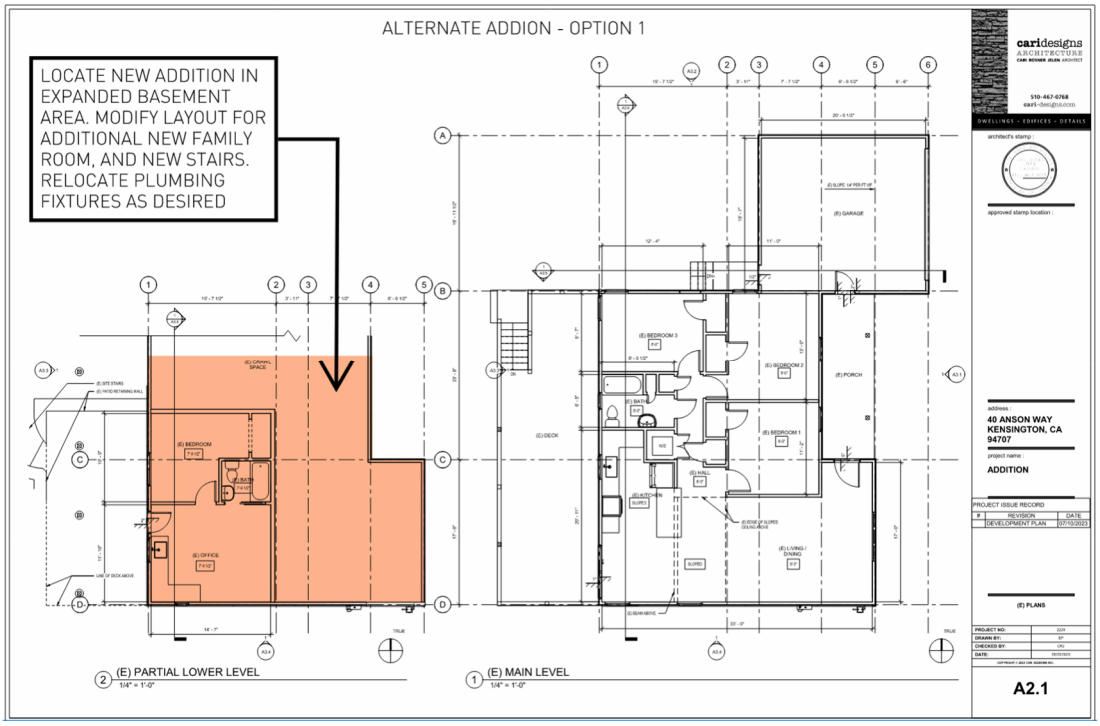
The existing habitable lower level currently has a full bathroom, kitchen, a bedroom, and space that can be used for living. By connecting the main house to the basement, many of the same rooms in the proposed design can be accessed from the main level without the need for extensive new construction.

Alternatively, if the owners of 40 Anson Way are intent on building a third level, then moving the extension to the opposite side of the house would eliminate any shadowing and view impacts on 36 Anson Way, while having a much more limited impact on the neighbors at 44 Anson Way.

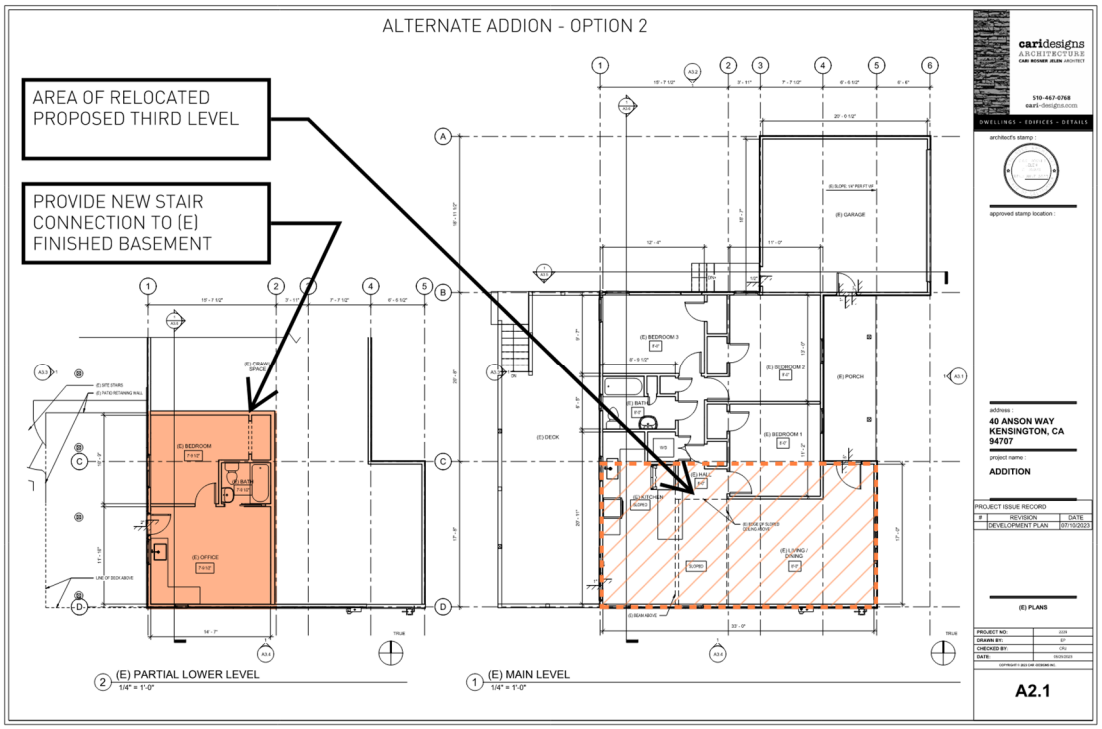
PROPOSED PROJECT WITH 3RD FLOOR ADDITION THAT CREATES SHADOWS AND BLOCKS VIEWS



PROPOSED PROJECT WITH 3RD FLOOR ADDITION MOVED TO OTHER SIDE – OPTION 1



PROPOSED PROJECT WITH 3RD FLOOR ADDITION MOVED TO OTHER SIDE – OPTION 2



Sincerely,

Heather Sanders-Jacob
Ashwin Biln

September 22, 2023

Re: 40 Anson Way, CDDP23-03024 (on September KMAC Meeting Agenda)

Dear KMAC members,

We write to respond to the letter from Shelterwerk Architects to Kris McClain, 36 Anson Way, forwarded to you by the County of Contra Costa Department of Conservation and Development. While we plan to make an oral presentation at the KMAC meeting next week, we thought it would be most efficient to respond to some of the assertions in the letter in advance.

Permissible Stories

- As our architect will explain at the upcoming meeting, the issue of the number of stories of our home with the addition did not "slip through the cracks." (Shelterwerk letter, p. 2.) Rather, our architect directly addressed this issue with the assigned planner. The planner found that the home with planned addition is still properly characterized as a two-story home. The planner determined that the project does not require a variance for number of stories, or for any other reason.

Impairment of Views

- The Shelterwerk letter addresses the south-facing window at 36 Anson, but neglects to mention the unobstructed views of the San Francisco Bay and Golden Gate Bridge from 36 Anson, which would not be impacted by the proposed addition. The west-facing view pictured below is taken from the roof of 40 Anson Way, which approximates the height of the west-facing windows of 36 Anson Way. When taken in this context, the impact to the south-facing window will not "substantially impair" the value and enjoyment of 36 Anson. CCC Code 84-74.204(a).



- Even if the south-facing view were significant in the context of the unimpacted west-facing view, blocking it would not impair Ms. McClain's enjoyment of her property for the simple reason that the shade of the south-facing window remains almost permanently down. We investigated this issue by placing a time-lapse camera in our backyard. Reviewing the footage, we were only able to identify one instance in which the shade was raised between the first day we began recording, July 12, 2023, and today's date. It appears that the shade was raised for 10 minutes or fewer that day (September 2, 2023). This is consistent with our experience over the past nearly 10 years– we rarely have seen the shade of the impacted window raised in the entire time we have lived next door. We would be happy to present the time-lapse evidence to KMAC if you find it to be relevant.

Characterization of 40 Anson and Proposed Addition

- Shelterwerk's characterization of our current home is misleading. The basement area, accessed by a separate entrance below the deck, is approximately 370 square feet, with two rooms and a bathroom. Though it has a wetbar and microwave, it is misleading to describe the outer room's amenities as including a "full kitchen."
- Shelterwerk's characterization of the home's amenities post-addition is incorrect. The bedroom that is currently at the northwest corner of the house would become an office nook as it would be too small to be properly characterized as a bedroom and will lack a closet. Accordingly, there would be 4 bedrooms, not 5. It is also misleading to describe the basement's amenities as including a "kitchen" and "living space," bringing those totals to 2 and 3, respectively.
- Post-addition, apart from the separately-accessed basement, our home will be similarly sized to Ms. McClain's home (2,183 square feet for 40 Anson, compared with 1,952 square feet for 36 Anson, per Zillow).

Proposed Alternative Designs

- Building another story on top of the southern part of the house would appear to require a variance for 3 stories.
- Building another story on top of the southern part of the house would block the Western facing view of our neighbors to the East.
- It is unclear where staircases could be placed to the proposed alternative upper or lower levels, other than in the middle of our current kitchen, living room, or hallway to the bedrooms.
- Building either staircase would substantially reduce the square-footage of our main level.
- The proposal to solely build out the basement and current crawlspace for our addition would deprive us of the ability to capitalize on the western facing views of the Bay for which Kensington is known.

- Both proposed alternatives would require us to move out of our home for the entire renovation, causing major disruptions and additional cost to our family of four with two young children. The proposed addition would allow us complete most of the construction without having to move out of our home.

We look forward to sharing more next week about the proposed project and the changes we made prior to submitting the plans to reduce the impact on our neighbor at 36 Anson.

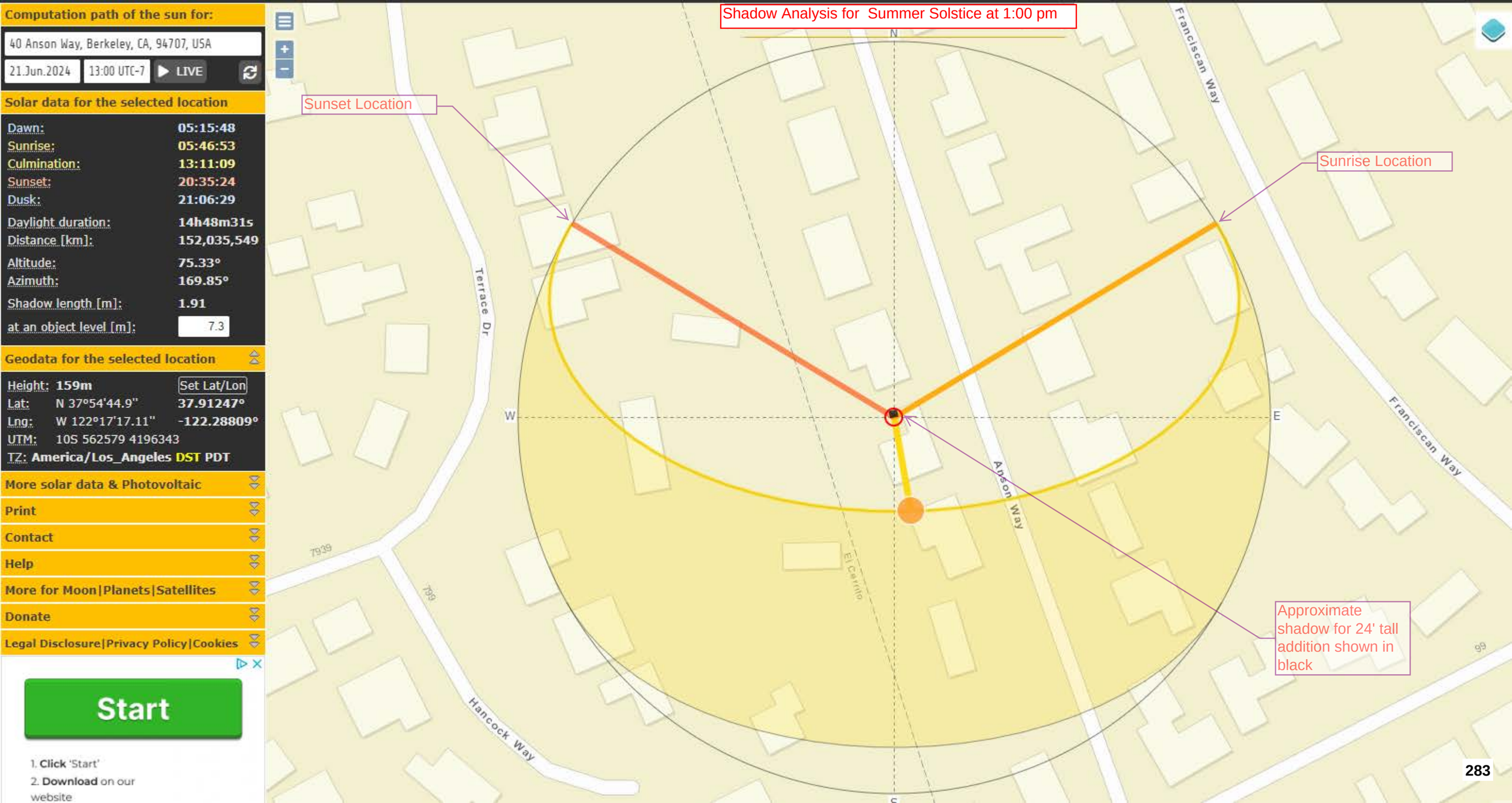
Sincerely,

Elena Saxonhouse
Tulley Rafferty
40 Anson Way
Kensington, CA 94707

cc: Adrian Veliz, Senior Planner

ATTACHMENT 7

SHADOW ANALYSIS


Computation path of the sun for:
40 Anson Way, Berkeley, CA, 94707, USA
21.Jun.2024
13:00 UTC-7
LIVE
Solar data for the selected location
Dawn: 05:15:48
Sunrise: 05:46:53
Culmination: 13:11:09
Sunset: 20:35:24
Dusk: 21:06:29
Daylight duration: 14h48m31s
Distance [km]: 152,035,549
Altitude: 75.33°
Azimuth: 169.85°
Shadow length [m]: 1.91
at an object level [m]: 7.3
Geodata for the selected location
Height: 159m
Set Lat/Lon
Lat: N 37°54'44.9" 37.91247°
Lng: W 122°17'17.11" -122.28809°
UTM: 10S 562579 4196343
TZ: America/Los_Angeles DST PDT
More solar data & Photovoltaic
Print
Contact
Help
More for Moon|Planets|Satellites
Donate
Legal Disclosure|Privacy Policy|Cookies
Start
1. Click 'Start'
2. Download on our website
Shadow Analysis for Summer Solstice at 1:00 pm
Sunset Location
Sunrise Location
Approximate shadow for 24' tall addition shown in black
N
W
E
S
Terrace Dr
Franciscan Way
Anson Way
El Cerrito
Hancock Way
7939
799
99
283

00:00 01:00 02:00 03:00 04:00 05:00 06:00 07:00 08:00 09:00 10:00 11:00 12:00 13:00 14:00 15:00 16:00 17:00 18:00 19:00 20:

Computation path of the sun for:

40 Anson Way, Berkeley, CA, 94707, USA

21.Mar.2024 | 12:30 UTC-7 | ▶ LIVE

Solar data for the selected location

Dawn:	06:43:53
Sunrise:	07:09:48
Culmination:	13:16:04
Sunset:	19:22:56
Dusk:	19:48:55
Daylight duration:	12h13m8s
Distance [km]:	149,052,737
Altitude:	51.29°
Azimuth:	161.39°
Shadow length [m]:	5.85
at an object level [m]:	7.3

Geodata for the selected location

Height:	159m	Set Lat/Lon
Lat:	N 37°54'44.9"	37.91247°
Lng:	W 122°17'17.11"	-122.28809°
UTM:	10S 562579 4196343	
TZ:	America/Los_Angeles DST PDT	

More solar data & Photovoltaic

Print

Contact

Help

More for Moon|Planets|Satellites

Donate

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Start

1. **Click** 'Start'
2. **Download** on our website
3. Enjoy **Easy PDF**!

Shadow Analysis for Spring/Fall Equinox @ 12:30pm

Sunset Location

Sunrise Location

Approximate Shadow for 24' tall addition shown in black

W

E

S

Terrace Dr

Franciscan Way

Anson Way

El Carrito

Hancock Way

7939

799

99

20 m

00:00 01:00 02:00 03:00 04:00 05:00 06:00 07:00 08:00 09:00 10:00 11:00 12:00 13:00 14:00 15:00 16:00 17:00 18:00 19:00 20

Computation path of the sun for:

40 Anson Way, Berkeley, CA, 94707, USA

21.Dec.2024 | 11:00 UTC-8 | ▶ LIVE

Solar data for the selected location

Dawn:	06:52:06
Sunrise:	07:21:15
Culmination:	12:07:38
Sunset:	16:54:01
Dusk:	17:23:10
Daylight duration:	9h32m46s
Distance [km]:	147,161,450
Altitude:	26.66°
Azimuth:	162.64°
Shadow length [m]:	14.54
at an object level [m]:	7.3

Geodata for the selected location

Height:	159m	Set Lat/Lon
Lat:	N 37°54'44.9"	37.91247°
Lng:	W 122°17'17.11"	-122.28809°
UTM:	10S 562579 4196343	
TZ:	America/Los_Angeles PST	

More solar data & Photovoltaic

Print

Contact

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Start

1. **Click** 'Start'
2. **Download** on our website
3. Enjoy **Easy PDF**!

Shadow Analysis for Winter Solstice @ 11:00am

Sunset Location

Sunrise Location

Approximate shadow for 24' tall addition shown in black

Terrace Dr

Hancock Way

Anson Way

Franciscan Way

El Cerrito

7939

799

99

N

W

E

S

20 m

285

EXHIBIT 5

3D SHADOW ANALYSIS

RENDERINGS CREATED USING HTTPS://SHADEMAP.APP

Simulated Shadow -Winter Solstice @ 9:00 a.m.

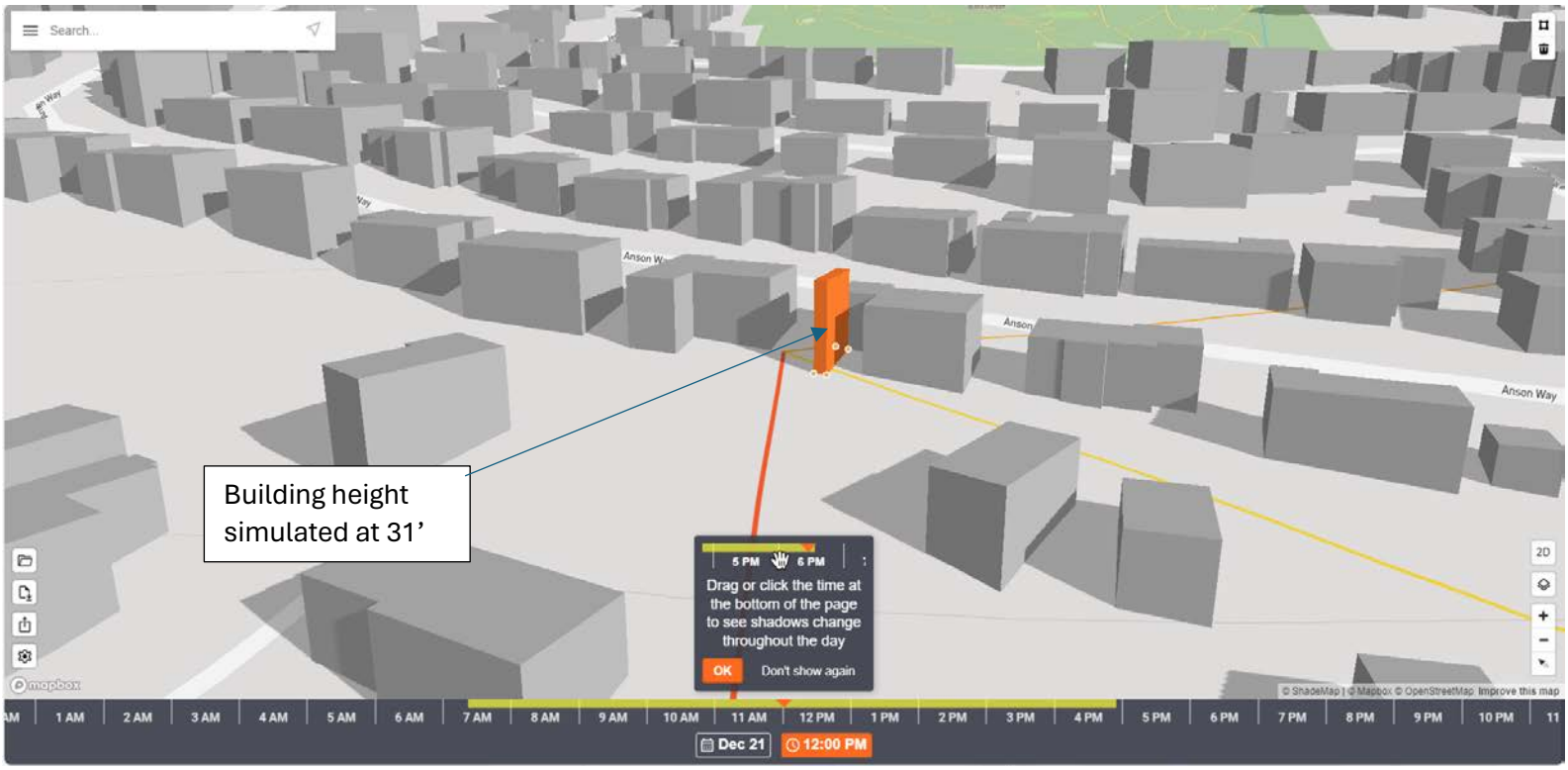


Simulated Shadow – Winter Solstice @ 11:00 a.m.

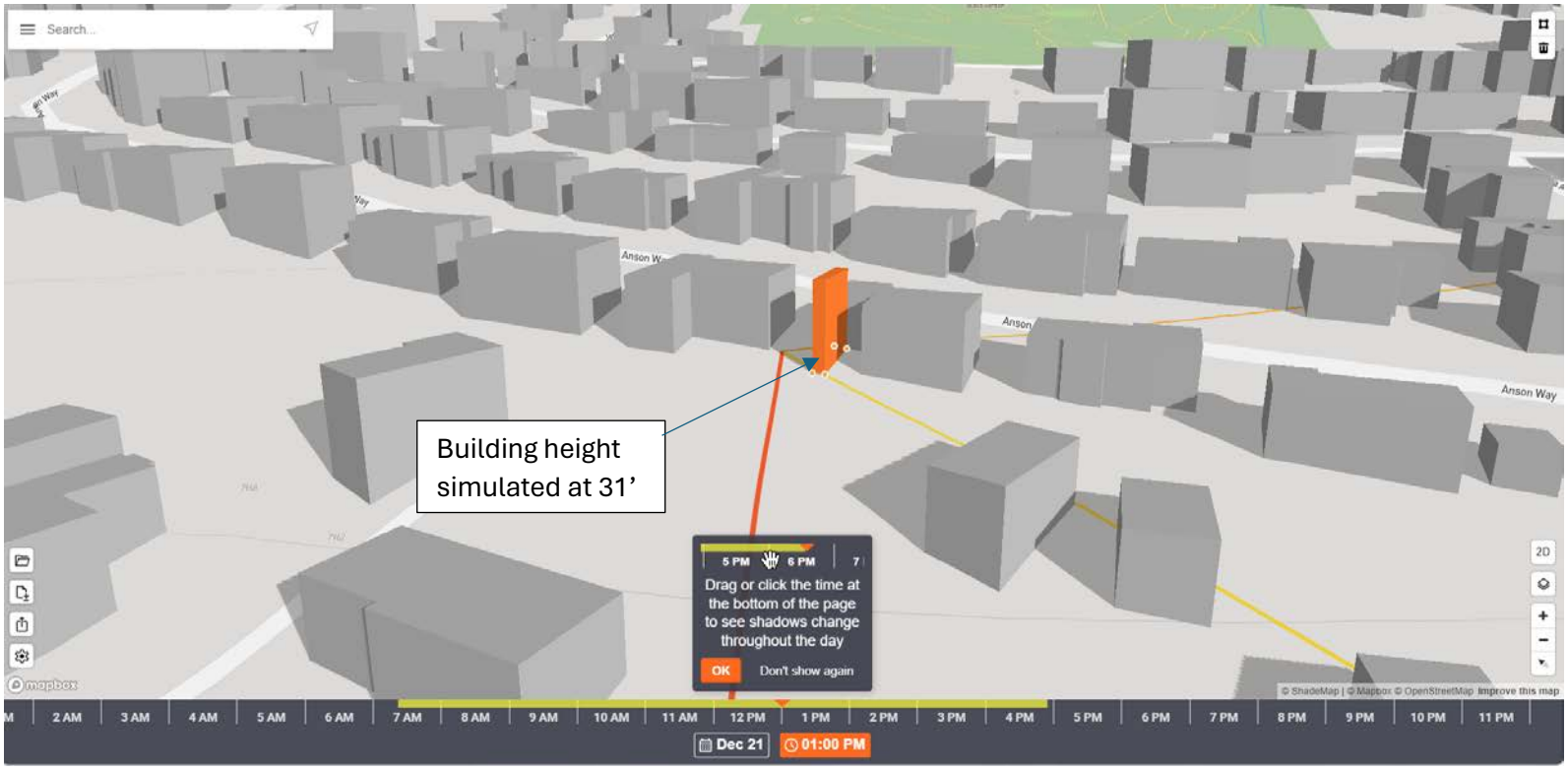


RENDERINGS CREATED USING HTTPS://SHADEMAP.APP

Simulated Shadow – Winter Solstice @ 12:00 p.m.

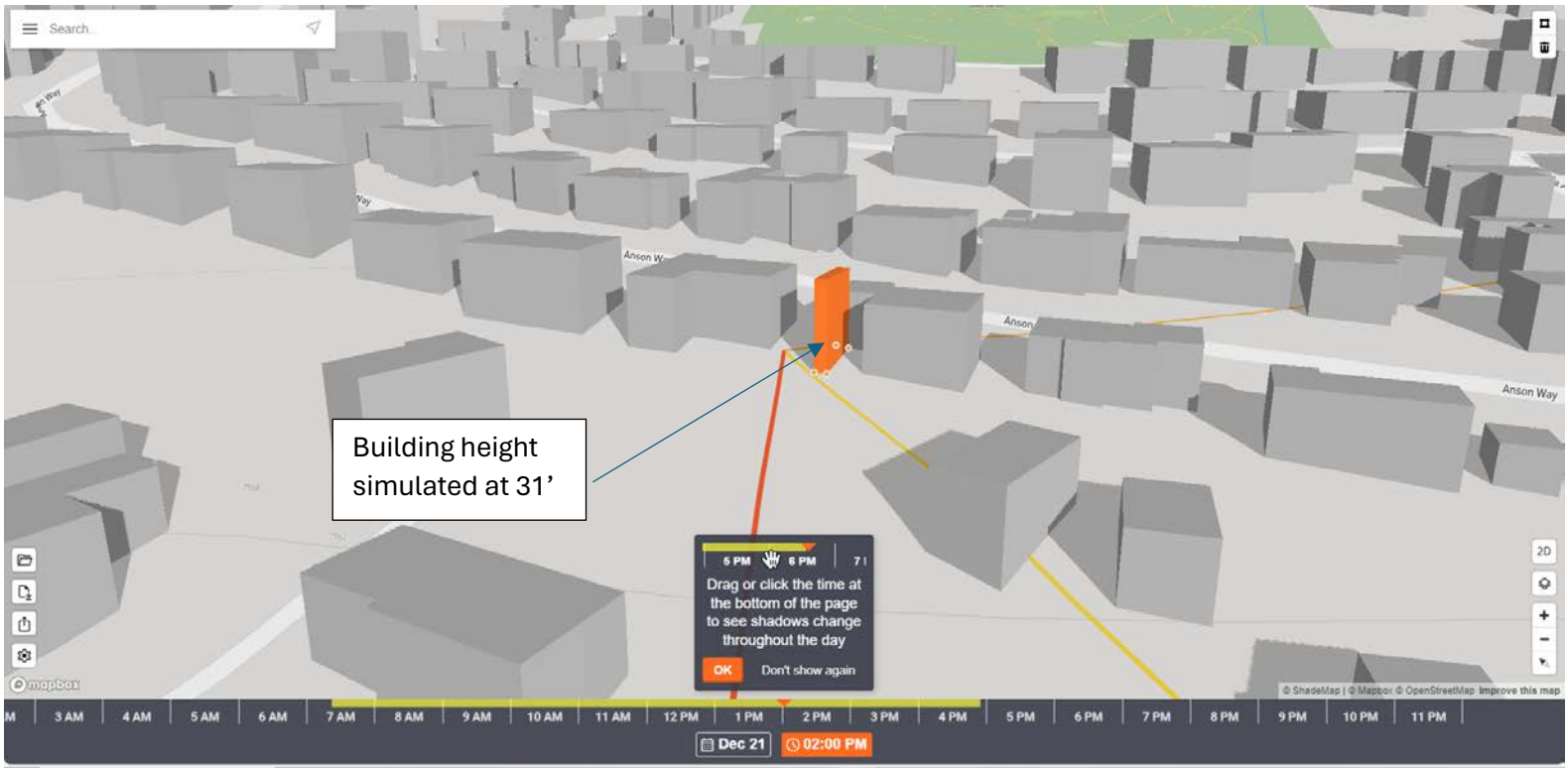


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Simulated Shadow – Winter Solstice @ 2:00 p.m.

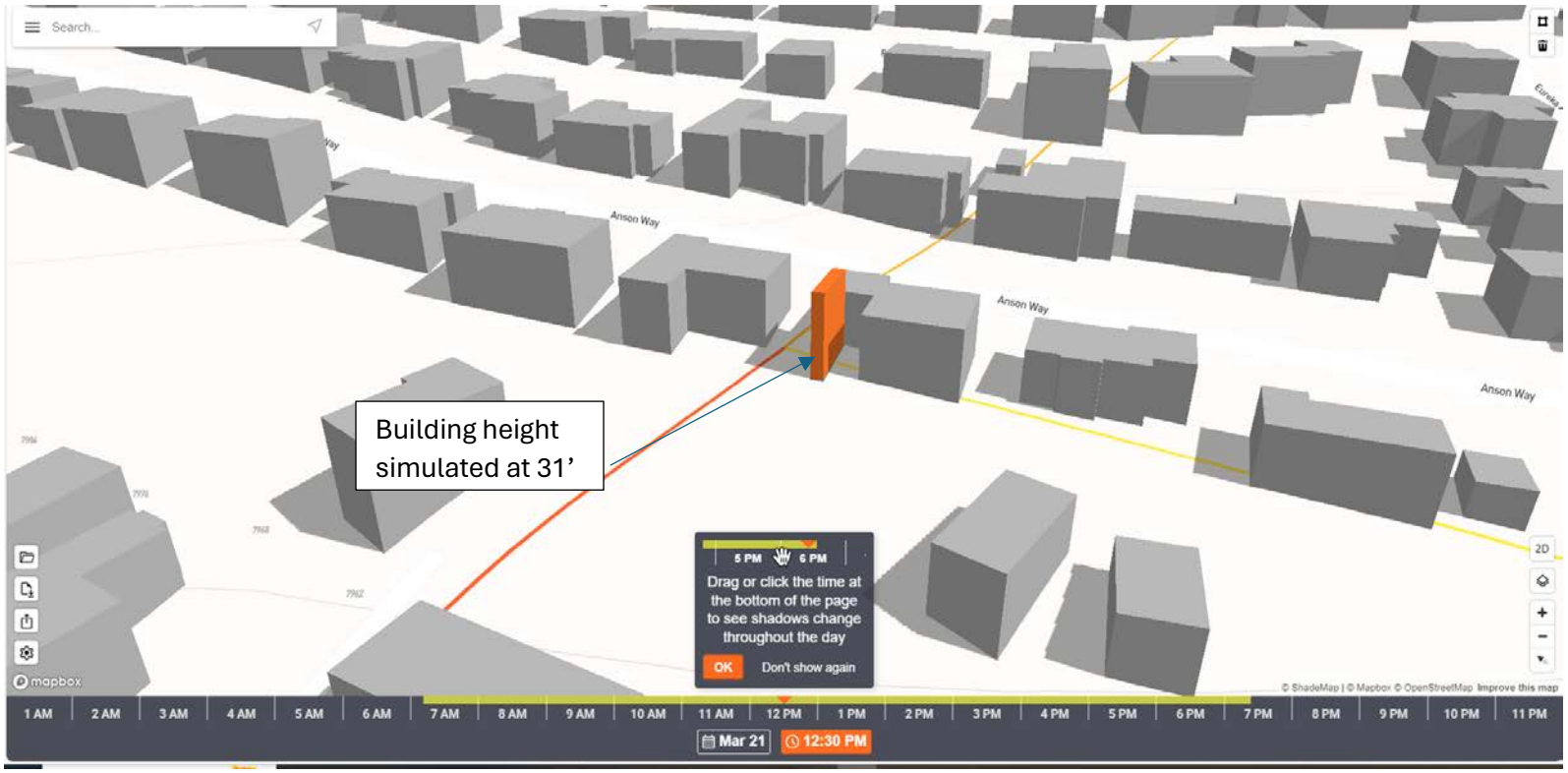


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Simulated Shadow – Equinox @ 12:30 p.m.



Simulated Shadow – Summer Solstice @ 12:45 p.m.

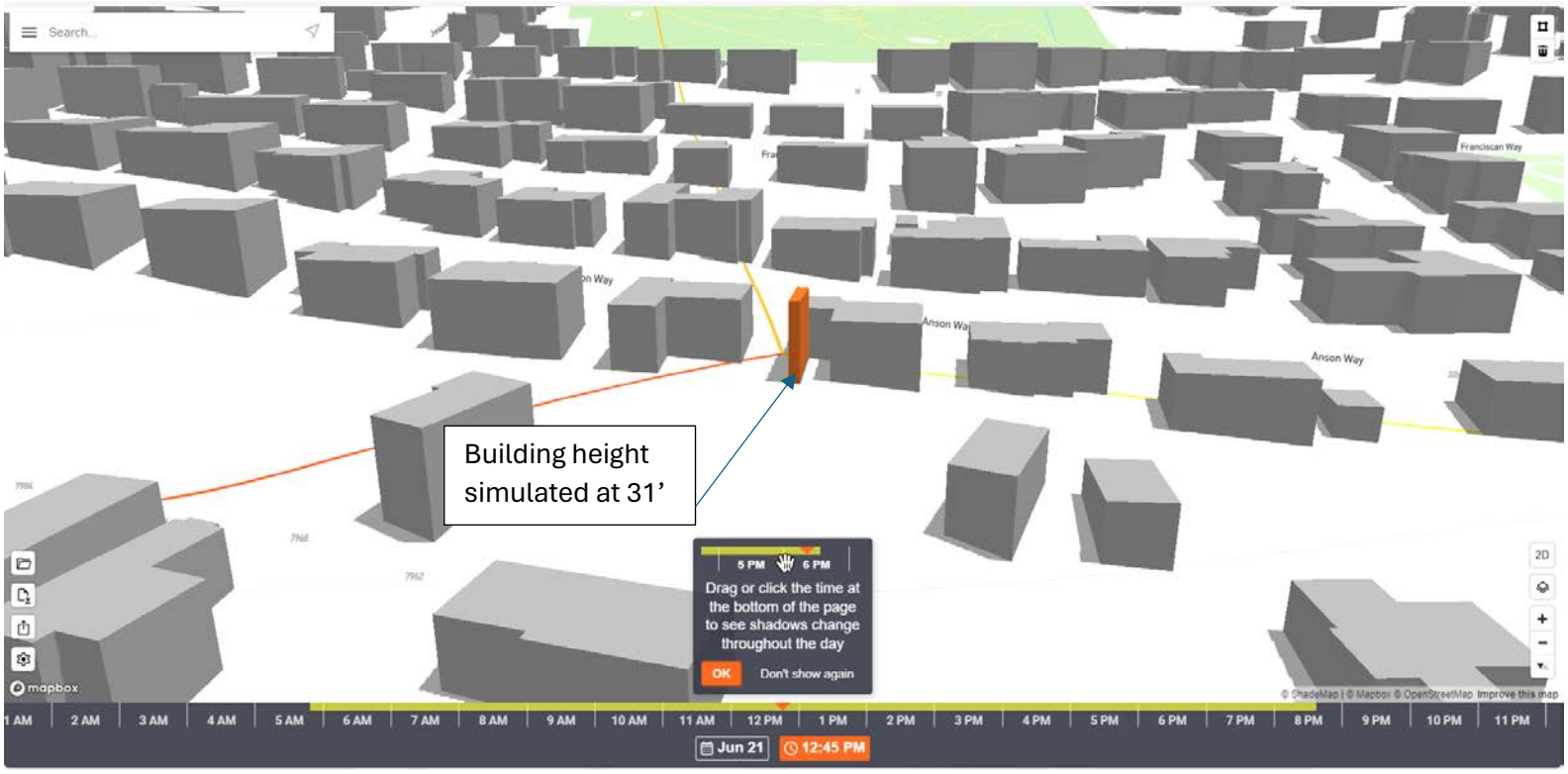


EXHIBIT 6

POWERPOINT PRESENTATION

Anson Way Development Plan Permit Appeal

County File: CDDP23-03024

COUNTY PLANNING COMMISSION

MARCH 27, 2024

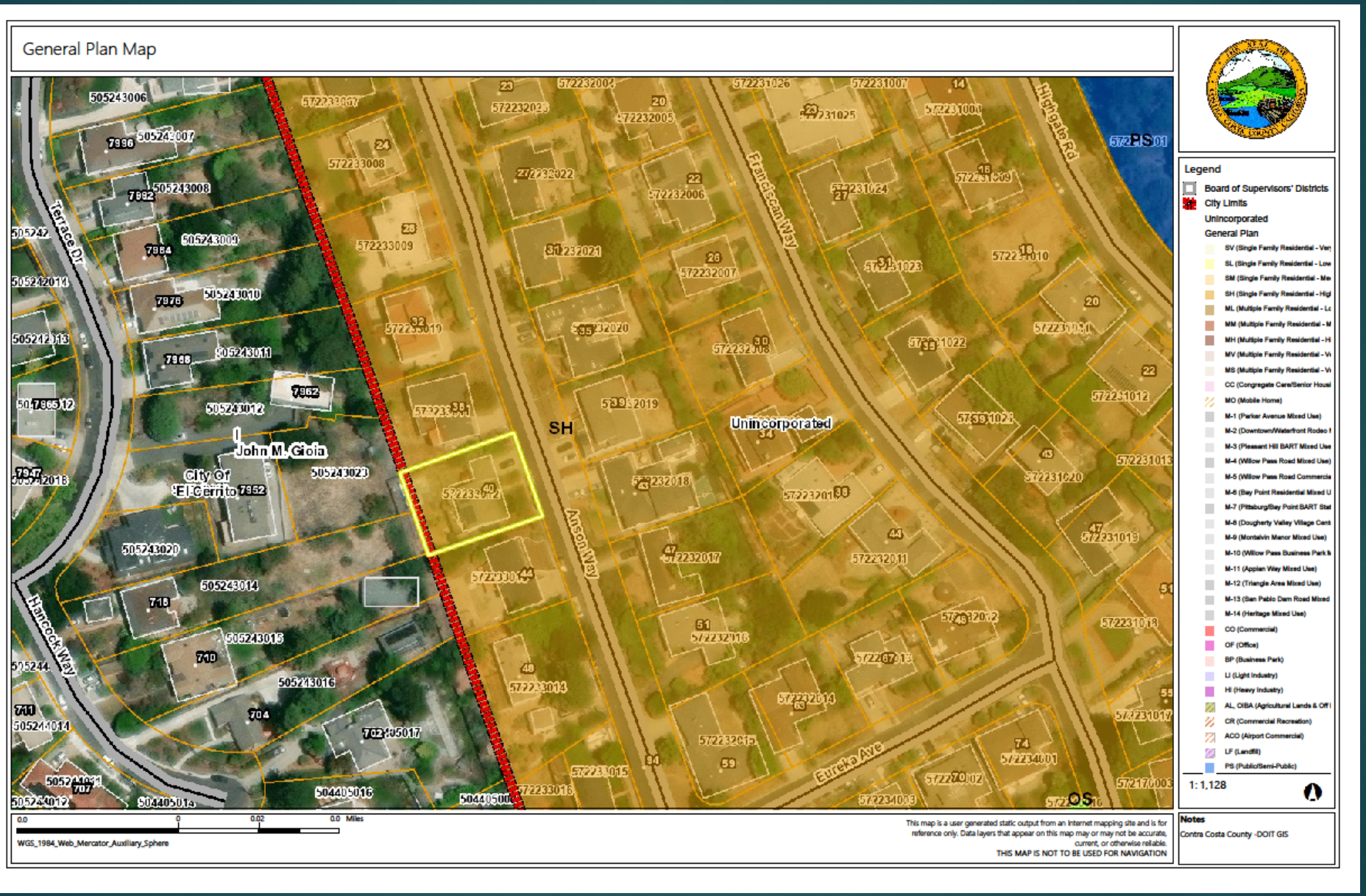
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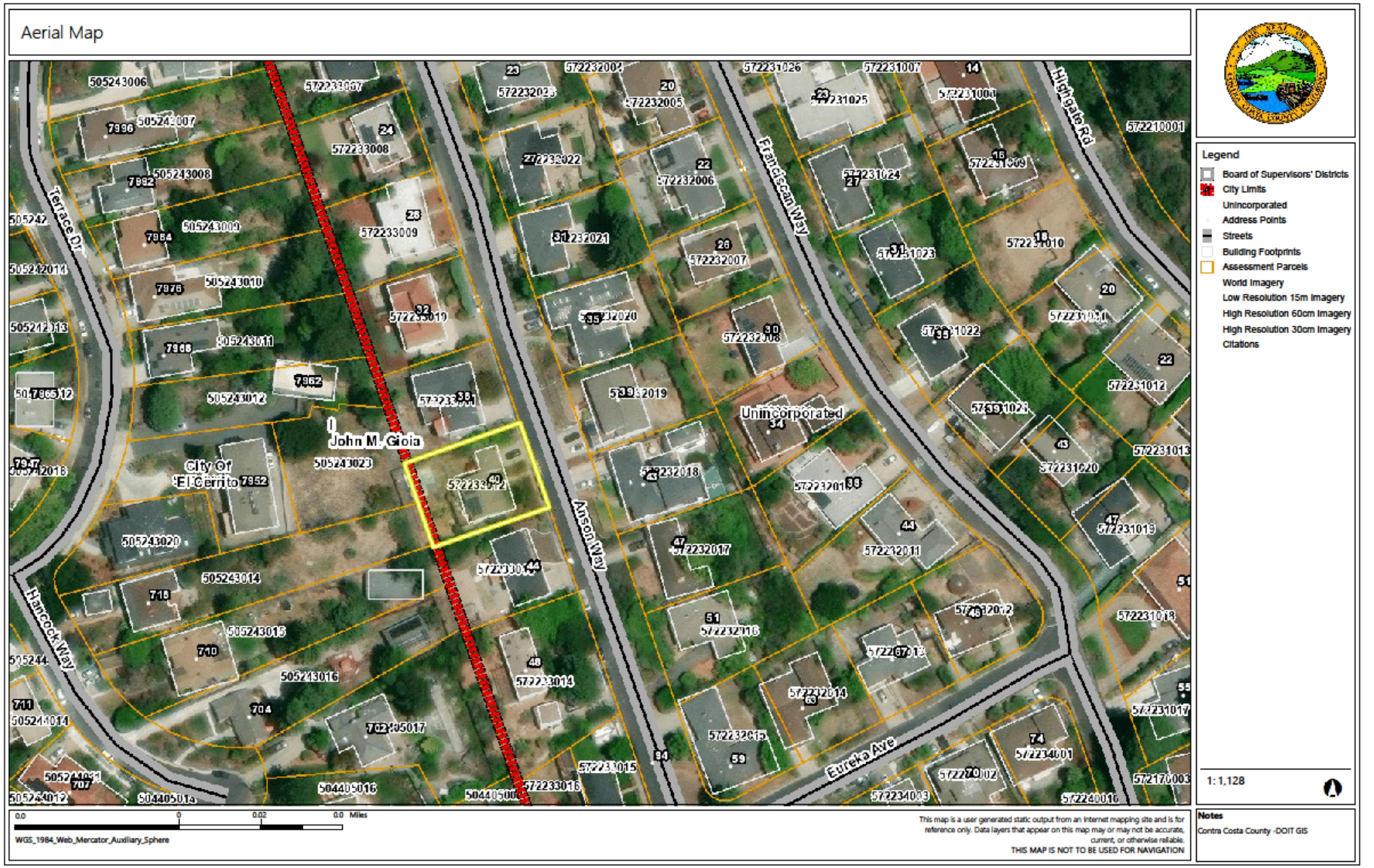
Zoning Map


Zoning Map
Unincorporated
R-6 -TOV -K
John M. Gioia
City Of El Cerrito
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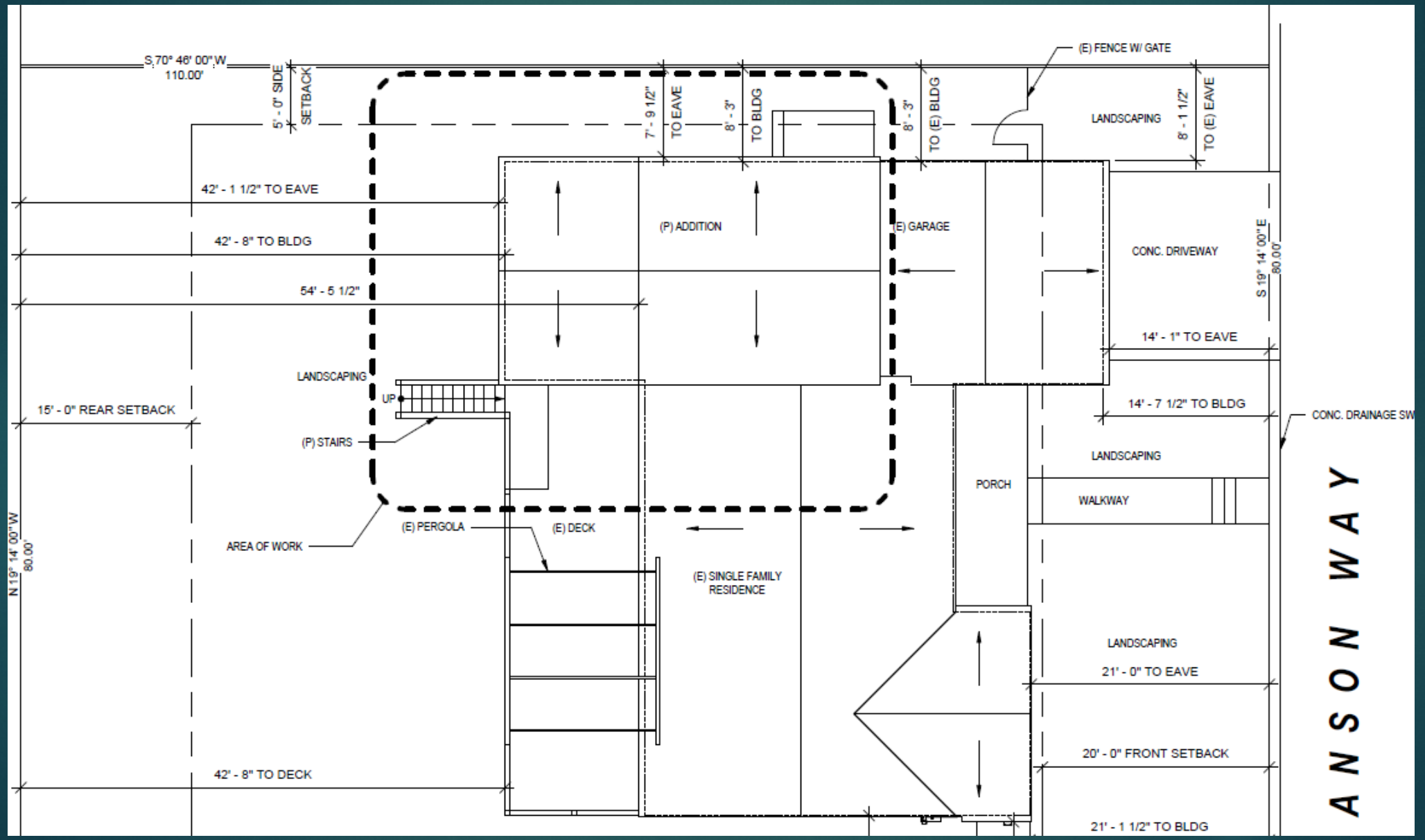
General Plan Map



Aerial Map


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Proposed Two-Story Addition



Proposed Two-Story Addition



Zoning Administrator's Decision

- On February 5, 2024, the County Zoning Administrator approved the project, finding the addition to be in compliance with Kensington Combining District Ordinance, and all applicable development standards for the R-6 single-family residential zoning district.

- On February 14, 2024, CDD staff received a formal appeal from Shona Armstrong on behalf of neighboring property owner Kris McClain.

Armstrong Appeal

- The project violates general plan policies protecting views and solar access due to unnecessary building bulk.
- The project exceeds height limitations codified in County Ordinances.
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View Impact



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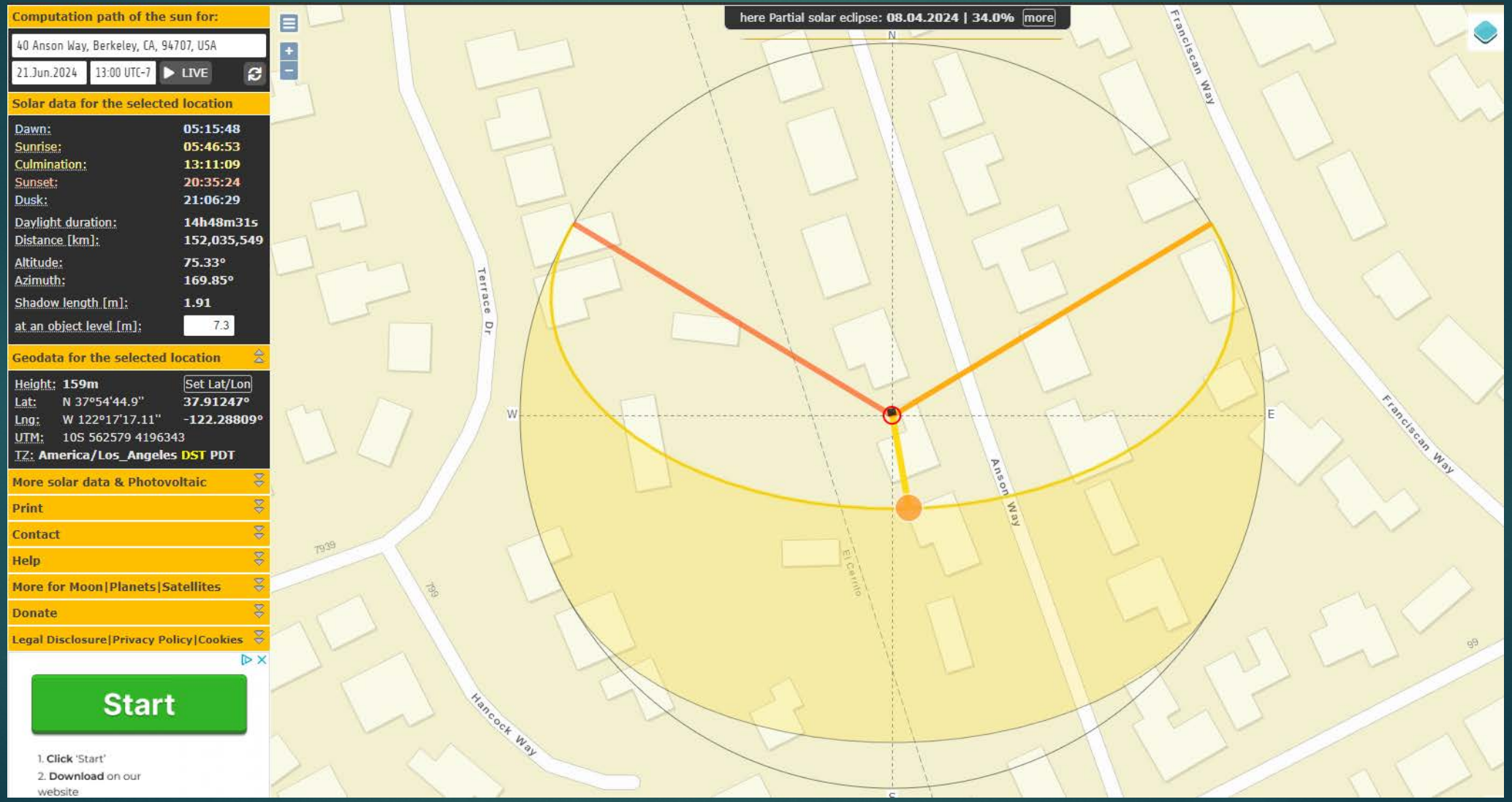


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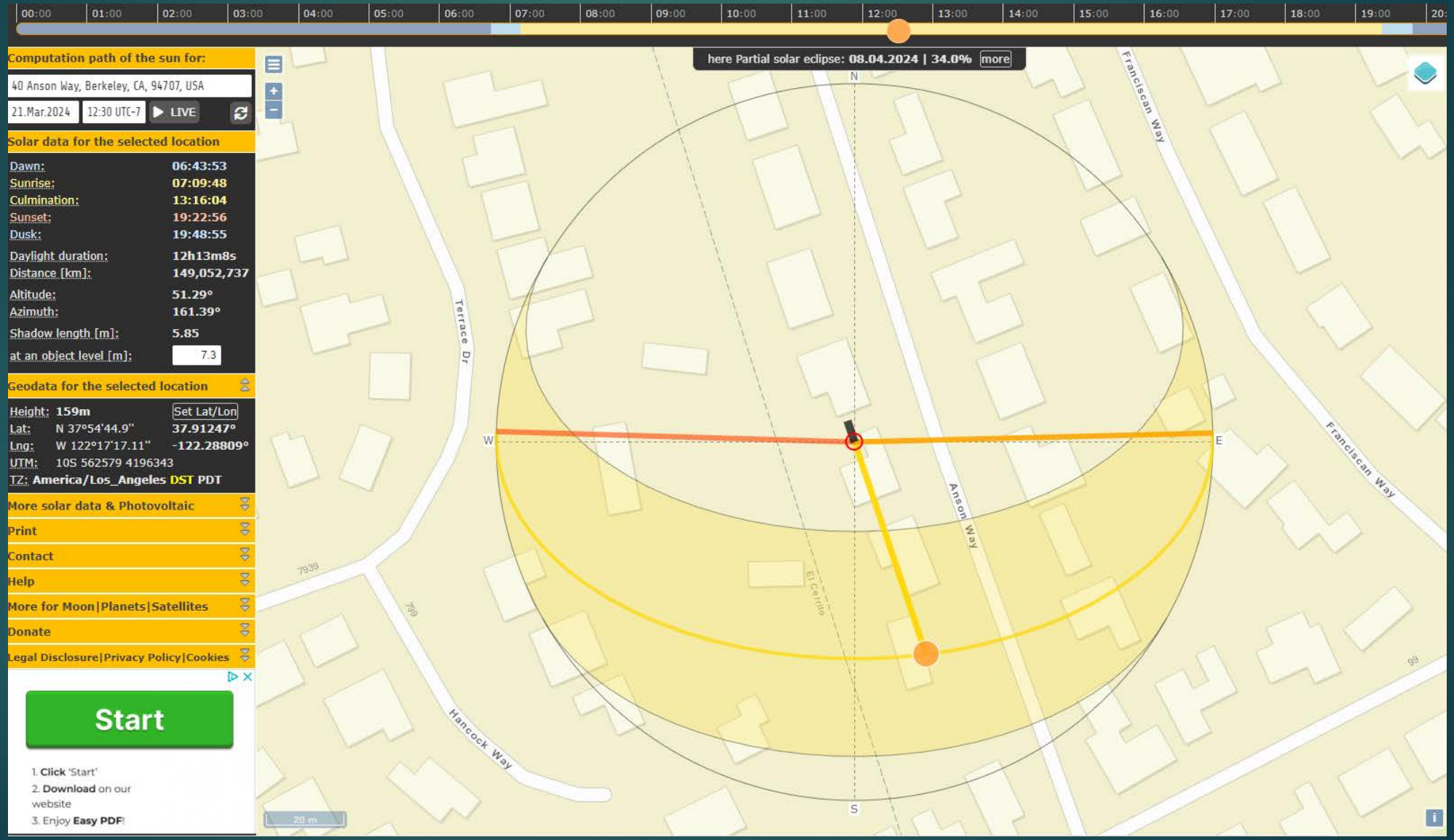
Solar Access Impact (Summer Solstice)

www.suncalc.org



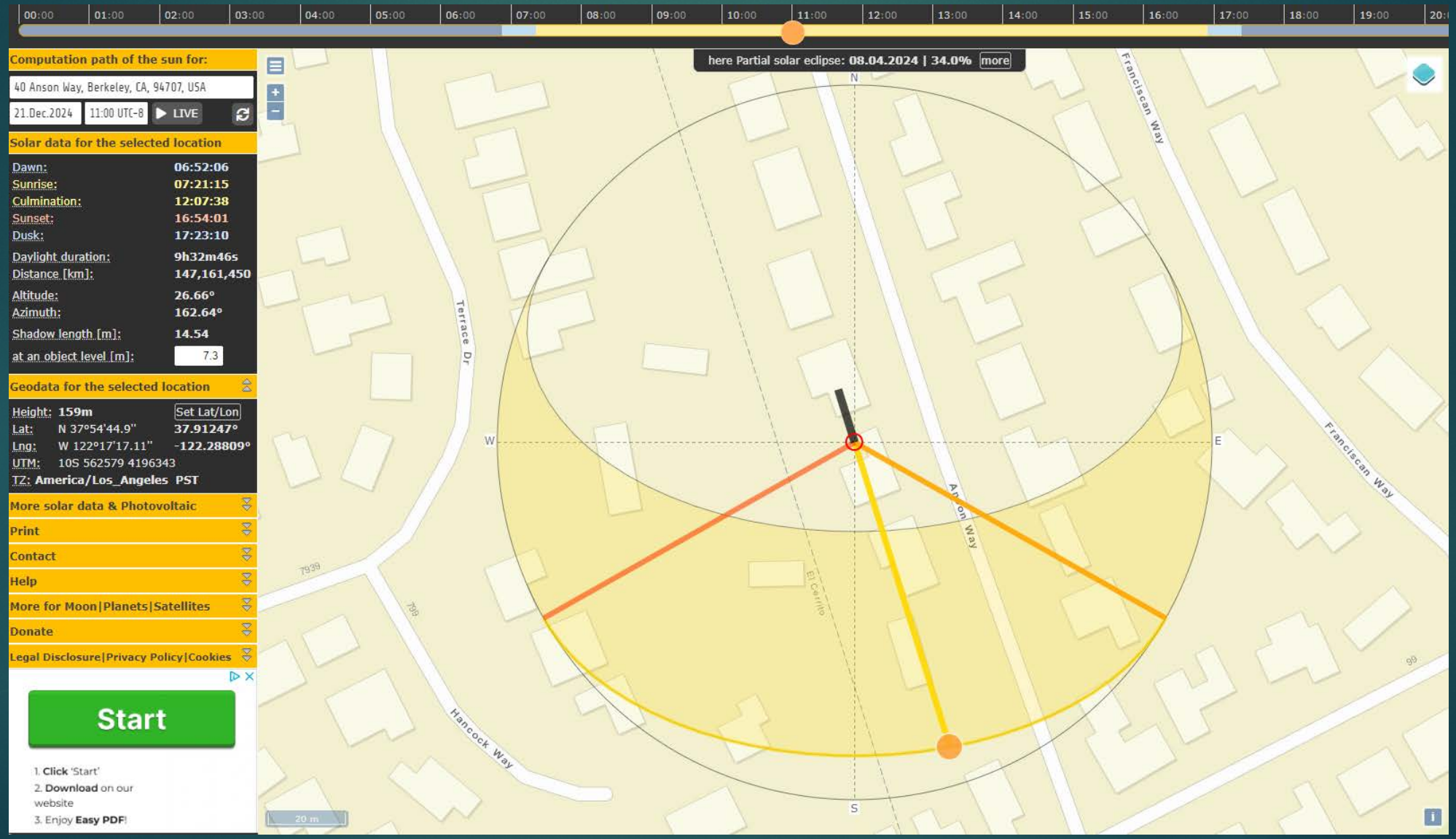
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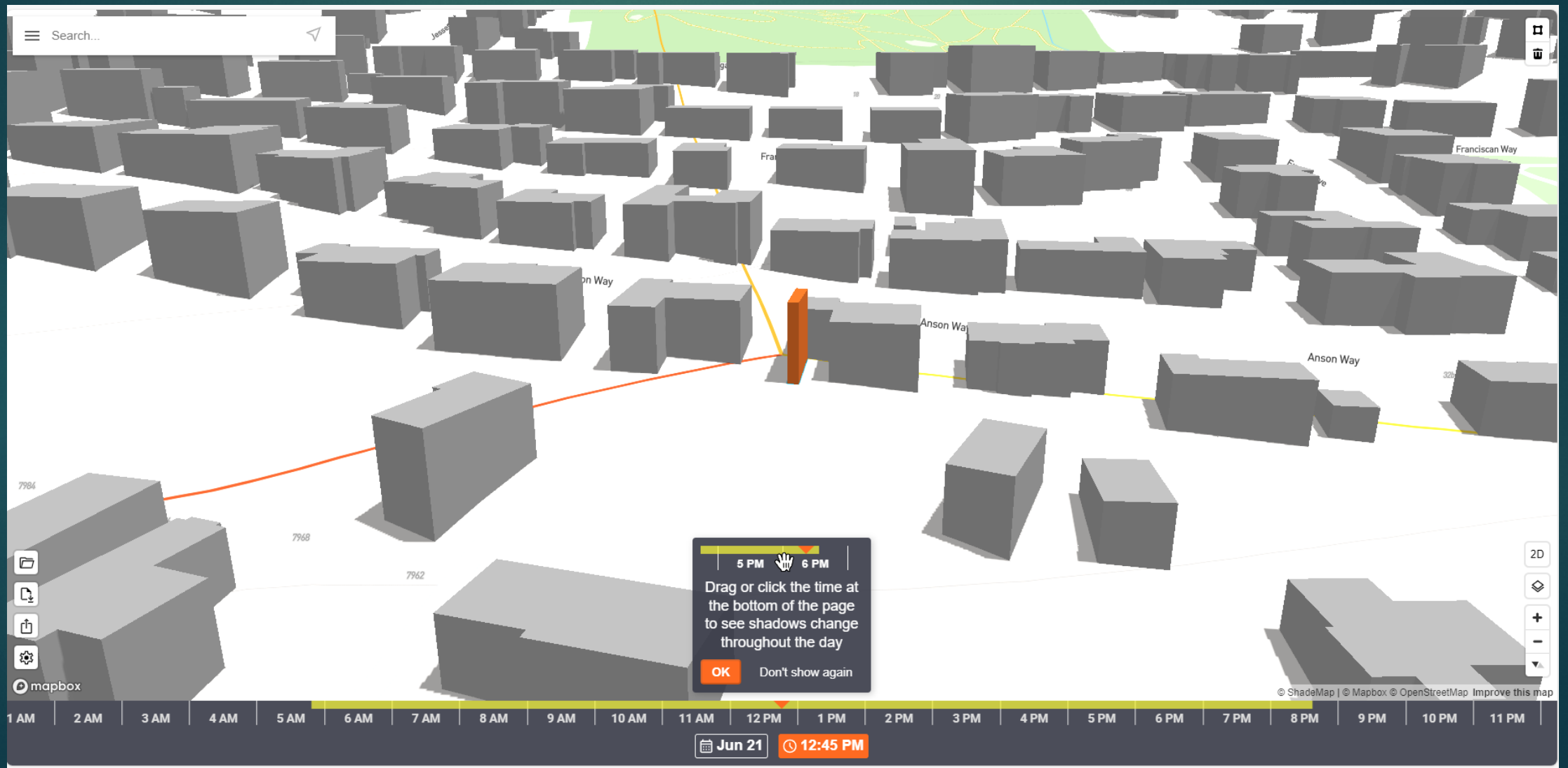
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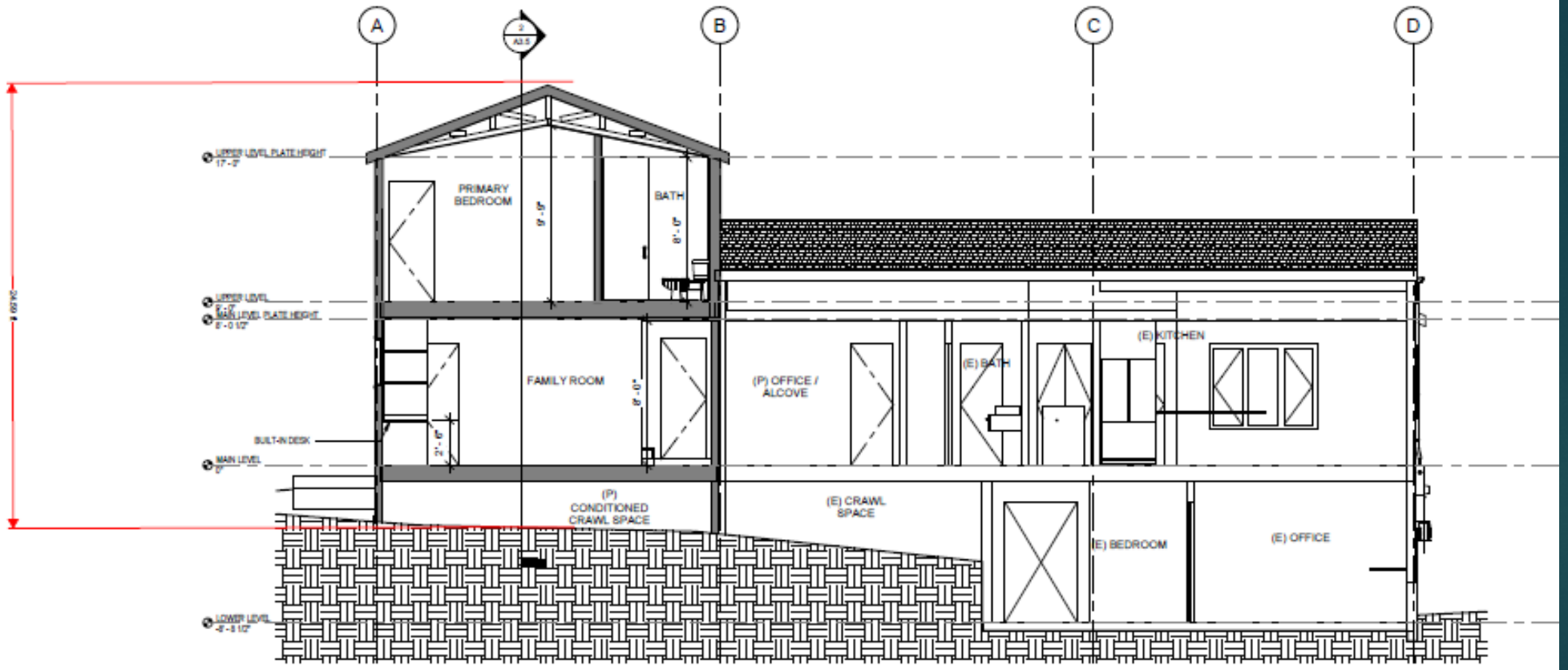
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Building Height

- County Ordinance Section 82-4.214 (Building Height): *"Building height" means the vertical distance measured from grade to the top of structure directly above with exceptions noted elsewhere in the code. Height may be measured from finished grade when such grade is below natural grade. Height shall be measured from natural grade when the finished grade is higher than the natural grade.*
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Building Height



2 (P) BUILDING SECTION 3
1/4" = 1'-0"

Staff Response to Appeal

- Staff followed the requirements of the Kensington Ordinance and development standards for the R-6 zoning district.
- Staff measured building height consistent with applicable County Ordinance.
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Questions?

Anson Way Development Plan Permit Appeal

County File: CDDP23-03024

COUNTY PLANNING COMMISSION

MARCH 27, 2024

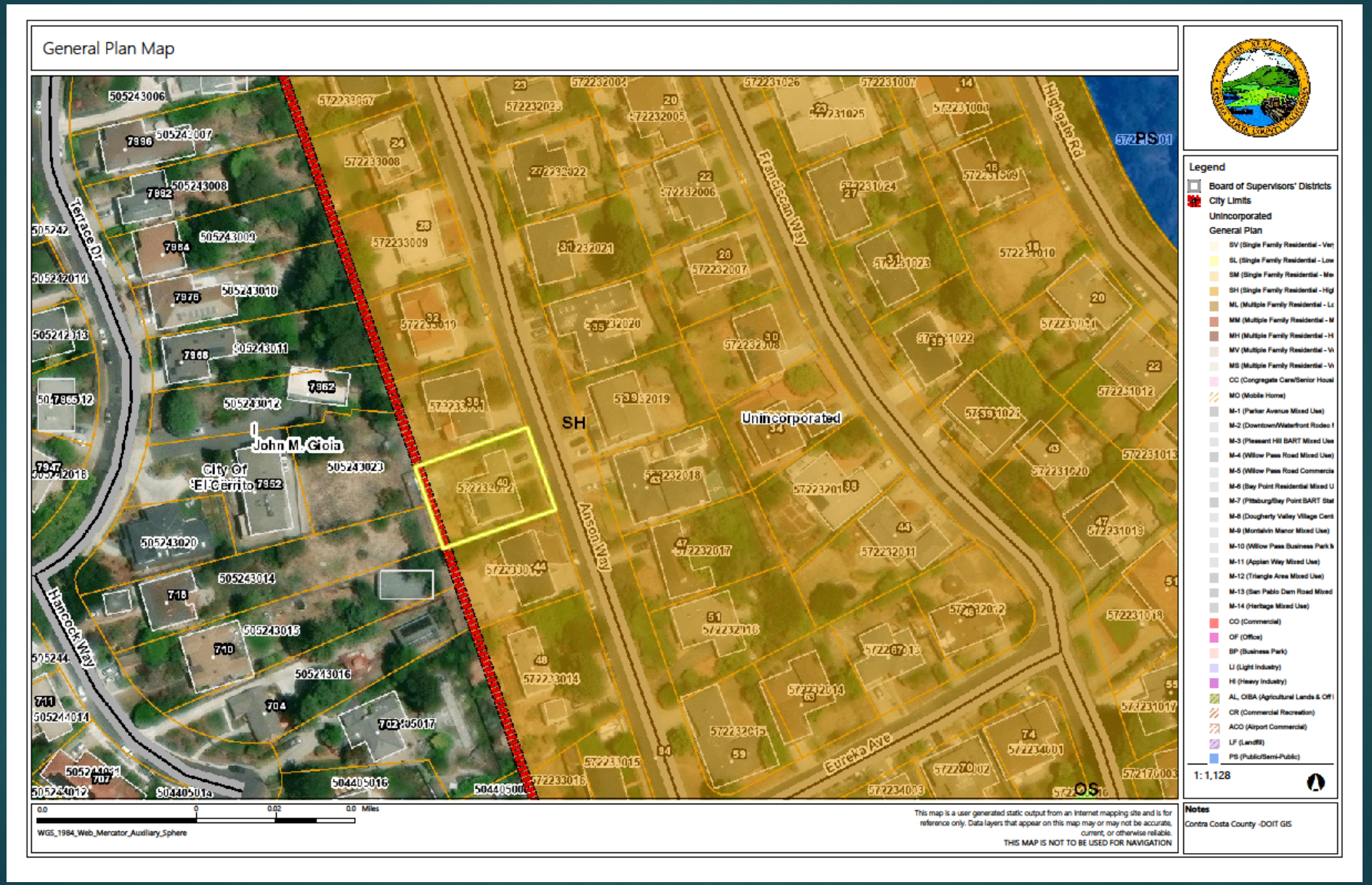
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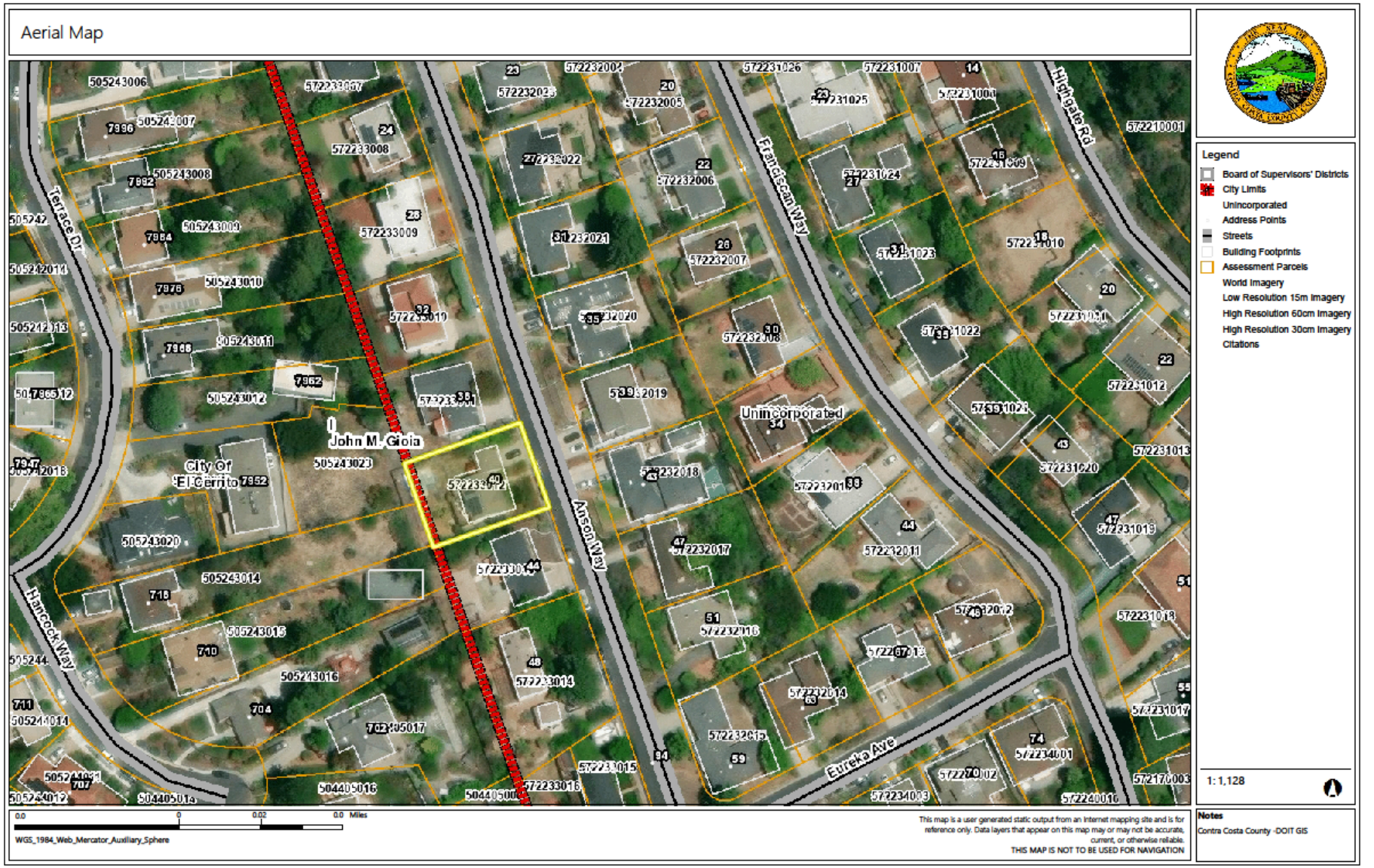
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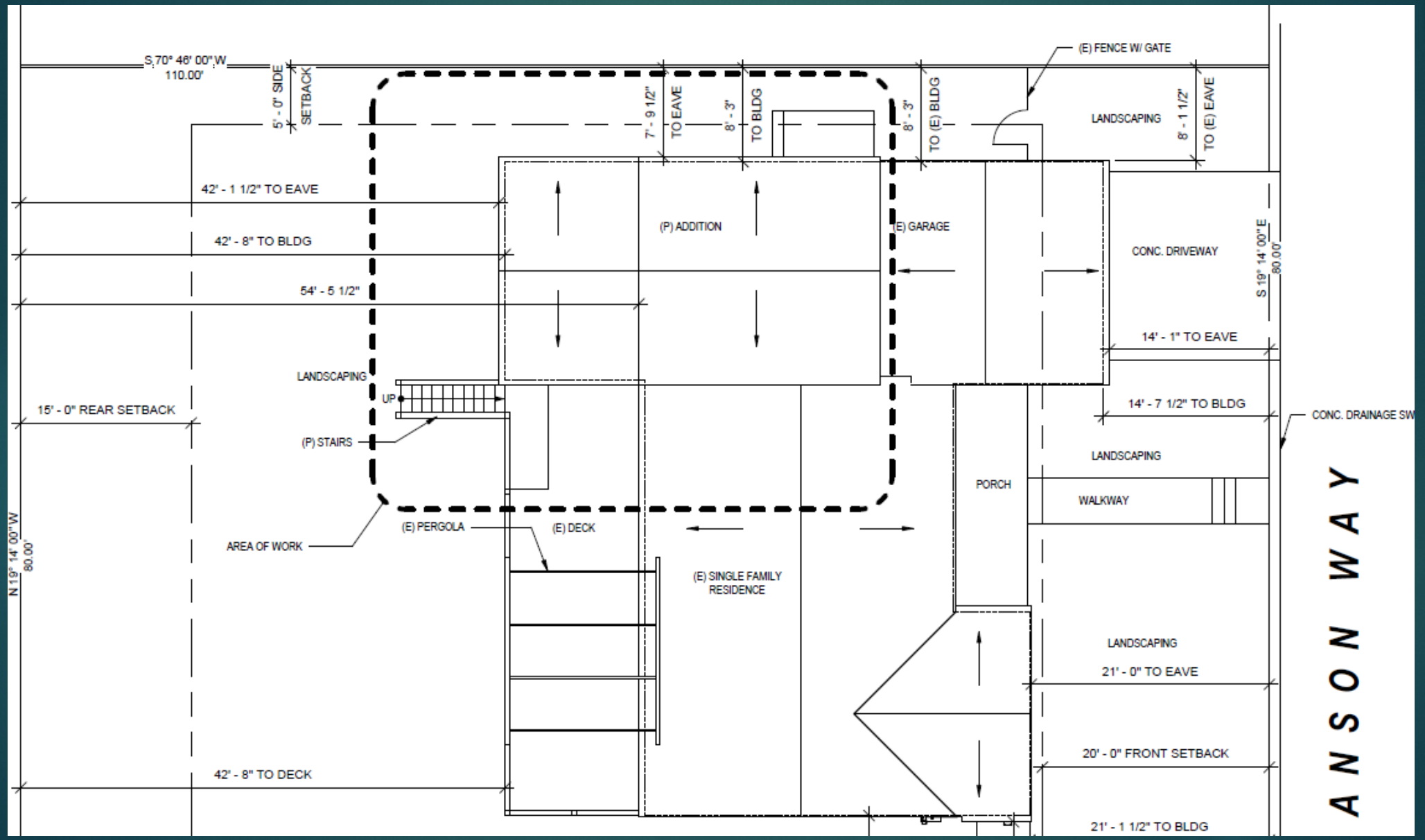
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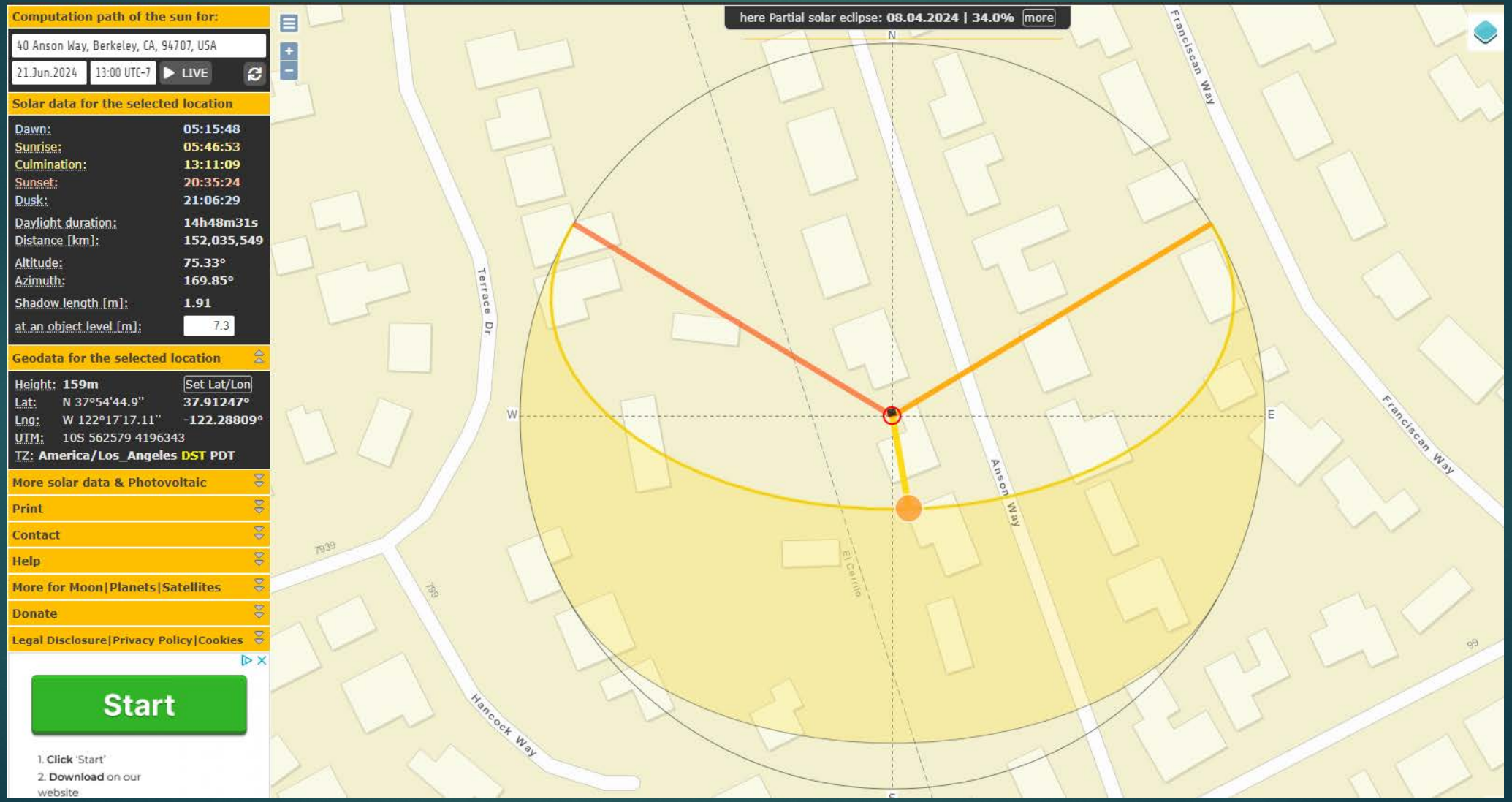


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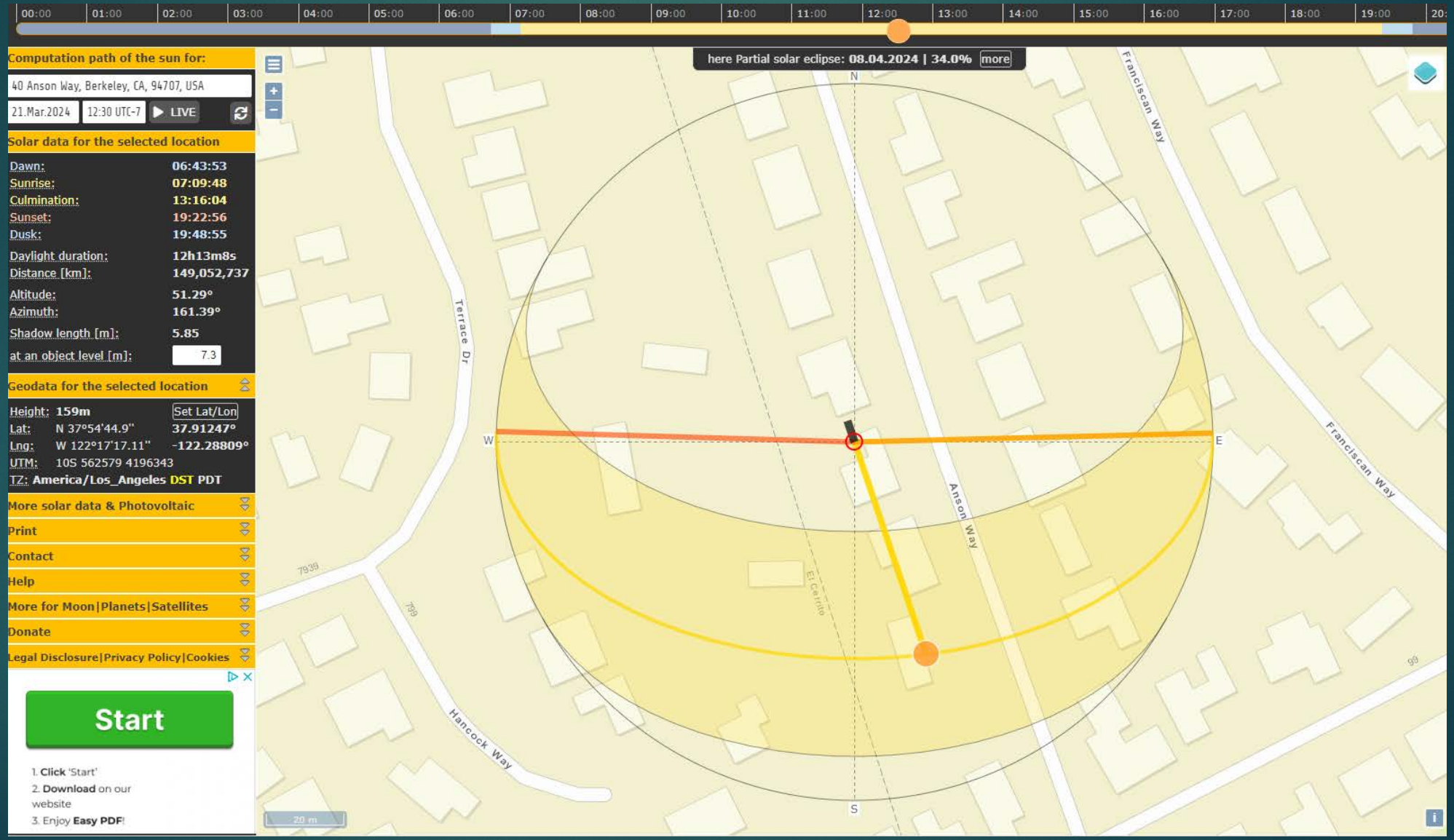
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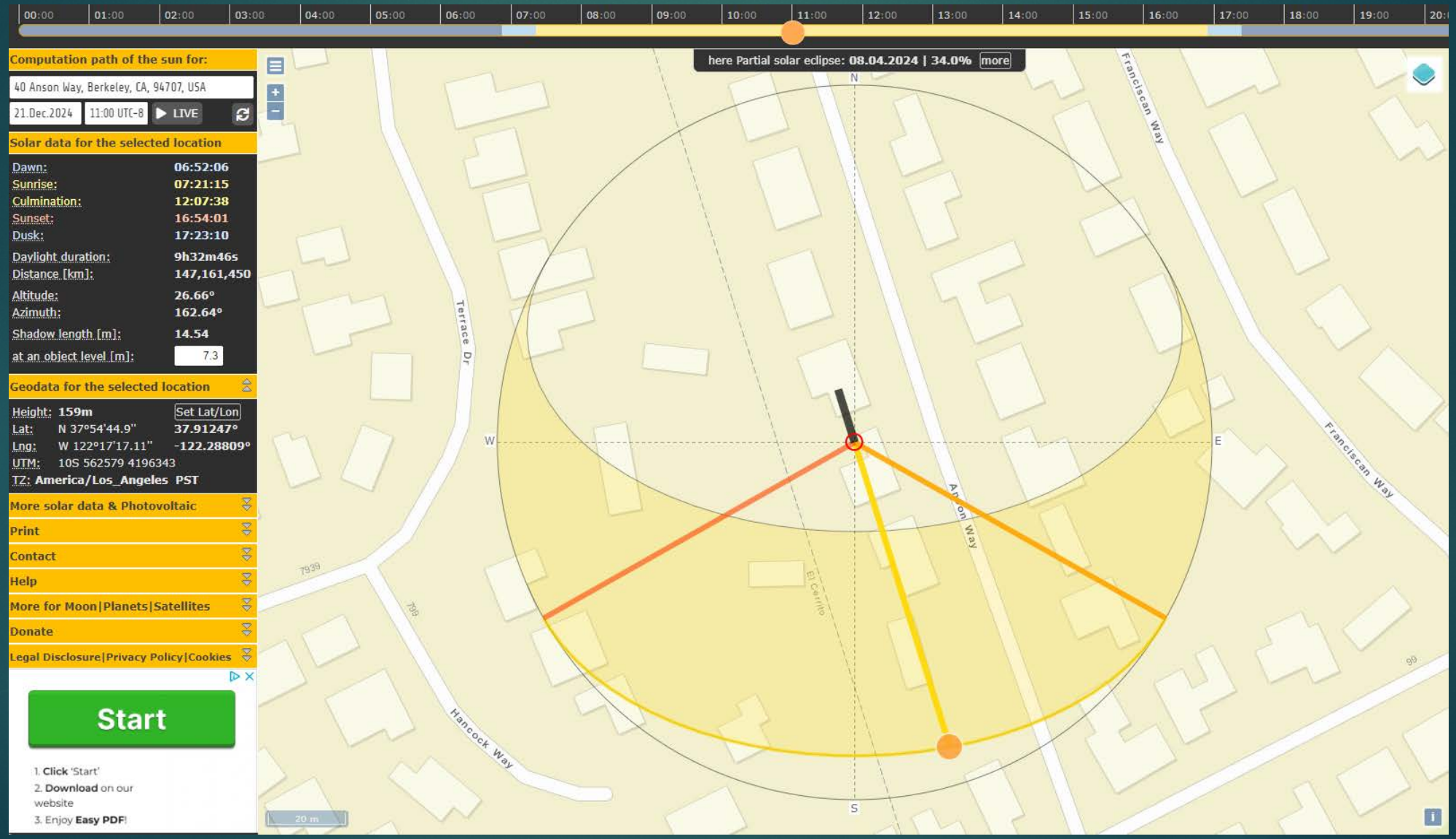
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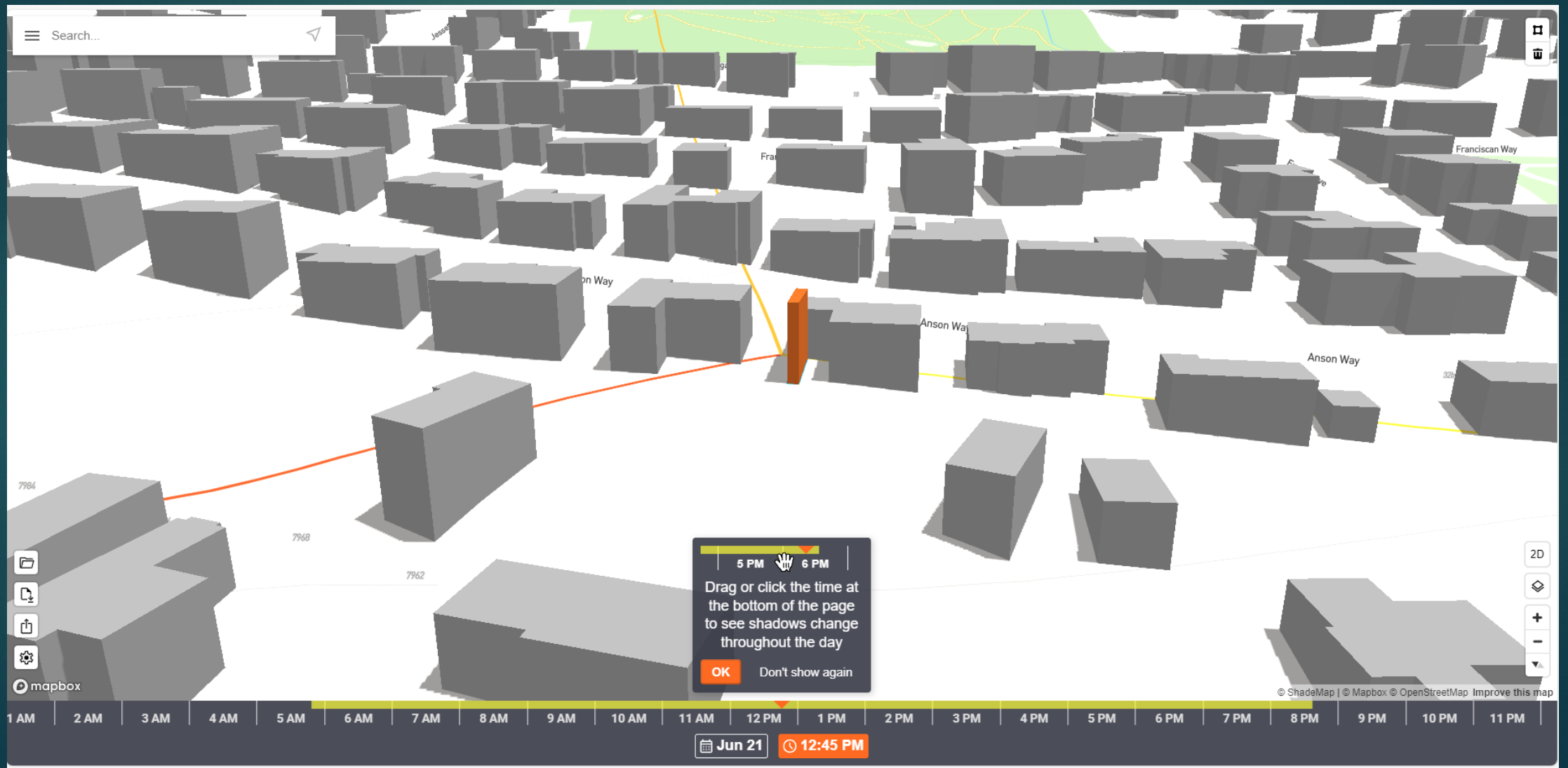
Solar Access Impact (Winter Solstice)

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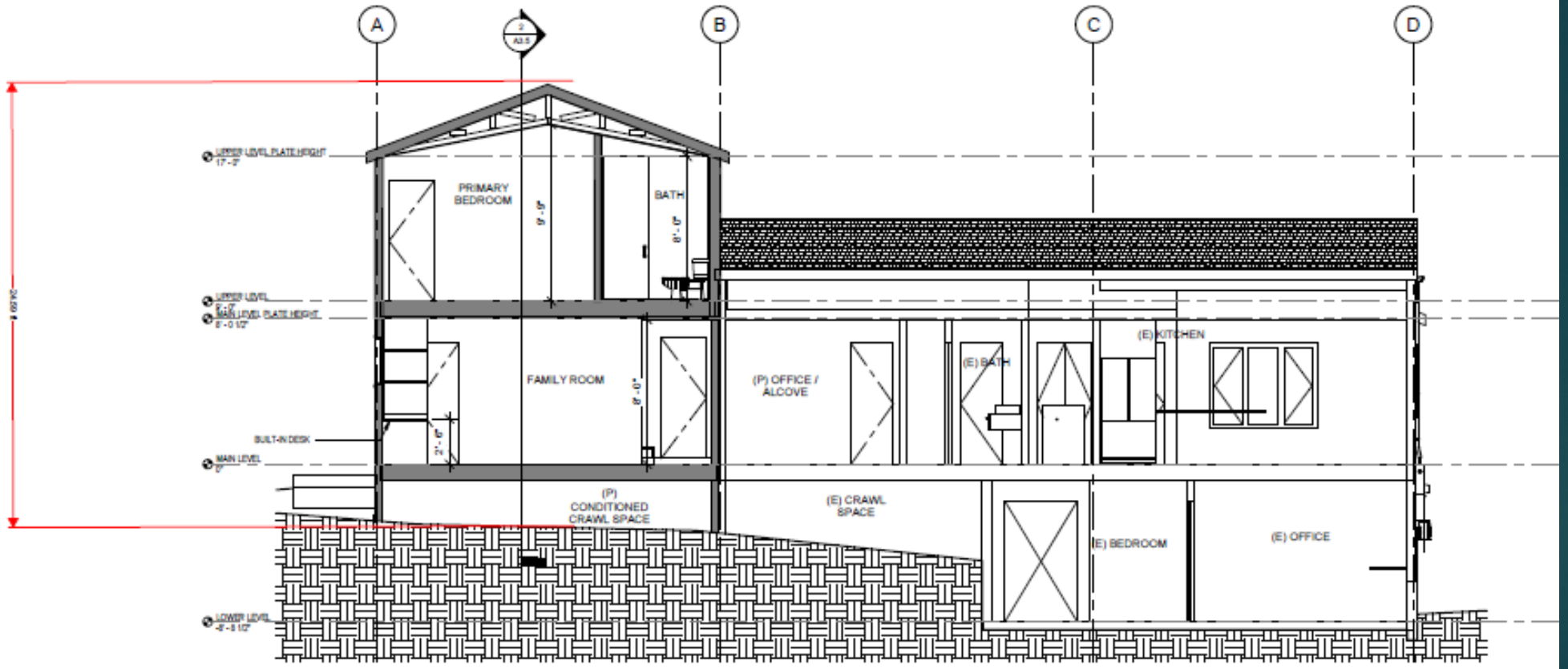
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Questions?

Attachment 5

CDDP23-03024 ZA Staff Report

Department of Conservation and Development

County Zoning Administrator

Monday, February 5, 2024 – 1:30 P.M.

STAFF REPORT **Agenda Item #____**

Project Title:	40 Anson Way Kensington Design Review Development Plan
County File(s):	CDDP23-03024
Applicant/Owners:	Cari Rosner Jelen (Applicant) / Elena Saxonhouse (Owner)
Zoning/General Plan:	R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, -K Kensington Combining District / SH Single-Family Residential-High Density
Site Address/Location:	40 Anson Way in the Kensington area of unincorporated Contra Costa County (APN: 572-233-012)
California Environmental Quality Act (CEQA) Status:	Categorical Exemption, CEQA Guidelines Section 15301(e)(2)
Project Planner:	Adrian Veliz, Senior Planner, (925) 655-2879 adrian.veliz@dcd.cccounty.us
Staff Recommendation:	Approve (See section II for full recommendation)

I. PROJECT SUMMARY

The applicant requests approval of a Kensington Design Review Development Plan to allow a 993 square-foot two-story addition to the northern side of an existing single-family residence.

II. RECOMMENDATION

Department of Conservation and Development, Community Development Division (CDD) staff recommends that the County Zoning Administrator:

A. FIND that the project is categorically exempt from CEQA under Section 15301(e)(2) of the CEQA Guidelines.

B. APPROVE Kensington Design Review Development Plan CDDP23-03024 to allow a 993 square-foot two-story addition to an existing single-family residence, subject to the attached findings and conditions of approval.

C. DIRECT staff to file a Notice of Exemption with the County Clerk.

III. GENERAL INFORMATION

A. General Plan: SH Single-Family Residential – High Density.

B. Zoning: R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, -K Kensington Combining District.

C. California Environmental Quality Act (CEQA): CEQA Guidelines Section 15301(e)(2) Existing Structures, Class I exemption for additions to existing structures of no more than 10,000 square feet in an area that is not environmentally sensitive and where all public services and facilities are available for maximum development permissible in the General Plan.

D. Previous Application:

CDKR23-00010: This application for Kensington Design Review for a two-story residential addition was submitted on May 11, 2023. A Notice of Intent to Render an Administrative Decision was sent to property owners within 300 feet of the subject parcel on June 1, 2023. On June 7, 2023, the CDD received a written request for a hearing, and the applicant submitted an application for the CDDP23-03024 Development Plan on July 11, 2023.

IV. SITE/AREA DESCRIPTION

The property at 40 Anson Way is an 8,800 square-foot parcel located on the west side of Anson Way approximately 330 feet north of the intersection of Anson Way and Eureka Avenue. Eureka Avenue slopes downward to the west into the City of El Cerrito. The subject parcel slopes downward from northeast to southwest.

The project neighborhood, including the subject parcel, is comprised of single-family residences. The terrain in this part of Kensington consists of moderate to steeply sloped hillsides. Generally, elevation increases north and east of the site, whereas areas south and west of the site are located downslope. Due to the topography of the area many homes in the neighborhood have distant views to the west of city skylines, the San Francisco Bay, Golden Gate Bridge and/or Bay Bridge.

The subject parcel is rectangular in shape, having a width of 80 feet along Anson Way and a depth of 110 feet. The parcel includes a 1,357 square-foot single-family residence, which was originally constructed in 1946

V. PROJECT DESCRIPTION

The applicant requests approval of a Development Plan to allow a 993 square-foot two-story addition behind an existing garage on the northern side of the existing single-family residence. Currently, the northern side of the existing residence is one-story and approximately 13 feet in height. The two-story addition would expand the residential footprint and increase the northerly height of the home to 24 feet.

VI. AGENCY COMMENTS

An Agency Comment Request packet for the proposed residential addition was sent on March 14, 2023, to a number of public agencies, including Building Inspection Division, Kensington Fire Protection District, Stege Sanitary District, East Bay Municipal Utility District, and Kensington Municipal Advisory Council. Agency comments received by staff are included in Attachment 3. Following are summaries of the agency comments received.

A. East Bay Municipal Utility District: On July 28, 2023, the East Bay Municipal Utility District submitted a memorandum stating that if additional water service is needed, the applicant should contact their New Business Office and that new water service will not be provided unless applicable water efficiency measures are installed.

   An Advisory Note is included in the Conditions of Approval and Advisory Notes whereby the applicant is responsible for contacting the East Bay Municipal Utility District regarding additional water service.

B. Kensington Municipal Advisory Council (MAC): On October 26, 2023, the Kensington MAC submitted an email stating that at its meeting on October 25, 2023, the MAC recommended approval of the application by a vote of 3-1, with a fifth member abstaining.

VII. REQUEST FOR PUBLIC HEARING

On June 7, 2023, the neighboring property owner at 36 Anson Way, located adjacent to and north of the subject parcel submitted a letter requesting a public hearing on Kensington Design Review CDKR23-00010. The letter is included in Attachment 4. In the letter, the neighboring property owner requested an opportunity to discuss the compatibility of the proposed addition and its impact on adjacent residences.

VIII. STAFF ANALYSIS

A. General Plan Consistency: The subject parcel at 40 Anson Way is located within the SH Single-Family Residential – High Density General Plan land use designation. The SH designation is intended to promote the orderly development of single-family residential neighborhoods. The project entails an addition to increase living area within an existing 1,357 square-foot single-family residence by 993 square feet. The proposed addition does not change the established residential use of the site, it's residential density, or lot size. Thus, the single-family residential nature of the project does not conflict with the intent and purpose of the SH designation.

The project is also subject to the Policies for the Kensington Area, Policies 3-211 through 3-215 of the General Plan Land Use Element. Collectively, these policies provide for reasonable review of new residential development with protection for existing residences in the Kensington community. New residential projects are evaluated for view impacts, design compatibility, privacy, and solar access. The project's compliance with each of these policies is discussed below.

Additionally, this report includes discussion of the proposed design, including view impacts, design compatibility, parking, privacy, and solar access, as required by General Plan policies for the Kensington area. Therefore, the project is consistent with General Plan Policies 3-211 through 3-215.

Policy 3-211: *Allow for the review of new residential development that provides reasonable protection for existing residences in the Kensington community with*

regard to: views, design compatibility (including building bulk, size, and height), adequate parking, privacy, and access to sunlight.

This project was initially submitted to the CDD as administrative Kensington Design Review application CDKR23-00010. Upon the CDD's receipt of a written request for a public hearing on the CDKR23-00010 application in response to public notifications associated therewith, the applicant submitted the current CDDP23-03024 Development Plan application in order to continue the planning process. The processing of this application, culminating in a Zoning Administrator decision at a noticed public hearing, provides reasonable protection for neighboring property owners by providing a process including public notification and allowing additional opportunities for concerned neighbors to comment on the project before a decision is made. As discussed in detail within the Zoning Compliance section of this report, staff finds the proposed residential addition to be consistent and compatible with the surrounding neighborhood and does not anticipate that the addition would have a substantial impact on views, privacy, or solar access for neighboring properties.

Policy 3-212: *Preservation of views of scenic natural features (e.g. Bay, mountains) and the developed environment (e.g., bridges, San Francisco skyline) should be incorporated into the review of development applications.*

Section 84-74.404(r) of the Kensington Combining District Ordinance (County Code Chapter 84-74) defines "view" as *"a scene from a window in habitable space of a neighboring residence. The term 'view' includes both up-slope and downslope scenes, but is distant or panoramic range in nature, as opposed to short range."* The subject parcel and neighboring parcels are situated on a western facing slope that descends steeply to the west towards the City of El Cerrito. The topography of the area is such that it allows many homes on the hillside to enjoy distant westerly views of city skylines, the San Francisco Bay, Golden Gate Bridge and/or Bay Bridge. On October 6, 2023, at the request of the Kensington MAC, the applicant installed story poles on the subject parcel in order to simulate the height and building mass of the proposed addition. On October 20, 2023, staff was permitted to view the story poles from two neighboring residences at 36 Anson Way (adjacent to and north of the subject parcel) and 39 Anson Way (across the street to the east of the subject parcel) in order to assess potential view impacts. Aesthetically, the proposed addition would have the greatest impact on a southern facing window on the second story of the residence at 36 Anson Way. Existing views from this southern facing window

predominantly consist of neighboring residences and neighborhood trees. Since these existing views are not distant or panoramic in nature, they do not constitute a "view" as defined by the Kensington Combining District Ordinance. Based on the October 20, 2023 site visit, the proposed addition does not substantially degrade any existing "view" – as defined by the aforementioned County Ordinance - from within any neighboring residence. Therefore, the project preserves views in a manner consistent with Policy 3-212. Staff photographs depicting the story poles from neighboring residences are included in this report as Attachment 5.

Policy 3-213: *Review proposed residential development for design compatibility with nearby development (e.g. building mass, height, mechanical devices) and provisions for adequate parking.*

The project neighborhood consists of a mix of one- and two-story single-family residences. Considering that two-story residences presently exist on immediately adjacent parcels to the north, south, east, and west, the building mass of the proposed two-story addition is consistent and compatible with the design of existing residential development in the vicinity. Additionally, the proposed addition would have a height of 24 feet, which is substantially less than the 35-foot maximum for residential development in the R-6 Single-Family Residential District pursuant to Section 84-4.802 of the County Code. Further, the existing two-car garage on the subject parcel meets the off-street parking requirement for the R-6 District pursuant to Section 84-4.1202 of the County Code. Therefore, based on the foregoing discussion, the project is considered compatible with existing development in the vicinity in terms of design, height, and the provision of adequate parking.

Policy 3-214: *New residential development will be reviewed against realistic impacts of privacy and sunlight on surrounding neighbors.*

Staff has evaluated the project to determine whether realistic impacts of privacy and sunlight would expectedly arise from the addition. The addition is not expected to affect the privacy or solar access on neighboring parcels to any significant degree, as discussed in detail in the below Zoning Compliance Section B.3 below.

Policy 3-215: *Consideration will be given to review of non-residential development in the Kensington community with Policies 3-211 through 3-213 herein.*

The proposed project is a residential addition to an existing single-family residence. Thus, this policy does not apply.

B. Zoning Compliance: The subject parcel is located in the R-6 Single-Family Residential District, -TOV Tree Obstruction of Views Combining District, and -K Kensington Combining District. The proposed project does not involve removal or addition of any tree, and therefore, the regulations of the Tree Obstruction of Views Combining District do not apply to this application.

The intent and purpose of the R-6 District is to facilitate orderly development and maintenance of high-density, single-family residential neighborhoods. The proposed residential addition conforms to all R-6 development standards (e.g. front setback, side and rear yards, building height, off- street parking). Therefore, the proposed addition to an existing single-family residence meets the intent and purpose of the R-6 District.

The Kensington Combining District includes seven criteria for approval of the Development Plan. As detailed below, the project satisfies all seven criteria.

1. *Recognizing the rights of property owners to improve the value and enjoyment of their property.*

   Finding: The project is a 993 square-foot two-story addition to the northern side of an existing single-family residence in the R-6 Single-Family Residential District. The proposed addition is in conformance with minimum setback, minimum side and rear yards, maximum building height, and minimum off-street parking requirements applicable to development in the R-6 District. Construction of a residential addition conforming to these development standards is permitted following the application review procedures for the Kensington Combining District, absent substantial impacts to neighboring parcels in terms of views, privacy, or solar access. The property owners have indicated that the increased square-footage is necessary to accommodate the needs of their family, while also providing office areas to better accommodate working from home. Additionally, the proposed two-story configuration will allow for improved views of the San Francisco Bay and city skyline from within

the existing residence, similar to those enjoyed by residents of numerous other properties in the immediate vicinity.

2. *Recognizing the rights of property owners of vacant lots to establish a residence that is compatible with the neighborhood in terms of bulk, scale, and design.*

   Finding: The subject parcel is not a vacant lot. Therefore, this criterion does not apply.

3. *Minimizing impacts upon surrounding neighbors*.

   Finding: The project involves a two-story residential addition that is in conformance with all applicable development standards for the R-6 District. Section 84-74.204(b) of the Kensington Combining District Ordinance specifies that the ordinance is intended to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels. The project is consistent with these values as discussed below:

   - Privacy: The project proposes a two-story addition to the northern side of the existing single-family residence on the subject parcel. The neighboring property nearest to the proposed addition is the adjacent property to the north at 36 Anson Way. All upper-level windows of the residence at 36 Anson Way are oriented either towards the street to the east, or towards the scenic San Francisco Bay to the west. Since the addition does not include any northern or southern facing windows, the project would not substantially impair privacy for next door neighboring parcels, including the residence at 36 Anson Way. Therefore, the project minimizes privacy impacts upon surrounding neighbors.

   - Light and Solar Access: The potential for residential construction to limit light and solar access on neighboring properties are predominantly influenced by siting (i.e. setbacks), size, and height. The project includes a two-story addition behind an existing garage on the northern side of the existing single-family residence on the subject parcel. The northern side of the existing residence is presently one-story and approximately 13 feet in height. The two-story addition

would expand the residential footprint and increase the northerly height of the home to 24 feet.

The proposed addition would be located at least 42 feet 8 inches and 63 feet 2 inches from the western rear and southern side property lines respectively, and even further from homes located to the east across Anson Way. Therefore, the project would be expected to have negligible impacts to light or solar access on neighboring properties to the south, east, and west of the subject parcel.

The proposed addition would be located 8 feet 3 inches from the northern side property line (where 5 feet is the minimum required) and would be situated approximately 15 to 20 feet south of the existing adjacent residence to the north at 36 Anson Way. The 15 to 20 feet of separation between adjacent residences is typical for development in the R-6 District, where development standards allow for as little as 10 feet of separation. It is not uncommon for adjacent homes in the Kensington community to have less than 10 feet of separation due to lot dimensions and/or existing legal non-conforming residences constructed prior to the implementation of the County zoning code. Additionally, the 24-foot height of the proposed addition conforms to the 35-foot maximum permissible building height for residential development in the R-6 District.

In a letter dated September 18, 2023, included with this report as Attachment 6, the consultant to the owner of the neighboring adjacent property to the north at 36 Anson Way, expressed a concern, amongst others, that the project unreasonably impairs access to daylight by casting shadows on the 36 Anson Way property. The letter includes a diagram depicting shadows cast on the property at 9 AM, 12 noon, and 3 PM on the winter solstice, whereon the proposed addition is approximated to cast a shadow over the western portion of the 36 Anson Way residence and rear yard at 9am, and over the southernmost portions of this residence at noon. Notably, the shadow analysis provided by the neighbor's consultant is limited to conditions expected at a specific time of year when the daylight hours are shortest (i.e. the sun rises later and sets earlier than any other date) and when the sun rises at its southernmost location in the sky. Using a web-based application (www.suncalc.org) that shows the movement

of the sun for a certain date at a certain place, staff has prepared a Shadow Analysis (Attachment 7) to approximate the project's effect on solar access for the summer solstice, and at the equinox. The shadow analysis shows the sun rising further to the north and higher in the sky throughout the rest of the year, and the extent of shadows cast on the northerly parcel are typically much less throughout the year than depicted by the consultant. Therefore, the project is not expected to affect the neighboring residence's solar access to any significant degree.

4. *Protecting the value and enjoyment of the neighbors' property.*

   Finding: As previously mentioned, the addition would not significantly block any views in the project neighborhood or decrease privacy or access to sunlight. Therefore, absent significant impacts on neighboring parcels, the addition would preserve the value and enjoyment of the neighbors' property.

5. *Maintaining the community's property values*.

   Finding: The project involves an addition to an existing single-family residence in an established residential neighborhood. The proposal does not involve a incompatible land use that would conflict with the surrounding residential community in a manner that may negatively affect property values. Additionally, the project does not substantially affect scenic views, privacy, or solar access for neighboring parcels to any significant degree. Therefore, the project maintains the community's property values.

6. *Maximizing the use of existing interior space.*

   Finding: The existing single-family residence consists of a main floor at street level having approximately 1,202 square feet of living area and a 372 square foot two-car garage. A lower level beneath the southern end of the existing residence provides an additional 373 square feet of conditioned living space. There is no existing interior space within the residence that is not presently being utilized as part of the residence. Thus, the 993 square-foot increase in living space sought by the property owners could not feasibly be accomplished within the existing building envelope. Therefore, staff finds that the project maximizes the use of existing interior space.

7. *Promoting the general welfare, public health, and safety.*

   Finding: The residential addition does not change the land use on the subject parcel and, as described above, would have minimal impact on neighboring properties. The project's compliance with applicable zoning standards and the requirement to obtain building permits will ensure that the addition does not present a hazard to public health and safety for the occupants or community at large. Thus, the project promotes the general welfare, public health, and safety of the Kensington community.

IX. CONCLUSION

A. Construction of the proposed residential addition is consistent with the SH Single-Family Residential-High Density General Plan land use designation and complies with the intent and purpose of the R-6 Single-Family Residential Zoning District and the -K Kensington Combining District. Therefore, staff recommends approval of Kensington Design Review Development Plan CDDP23-03024 to allow a 993 square-foot two-story addition to an existing single-family residence, subject to the attached findings and conditions of approval.

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP23-03024; CARI ROSNER JELEN (APPLICANT), ELENA SAXONHOUSE (OWNER)

FINDINGS

A. Kensington Combining District Findings

County Code Section 84-74.1206(b) requires a project within the Kensington Combining District to satisfy seven criteria to be approved.

1. *Recognizing the rights of property owners to improve the value and enjoyment of their property.*

   Project Finding: The project is a 993 square-foot two-story addition to the northern side of an existing single-family residence in the R-6 Single-Family Residential District. The proposed addition is in conformance with minimum setback, minimum side and rear yards, maximum building height, and minimum off-street parking requirements applicable to development in the R-6 District. Construction of a residential addition conforming to these development standards is permitted following the application review procedures for the Kensington Combining District, absent substantial impacts to neighboring parcels in terms of views, privacy, or solar access. The property owners have indicated that the increased square-footage is necessary to accommodate the needs of their family, while also providing office areas to better accommodate working from home. Additionally, the proposed two-story configuration will allow for improved views of the San Francisco Bay and city skyline from within the existing residence, similar to those enjoyed by residents of numerous other properties in the immediate vicinity.

2. *Recognizing the rights of property owners of vacant lots to establish a residence that is compatible with the neighborhood in terms of bulk, scale, and design.*

   Project Finding: The subject parcel is not a vacant lot. Therefore, this criterion does not apply.

3. *Minimizing impacts upon surrounding neighbors.*

   Project Finding: The project involves a two-story residential addition that is in conformance with all applicable development standards for the R-6 District. Section

84-74.204(b) of the Kensington Combining District Ordinance specifies that the ordinance is intended to promote the community's values of preservation of views, light and solar access, privacy, parking, residential noise levels. The project is consistent with these values as discussed below:

- Privacy: The project proposes a two-story addition to the northern side of the existing single-family residence on the subject parcel. The neighboring property nearest to the proposed addition is the adjacent property to the north at 36 Anson Way. All upper-level windows of the residence at 36 Anson Way are oriented either towards the street to the east, or towards the scenic San Francisco Bay to the west. Since the addition does not include any northern or southern facing windows, the project will not substantially impair privacy for next door neighboring parcels, including the residence at 36 Anson Way. Therefore, the project minimizes privacy impacts upon surrounding neighbors.

- Light and Solar Access: The potential for residential construction to limit light and solar access on neighboring properties are predominantly influenced by siting (i.e. setbacks), size, and height. The project includes a two-story addition behind an existing garage on the northern side of the existing single-family residence on the subject parcel. The northern side of the existing residence is presently one-story and approximately 13 feet in height. The two-story addition will expand the residential footprint and increase the northerly height of the home to 24 feet.

  The proposed addition will be located at least 42 feet 8 inches and 63 feet 2 inches from the western rear and southern side property lines respectively, and even further from homes located to the east across Anson Way. Therefore, the project will have negligible impacts to light or solar access on neighboring properties to the south, east, and west of the subject parcel.

  The proposed addition will be located 8 feet 3 inches from the northern side property line (where 5 feet is the minimum required) and will be situated approximately 15 to 20 feet south of the existing adjacent residence to the north at 36 Anson Way. The 15 to 20 feet of separation between adjacent residences is typical for development in the R-6 District, where development standards allow for as little as 10 feet of separation. It is not uncommon for adjacent homes in the Kensington community to have less than 10 feet of separation due to lot dimensions and/or existing legal non-conforming

residences constructed prior to the implementation of the County zoning code. Additionally, the 24-foot height of the proposed addition conforms to the 35-foot maximum permissible building height for residential development in the R-6 District.

In a letter dated September 18, 2023, the consultant to the owner of the neighboring adjacent property to the north at 36 Anson Way, expressed a concern, amongst others, that the project unreasonably impairs access to daylight by casting shadows on the 36 Anson Way property. The letter includes a diagram depicting shadows cast on the property at 9 AM, 12 noon, and 3 PM on the winter solstice, whereon the proposed addition is approximated to cast a shadow over the western portion of the 36 Anson Way residence and rear yard at 9am, and over the southernmost portions of this residence at noon. Notably, the shadow analysis provided by the neighbor's consultant is limited to conditions expected at a specific time of year when the daylight hours are shortest (i.e. the sun rises later and sets earlier than any other date) and when the sun rises at its southernmost location in the sky. Using a web-based application (www.suncalc.org) that shows the movement of the sun for a certain date at a certain place, staff has prepared a Shadow Analysis to approximate the project's effect on solar access for the summer solstice, and at the equinox. The shadow analysis shows the sun rising further to the north and higher in the sky throughout the rest of the year, and the extent of shadows cast on the northerly parcel are typically much less throughout the year than depicted by the consultant. Therefore, the project is not expected to affect the neighboring residence's solar access to any significant degree.

4. *Protecting the value and enjoyment of the neighbors' property.*

   Project Finding: As previously mentioned, the addition will not significantly block any views in the project neighborhood or decrease privacy or access to sunlight. Therefore, absent significant impacts on neighboring parcels, the addition will preserve the value and enjoyment of the neighbors' property.

5. *Maintaining the community's property values.*

   Project Finding: The project involves an addition to an existing single-family residence in an established residential neighborhood. The proposal does not involve a noncompatible land use that conflicts with the surrounding residential community in

a manner that may negatively affect property values. Additionally, the project does not substantially affect scenic views, privacy, or solar access for neighboring parcels to any significant degree. Therefore, the project maintains the community's property values.

6. *Maximizing the use of existing interior space.*

   Project Finding. The existing single-family residence consists of a main floor at street level having approximately 1,202 square feet of living area and a 372 square foot two-car garage. A lower level beneath the southern end of the existing residence provides an additional 373 square feet of conditioned living space. There is no existing interior space within the residence that is not presently being utilized as part of the residence. Thus, the 993 square-foot increase in living space sought by the property owners cannot feasibly be accomplished within the existing building envelope. Therefore, staff finds that the project maximizes the use of existing interior space.

7. *Promoting the general welfare, public health, and safety.*

   Project Finding. The residential addition does not change the land use on the subject parcel and as described above, will have minimal impact on neighboring properties. The project's compliance with applicable zoning standards and the requirement to obtain building permits will ensure that the addition does not present a hazard to public health and safety for the occupants or community at large. Thus, the project promotes the general welfare, public health, and safety of the Kensington community.

D. Environmental Findings

The 993 square-foot two-story addition to the northern side of an existing single-family residence is categorically exempt under CEQA Guidelines Section 15301(e)(2), which provides a Class 1 exemption for additions to existing structures of no more than 10,000 square feet in an area that is not environmentally sensitive and where all public services and facilities are available for maximum development permissible in the General Plan..

CONDITIONS OF APPROVAL FOR COUNTY FILE CDDP23-03024

Project Approval

1. Development Plan CDDP23-03024 to allow a 993 square-foot two-story addition to the northern side of an existing single-family residence is **APPROVED**.

2. The Development Plan approval describe above is based on the application and project plans received by the Department of Conservation and Development, Community Development Division (CDD) on July 11, 2023.

3. Any deviation from the approved plans shall require review and approval by the CDD and may require the filing of a new Kensington Design Review application.

Building Permits

5. No construction is approved with this permit. Any construction at the subject parcel will require issuance of building permits from the Department of Conservation and Development, Building Inspection Division, prior to commencement of work.

Application Costs

6. This application was subject to an initial application deposit of $3,000.00, which was paid with the application submittal, plus time and material costs if the application review expenses exceed 100% of the initial deposit. **Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first**. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due from the date of approval, the application shall be charged interest at a rate of ten percent (10%). The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

Construction

All construction activity shall comply with the following restrictions, which shall be included in the construction drawings.

7. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.

8. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

9. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

10. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.

11. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

    New Year's Day (State and Federal)

    Birthday of Martin Luther King, Jr. (State and Federal)

    Washington's Birthday (Federal)

    Lincoln's Birthday (State)

    President's Day (State)

    Cesar Chavez Day (State)

    Memorial Day (State and Federal)

    Juneteenth National Independence Holiday (Federal)

    Independence Day (State and Federal)

    Labor Day (State and Federal)

    Columbus Day (Federal)

    Veterans Day (State and Federal)

    Thanksgiving Day (State and Federal)

    Day after Thanksgiving (State)

    Christmas Day (State and Federal)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (opm.gov)

California Holidays: State Holidays (sos.ca.gov)

12. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90 days of the approval date of this permit.

B. The applicant shall submit building plans to the Building Inspection Division and comply with Division requirements. It is advisable to check with the Division prior to requesting a building permit or proceeding with the project.

C. The applicant must submit building plans to the Kensington Fire Protection District and comply with its requirements. The applicant is advised that plans submitted for a building permit must receive prior approval and be stamped by the Fire Protection District.

D. The applicant is required to submit plans to the Stege Sanitary District for approval. Plans submitted for a building permit must receive prior approval and be stamped by the Sanitary District.

E. The applicant is responsible for contacting the Health Services Department Environmental Health Division regarding its requirements and permits.

F. The applicant is required to comply with the requirements of the East Bay Municipal Utility District.

G. The applicant is responsible for contacting the Contra Costa Mosquito and Vector Control District regarding its requirements and permits.

Attachment 6

CDDP23-03024 Staff Presentation

Anson Way Development Plan Permit Appeal

County File: CDDP23-03024

BOARD OF SUPERVISORS

JUNE 25, 2024

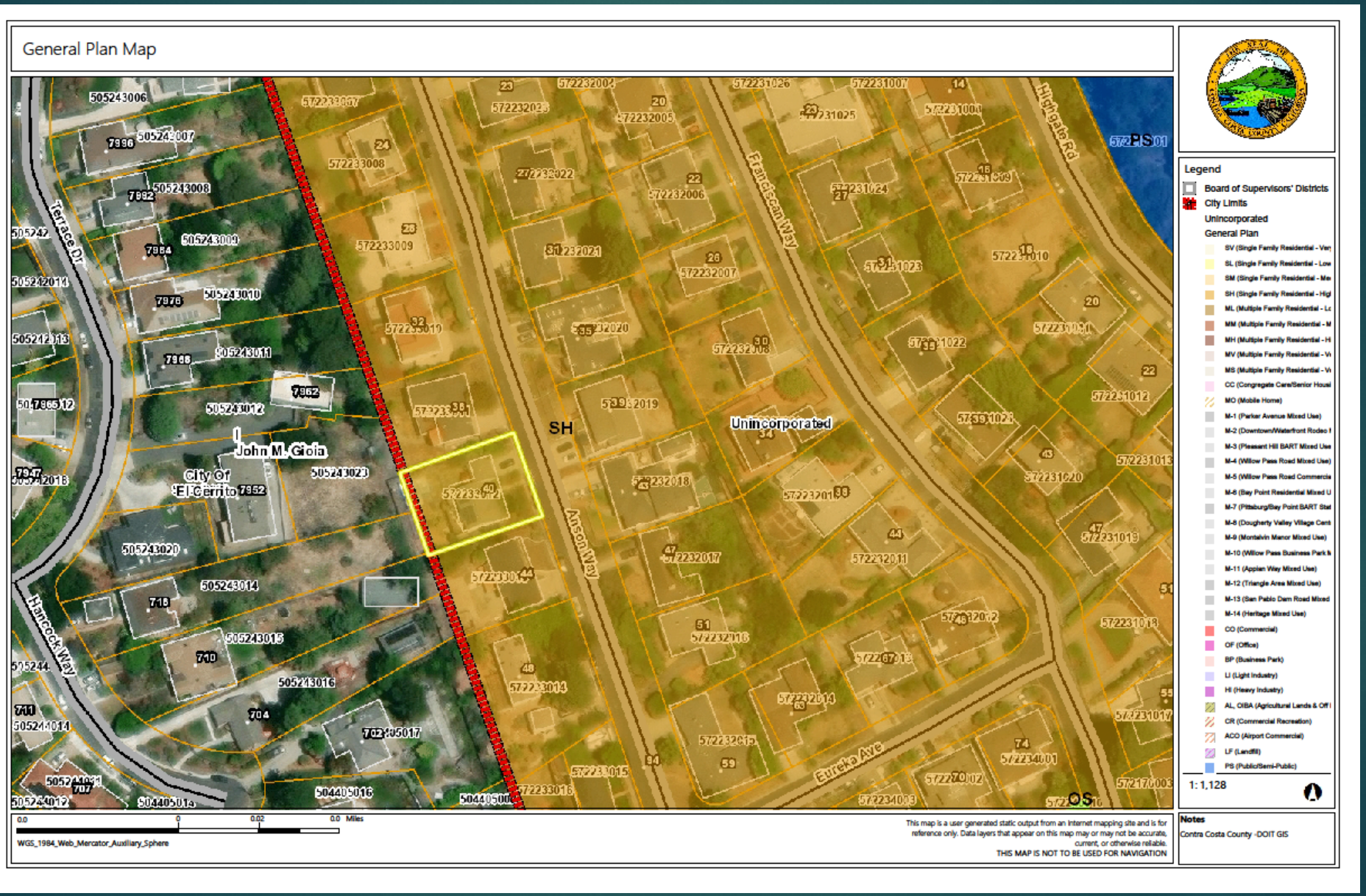
Background

- A public hearing request in response to Kensington Design Review CDKR23-00010 was received by CDD staff on June, 7 2023, necessitating the submittal of Development Plan CDDP23-03024 for the proposed addition.
- Finding the project to be compliant with the letter and spirit of the Kensington Ordinance, the ZA approved CDDP23-03024 at the public hearing held on February 5, 2024.
- On February 14, 2024, CDD staff received an appeal of the ZA's approval of CDDP23-03024
- The appeal was considered by the County Planning Commission at the public hearing held on March 27, 2024.

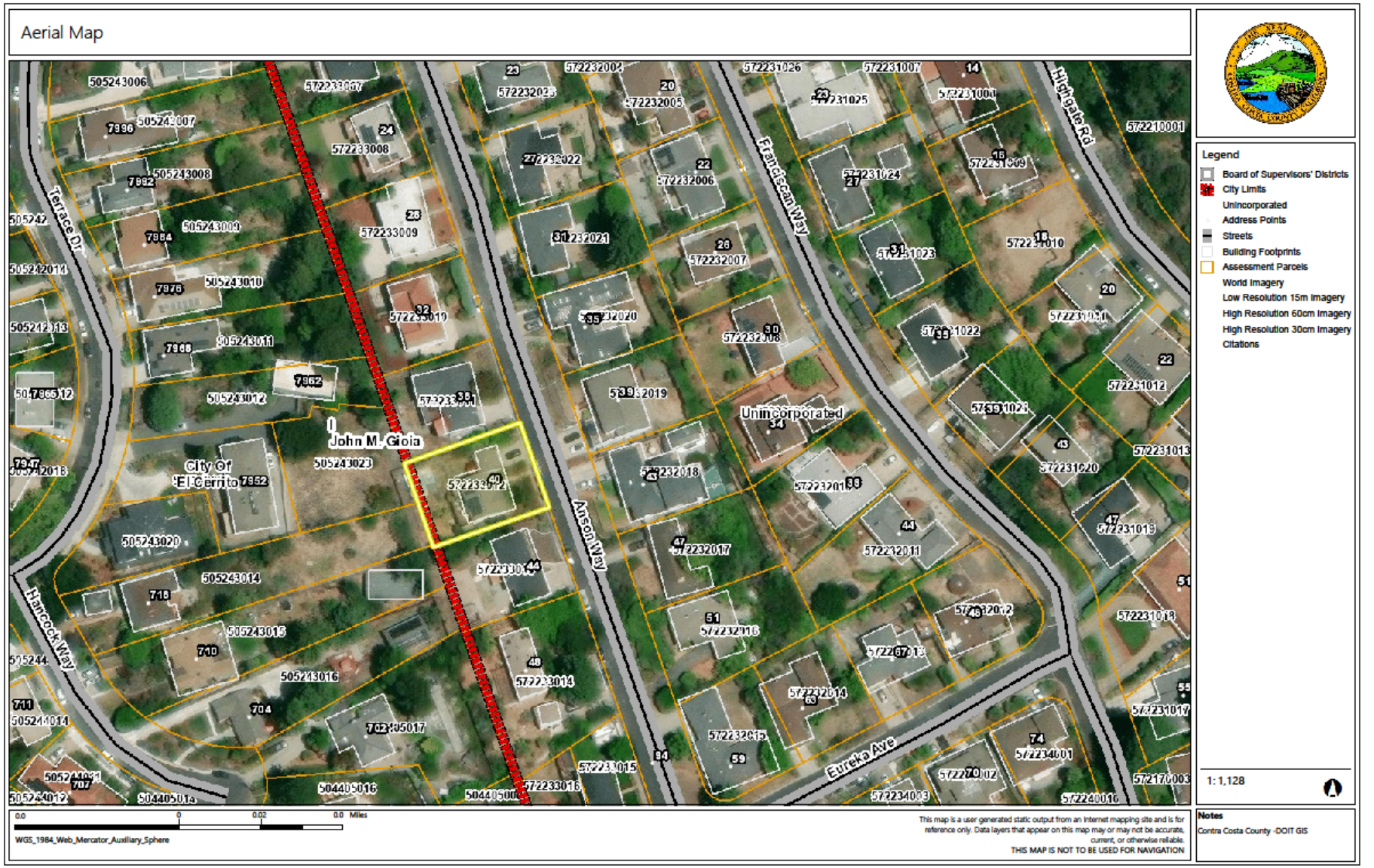
Zoning Map


Zoning Map
Unincorporated
R-6 -TOV -K
John M. Gioia
City Of El Cerrito
Terrace Dr
Hancock Way
Anson Way
Franciscan Way
Eureka Ave
Highgate Rd
Legend
Board of Supervisors' Districts
City Limits
Unincorporated
Zoning
1:1,128
Notes
Contra Costa County -DOIT GIS
THIS MAP IS NOT TO BE USED FOR NAVIGATION
WGS_1984_Web_Mercator_Auxiliary_Sphere

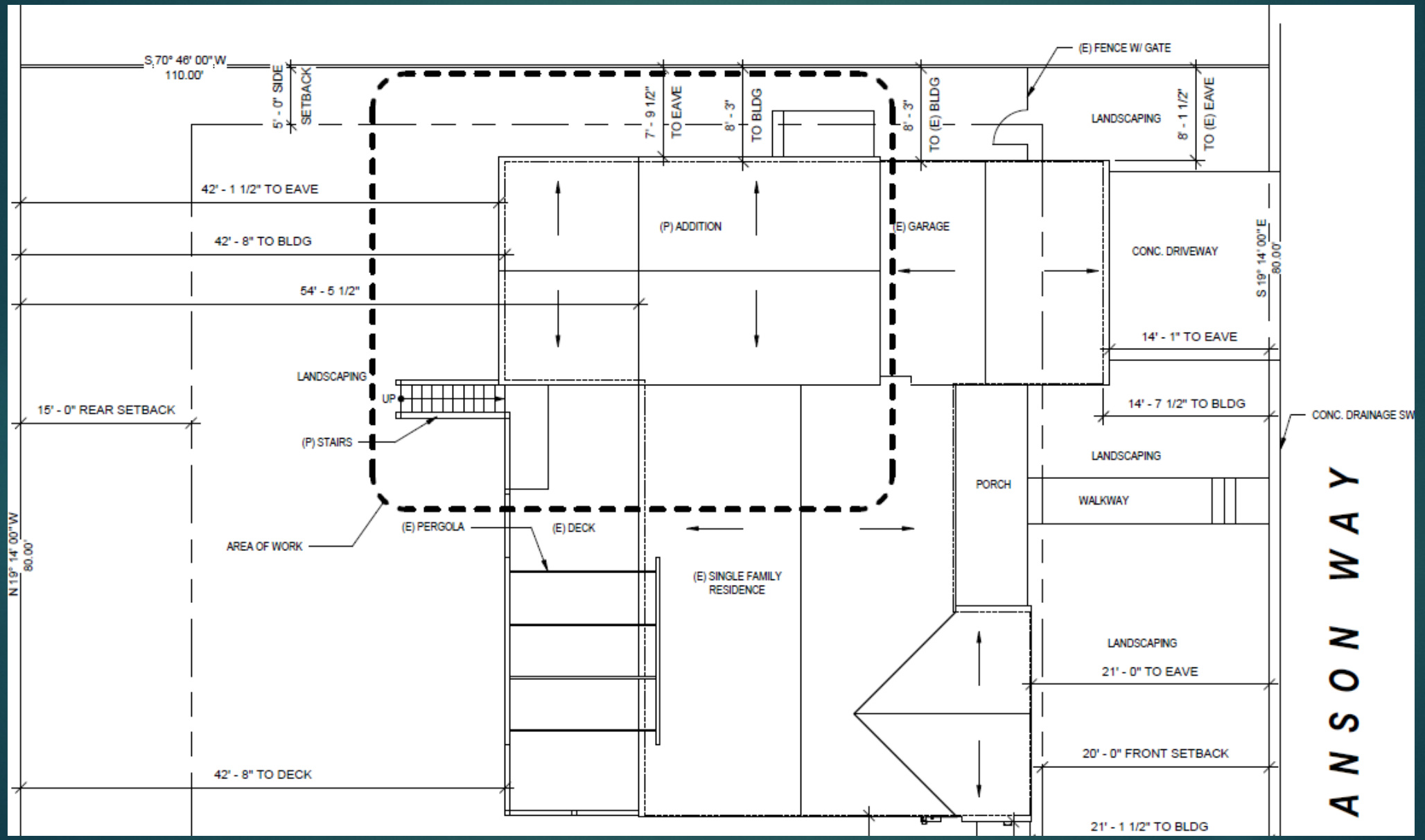
General Plan Map



Aerial Map


Aerial Map
Legend
Board of Supervisors' Districts
City Limits
Unincorporated
Address Points
Streets
Building Footprints
Assessment Parcels
World Imagery
Low Resolution 15m Imagery
High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations
1:1,128
Notes
Contra Costa County -DOIT GIS
John M. Gioia
City Of El Cerrito
Unincorporated
Terrace Dr
Hancock Way
Anson Way
Francisan Way
Eureka Ave
Highgate Rd
WGS_1984_Web_Mercator_Auxiliary_Sphere
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Proposed Two-Story Addition



Proposed Two-Story Addition



County Planning Commission's Decision

- On March 27, 2024, the County Planning Commission denied the appeal and upheld the Zoning Administrators approval, finding the addition to be in compliance with Kensington Combining District Ordinance, and all applicable development standards for the R-6 single-family residential zoning district.

- On April 5, 2024, CDD staff received a formal appeal from Shona Armstrong on behalf of neighboring property owner Kris McClain.

Armstrong Appeal

- The project violates general plan policies protecting views and solar access due to unnecessary building bulk.
- The project exceeds height limitations codified in County Ordinances.
- The project does not meet findings required under Kensington Ordinances for approval of the proposed addition.

View Impact



View Impact



View Impact

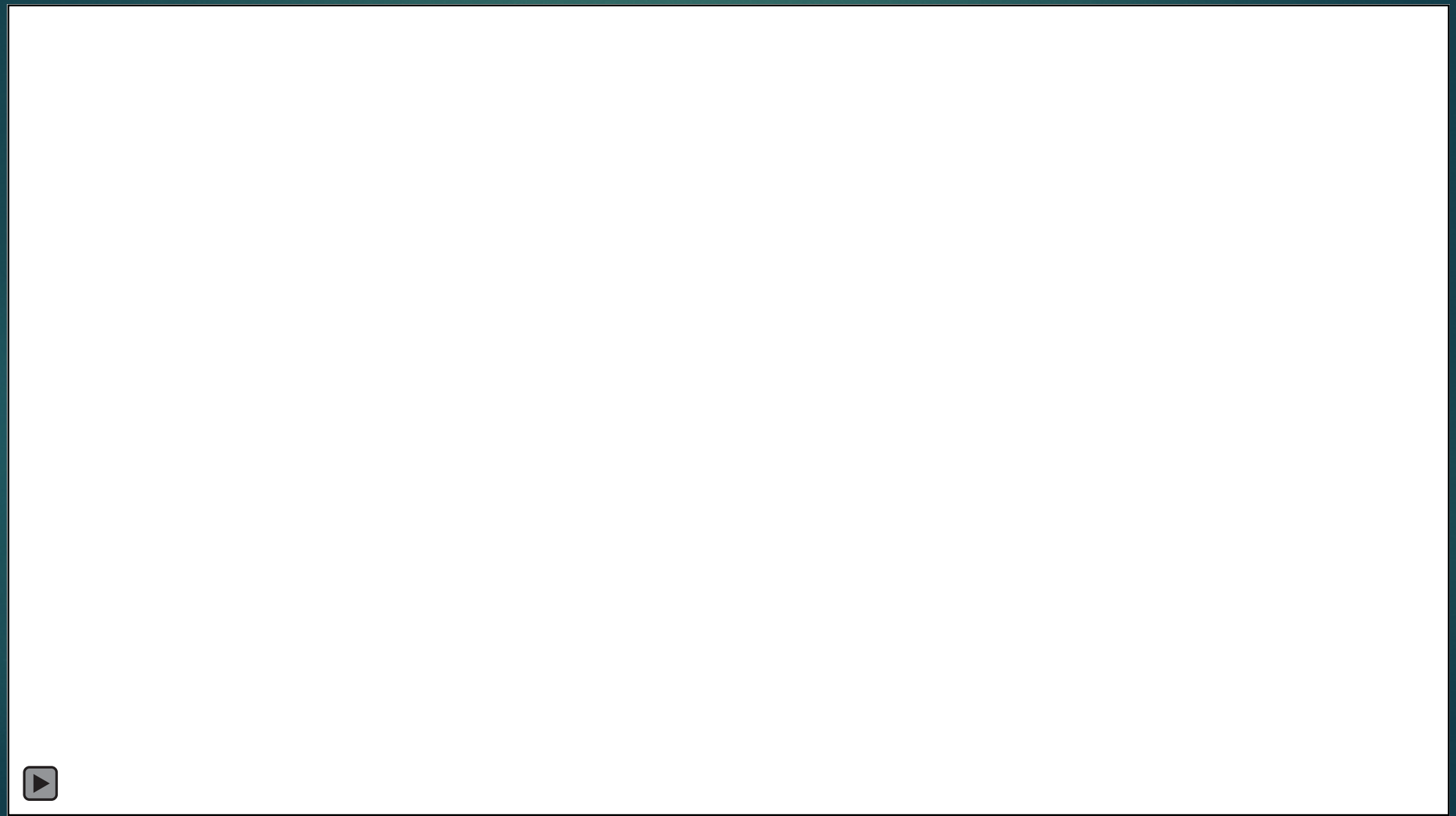


View Impact



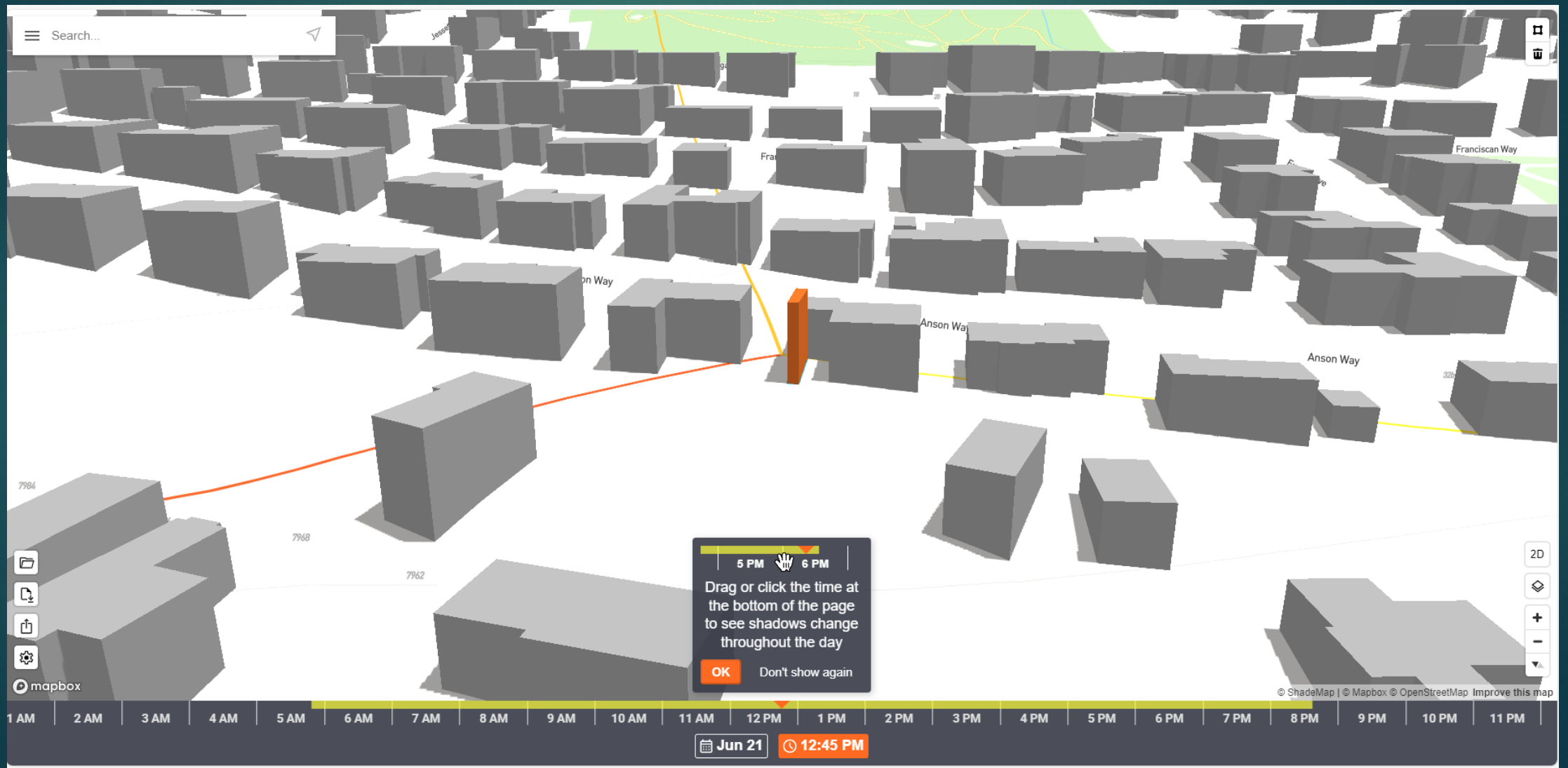
Solar Access Impact (Winter Solstice)

https://shademap.app



Solar Access Impact (Summer Solstice)

https://shademap.app



Solar Access Impact (Equinox)

https://shademap.app



Solar Access Impact (Model Perspective)

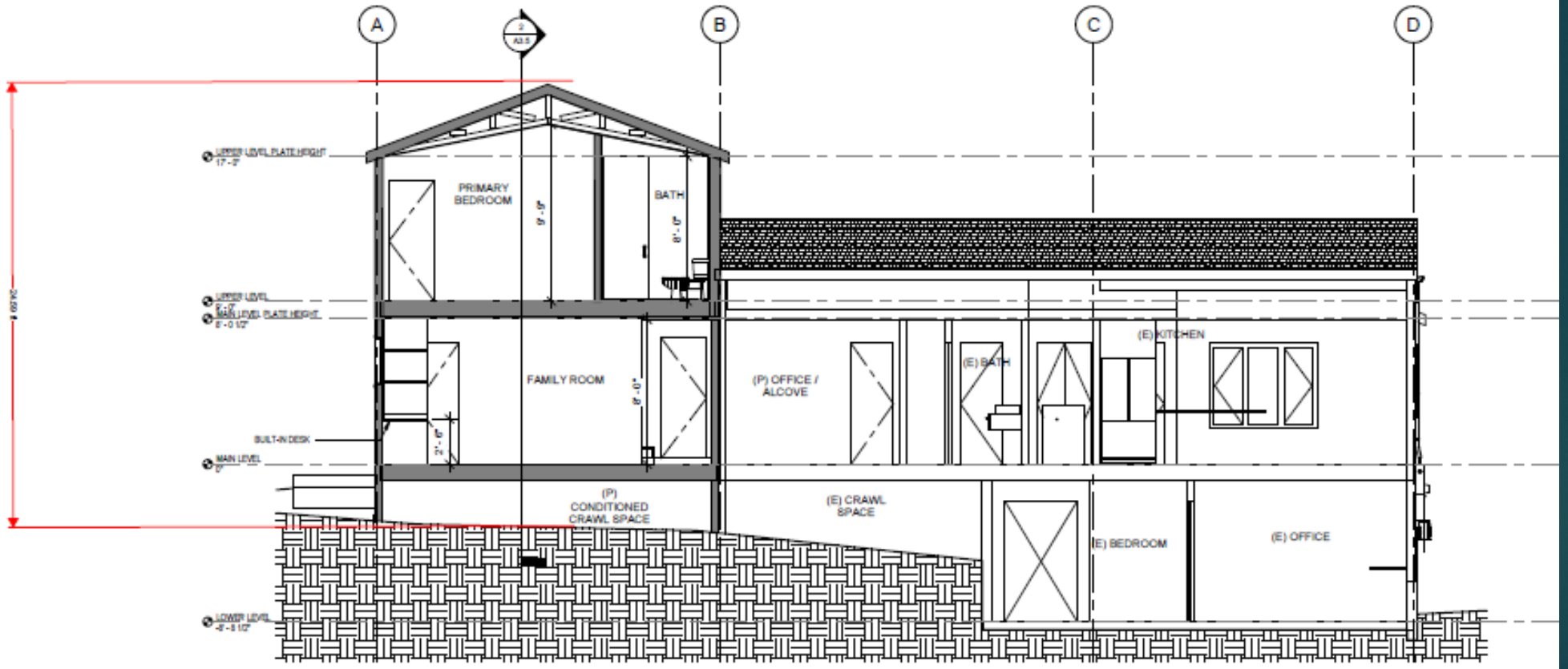
https://shademap.app



Building Height

- County Ordinance Section 82-4.214 (Building Height): *"Building height" means the vertical distance measured from grade to the top of structure directly above with exceptions noted elsewhere in the code. Height may be measured from finished grade when such grade is below natural grade. Height shall be measured from natural grade when the finished grade is higher than the natural grade.*
- County Ordinance Section 84-4.802 (Building Height – Maximum): *No single-family dwelling or other structure permitted in the R-6 district shall exceed two and one-half stories or thirty-five feet in height.*

Building Height



2 (P) BUILDING SECTION 3

1/4" = 1'-0"

Staff Response to Appeal

- Staff followed the requirements of the Kensington Ordinance and development standards for the R-6 zoning district.
- Staff measured building height consistent with applicable County Ordinance.
- The project does not result in substantial impacts to views or solar access for the appellants property.

Questions?

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1744 **Agenda Date:** 6/25/2024 **Agenda #:** D.4.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: RECEIVE Update on Contra Costa County Hosting TeamCalifornia Site Selectors' Conference in 2025

☐Recommendation of the County Administrator ☒ Recommendation of Board Committee

RECOMMENDATIONS:
RECEIVE Update on Contra Costa County hosting TeamCalifornia Site Selectors' Conference in 2025, as recommended by the Ad-Hoc Committee on the Northern Waterfront Economic Development Initiative.

FISCAL IMPACT:
There is a $25,000 cost to the County to host this event. This expense will be paid for from County economic development revenues and potential contributions from participating cities.

BACKGROUND:
On June 5, 2024, the Ad-Hoc Committee on the Northern Waterfront Economic Development Initiative recommended that the Board of Supervisors receive an update on Contra Costa County hosting the TeamCalifornia Site Selectors' Conference in 2025.

Since 2023, Contra Costa County, along with the cities of Antioch, Brentwood, Oakley, and other cities around the State, has been a member in TeamCalifornia, a non-profit membership-based organization that markets California communities and site location assistance for businesses seeking to locate facilities in California. TeamCalifornia staff attend selected trade shows and industry sponsored events to identify the best opportunities to promote Contra Costa County and other California communities to site selection specialists.

In 2023, economic development staff from the County submitted an expression of interest in the opportunity to host the annual "Meet the Consultants" Forum event of TeamCalifornia, and staff were informed in December that Contra Costa County will be the site of the 2025 conference. Department of Conservation & Development staff are working with the Northern Waterfront cities, the Public Works Department Division of Airports, and TeamCalifornia. Economic development staff from the County will participate in the 2024 "Meet the Consultants" Forum event of TeamCalifornia, in Visalia on August 6-8, 2024.

CONSEQUENCE OF NEGATIVE ACTION:
There is no consequence to negative action.

NORTHERN WATERFRONT ECONOMIC DEVELOPMENT UPDATE

Department of Conservation & Development

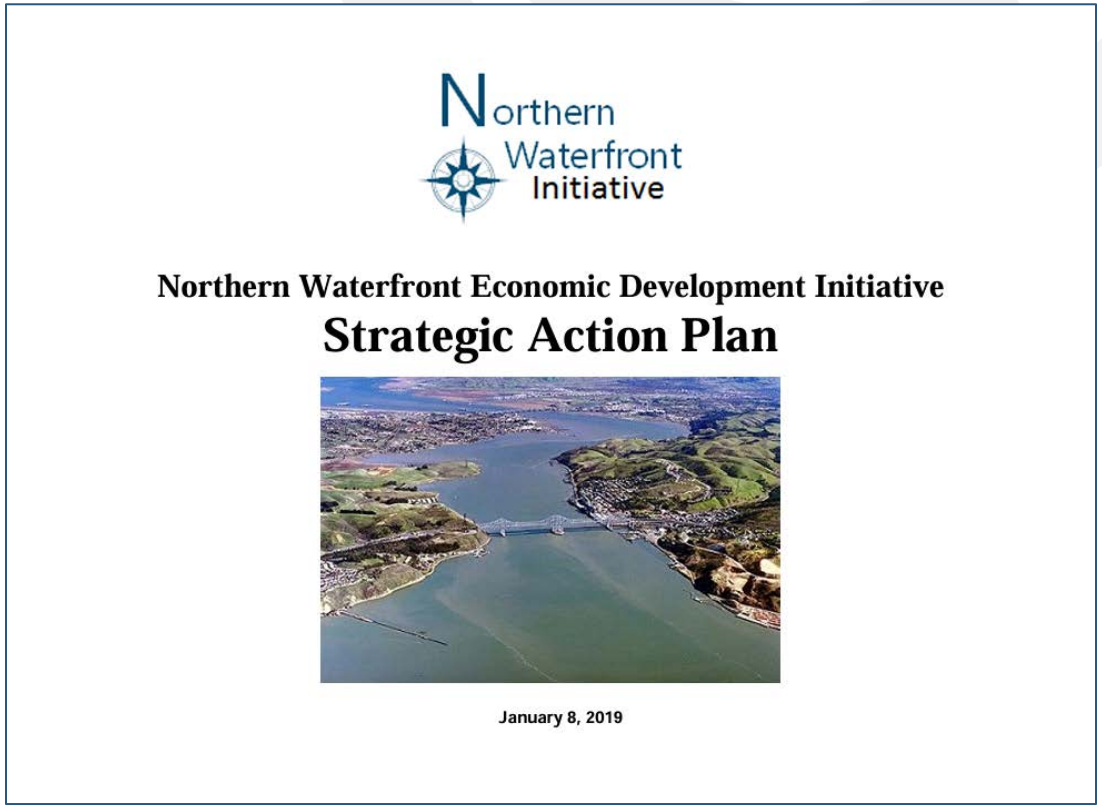
Presentation to Board of Supervisors

June 25, 2024



IMPLEMENTING THE NORTHERN WATERFRONT ECONOMIC STRATEGIC ACTION PLAN

- Promotion and Marketing the Region
- Enhancing Infrastructure Capacity
- Leveraging Green Empowerment Zone
- Brownfields Cleanup and Redevelopment.



CONTRA COSTA COUNTY JOINED TEAM CALIFORNIA TO PROMOTE AND MARKET THE REGION

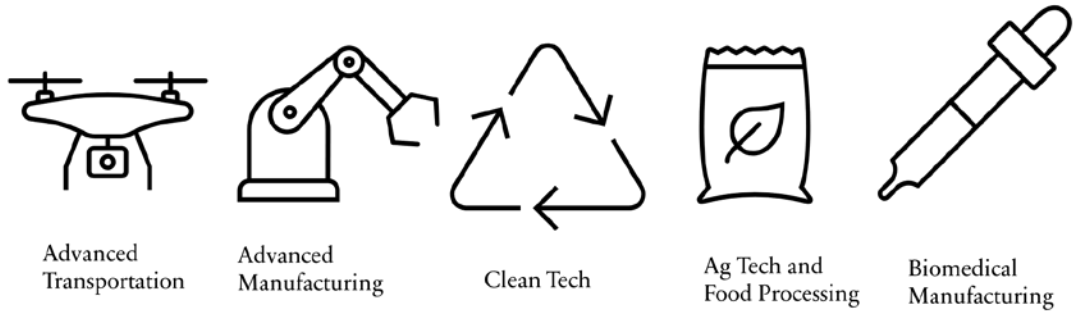
- To market and promote the Northern Waterfront of Contra Costa County,
- In 2023, the County joined TeamCalifornia
- Along with the Cities of Antioch, Brentwood, and Oakley.

Northern Waterfront City Partners

PROMOTING CONTRA COSTA COUNTY AS THE LOCATION FOR CLEAN AND GREEN BUSINESS

- TeamCalifornia is the non-profit that markets communities and site location assistance for California
- Working closely with the State of California Governor's Office of Business & Economic Development (GO-Biz) and others.

Northern Waterfront Priority Industries



CONTRA COSTA COUNTY IS HOSTING THE 2025 "MEET THE CONSULTANTS" CONFERENCE

- The Northern Waterfront of Contra Costa County was selected to host the 2025 "Meet the Consultants" Conference
- Working with the Public Works Department—in particular the Airports Division– and others to make this three-day conference a success.



DEPT. OF CONSERVATION & DEVELOPMENT (DCD) ECONOMIC DEVELOPMENT TEAM



Business Development Liaison, Small Business Ombuds-services:

George E. Carter III

Economic Development Project Manager

P: 925-655-2782

george.carter@dcd.cccounty.us

Business Attraction, Growth and Retention:

Alyson Greenlee,

Economic Development Manager

P: 925-655-2783

alyson.greenlee@dcd.cccounty.us



1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1745 **Agenda Date:** 6/25/2024 **Agenda #:** D.5.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Update on Head Start Programs and Oversight

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
CONSIDER accepting monthly update on the activities and oversight of the County's Head Start Program, as recommended by the Employment and Human Services Director, and provide guidance.

FISCAL IMPACT:
There is no fiscal impact for this action.

BACKGROUND:
Per Board Resolution No. 2023/274, the Board receives monthly updates on and provides guidance related to the activities of the Head Start program. This is the April 2024 update.

CONSEQUENCE OF NEGATIVE ACTION:
The County will not be in compliance with Head Start program requirements, which may jeopardize funding and a successful 2024-2028 grant application.

CHILDREN'S IMPACT STATEMENT:
The services provided under this contract support all five of Contra Costa County's community outcomes: (1)"Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (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".

CONTRA COSTA COUNTY

EMPLOYMENT & HUMAN SERVICES

Building Brighter Futures Together

Childcare Program Update

June 25, 2024

Marla Stuart, MSW, PhD, EHSD Director and Head Start Executive Director
Scott Thompson, Interim Director, Community Services Bureau
info@ehsd.cccounty.us | 925-608-4800

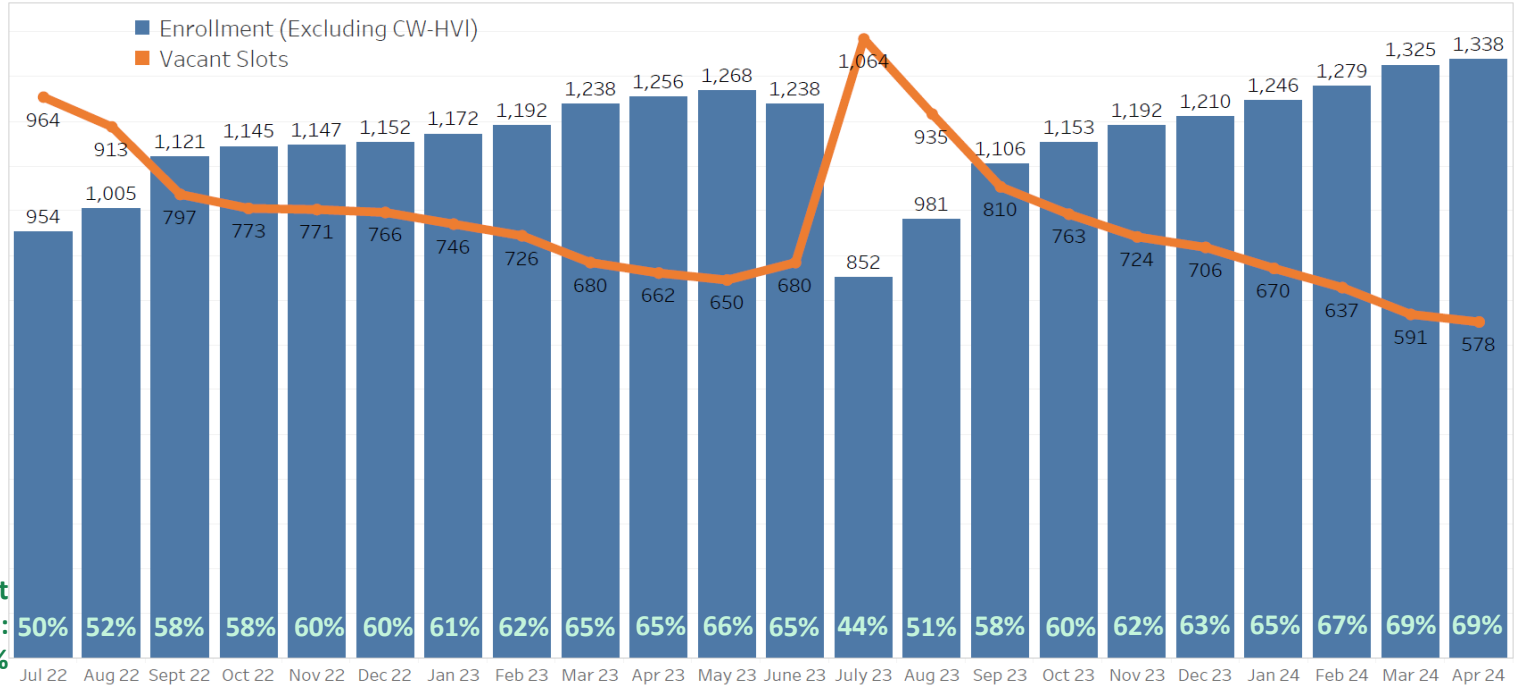
Outline

1. Childcare Center Services
2. Budget
3. Monitoring
4. Region IX Communication
5. Current Events
6. Recommendation

Childcare Center Services

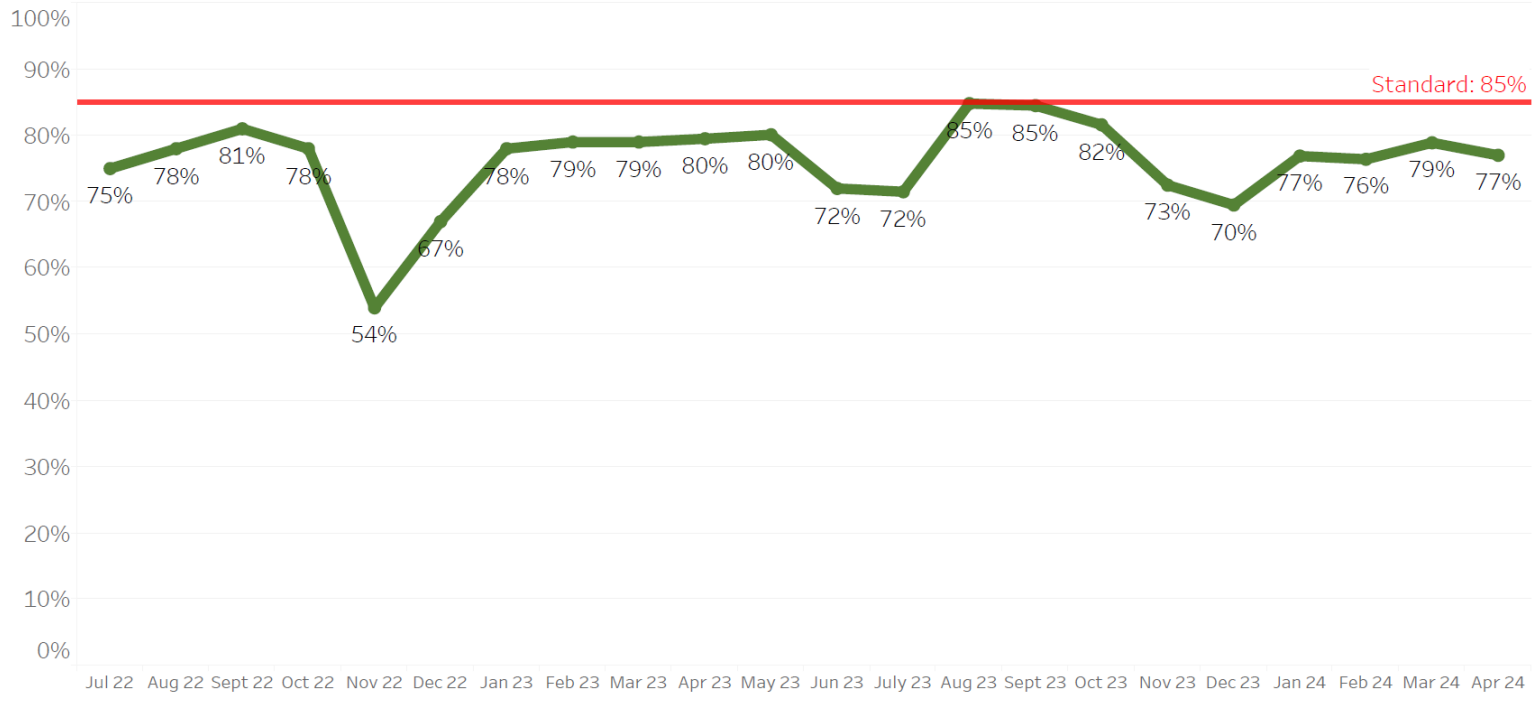
Enrollment and Vacant Slots
Attendance Rate
Meals and Snacks Served
Childcare Vacancies Trend

Enrollment and Vacant Slots

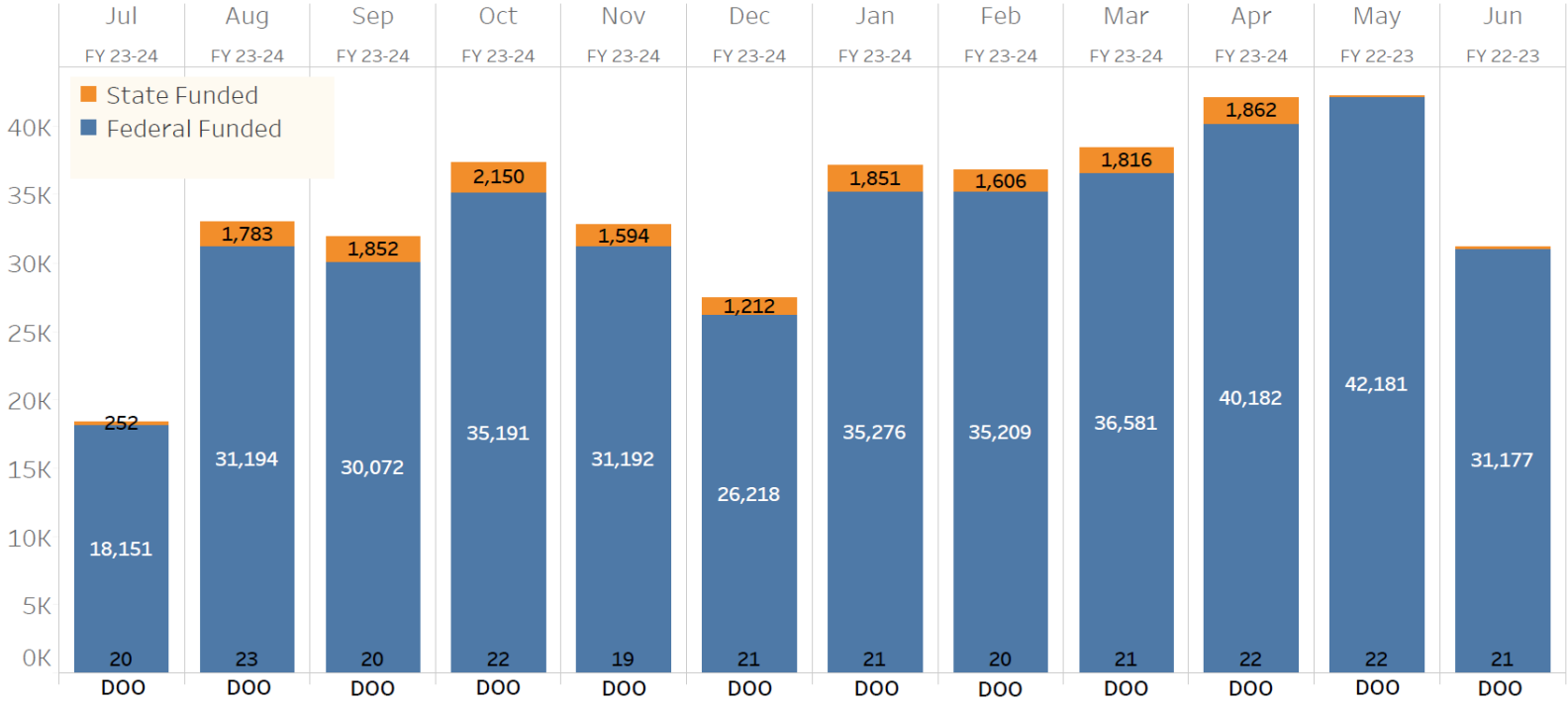


Enrollment rate goal: 97%

Attendance Rate



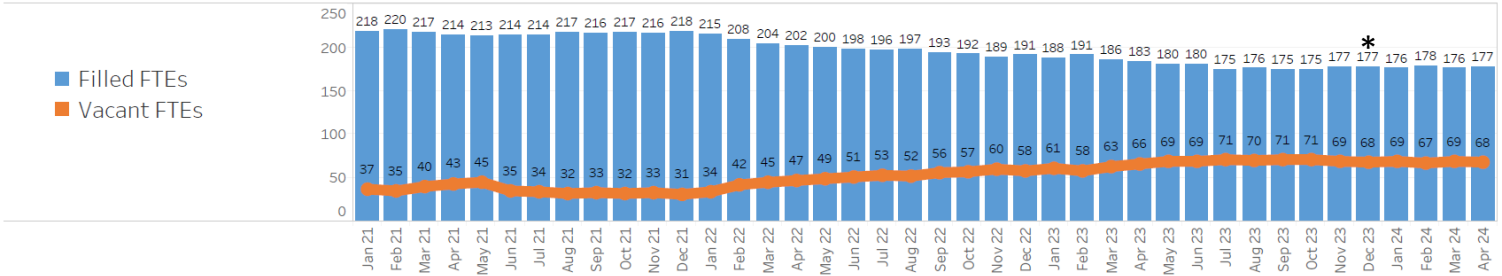
Meals and Snacks Served



Note: DOO = Days of Operation

Childcare Vacancies Trend

Filled vs Vacant FTEs 2021 - 2024



Vacant FTEs by Classification 2021 - 2024

	Jan 21	Feb 21	Mar 21	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	Apr 22	May 22	Jun 22	Jul 22	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Jul 23	Aug 23	Sep 23	Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Mar 24	Apr 24
Associate Teacher-Project	7	7	6	7	7	4	3	3	4	4	3	3	4	7	8	10	12	13	18	19	18	18	18	18	17	17	17	17	17	17	14	14	14	14	14	14	15	15	16	16
Child Nutrition Assistant-Proj	1	1	1	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	2	2	2	2	2	2	2	1	1	1	0	0	0
Child Nutrt Fd Svc Trns-Prj	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	2	2	2	2	2	2
Child Nutrt Food Oper Supv-Prj	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	1	1	1	1	1	0	0	0	0
Clerk-Experienced Level	0	0	2	2	2	1	1	1	2	2	2	1	1	0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Comprehensive Svcs Asst Mgr-Pr	1	1	3	3	4	4	3	3	1	0	0	0	0	0	0	0	0	0	0	0	1	1	3	1	4	4	5	5	5	5	6	6	5	5	0	0	1	1	0	0
Comprehensive Svcs Man -Prj	3	3	3	3	3	3	1	1	0	0	0	0	0	0	1	1	1	1	1	2	2	2	2	2	2	2	3	3	3	4	5	5	2	2	2	2	2	1	1	1
Infant Toddler Assoc Tcher-Prj	7	7	8	8	8	5	5	6	6	6	6	6	6	7	8	8	8	8	5	4	4	4	4	4	4	4	4	5	5	8	8	8	8	8	8	8	8	8	8	7
Infant Toddler Teacher-Project	2	2	3	5	5	4	4	3	3	3	5	6	6	6	5	5	5	5	5	5	5	5	5	5	5	5	6	5	6	4	4	4	5	5	5	5	5	4	4	
Inf/Tod Master Teacher-Prj	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Intermediate Clerk-Prj	2	1	2	1	1	1	2	2	2	2	2	1	1	1	1	1	1	2	2	4	5	5	5	5	2	3	4	4	3	3	4	4	4	4	4	4	4	4	4	4
Master Teacher-Project	3	3	2	2	3	3	2	2	2	2	2	2	2	4	3	3	3	3	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3	4	4	4	4	5	5
Senior Clerk-Project	1	1	0	0	0	0	3	4	6	6	6	5	5	6	6	6	6	6	5	5	6	6	6	6	6	5	4	5	5	4	4	3	7	7	9	8	8	8	8	8
Site Supervisor I-Project	1	1	2	2	2	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	2	1	2	2	2	2	2	2	2	2
Site Supervisor II - Project	2	2	2	2	2	1	1	0	0	0	0	0	0	1	1	1	1	1	1	2	2	3	3	3	3	3	3	2	3	3	3	2	2	2	3	3	3	3	3	3
Clerk-Specialist Level	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	1	0	0	0	0	0	0
Teacher-Project	4	4	5	6	6	6	7	6	6	7	7	7	9	10	11	11	11	12	13	11	11	11	11	11	11	12	13	13	12	12	14	14	13	13	13	13	13	13	15	15
Grand Total	37	35	40	43	45	35	34	32	33	32	33	31	34	42	45	47	49	51	53	52	56	57	60	58	61	58	63	66	69	69	71	70	71	71	69	68	69	67	69	68

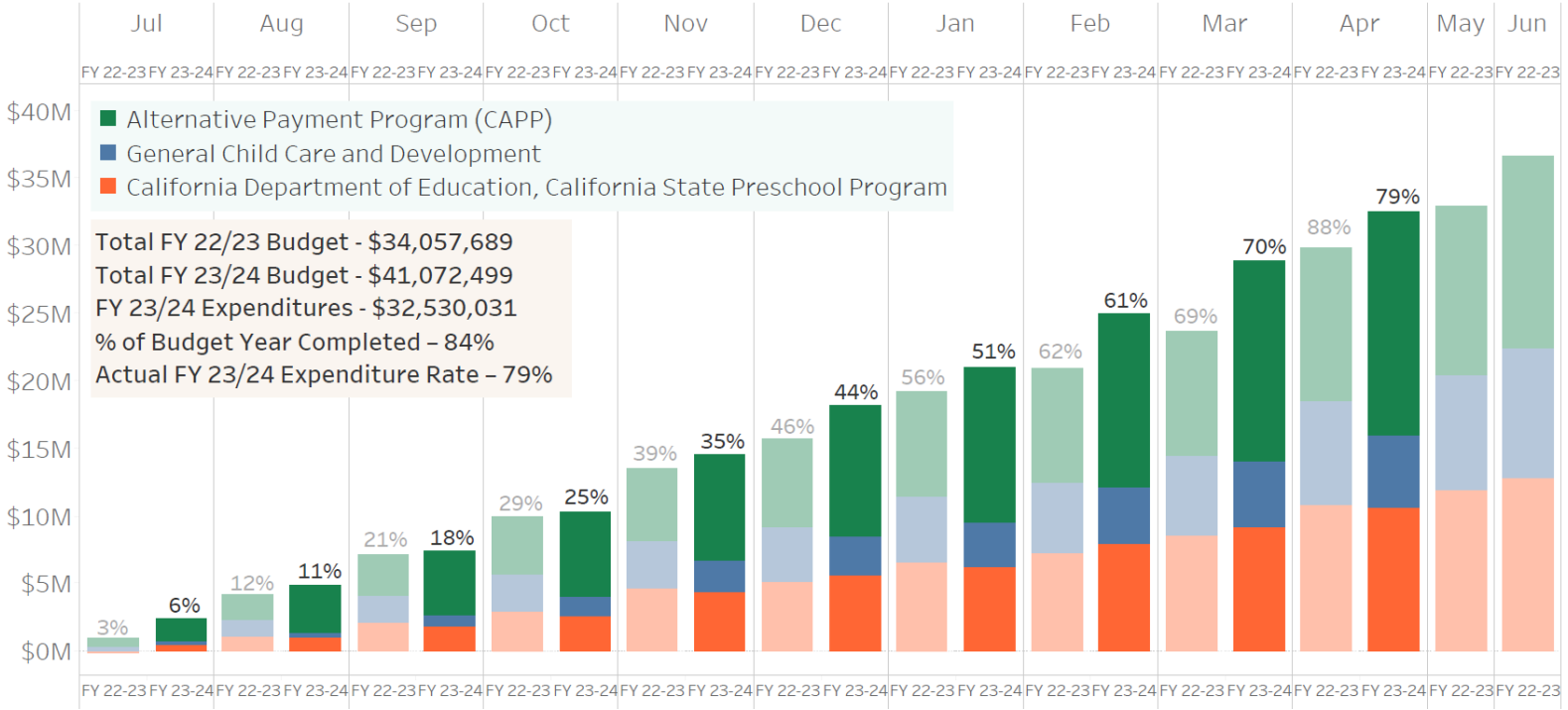
* Note: Between Nov 23 and Dec 23, one Clerk position was traded for a Division Manager position. As a result, there is one fewer position beginning Dec 23.

Contra Costa County
Employment & Human Services

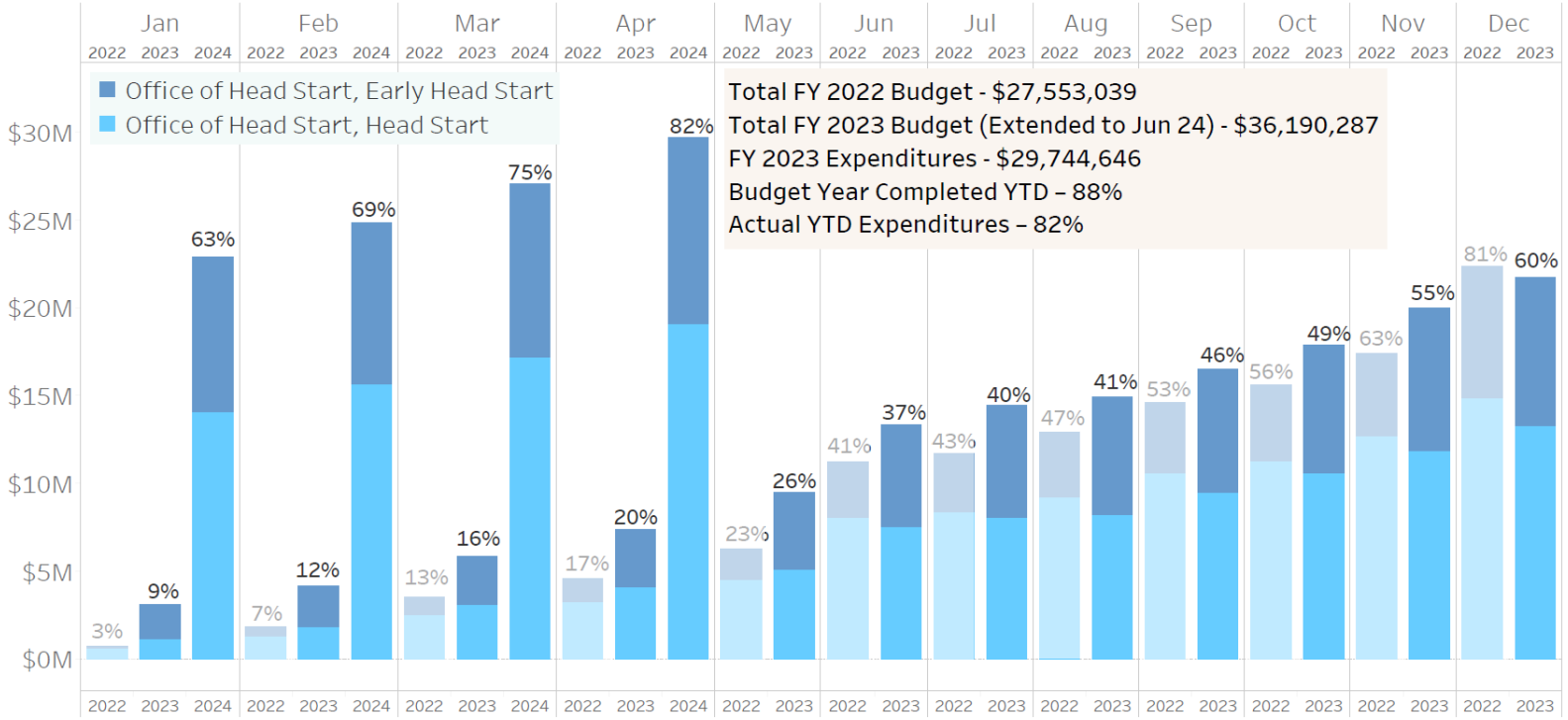
Budget

State Childcare Budget
Early Head Start / Head Start Budget
Credit Card Expenditures

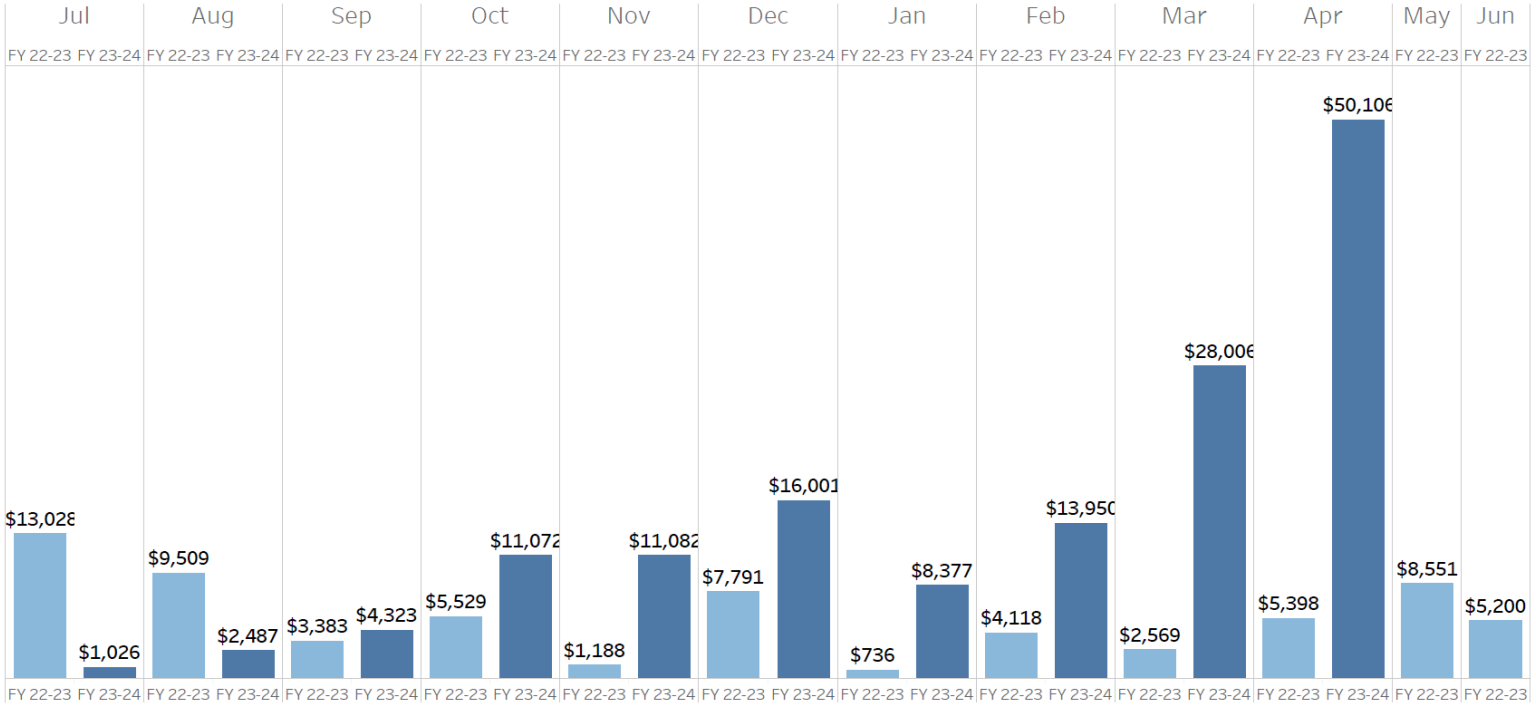
State Childcare Budget



Early Head Start / Head Start Budget



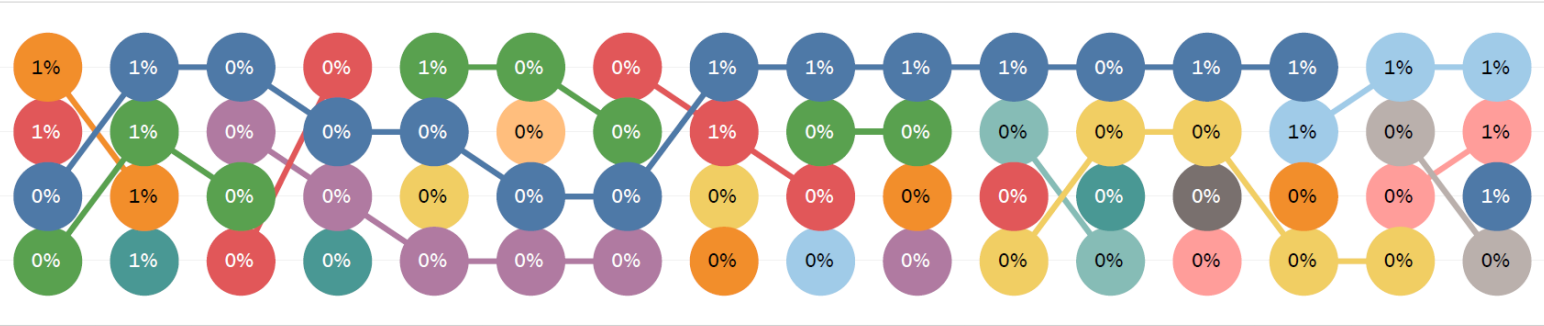
Credit Card Expenditures



Monitoring

Monthly Monitoring Reports
Unusual Incidents Trend
Unusual Incidents

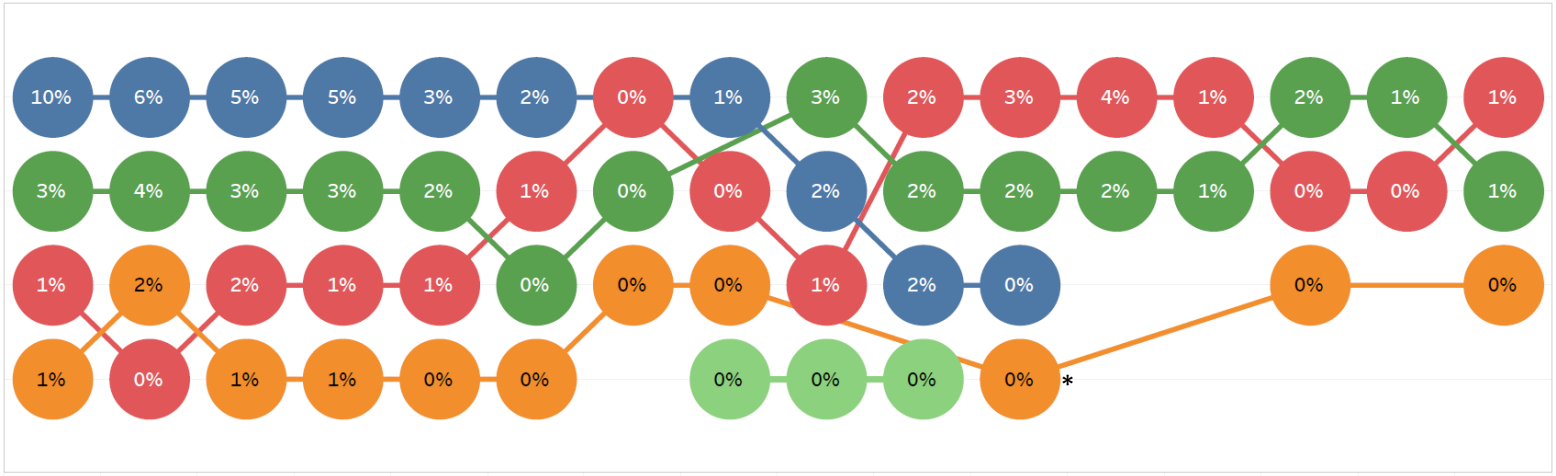
Daily Classroom Health & Safety Checklist



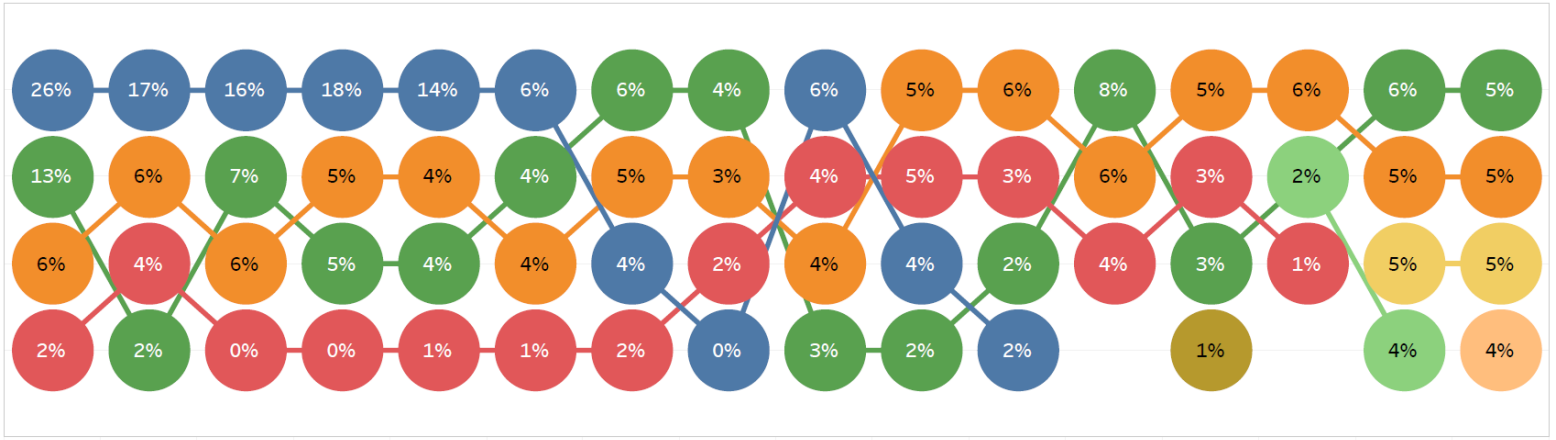
* Note: Revised monitoring tools were implemented effective Nov 7, 2023

CONTRA COSTA COUNTY
EMPLOYMENT & HUMAN SERVICES

Daily Playground Safety Checklist



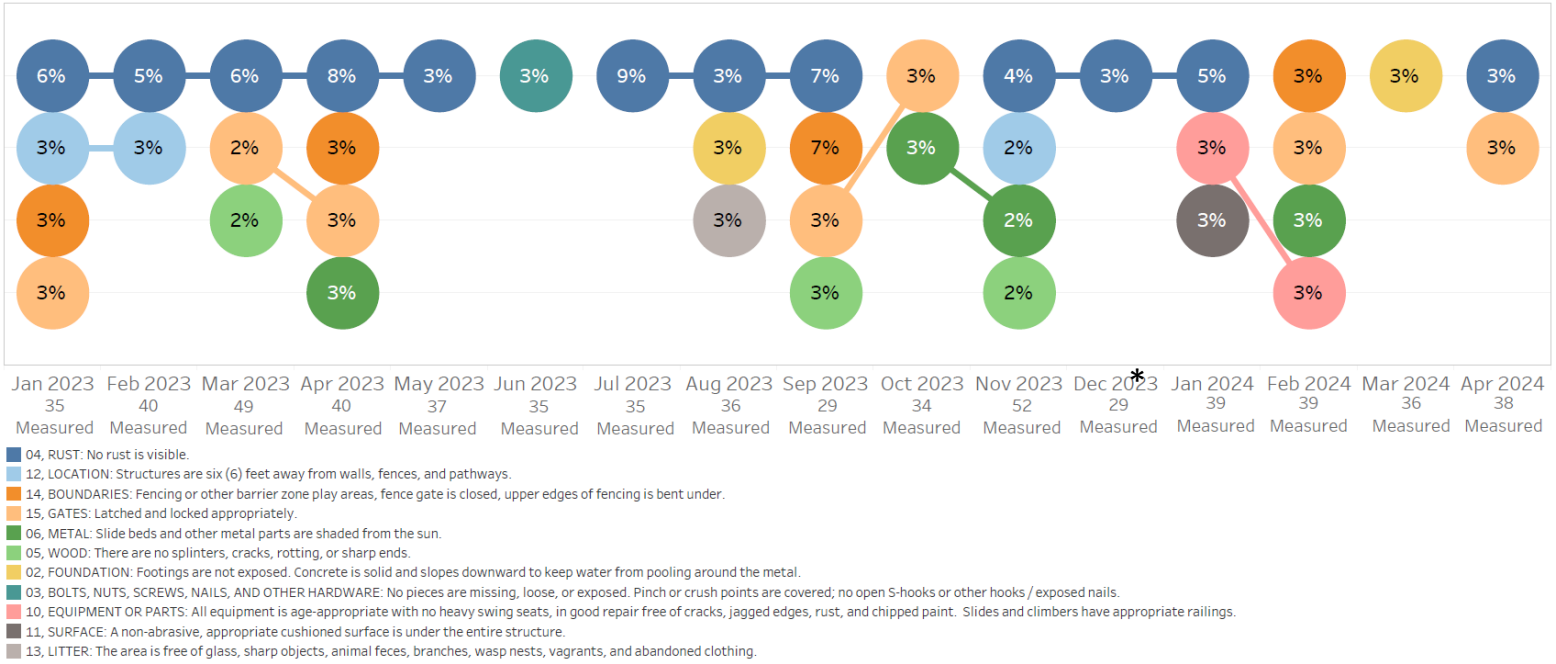
Facility Safety Checklist



* Note: Revised monitoring tools were implemented effective Nov 7, 2023; went from daily to weekly

CONTRA COSTA COUNTY
EMPLOYMENT & HUMAN SERVICES

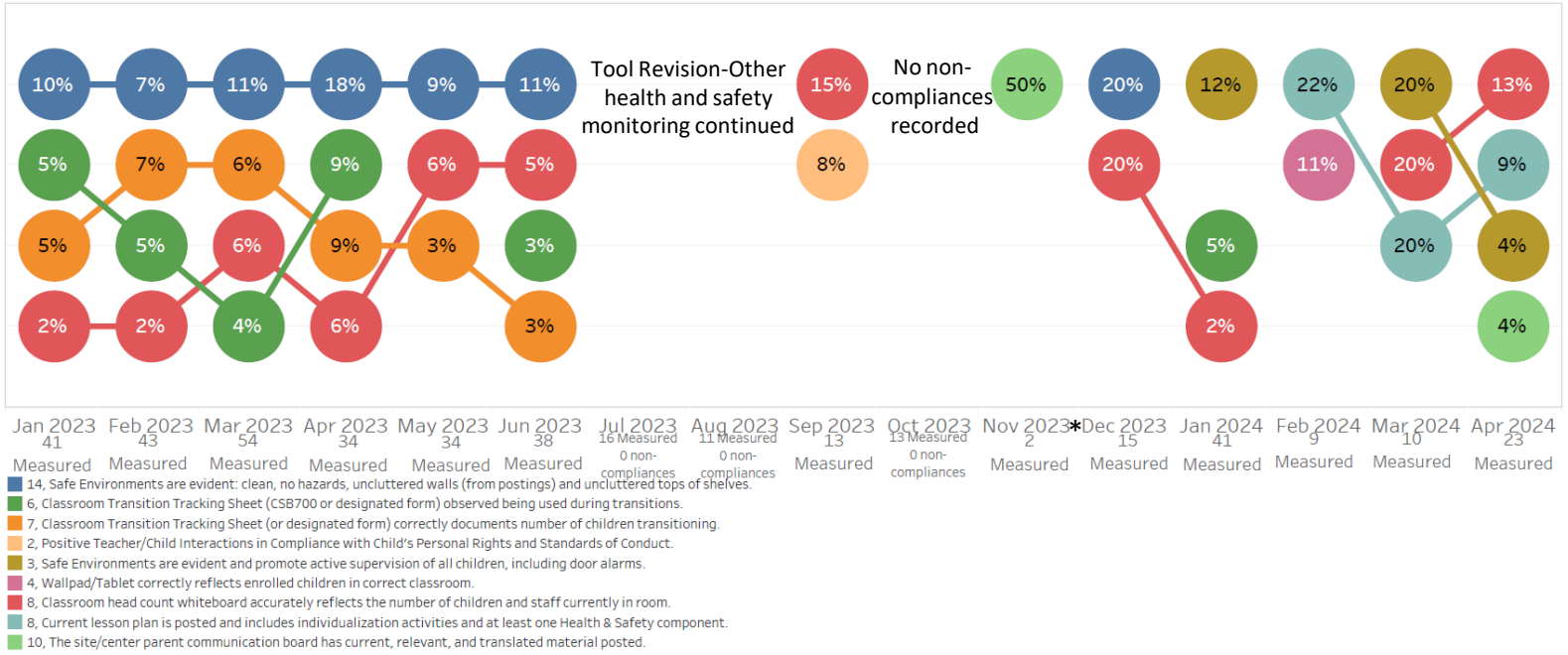
Monthly Playground Safety Checklist



* Note: Revised monitoring tools were implemented effective Nov 7, 2023

CONTRA COSTA COUNTY
EMPLOYMENT & HUMAN SERVICES

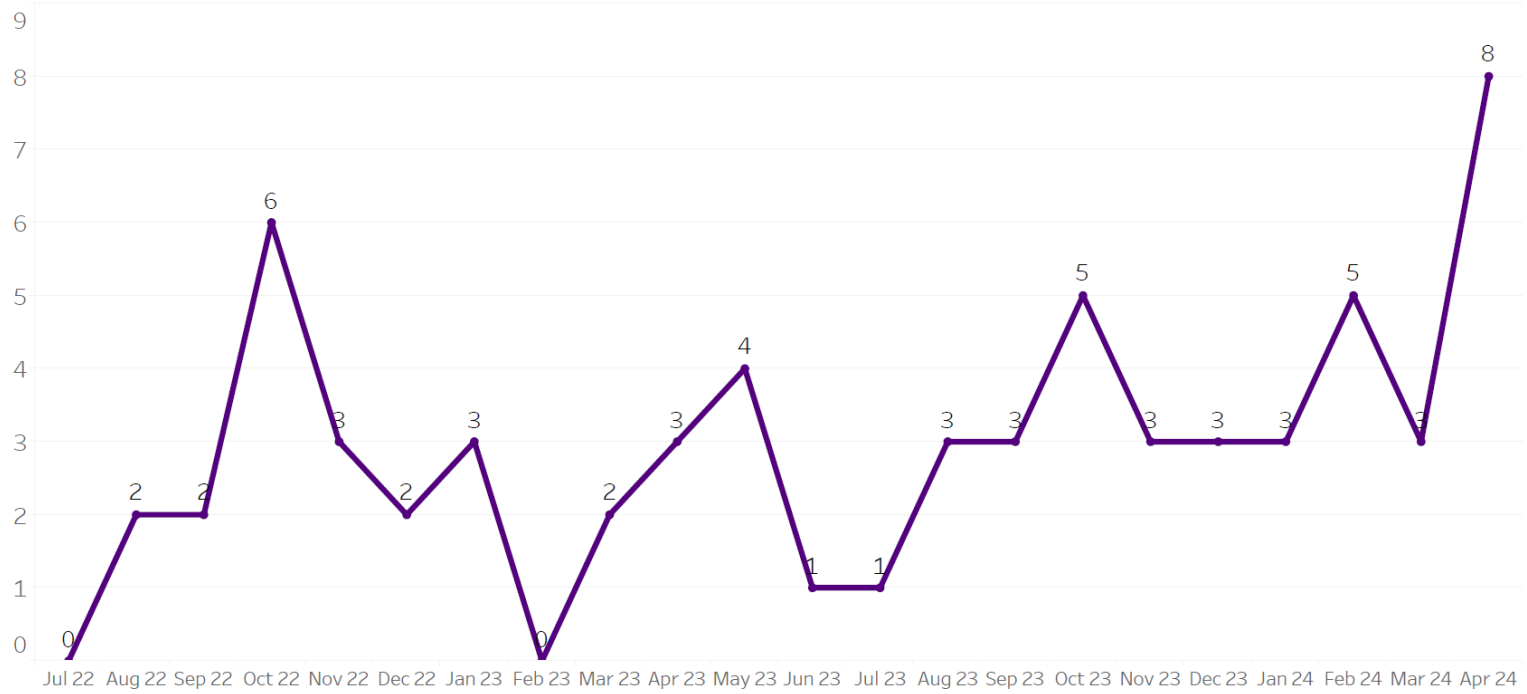
Child Transition Safety & Monitoring



* Note: Revised monitoring tools were implemented effective Nov 7, 2023

CONTRA COSTA COUNTY
EMPLOYMENT & HUMAN SERVICES

Unusual Incidents Trend



Unusual Incidents April 2024

Reportable incidents as defined by the Office of Head Start (OHS)
OHS considers a "significant incident" to be any incident that results in serious injury or harm to a child, violates Head Start standards of conduct at 45 CFR §1302.90(c), or results in a child being left alone, unsupervised, or released to an unauthorized adult. A program must report all significant incidents affecting the health and safety of children with 7 days.

California Department of Social Services Community Care Licensing Citations
Type A: An immediate risk to the health, safety or personal rights of children in care.
Type B: If not corrected right away, may be a risk to the health, safety, and personal rights of the children in care.

Reportable Health & Safety Unusual Incidents-April 2024

1. Parent Concern-CCL visited and found no violations
2. Emergency Closure-No action from CCL
3. Multiple Cases of Hand, Foot, and Mouth Disease-No action from CCL
4. Minor Child Injury-No action from CCL
5. Mutiple Cases of COVID-No action from CCL
6. Multiple Cases of Hand, Foot, and Mouth Disease-No action from CCL
7. Multiple Case of Conjunctivitis (Pink Eye)-No action from CCL
8. Minor Child Injury-No action from CCL

Region IX Communications

FY 2024 Head Start Funding Increase
Head Start Grant Extension

FY 2024 Head Start Funding Increase

Issuance Date: April 24, 2024
National Funding Increase: $275 million
Contra Costa County Increase: TBD

Eligible recipients will receive a COLA increase of 2.35% of the FY 2023 base funding level. Recipients must use COLA funds to permanently increase their Head Start pay scale.

Head Start Grant Extension

Current Gant End Date: June 30, 2024
Possible Extension: July 31, 2024 or August 31, 2024
Budgetary Impact: None, budget adjustment request to use unobligated funds to increase Personnel & Benefits

Current Events

May 2024

May 2024 Events

The Life of a Cardboard Box







May 2024 Events

Riverview Superheroes





Recommendation

CONSIDER accepting monthly update on the activities and oversight of the County's Head Start Program, as recommended by the Employment and Human Services Director, and provide guidance.

File #: 24-1746 **Agenda Date:** 6/25/2024 **Agenda #:** D.6.

To: Board of Supervisors

From: Family & Human Services Committee

Report Title: Approve Family and Human Services Committee Recommendations of FY 2024/25 Measure X Housing Funds for housing and homelessness related services

☐Recommendation of the County Administrator ☒ Recommendation of Board Committee

RECOMMENDATIONS:

1. APPROVE the Family and Human Services (FHS) Committee FY 2024/25 recommendations for the allocation of $3,850,000 in Measure X Housing Funds for housing related services and homelessness crisis response and intervention services.

2. AUTHORIZE the Department of Conservation and Development Director, or designee, to execute a program agreement for the Measure X Housing Funds with Bay Area Legal Aid in the amount of $1,000,000 for the recommended activities in Attachment A, as approved by the Board of Supervisors.

3. AUTHORIZE the Health Services Director, or designee, to execute respective program agreements for the Measure X Housing Funds totaling $2,850,000 with the recommended organizations for the recommended activities in Attachment A, as approved by the Board of Supervisors.

FISCAL IMPACT:

There is no General Fund impact. Measure X funds are part of a countywide, 20-year 1/2 cent sales tax approved by Contra Costa County voters on November 30, 2020.

BACKGROUND:

Measure X is a countywide 20-year 1/2 cent sales tax approved by Contra Costa voters on November 3, 2020. The ballot measure language stated the intent of Measure X is "to keep Contra Costa's regional hospital open and staffed; fund community health centers, provide timely fire and emergency response; support crucial safety -net services; invest in early childhood services; protect vulnerable populations; and for other essential County services."

On November 16, 2021, the County Board of Supervisors approved allocating a portion of Measure X revenue to establish a new funding source to support the development of affordable housing and housing/homelessness related activities, now known as the Measure X Housing Fund (MX Housing Fund). The Board of Supervisors approved and committed $10 million of Measure X funds for Year One and $12 million on an annual basis thereafter for the MX Housing Fund.

On September 20, 2022, the Board of Supervisors approved and authorized the County's Health Services Department-Health, Housing, and Homelessness Division (H3) and the Department of Conservation and Development (DCD) to administer the MX Housing Fund, with H3 administering 25 percent of the overall MX Housing Fund and DCD administering 75 percent of the MX Housing Fund.

On June 13, 2023, the Board of Supervisors approved the first year (Year One) of MX Housing Funds for housing/homelessness related service activities.

Available Funding

The amount of MX Housing Funds available to be allocated for Year Two housing/homelessness related services is $3.85 million, which is 30 percent of the total MX Housing Fund available for Year Two. The other 70 percent balance of the MX Housing Fund was dedicated to assist with financing affordable housing development projects, which is being distributed through a separate RFP that was solely released by DCD in October 2023, and recommendations for those funds will be considered separately by the Board of Supervisors on June 25, 2024.

In addition to the MX Housing Fund, additional funding sources available through H3 for homelessness services/crisis response and intervention were included in the RFP. The additional non-Measure X funding programs include Homeless Housing Assistance and Prevention (HHAP) Program via the California Interagency Council on Homelessness (Cal ICH), Housing Disability Advocacy Program (HDAP) via the California Department of Social Services, and Contra Costa County Probation. These additional non-Measure X funding sources total $4,397,700 and are solely administered by H3. The approval of the respective contracts with the respective organizations for these non-Measure X funds will be considered at a later meeting by the Board of Supervisors.

Two-Year Funding Cycle and Application Process

On November 7, 2023, the Board of Supervisors approved establishing and implementing a two-year funding cycle for housing/homelessness related services beginning with the Year One and Year Two MX Housing Funds (FY 2023/24 and FY 2024/25). Therefore, the housing/homelessness related services recommendations that were approved for Year One funds would be recommended and awarded for Year Two (FY 2024/25) funding in the same or similar amount, contingent on the availability of funds, satisfactory performance of the awarded service programs, and the completion and submittal of a renewal application.

H3 and DCD released a Request for Proposals (RFP) for Year Two funds on December 21, 2023. Since the Board of Supervisors approved a two-year funding cycle for the services portion of the MX Housing Fund, the RFP process for housing/homelessness related services required the service providers that were awarded Year One funds to submit a renewal application so they could renew and be recommended and awarded Year Two funds in approximately the same or similar amount. In addition to the renewal applications, the RFP did allow for service providers to apply for new services and was also open to service providers that were interested in applying for one-time funding for innovation and capacity building projects. All applicants interested in applying for new services or innovation/capacity building program were strongly encouraged to attend an applicant information session that was held virtually on January 5, 2024. The information session included a walk-through of the RFP, the application, and other required materials. The RFP also informed applicants to provide, via email, all questions on the RFP and RFP materials by January 15, 2024, so staff could consolidate all questions received in an "Frequently Asked Questions" (FAQ) document. The FAQ document along with the recording and presentation slides of the applicant information session was posted on the RFP website on January 23, 2024.

In total, 26 service applications (renewal applications, new service applications, and one-time innovation/capacity building applications) were submitted by the February 2, 2024 deadline, and staff proceeded to review and assess the applications during the months of February through April 2024. DCD and H3 staff jointly developed recommendations and recommended MX Housing Funds to 16 applicants. On May 15, 2024, DCD and H3 notified applicants of staff's funding recommendations. H3 staff received appeals from two applicants within the appeal window and both appeals were denied. The MX Housing Funds for housing/homelessness related services are referred to the County's Family and Human Services Committee prior to consideration by the Board of Supervisors.

Family and Human Services Committee Meeting

On May 20, 2024, the County's Family and Human Services (FHS) Committee met to consider staff recommendations on the MX Housing Funds for housing/homelessness related services. No public comments on the recommendations were submitted or provided at the meeting. After some brief discussion, the FHS Committee approved the MX Housing Fund recommendations as presented by staff and directed staff to forward the recommendations to the Board of Supervisors for final consideration. The MX Housing Fund recommendations approved by the FHS Committee are included in Attachment A.

CONSEQUENCE OF NEGATIVE ACTION:

Negative action will prevent or delay the recommended housing and homelessness services from being provided to residents in the County. The applicants would have to seek other funding sources, which could jeopardize or delay the services from being provided.

CONTRA COSTA HEALTH

Family and Human Services Committee Recommendations: Measure X Housing Funds
YEAR 2 (FY 2024/25)

Agency	Total project request	Application Category (Renewal, Capacity Building, or New Project)	Measure X[1]	HHAP[2]	HDAP[3]	Probation	Total
				Additional funding sources available through H3			
				Approval of these funds to be considered by the Board on a later date.			
A Place to Call Home	$ 75,000.00	Capacity Building	**$ -**	$ -	$ -	$ -	$ -
BACR	$ 679,565.00	New Project	**$ 300,000.00**	$ -	$ -	$ -	$ 300,000.00
BACS/Bay Area Legal Aid (collaborative)	$ 4,835,241.00	Renewal	**$ 1,968,200.00**	$ 750,000.00	$ -	$ -	$ 2,718,200.00
Collaborising	$ 150,000.00	New Project	**$ -**	$ -	$ -	$ -	$ -
Genesis Church	$ 99,999.00	Capacity Building	**$ -**	$ -	$ -	$ -	$ -
GRIP	$ 580,550.00	Renewal	**$ 103,000.00**	$ -	$ -	$ -	$ 103,000.00
Hope Solutions	$ 3,294,000.00	Renewal	**$ 206,000.00**	$ -	$ 1,949,700.00	$ 1,692,000.00	$ 3,847,700.00
Impact Justice	$ 82,500.00	Capacity Building	**$ -**	$ -	$ -	$ -	$ -
Lao Family Community Development	$ 521,036.00	Renewal	**$ 412,000.00**	$ -	$ -	$ -	$ 412,000.00
Loaves and Fishes	$ 67,430.00	New Project	**$ -**	$ -	$ -	$ -	$ -
Love Never Fails	$ 60,237.00	Capacity Building	**$ -**	$ -	$ -	$ -	$ -
Make It Home Bay Area	$ 99,985.00	Capacity Building	**$ 50,000.00**	$ -	$ -	$ -	$ 50,000.00
Monument Crisis Center	$ 200,000.00	New Project	**$ -**	$ -	$ -	$ -	$ -
Mount Diablo Unified School District	$ 50,000.00	Capacity Building	**$ -**	$ -	$ -	$ -	$ -
NAMI Contra Costa	$ 99,999.00	Capacity Building	**$ -**	$ -	$ -	$ -	$ -
Rainbow Community Center	$ 99,999.00	Capacity Building	**$ 50,000.00**	$ -	$ -	$ -	$ 50,000.00
Resources for Community Development	$ 194,743.00	New Project	**$ 195,000.00**	$ -	$ -	$ -	$ 195,000.00
Root and Rebound	$ 60,441.00	Capacity Building	**$ -**	$ -	$ -	$ -	$ -
SHARE Community	$ 99,999.00	Capacity Building	**$ 50,000.00**	$ -	$ -	$ -	$ 50,000.00
Shelter Inc.	$ 2,000,000.00	New Project	**$ 55,300.00**	$ -	$ -	$ -	$ 55,300.00
SoS	$ 99,920.00	Capacity Building	**$ 50,000.00**	$ -	$ -	$ -	$ 50,000.00
STAND!	$ 150,000.00	Renewal	**$ 104,030.00**	$ -	$ -	$ -	$ 104,030.00
SVDP	$ 577,856.00	New Project	**$ -**	$ -	$ -	$ -	$ -
The Bay Church	$ 71,100.00	Capacity Building	**$ 50,000.00**	$ -	$ -	$ -	$ 50,000.00
White Pony Express	$ 150,000.00	Renewal	**$ 154,500.00**	$ -	$ -	$ -	$ 154,500.00
Winter Nights	$ 99,999.00	Renewal	**$ 101,970.00**	$ -	$ -	$ -	$ 101,970.00
Total	$ 14,499,599.00		**$ 3,850,000.00**	$ 750,000.00	$ 1,949,700.00	$ 1,692,000.00	$ 8,241,700.00

[1]Measure X recommendations are tentative pending approval from the Board of Supervisors; [2]Homeless, Housing, Assistance, and Prevention Program; [3]Housing and Disability Advocacy Program

Proposed Project Descriptions
FY 2024/25 Measure X Housing Fund – Housing/Homelessness Related Services

Agency	Proposed Project Descriptions
A Place to Call Home	Refers justice-impacted individuals who are at risk or experiencing homelessness to reentry programs and provides pre-release services. Capacity building in data, technology, grant writing, and staffing.
Bay Area Community Resources	Sustain homeless prevention and rapid rehousing services which includes case management, linkages to services, financial assistance, and career coaching.
BACS/Bay Area Legal Aid (collaborative)	Sustain homelessness prevention and eviction prevention services that encompass emergency financial assistance, legal services, outreach, and supportive services.
Collaborising	Black Homeless Support program to assist people experiencing homelessness develop a personal roadmap for housing transition. Capacity building to support grant writing and board development
Genesis Church	Expand Operation Hope services to families experiencing homelessness to secure stable housing and increase Grocery Share program.
GRIP	Sustain emergency shelter program that provides residents with case management, financial literacy, and housing stability resources.
Hope Solutions	Measure X funding to renew Permanent Supportive Housing project. Additionally, sustaining rapid rehousing services provided to clients enrolled in HDAP[1] and Contra Costa Probation (no Measure X funding in these programs).
Impact Justice	Implement Salesforce Customer Relationship Management (CRM) system and database for the Homecoming Project (THP) which is a housing model specifically for those returning home after a long (10+ year) prison sentence.
Lao Family Community Development	Increase staffing of Measure X project to streamline processes and coordination. Funding would provide training opportunities for staff with lived experience of homelessness.
Loaves and Fishes	The proposed project would expand the Meal Program via a Mobile Delivery Unit and Culinary Arts Training.
Love Never Fails	Implementation of a new Science, Tech, Engineering, Art, Agriculture and Math (STEAAM) curriculum for I AM Youth Art House residents who are women and girls that have experienced trafficking.
Make It Home Bay Area	Pilot program for furniture donation, pick up/delivery services to unhoused individuals and families transitioning into housing who do not have the means to furnish a home. Will offer trauma informed care training for staff and volunteers.
Monument Crisis Center	Homelessness prevention services including rental assistance to low-income residents.
Mount Diablo Unified School District	Provide bikes, helmets, and bike locks to 250 students and/or caregivers experiencing homelessness to increase access to transportation.
NAMI Contra Costa	Enhance Leave No One Behind program serving African American individuals in Antioch with behavioral health challenges and chronic homelessness.
Rainbow Community Center	Provide mediation services to LGBTQIA+ youth experiencing or at-risk of homelessness and their families with the goal of resolving housing instability/homelessness. Provide training to community partners.

[1]Housing and Disability Advocacy Program

Agency	Proposed Project Descriptions
Resources for Community Development	Permanent Supportive Housing services previously funded through U.S. Department of Housing and Urban Development (HUD) at the Idaho Apartments for chronically homeless households.
Root and Rebound	Continue Year 1 Measure X activities providing legal services for systems-impacted people experiencing housing insecurity and homelessness.
SHARE Community	East County Basic Needs Services - Hire staff to increase volunteer recruitment capacity, strengthen infrastructure, and expand full-service Mobile Shower program in East County.
Shelter Inc.	Sustain Rapid Rehousing program, Mountain View Family Shelter, and implement new Eviction Prevention program.
Safe Organized Spaces	West County Basic Needs Services - Pilot Warm Hand Wellness and Resource Center at Elisabeth Missionary Baptist in Richmond as a drop-in space for unhoused and recently housed individuals to experience community, access housing and health referrals, job readiness and wellness activities and resources.
STAND!	Expansion project to sustain staffing and accelerate critical repairs to shelter. Applicant expects a 43% increase in client services from last year.
St. Vincent de Paul	Homelessness prevention and organizational capacity building to hire and train staff to participate in the Homeless Management Information System (HMIS).
The Bay Church	Central County Basic Needs Services - Expand access to Clean Start Homeless Outreach – Shower Trailer/Mobile Resource Center program in East and Central County.
White Pony Express	Sustain access to basic necessities including healthy food and survival essentials such as coats, endurance gear, sleeping bags, backpacks with nutrient-rich snacks, toiletries and contact information for homeless resources.
Winter Nights	Expand organizational capacity, staff training and development, administrative support, and direct financial assistance to support growth of the Winter Nights Family Shelter Program, Safe Parking Program, Oasis Day Center, and Continued Success Program.

[1]Housing and Disability Advocacy Program



Contra Costa County
Measure X Housing Fund

Year Two Funding Recommendations

June 25, 2024

CONTRA COSTA HEALTH

CONTRA COSTA COUNTY
Department of Conservation & Development

Overview

- Measure X Housing Fund Background – Year 2
- Request For Proposal (RFP) Process and Guidelines
- Recommended Actions



Background

- Measure X (MX) Housing Fund approved by Board of Supervisors in November 2021 in alignment with MX Goal 3 – Healthy Communities
- 75/25 split for affordable housing development and crisis response and homelessness prevention services
- Robust stakeholder process to inform funding guidelines and RFP process
- November 2023 - Board of Supervisors approved a two-year funding cycle **to primarily renew existing projects**

Housing Fund RFP – Year 2 Timeline

- **December 2023:** MX Housing Fund Request For Proposals (RFP) released
- **January 2024:** Technical assistance via information workshop, office hours, and FAQ
- **February 2024:** RFP closes
- **March 2024:** RFP review panel convenes/interviews held
- **April 2024:** Applicants notified of review status and Family and Human Services (FHS) committee meeting date.
- **May 2024:** RFP recommendations submitted to FHS; all applicants notified of recommendations pending BoS approval.

Funding Available – Year 2

$3.85 million available in MX Housing Fund for services

CCH leveraged nearly $4.4 million additional funding

MX Housing Fund	Renewal Projects	Capacity Building	New projects	Non-MX funds
Available (as noted in RFP)	$3,200,000	$200,000	$300,000	$5,895,000
Requested	$6,546,826	$999,179	$3,869,594	$7,919,241
Recommended	$3,049,700	$250,000	$550,300	$4,391,700

Centering Equity and Opportunity

Increased accessibility, especially for smaller agencies

- Six-week submission period
- Applicant Information Session
- Office Hours for live support

Reduced administrative barriers to increase participation

- Shorter applications for small agencies applying for less than $100,000
- Renewal application required few new questions

Required applicant policies/practices that advance equity

- Included information on staff demographics and training
- Data on program participants
- Internal strategies to increase equity

RFP Priority Areas

Priority 1– Homeless Crisis Response

- Emergency, interim, and permanent housing
- Supportive services in housing or basic needs
- Renewal projects prioritized

Priority 2- Homelessness Prevention, Innovation and Capacity Building

- Tenant protections and financial assistance
- Renewal projects prioritized
- Capacity building grants for small organizations



Recommendations by Project Type

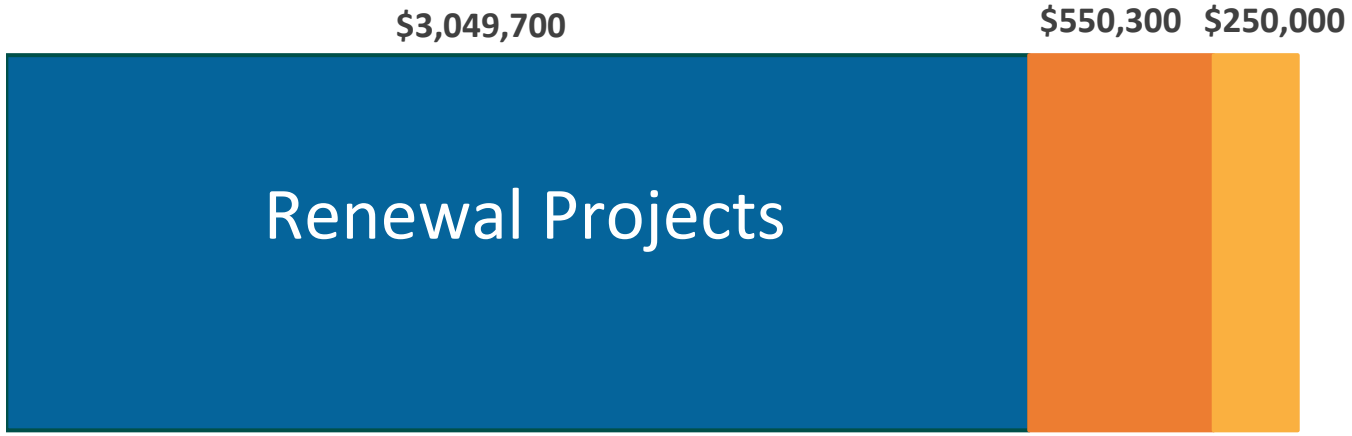
H3/DCD Request for Proposal Recommendation Table by Project Types					
Measure X Recommendations Distribution			**Other Funding Sources**		**Total**
Rapid Rehousing (rental assistance)	$ 712,000.00	17%	$ 2,385,390.00	54%	$ 3,097,390.00
Transitional Housing	$ -	0%	$ 234,000.00	5%	$ 234,000.00
Tenant Protections/Legal Services	$ 1,000,000.00	24%	$ -	0%	$ 1,000,000.00
Prevention/Diversion	$ 968,200.00	23%	$ 1,772,310.00	40%	$ 2,740,510.00
Basic Needs (food, hygiene supplies, etc.)	$ 257,500.00	6%	$ -	0%	$ 257,500.00
Emergency Shelter	$ 261,300.00	6%	$ -	0%	$ 261,300.00
Permanent Supportive Housing	$ 401,000.00	10%	$ -	0%	$ 401,000.00
Capacity Building	$ 250,000.00	6%	$ -	0%	$ 250,000.00
TOTAL*	$ 3,850,000.00	100%	$ 4,391,700.00	100%	$ 8,241,700.00

100% of renewal and new projects support Priority One and Priority Two areas for funding

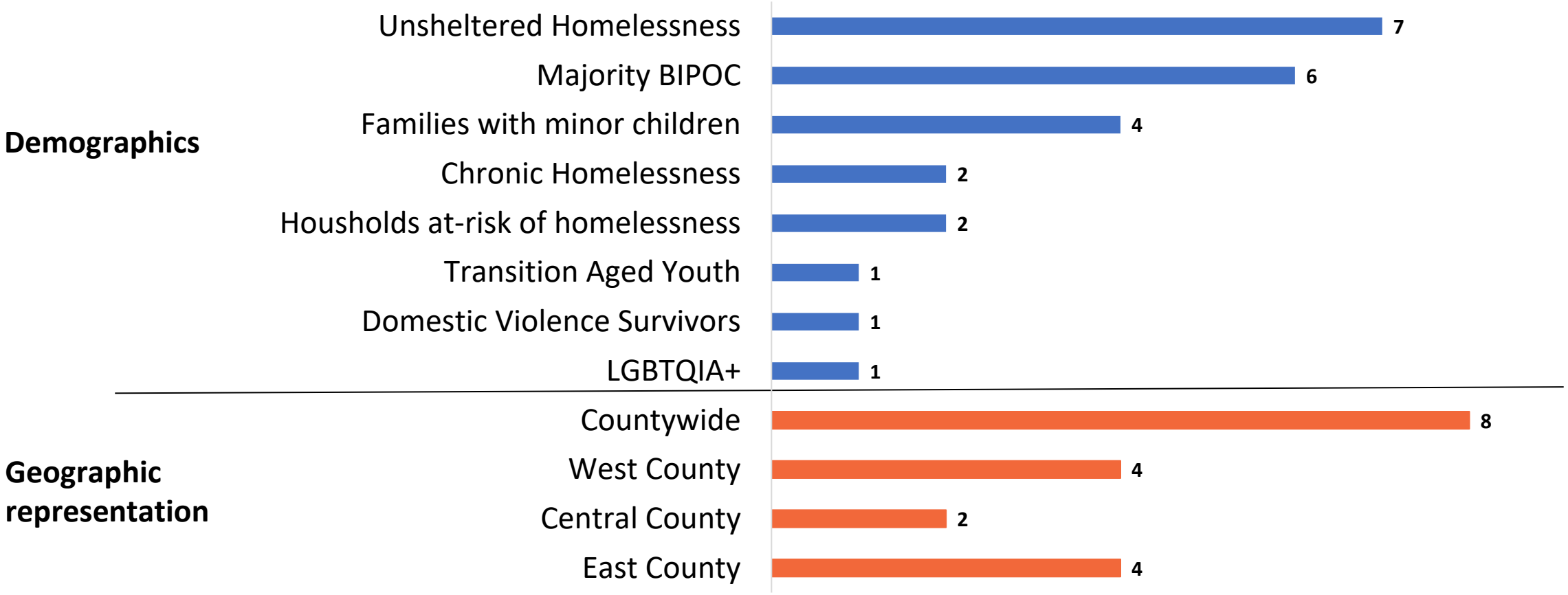
**Total does not include H3 administrative funding*

Funding Distribution – MX Housing Year 2

- Capacity Building Projects
- New Projects
- Renewal Projects

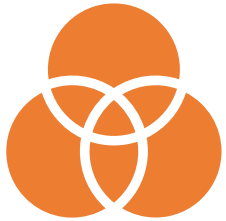


Populations Served by Projects



Recommended Projects

- Represent geographic, demographic, and service needs of the County
- 100% of recommended projects met priorities of MX Housing Fund
- 100% of capacity building grants support small non-profit agencies
- Six agencies BIPOC-led



RFP Process Key Takeaways

1. MX Housing funding continues to be oversubscribed
    - $11.4M requested,$3.7M available
    - 58% of project applications were not recommended

2. CCH leveraged nearly $4.4M to fund more housing/homeless services

3. RFP design yielded intended results
    - 100% of funding recommended for crisis responses and homelessness prevention activities
    - renewal projects receiving second year of funding
    - supporting small agencies in growing capacity to deliver services.

Recommended Actions

1. **APPROVE** the Family and Human Services (FHS) Committee FY 2024/25 recommendations for the allocation of $3,850,000 in Measure X Housing Funds for housing related services and homelessness crisis response and intervention services.

2. **AUTHORIZE** the Conservation and Development Director, or designee, to execute respective program agreements for the Measure X Housing Funds with the recommended organizations for the recommended activities in Attachment A, as approved by the Board of Supervisors.

3. **AUTHORIZE** the Health Services Director, or designee, to execute respective program agreements for the Measure X Housing Funds with the recommended organizations for the recommended activities in Attachment A, as approved by the Board of Supervisors.

Thank You

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1747 **Agenda Date:** 6/25/2024 **Agenda #:** C.1.

To: Board of Supervisors

From: Greg Baer, Director of Airports

Report Title: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month shade hangar rental agreement with Stephanie Stewart, for a south-facing shade hangar at Buchanan Field Airport effective June 4, 2024, in the monthly amount of $144.00, Pacheco area (District IV).

FISCAL IMPACT:
The Airport Enterprise Fund will realize $1,728.00 annually.

BACKGROUND:
On November 14, 2006, the Contra Costa County Board of Supervisors approved the form of the T-Hangar and Shade Hangar Rental Agreement for use with renting the County's t-hangars, shade hangars, medium hangars, and executive hangars at Buchanan Field Airport.

On February 23, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar Rental Agreement for use with the large East Ramp Hangars.

On January 16, 2009, Contra Costa County Board of Supervisors approved an amendment to the T-Hangar and Shade Hangar Rental Agreement and the Large Hangar Rental Agreement (combined "Hangar Rental Agreements"). The Hangar Rental Agreements are the current forms in use for rental of all the County hangars at Buchanan Field Airport.

CONSEQUENCE OF NEGATIVE ACTION:
A negative action will cause a loss of revenue to the Airport Enterprise Fund.

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CONTRA COSTA COUNTY - BUCHANAN FIELD AIRPORT

T-HANGAR AND SHADE HANGAR RENTAL AGREEMENT

1. **PARTIES:** June 4, 2024, ("**Effective Date**"), the COUNTY OF CONTRA COSTA, a political subdivision of the State of California ("**Airport**"), Stephanie Stewart ("**Renter**"), hereby mutually agree and promise as follows:

2. **RENTER AND AIRCRAFT INFORMATION:** Simultaneous with the execution of this T-Hangar and Shade Hangar Rental Agreement **("Rental Agreement")** by Renter, Renter shall complete the Renter and Aircraft Information Form. A completed copy of the Renter and Aircraft Information Form is attached hereto as Exhibit "A" and incorporated herein. Renter must also provide to Airport at that time, for inspection and copying, (1) the original current Aircraft Registration or, if the aircraft described in Exhibit A is under construction, the plans for and proof of ownership of such aircraft; and (2) the insurance information required by Section 16 below.

3. **PURPOSE:** The purpose of this Rental Agreement is to provide for the rental of a T-Hangar or Shade Hangar space at the Contra Costa County - Buchanan Field Airport for the storage of the aircraft described in the Renter and Aircraft Information Form **("Renter's Aircraft")**.

4. **PREMISES:** For and in consideration of the rents and faithful performance by Renter of the terms and conditions set forth herein, Airport hereby rents to Renter and Renter hereby rents from Airport that T-Hangar or Shade Hangar shown as # **B-13** on the T-Hangar and Shade Hangar Site Plan, attached hereto as Exhibit B and incorporated herein. This T-Hangar or Shade Hangar is part of the T-Hangar and Shade Hangar Site **("T-Hangar Site")** and shall hereinafter be described as the **"T-Hangar."**

   Renter has inspected the T-Hangar and hereby accepts the T-Hangar in its present condition, as is, without any obligation on the part of Airport to make any alterations, improvements, or repairs in or about the T-Hangar.

5. **USE:** The T-Hangar shall be exclusively by Renter for the storage of Renter's Aircraft. In addition to the storage of Renter's Aircraft, Renter may use the T-Hangar for (1) the homebuilding, restoration and/or maintenance of Renter's Aircraft, provided that such homebuilding, restoration and/or maintenance is performed by Renter only and in conformance with all applicable statutes, ordinances, resolutions, regulations, orders, circulars (including but not limited to FAA Advisory Circular 20-27) and policies now in existence or adopted from time to time by the United States, the State of California, the County of Contra Costa and other government agencies with jurisdiction over Buchanan Field Airport; (2) the storage of and materials directly

related to the storage, construction of homebuilt planes homebuilding, restoration, and/or maintenance of Renter's Aircraft; (3) the storage of one boat, or one recreational vehicle, or one motorcycle, or one automobile, provided that Renter first provides to Airport proof of Renter's ownership and original registration of any stored boat or vehicle, for inspection and copying; and/or (4) the storage of comfort items (such as a couch, small refrigerator, etc.) that the Director of Airports, in his sole discretion, determines will not impede the use of the hangar for the storage of Renter's Aircraft, and are not prohibited by applicable building and fire codes. The T-Hangar shall not be used for any purpose not expressly set forth in this Section 5. Use.

The use of all or a portion of the T-Hangar for the storage of aircraft not owned or leased by Renter is prohibited. ("Aircraft not owned or leased by Renter" means any aircraft in which Renter does not have an ownership interest or which is not directly leased to Renter). Renter shall present proof of said ownership interest or lease to Airport upon request in addition to that information provided in Exhibit A.

If Renter's Aircraft is or becomes non-operational, it may be stored in the T-Hangar only if it is being homebuilt or restored by Renter. Prior to the commencement of any such homebuilding or restoration, Renter shall provide to Airport (1) a copy of the purchase agreement or (2) a valid federal registration number. If Renter's Aircraft is not registered as of the Effective Date, upon completion of construction, Renter shall register and apply for an airworthiness certificate for Renter's Aircraft in accordance with all applicable federal statutes and regulations and provide the original registration and certification to Airport, for inspection and copying, immediately upon receipt by Renter. On or before January 1 of each year, if the homebuilding or restoration has not been completed, Renter shall provide a written annual report to the Director of Airports that details the homebuilding or restoration activity performed, work still required to be completed and an estimate of time of completion.

6. **TERM**: This Rental Agreement shall be from month to month commencing **June 4, 2024**, and shall continue until terminated. This Rental Agreement may be terminated by any party upon thirty (30) days written notice to the other party.

7. **RENT**:

A. **Monthly Rent and Additional Rent**. Renter shall pay $ **144.00** in rent per month **("Monthly Rent")** due and payable in advance on the first day of each calendar month, beginning on the commencement date of this Rental Agreement. Unless directed to do otherwise by Airport, Renter shall pay rent only in cash or by personal check, certified check, or money order. If the term of this Rental Agreement begins on a day other than the first day of the month, the Monthly Rent stated above for the first month shall be prorated

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1748 **Agenda Date:** 6/25/2024 **Agenda #:** C.2.

To: Board of Supervisors

From: Matt Slattengren, Ag Commissioner/Weights & Measures Director

Report Title: Contract with US Department of Agriculture, Agreement # 24-7306-0251-RA USDA/APHIS WILDLIFE

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the United States Department of Agriculture in an amount not to exceed $58,913 for wildlife damage management services for the period July 1, 2024, through June 30, 2025.

FISCAL IMPACT:

This contract is funded with State Unclaimed Gas Tax revenue (60%) and County General Fund (40%).

BACKGROUND:

The United States Department of Agriculture (USDA) and Animal and Plant Health Inspection Services (APHIS) is a federal agency with a broad mission, which includes carrying out wildlife damage management activities. The USDA - APHIS Wildlife Services maintains an effective Integrated Wildlife Damage Management (IWDM) program to resolve conflicts with wildlife throughout the County. APHIS-Wildlife Services' overall goal is to maintain a biologically sound IWDM program to assist property owners, businesses, private citizens, and governmental agencies in resolving wildlife damage problems and conduct control activities in accordance with applicable local laws and regulations. Under this agreement, USDA assistance to the County may include (1) technical assistance through demonstration and instruction of wildlife damage prevention and/or control techniques, (2) predator identification and removal when livestock, crop, or natural resource damage is verified, (3) nuisance wildlife technical assistance including removal, if necessary, when property damage is identified, and (4) removal of wildlife displaying aggressive behavior or causing actual injury to County residents.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will restrict the Department in providing wildlife damage management services and taking corrective actions on existing wildlife damage problems for the residents of the County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1749 **Agenda Date:** 6/25/2024 **Agenda #:** C.3.

To: Board of Supervisors

From: Matt Slattengren, Ag Commissioner/Weights & Measures Director

Report Title: Contract Amendment with California Department of Food and Agriculture for Pest Detection and Trapping

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract amendment with the California Department of Food and Agriculture to increase the amount payable to the County by $17,942 to a new payment limit of $851,378 for continued pest detection and trapping, with no change to the term of July 1, 2023, through June 30, 2024.

FISCAL IMPACT:

This amendment will increase the original amount of the agreement by $17,942 for a new total not to exceed $851,378 for the continuation of pest detection and trapping services. This revenue has been budgeted in FY 23/24. (100% State, No County Match)

BACKGROUND:

The County shall provide for the placement and servicing of traps for the detection of exotic insect pests, which are considered hazardous to agriculture and the economy of California. The insects may include but are not limited to the Mediterranean Fruit Fly, Mexican Fruit Fly, Oriental Fruit Fly, Melon Fly, Gypsy Moth, and Japanese Beetle. This agreement includes delimitation work associated with the detection of one or more life stages of target pests in the County, which involves placement of additional traps around the detected pest(s) to determine the severity of the infestation. The County has already had three Oriental Fruit Fly delimitations, causing an increase in workload. California Department of Food and Agriculture's has increased funds to cover the additional workload for Oriental Fruit Fly delimitations.

The original contract was approved by the Board of Supervisors on February 6, 2024, for a payment limit of $833,436. The service term remains unchanged: July 1, 2023, through June 30, 2024. This agreement includes an indemnification provision, which obligates the County to indemnify and defend the State for claims or losses arising out of the performance of this agreement.

CONSEQUENCE OF NEGATIVE ACTION:
A negative action would result in the loss of revenue to the County and possible threat to the local agriculture and residents of Contra Costa County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1750 **Agenda Date:** 6/25/2024 **Agenda #:** C.4.

To: Board of Supervisors

From: Matt Slattengren, Ag Commissioner/Weights & Measures Director

Report Title: Contract with California Department of Food and Agriculture for Weighmaster Program

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute a contract with the California Department of Food and Agriculture in an amount not to exceed $2,880 to reimburse the County for inspection of recycling establishments licensed as Weighmasters for the period of July 1, 2024, through June 30, 2025.

FISCAL IMPACT:

The California Department of Food and Agriculture will reimburse the Department of Agriculture, Weights & Measures in an amount not to exceed $2,880. There is no County match of funds or cost share requirements. This revenue has been accounted for in the Departments FY 2024/2025 budget. 100% State revenue.

BACKGROUND:

This agreement will reimburse the Department for conducting inspections of recycling establishments to verify compliance with the California Department of Food and Agriculture requirements for licensed weighmasters, to document violations, and take appropriate enforcement action as needed.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve this agreement will cause a loss of revenue for the Department to enforce a mandated regulation.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1751 **Agenda Date:** 6/25/2024 **Agenda #:** C.5.

To: Board of Supervisors

From: Matt Slattengren, Ag Commissioner/Weights & Measures Director

Report Title: Contract with California Department of Food and Agriculture for Petroleum Program

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Agricultural Commissioner, or designee, to execute an agreement with the California Department of Food and Agriculture in an amount not to exceed $14,550 to reimburse the County for inspection of service stations, quick lube, auto service, and oil change shops for the period of July 1, 2024, through June 30, 2025.

FISCAL IMPACT:

Approval of the contract will provide revenue to the Department in an amount not to exceed $14,550. There is no County match of funds. This amount has been accounted for in the FY 24/25 budget. (100% State)

BACKGROUND:

Gasoline service stations and others selling petroleum products are required by state law to meet advertising and signage requirements. Service stations are also required to provide water and air "free of charge" to customers and to provide handicap service to customers with some exceptions. The Department will conduct inspections to determine compliance with these laws. This agreement will reimburse the Department for services enforcing these laws.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action would cause a loss of budgeted revenue and the Department would still need to enforce the state regulated laws.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1936 **Agenda Date:** 6/25/2024 **Agenda #:** C.6.

To: Board of Supervisors

From: Matt Slattengren, Ag Commissioner/Weights & Measures Director

Report Title: Budget Amendment for Purchase Vehicles for Department of Agriculture/Weights& Measures

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE Budget Amendment No. BDA-24-00249 authorizing the transfer of appropriations in the amount of $146,172 from Agriculture /Weights and Measures (3305) to Public Works - ISF Fleet Services (0064) for the purchase of three (3) vehicles.

FISCAL IMPACT:

This action increases revenue in Public Works - ISF Fleet Services (0064) and reduces appropriations by $146,172 out of the Agriculture Department (3305/9330). The purchase of these vehicles will be funded by State Cooperative agreement Detection Trapping #22-1694-012-SF (approximately $45,000), Device registration fees (approximately $57,000), and General Fund (approximately $45,000).

BACKGROUND:

On 02/06/2024 the Board of Supervisors approved file 24-0292, State funded Detection Trapping cooperative agreement # 22-1694-012-SF.

One vehicle is a replacement for a pest detection vehicle which has needed replacement for two years. Pest detection work is funded by a contract from CDFA (California Department of Food & Agriculture). Pest detection trucks are specially outfitted rigs with a water tank and pump to service insect traps with water in them on a weekly basis. This is a funded and mandated program that requires a properly outfitted vehicle to perform work under the contract from CDFA. Each pest detection specialist needs their own truck to perform the work.

One vehicle is for a new Weights & Measures Inspector position. That position has not been hired yet but will be funded by an increase in device registration fees. Each Weights & Measures Inspector spends more than half of their time in the field and needs a dedicated vehicle. Weights & Measures Inspectors need vans to carry the array of equipment needed to perform the variety of inspections they conduct in the field. Without this, the Department may have difficulty in meeting the required frequency of inspections mandated by statute.

One vehicle is for a new Agricultural Biologist position which has been hired. Staff was expanded to keep pace with the workload, including meeting all mandates regarding a quarantine against Oriental Fruit Fly in the

Brentwood area and conducting inspections at a new FedEx facility in Richmond. Without the additional vehicle, it impacts the Department's ability to do mandated, contracted work that protects and promotes agriculture and safeguards the environment and residents throughout the County.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase is not approved, the Agriculture Department will not be able to purchase replacement vehicles for department programs which may jeopardize the Department's ability to support its community and contractual obligations with the State.

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 06/12/2024 : BDA-24-00249

Company	Contra Costa County
Budget Template	Operating Budget : FY2023-24 Operating Budget
Budget	FY2023-24 Operating Budget
Organizing Dimension Type	
Amendment ID	BDA-24-00249
Amendment Date	06/12/2024
Description	Vehicle funds to fleet
Amendment Type	Appropriation / Estimated Revenue Adjustment
Balanced Amendment	Yes
Entry Type	Mid-Year Adjustments
Status	In Progress

Budget Amendment Entries

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2023-24 Year (FY2023-24 Operating Budget)	9951:REIMBURSEMENTS - GOV/GOV	3300 AGRICULTR-WGTS/MEAS ADMIN (Home Org)	4284 VEHICLE REPLACEMENT	150100 FLEET ISF	$0.00	$146,172.00		Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	5011:REIMBURSEMENTS-GOV/GOV	3300 AGRICULTR-WGTS/MEAS ADMIN (Home Org)	3315 WEIGHTS AND MEASURES	100300 GENERAL	$57,325.00	$0.00		Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	5011:REIMBURSEMENTS-GOV/GOV	3300 AGRICULTR-WGTS/MEAS ADMIN (Home Org)	3305 AGRICULTURE	100300 GENERAL	$88,847.00	$0.00		Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	4953:AUTOS & TRUCKS	3300 AGRICULTR-WGTS/MEAS ADMIN (Home Org)	3305 AGRICULTURE	100300 GENERAL	$0.00	$88,847.00	2 Tacomas	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	4953:AUTOS & TRUCKS	3300 AGRICULTR-WGTS/MEAS ADMIN (Home Org)	3315 WEIGHTS AND MEASURES	100300 GENERAL	$0.00	$57,325.00	1 Transit	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	4953:AUTOS & TRUCKS	3300 AGRICULTR-WGTS/MEAS ADMIN (Home Org)	4284 VEHICLE REPLACEMENT	150100 FLEET ISF	$146,172.00	$0.00	2 Tacomas 1 Transit	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org

Process History

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Budget Amendment Event	Step Completed	06/12/2024 04:54:52 PM	06/13/2024	Matthew Slattengren	1	
Budget Amendment Event	Review Budget Amendment	Not Required		06/13/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	06/12/2024 04:56:44 PM		Ivan Godwyn (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Approval by Budget Specialist (Auditor Office)	Sent Back	06/13/2024 12:08:12 PM		Yesenia Campos (Budget Specialist (Auditor Office))	1	Send Back Reason from Yesenia Campos: Dept will update coding
Budget Amendment Event	Budget Amendment Event	Submitted	06/14/2024 08:11:45 AM	06/13/2024	Matthew Slattengren	1	
Budget Amendment Event	Review Budget Amendment	Not Required		06/13/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	06/17/2024 08:13:47 AM		Ivan Godwyn (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Approval by Budget Specialist (Auditor Office)	Awaiting Action			Analiza Pinlac (Budget Specialist (Auditor Office))	3	
					Xia Zhang (Budget Specialist (Auditor Office))		
					Yesenia Campos (Budget Specialist (Auditor Office))		

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-213 **Agenda Date:** 6/25/2024 **Agenda #:** C.7.

To: **Board of Supervisors**

From: Robert Campbell, Auditor-Controller

Report Title: Appropriation Limits for Fiscal Year 2024/25

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT attached Resolution establishing the appropriation limits for the County General and County Special Districts for fiscal year 2024/2025.

FISCAL IMPACT:
Adopting the appropriation limits allows the County to spend its proceeds of taxes. All of the attached fiscal year 2024/25 limits exceed expected proceeds of taxes.

BACKGROUND:
The attached Resolution is required by Section 7910 of the Government Code and is calculated by the County Auditor-Controller. It is required that the governing body of each local jurisdiction shall establish an appropriation limit for each jurisdiction pursuant to Article XIII-B of the California Constitution. Beginning with fiscal year 2024/25, per Government Code 25214.1(b), the proceeds of taxes for county service areas are included within the county's own appropriations limit.

CONSEQUENCE OF NEGATIVE ACTION:
The County will fail to meet the requirements laid out in Article XIII-B of the California Constitution.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF
Appropriation Limits for County and County Special Districts for 2024/25.

WHEREAS, Section 7910 of the Government Code requires that each year the governing body of each local jurisdiction shall establish an appropriations limit for each jurisdiction for the following fiscal year pursuant to Article XIII-B of the California Constitution; and

WHEREAS, according to Article XIII-B of the California Constitution (Section 8 subd.e(2)) the change in the cost of living shall be either the percentage change in California per capita personal income from the preceding year, or the percentage change in the local assessment roll from the preceding year for the jurisdiction due to the addition of local non-residential new construction; and

WHEREAS, the percentage change due to the addition of local non-residential new construction is not available for the County and County Special Districts, therefore, the County Auditor-Controller has calculated the appropriation limits using the change factors most advantageous as permitted by Article XIII-B of the California Constitution; and

WHEREAS, the County Auditor-Controller has prepared the attached report and accompanying schedule, designated Exhibit A, regarding the proposed County General and County Special District appropriation limits for fiscal year 2024/25.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY THAT the attached Exhibit A percentage changes over the prior year are selected and appropriation limits established for the County General and County Special Districts for the fiscal year 2024/2025.

Exhibit A

2024-2025
County General
and
Special District Appropriation Limits

District	Fund	2023-24 Limit	2024-25 Change Factor	2024-25 Limit
County General/Library [1]	1003	28,210,902,981	1.0374	29,265,990,752
Contra Costa Fire	2020	5,316,067,228	1.0390	5,523,393,850
Crockett-Carquinez Fire	2028	514,110,727	1.0378	533,544,112
Flood Control Zone 1	2521	5,600,238	1.0424	5,837,688
Flood Control Zone 7	2527	33,880,849	1.0358	35,093,783
Flood Control Drainage A-13	2552	1,812,585	1.0381	1,881,644
Flood Control Drainage A-10	2554	2,496,785	1.0321	2,576,932
Storm Drainage Z-16	2583	1,544,356	1.0333	1,595,783

[1] Per Government Code 25214.1(b), the proceeds of taxes for the county service areas are included within the county's own appropriations limit.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1752 **Agenda Date:** 6/25/2024 **Agenda #:** C.8.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Board Members' meeting reports for May 2024

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

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RECOMMENDATIONS:

ACCEPT Board members' meeting reports for May 2024.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Government Code section 53232.3(d) requires that members of legislative bodies report on meetings attended for which there has been expense reimbursement (mileage, meals, lodging, etcetera). The attached reports were submitted by the Board of Supervisors members in satisfaction of this requirement. District I, II, and V have nothing to report.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors will not be in compliance with Government Code 53232.3(d).

Supervisor Diane Burgis - May 2024 AB1234 Re

(Government Code Section 53232.3(d) requires that members legislative
attended for which there has been expense reimbursement (mileage,

Date	Meeting Name	Location
14-May	Board of Supervisors	Martinez
21-May	Board of Supervisors	Martinez
22-May	Tri Delta Transit	Antioch

* Reimbursement may come from an agency other than Contra Costa County

port
bodies report on meetings
meals, lodging, etc).

Purpose
Meeting
Meeting
Meeting

Supervisor Ken Carlson - May 2024 AB1234 Re

(Government Code Section 53232.3(d) requires that members legislative
attended for which there has been expense reimbursement (mileage,

Date	Meeting Name	Location
1-May	Mental Health Commission	Martinez
7-May	Redefining Mobility Summit	San Ramon
13-May	Meeting with County Administrator, Monica Nino	Martinez
14-May	Board of Supervisors Meeting	Martinez
15-May	Opportunity Junction	Antioch
21-May	Board of Supervisors Meeting	Martinez

* Reimbursement may come from an agency other than Contra Costa County

port
bodies report on meetings
meals, lodging, etc).

Purpose
Decision on Agenda Items
Conference
Monthly Briefing
Decision on Agenda Items
Community Outreach
Decision on Agenda Items

File #: 24-1753 **Agenda Date:** 6/25/2024 **Agenda #:** C.9.

To: Board of Supervisors

From: Internal Operations Committee

Report Title: Administrative Bulletin (AB) 527 "Capital Projects and Real Estate Services

☐Recommendation of the County Administrator ☒ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE Administrative Bulletin (AB) 527 "Capital Projects and Real Estate Services".

FISCAL IMPACT:
No fiscal impact

BACKGROUND:
Referral History:
County Ordinance Code Section 24-4.008 requires the County Administrator to develop a system of Administrative Bulletins, which are designed to provide guidance to County departments to ensure compliance with County policy and practices. From time-to-time it is necessary to review Administrative Bulletins for potential updates to the underlying policy or to make sure that the guidance being provided to departments reflects current best practices. Depending on the subject and materiality of the proposed policy, Administrative Bulletins can be updated administratively or submitted for review by the Board of Supervisors, including its standing committees. The County maintains policies outlining procedures for the procurement of materials, supplies and services to assist departments in their service delivery goals. Over the past 50+ years these policies and procedures have been codified in a patchwork of ordinances, resolutions, administrative bulletins and simple memorandums with no consistent review and update process. At times, it is difficult to find supporting documentation for procurement processes that County departments work through day-to-day. On April 24, 2023, the Board of Supervisors referred to the Internal Operations Committee a review of several, dated Administrative Bulletins, including Administrative Bulletins No. 525, "Office Space," No. 525.1 "Requesting Real Estate and Capital Project Services," and No. 526 "Real Estate Asset Management Policy" at the recommendation of the County Administrator. The County Administrator's Office also included Administrative Bulletin No. 510 "Work Orders, Buildings and Grounds" to this effort based on subject matter overlap.
Referral Update:
On September 20, 2022, the Board of Supervisors adopted a 20-year Capital Facilities Master Plan <https://www.contracosta.ca.gov/DocumentCenter/View/77500/Contra-Costa-County_Facilities-Master-Plan- (CFMP) to guide budget decisions on capital facilities spending in subsequent fiscal years. Previously, Contra

Costa County had not adopted a Capital Facilities Master Plan since fiscal year 1999-2000, which was approved by the Board on January 25, 2000. The 2022 Capital Facilities Master Plan serves as the primary policy document for all capital facilities planning, with the exception of those facilities operated by the Health Services Department and County detention facilities. For this reason, it is appropriate to review this suite of Administrative Bulletins for update or possible repeal.

The County Administrator staff and Public Works staff wrote and revised a new combined Administrative Bulletin No. 527 to replace and supersede the four outdated bulletins. The new proposed combined version is attached for reference.

Summary of Primary Revisions The proposed revisions to Administrative Bulletin No. 527, include the following: • New procedures for review and approval of Real Estate and Capital Project requests with dual review in the County Administrator's Office for consistency with the CFMP and financial resources. • Adding Capital Projects requests to the annual budget preparation cycle for approval with the fiscal year budget. • Defining Capital Project types with examples and priorities for each type. • Refining project delivery methodology based on project cost and type.

Internal Operations Committee

The Internal Operations (IO) Committee considered AB 527 at its June 10, 2024, meeting. The IO committee discussed AB 527 and approved forwarding it to the full Board with no recommended changes.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve AB 527 the County's administrative bulletins governing capital projects and real estate services will remain outdated and contain references to procedures and forms that are no longer in use.

CONTRA COSTA COUNTY

Office of the County Administrator

ADMINISTRATIVE BULLETIN

Number: 527 (Draft superseding AMB 510, 525, 525.1, 526)

Date: TBD

Section: Property and Equipment

Subject: The Capital Facilities Master Plan (CFMP) and Capital Projects and Real Estate Services, including requesting, budgeting, and delivering projects and services to departments.

I. APPLICABILITY.

This bulletin is applicable to all County departments.

II. AUTHORITY.

In accordance with the provisions of County Ordinance Code Section 24-4.008, the County Administrator has the authority and responsibility to establish and enforce policies in County departments and agencies. The Board of Supervisors adopted the CFMP in 2022 to guide the County in managing its capital facilities for the next 20 years.

III. PURPOSE.

This bulletin consolidates several previous administrative bulletins regarding capital projects and real estate services to bring those procedures into a single bulletin for clarity. In addition, this bulletin will describe procedures intended to reduce the timing and flow of capital project requests to allow Public Works Department (PWD) Capital Project Management Division (CPM) and PWD Real Estate Division (RED) to better manage their workload and deliver services in a predictable manner.

IV. PROCEDURES.

All service requests for CPM or RED assistance shall be requested by accessing the RED/CPM On-Line Service Request form and following the process described on the County's internal website (http://gsdnet.co.contra-costa.ca.us/capproj_realest/login.asp). (Sample - RED / CPM On-Line Service Request form.pdf)

On-line Service Requests for RED or CPM services (Service Requests) should include as much information as possible to assist in the review and decision process. CPM and RED service

requests should only be submitted after a department receives approval of their specific Capital Project Request via the annual budget process. The description of the work should be detailed sufficiently on Service Requests to indicate the type, scope, and timeline of the work needed. **Work may not be initiated until sufficient information is submitted.** Information on the Service Requests should include:

- Department submitting the On-Line Service Request. (This will be generated by the RED / CPM On-Line system.);
- Person submitting the request. This person must be authorized to submit such requests by the requesting department and by PW Administration;
- Date of the request;
- Project contact person, including a phone number and email address;
- Project location / address;
- Budget Org # (Budget Unit and Lower Level Org)
- Project information, including any special requirements, operational needs, legal requirements, property or access requirements, a complete description of the project, and the services being requested;
- Cost estimate for the proposed work if a capital project request;
- Justification for the project, including any operational needs and legal requirements (for CAO review);
- Source(s) of funding; and
- A completion date including any phasing or anticipated critical deadlines.

Once the Service Request is submitted, it is sent electronically to the County Administrator's Office (CAO) for review and approval. Once approved by both approvers in the CAO (Chief Assistant County Administrator for capital planning, Finance Director for funding), the Service Request will then be sent electronically to the PW Finance Division for proper work authorization and account coding to be used to track project costs. Once the Service Request is received from PW Finance, RED and/or CPM, as applicable, will assign the task/project and contact the requesting department with a preliminary budget and timeline. Departments are responsible for all costs in the current and future years of their request project. Appropriation adjustments for approved projects will be required for the life of the project.

A. Real Estate

The Public Works Department (PWD) Real Estate Division (RED) is responsible for the negotiation and execution, on behalf of all County Departments, for all real property transactions, including but not limited to;

- purchase and sale agreements,
- Memoranda of Understanding (MOUs),
- leases, or other agreements with agencies or privates entities.

Departments needing assistance with real estate services, including;

- new office space for expansion or relocation,
- reduced office space for contraction or consolidation,
- lease extensions and/or rent renegotiation,
- purchase or sale of real property,

and various other real estate transactions, may request those services from the Public Works Department (PWD) Real Estate Division (RED). When making RED requests related to office and facility space, Departments should include pertinent information related to the purpose of the facility and user groups, including special requirements (parking, accessibility, etc.), geographic location constraints, and potential growth projections.

Occupancy of County-owned building space requires a Departmental Occupancy Agreement (DOA). (Sample - Departmental Occupancy Agreement Form)) . The DOA applies to the occupancy of County-Owned space, and is an internal agreement executed by PWD RED between the PWD, as the coordinating department of office/storage space, and other County Departments.

The DOA includes:

- Building/Space Identification (Address, floor or suite number, etc.)
- Vacating Department
- Occupying Department
- Effective Dates of the Agreement*
- Estimated Cost of Occupancy (From PW Finance)
- The Occupying Department's cost center number (Budget Unit and Lower-Level Org provided by requesting Department)
- The allocated percentage of Space to be occupied. If multiple cost centers, requesting Department will provide all information.

***Unless otherwise agreed, cost of occupancy charges will commence on the 1st day of the month in which Occupying Department has possession.**

For purposes of the DOA, occupancy cost is any cost or charge incurred by a tenant/occupant pursuant to its lease/occupancy which includes, but is not limited to:

- Utilities and garbage service
- Taxes and insurance
- Heating, ventilation, and air conditioning (HVAC) service
- Elevator maintenance
- Fire alarm maintenance and fire extinguisher service
- Building maintenance, grounds, recycling, and custodial services
- Materials and supplies to maintain buildings and grounds
- Debt service, if applicable

Once an agreement is signed and if requesting department requires capital project and/or moving services as they relate to the occupancy agreement, a separate On-Line Service Request for Capital Project services needs to be submitted for approval.

B. Capital Projects

Departments needing assistance with architectural services, space planning and programming, design, cost estimating, remodel, renovation or project and construction management for buildings or related facilities may request those services from the PW Capital Projects Management Division (CPM). Minor maintenance and repair services will still be requested from PW Facilities through the Corrigo Work Order system available on the PW department intranet page.

Apart from the exceptions listed below, capital project requests must be made in conjunction with the annual budget preparation cycle. Exact deadlines for project request submittals will be conveyed in each year's budget instructions. Departments should use the summer/fall period to work with CPM to gather information and cost estimates to inform their capital project requests.

Capital project requests are limited to the following project types:

Renewal/Replacement: Repairing or replacing a facility components infrastructure to maintain its current use, value, and/or preserve its useful life. Examples of these types of projects include replacing a roof or HVAC unit or other building systems such as electrical and plumbing. This category can also include the replacement of interior finishes like paint or carpet that have been in place for 15 years or more and are in poor condition.

Scheduled Maintenance: New construction or other improvements identified as part of the Facility Condition Assessments (FCA) completed on a recurring basis by the County to maintain up-to-date accurate conditions of the County building portfolio.

Enhancement: New construction, renovations, or other improvements that increase an asset's value, useful life, or change its use. Examples of these include workspace expansions, tenant improvements, changing interior finishes, new cubicles, ADA improvements to remove barriers to accessibility, a new office or clinic, or retrofitting a building for new or expanded use, etc. Feasibility and planning study requests are also included in this category.

Outside of the submittal period, most requests for capital projects will not be approved unless they meet one of the following exceptions:

- Life safety or code related required repairs/upgrades
- Emergency repairs due to failure of a system
- Damage due to natural event or deliberate acts

Requests for projects during the budget submittal window, usually December/January but exact dates will be outlined each year in that Fiscal Year's budget instructions, will be reviewed by the budget team in the CAO with the requesting department(s) and PW CPMD or RED staff as appropriate for possible approval and funding in the proposed budget. Priority will be given to proposals in keeping with the CPFM, especially those facilities that are designated for continuing long-term use by the County. Public Works also maintains information on each facility through its Facilities Condition Assessment (FCA) program, and projects that address deficiencies noted in those reports will also be given priority. Additional criteria may be developed by the CAO budget team depending on the relative needs of the upcoming budget cycle.

V. PROJECT DELIVERY

Project delivery is a partnership between the Public Works staff and the department requesting the services. The department requesting services or benefitting from a capital project has to insure they have the proper staff assigned to the project to allow for timely decision making throughout the project timeline. At a minimum a single point of contact should be established by the department director or designee for each project. More complex projects may require more than one department staff be assigned to assist the project team in making decisions necessary to keep a project moving. The most complex projects may require direct contact between the project delivery staff and the department head or other department executive team members. Identifying department staff who can maintain continuity and timely communication with the project delivery team is essential for project delivery.

The Public Works Department is responsible for the construction of multiple capital improvement projects, including minor renovations, maintenance, repairs, tenant improvements, and new construction. These projects are subject to procurement methods as outlined by the Public Contract Code, including the Uniform Public Construction Cost Accounting Act, which the County has adopted, and County ordinances and polices. To ensure the proper oversight of projects, the following policy guidelines are established:

A. Projects under $500,000.

Projects under $500,000 can be managed by PW Facilities staff and not necessarily assigned a project manager from PW CPM. In addition, projects that mainly consist of building system replacement, maintenance or repair that are more than $500,000 may be assigned to PW Facilities staff at the discretion of the PW Director or senior staff. Large scale facility maintenance projects, building system repair and replacement, and minor tenant improvements are usually done by PW staff with the assistance of On-Call Trades (Electrical, Plumbing, HVAC) contracts that are solicited (and bid) on a regular basis and managed by Public Works. Use of these On-Call Trade contracts is intended for routine or recurring maintenance and repair work for the preservation or protection of facilities and emergency call outs. PW Facilities staff are best situated to supervise and manage these projects. Projects in this range that require complex permitting, adherence to specific procurement procedures (State or federal grant guidelines) will be administered by PW CPM.

B. Projects $500,000 - $2 million

Projects in this cost range will be assigned to PW CPM staff as the primary project manager. Projects $1 million or less are generally not bid out on an individual basis and may be completed by Job Order Contractors (JOCs) or On-Call Trade contractors.

Projects over $1 million must be formally bid and include a Project Labor Agreement (PLA) among the contractor, building trades council, and the County. PW CPM staff are best situated to manage these projects and coordinate, as needed, with PW Facilities staff to deliver these projects.

C. Projects between $2,000,000 and $10,000,000

Projects in this cost range will be assigned to a project team led usually by a senior PW CPM project manager and comprising an architect, general and sub-contractors, and potentially other entities like civil engineers, specialized testing services and other specialists. The project team leader may be assisted by one or more construction management (CM) staff from the on-call list of approved construction management firms maintained by PW. The day-to-day project supervision will be provided by on-call CM staff with PW CPM staff providing overall project supervision, budget oversight and ensuring facilitation between project and County staff as needed.

Projects in this category are usually procured with individual solicitations by a request for proposals (RFP), request for qualifications (RFQ) or a standard bid process, although they may also represent a combination or aggregation of similar smaller projects that are combined to achieve cost efficiencies.

D. Projects over $10,000,000

Due to their complexity, projects in this category require specialized oversight that is generally beyond the capacity of individual PW CPM staff and require a dedicated multidisciplinary management team. The County will generally procure the services of a construction management firm by a solicitation through RFP or RFQ. PW CPM will assign a senior CPM staff member for liaison with the selected CM team and to help with processing project payments and other County staff facilitation. Finally, projects in this category often have high visibility or other concerns and the County Administrator may assign CAO staff to serve as executive project manager at his/her discretion.

It is understood that projects in this category often have unique characteristics that may inform or dictate the best procurement method. The County strongly supports the use of collaborative procurement methods, such as design-build or future collaborative approaches that may be allowed under State legislation for projects of this size. The County's proven success with delivering projects using collaborative approaches has shown that this approach can save time and avoid project claims compared to more traditional non-collaborative approaches.

Originating Department(s):
County Administrator's Office
Public Works Department

Information Contacts:
County Administrator's Office – Management Analyst Liaison
Public Works – Real Estate Division, Principal Real Property Agent
Public Works – Capital Projects Division Manager

Update Contact:
County Administrator – Chief Assistant County Administrator
Public Works Department – PW Director

Monica Nino
County Administrator

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1825 **Agenda Date:** 6/25/2024 **Agenda #:** C.10.

To: Board of Supervisors

From: Public Protection Committee

Report Title: Use of AB 109 2011 Public Safety Realignment Reserve Funding

☐Recommendation of the County Administrator ☒ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE the use of up to $10.2 million in AB 109 Public Safety Realignment Community Corrections Partnership reserve funding to support one-time pilot programs to address re-entry service priorities areas, as approved by the Community Corrections Partnership - Community Corrections Partnership Executive Committee (CCP-CCP EC) and recommended by its Community Advisory Board (CAB).

FISCAL IMPACT:

Approval of this request will allow County departments to begin the planning and implementation of the proposed reentry pilot programs, including partnering with local community agencies as appropriate. If approved, a budget amendment for this AB 109 Community Corrections Partnership fund balance appropriation of approximately $10.2 million, will be submitted to the Board in the fall of FY 2024-25. The requested appropriation would provide expenditure authority for various one-time pilot programs and activities, some of which may operate for an approximate 3-year period.

The reduction to the fund's reserve will not impact the AB 109 reserve policy of maintaining over 50% of budgeted expenditures.

BACKGROUND:

Since early 2023, the Community Advisory Board (CAB) of the Community Corrections Partnership Committee (CCP) has been engaged in a process to develop an AB 109 fund balance utilization plan, which would allocate up to $15 million of the approximate $40 million currently in the fund's reserve to expand reentry services.

At its May 13, 2024, meeting, the CCP-CCP EC heard the CAB's proposed AB 109 funding recommendations. The four funding priority areas of focus selected by the CAB include:

1. Expanding housing services for justice-involved individuals
2. Expanding behavioral health support for justice-involved individuals

3. Increasing employment opportunities for reentry population
4. Enhancing pre-release engagement services

In addition to these four priority areas, the CAB also considered County department and community-based-organization (CBO) FY 2024-25 AB 109 Community Corrections Partnership funding modification requests that were referred to them for reserve funding consideration by the Executive Committee of the CCP. In its recommendations, the CAB also included additional funding recommendations for departmental and CBO training and project support to enhance and improve service delivery and the quality of funded services. The full report and attachments as presented to the CCP-CCP EC can be accessed by clicking on the following link: <https://contra-costa.legistar.com/LegislationDetail.aspx?ID=6662765&GUID=819037F3-022D-4B15-B685-225B63E1F03B&FullText=1>

The last funding proposal considered by the CCP-CCP EC was from the District Attorney's Office for facility costs for the Major Crimes Investigative Task Force due to the Federal Bureau of Investigation no longer funding the costs for the current facility. The request was for a 3-year allocation totaling $330,000.

The CCP-CCP EC unanimously approved the funding services included in priority areas 1 and 2, the departmental and CBO FY24-25 program modification requests, training and project support services for County departments and CBOs, and the District Attorney's facility cost request, totaling approximately $1.2 million. The CCP-CCP EC also unanimously voted to defer, for additional CCP EC study, the priority areas 3 (employment) and 4 (pre/post-release engagement) proposals. Once the priority area 3 and 4 proposals are further developed and refined, the CAB will return to the CCP-CCP EC for additional review. The CCP-CCP EC further directed the CAB and Probation Department staff to coordinate their research efforts with the Employment and Human Services Department, to integrate further study of the CAB recommended guaranteed income pilot program with the current ongoing study for a Measure X funded guaranteed income pilot program.

At its June 3, 2024, meeting, the Public Protection Committee approved, as presented, the CCP-CCP EC's funding recommendations for the use of up to $10.2 million in AB 109 Public Safety Realignment Community Corrections Partnership reserve funding to support one-time pilot programs to address re-entry service priorities areas. The funding approved projects are included as Attachment A of this staff report for the Board's further consideration.

Approval of this request will confirm the Board's agreement to utilize up to $10.2 of the approximate $40 million AB 109 Public Safety Realignment Community Corrections fund balance identified to address additional support services for the County's reentry population. If approved, the funded programs can begin the planning and implementation processes. Once the CAB and CCP-CCP EC further develop the funding priority area proposals deferred for additional study, they will be presented to the Public Protection Committee for consideration before being presented to this Board. Due to the one-time nature of the funding, it is recommended that the proposed programs identify performance indicators and measures to support future external funding opportunities.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, the County AB 109 2011 Public Safety Realignment Community Corrections fund will continue to carry a high reserve and recommended pilot programs to address priority service areas will not be available to serve the immediate needs of the County's reentry population.

Public Protection Committee and CCP - CCP EC Approved AB 109 One-time Funded Projects				
Program/Project		**Recommended Allocation Amount**	**Funding Period** (to be kept separate from baseline in future years)	**Recommended Allocation Recipient**
Priority 1: Housing				
CORE Street Outreach	$	900,000	3-years	Health Services Department
Homeless Prevention & Diversion	$	1,000,000	RFP 3-years	Health Services Department
Rapid Rehousing	$	1,500,000	RFP 2-years	Health Services Department
Interim Bridge Housing	$	4,000,000	RFP 2-years	Health Services Department
TOTAL PRIORITY 1:	**$**	**7,400,000**		
Priority 2: Behavioral Health				
CSW Staff (3)	$	262,479	1-year	Health Services Department
BH Mobile on Demand	$	669,747	1-year	Health Services Department
TOTAL PRIORITY 2:	**$**	**932,226**		
Departmental/CBO Budget Modification Requests				
AB 109 Community Programs	$	210,000	1-year	Probation Department
CCHS - Detention Health Services	$	250,000	1-year	Health Services
District Attorney	$	190,479	1-year	District Attorney
Public Defender	$	182,897	1-year	Public Defender
TOTAL DEPT/CBO MOD REQUESTS:	**$**	**833,376**		
Departmental/CBO Training & Project Support				
County + CBO Housing Services Coordination	$	434,000	2-years	TBD
Evaluation of County HR practices and data tracking & reporting capacity RE: hiring of reentry candidates	$	150,000	1-year	TBD
Cultural Sensitivity Training for Providers working with Justice Populations	$	50,000	1-year	TBD
CBO Provider Training on working with Reentry Clients w/ BH Issues	$	50,000	1-year	TBD
TOTAL DEPT/CBO TRAINING & PROJECT SUPPORT:	**$**	**684,000**		
District Attorney Major Crimes Investigative Task Force				
DA MCRITF Facility and Lease Cost	$	330,000	3-years	District Attorney
TOTAL DA MCITF:	**$**	**330,000**		
TOTAL FUNDING ALLOCATION RECOMMENDED	**$**	**10,179,602**		

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1754 **Agenda Date:** 6/25/2024 **Agenda #:** C.11.

To: Board of Supervisors

From: Lori Cruz, Child Support Services Director

Report Title: Purchase Order with R-Computer

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Director of Child Support Services, a purchase order with R-Computer LLC in an amount not to exceed $8,536 for Adobe Acrobat Pro, Photoshop, and Creative Cloud for enterprise, and Adobe End User License Agreement for the period July 1, 2024, through June 30, 2025.

FISCAL IMPACT:

This project will be fully funded by allocations from the Federal Government at 66% and the State of California at 34%.

BACKGROUND:

The Department of Child Support Services utilizes Adobe Acrobat to create, edit, convert, and publish documents for normal business operations. Adobe Photoshop and Creative Cloud are utilized to produce marketing materials that are used to reach into the community to connect our customers with services. These types of directed marketing efforts will help increase awareness for Child Support Services available in Contra Costa County.

The Terms and Conditions of the purchase order include a Limitation of Liability and Indemnification provision approved by County Counsel.

This action is a renewal of the Adobe Acrobat Pro licenses through a reseller, R-Computer. R-Computer, an SBE, is an authorized reseller of Adobe Acrobat Pro software.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the department will have difficulty completing business operations and marketing outreach for Child Support Services.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1755 **Agenda Date:** 6/25/2024 **Agenda #:** C.12.

To: Board of Supervisors

From: Lori Cruz, Child Support Services Director

Report Title: Purchase Order with Five9, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Director of Child Support Services, a purchase order with Five9, Inc. in an amount not to exceed $1,080 for Call Center Services Software for the period July 1, 2024, through June 30, 2025.

FISCAL IMPACT:

This project will be fully funded by allocations from the Federal Government at 66% and the State of California at 34%.

BACKGROUND:

The Department of Child Support Services utilizes Five9 cloud contact center software to support customer engagement. The software facilitates effective operations and simplifies the complexities of running a contact center. This helps in supporting communication and facilitation of child support services available in Contra Costa County.

The Terms and Conditions of the purchase order include a Limitation of Liability and Indemnification provision approved by County Counsel.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, the department will have difficulty completing business operations and marketing outreach for Child Support Services.

File #: RES 2024-214 **Agenda Date:** 6/25/2024 **Agenda #:** C.13.

To: Board of Supervisors

From: Ken Carlson, District IV Supervisor

Report Title: honoring Holotta Tymes for her advocacy, entrepreneurship, and support of the LGBTQIA+ Community

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT a resolution honoring Holotta Tymes for her advocacy, entrepreneurship, and support of the LGBTQIA+ Community

FISCAL IMPACT:
none

BACKGROUND:
See resolution text

CONSEQUENCE OF NEGATIVE ACTION:
none

The Board of Supervisors of Contra Costa County, California

IN THE MATTER OF honoring Holotta Tymes for her advocacy, entrepreneurship, and support of the LGBTQIA+ Community

WHEREAS, Holotta Tymes has been a well-known Bay Area performer for more than three decades and portrayed drag characters with comedic references to Lucille Ball and Estelle Getty; and

WHEREAS, her performances have brought joy and acceptance to many; and

WHEREAS, Club 1220, originally known as the Hub, opened in 1976 in Walnut Creek and is known to have one of the longest-running drag shows in the Bay Area and is a safe space for the LGBTQIA+ Community; and

WHEREAS, in 2020, after working at Club 1220 in several capacities since the 1990s, Holotta became one of the owners of Club 1220; and

WHEREAS, Holotta loved the sense of community around Club 1220 and sought to preserve the safe space for the LGBTQIA+ Community; and

WHEREAS, when many gay bars were permanently closing in the wake of the pandemic, Holotta fought to keep Club 1220 open through virtual drag shows and dance parties, using GoFundMe to accept donations which kept the bills paid; and

WHEREAS, the virtual drag shows and dance parties maintained a sense of community and brought hope and connection to many people during the pandemic; and

WHEREAS, when Club 1220 reopened during the pandemic, they partnered with local restaurant, House of Sake, to offer drinks on the restaurant's patio which further uplifted small businesses in the area; and

WHEREAS, Holotta has given back to the LGBTQIA+ community by holding countless fundraisers at Club 1220 including AIDS/Lifecycle, Camp Sunshine, and Pride on the Plaza (Concord); and

WHEREAS, she has participated in the AIDS/Lifecycle, riding from San Francisco to Los Angeles to raise awareness and funds for AIDS/ HIV care, prevention and testing services and to end the stigma around AIDS/HIV.

NOW, THEREFORE, BE IT RESOLVED: that the Contra Costa County Board of Supervisors recognizes Holotta Tymes and honors the hard work and support she provides the LGBTQIA+ Community as an

entertainer, entrepreneur, and advocate.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-215 **Agenda Date:** 6/25/2024 **Agenda #:** C.14.

To: Board of Supervisors

From: John Gioia, District I Supervisor

Report Title: Resolution Reaffirming Contra Costa County as Welcoming to Refugees

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT the Resolution reaffirming Contra Costa County as welcoming to refugees

FISCAL IMPACT:
N/A

BACKGROUND:
World Refugee Day is observed annually on June 20th. This date celebrates the resilience, courage, and contributions of refugees worldwide. It is a day dedicated to raising awareness about the plight of forcibly displaced individuals and advocating for their rights, protection, and well-being. Every year, We Are All America (WAAA) invites local leaders, partners, and advocates to join a series of impactful actions and events aimed at celebrating our refugee communities, engaging local elected officials, and learning more about ways to support refugees and refugee resettlement such as passing welcoming resolutions.

CONSEQUENCE OF NEGATIVE ACTION:
N/A

The Board of Supervisors of Contra Costa County, California

IN THE MATTER OF Reaffirming Contra Costa County as Welcoming to Refugees

WHEREAS, World Refugee Day on June 20th, 2024 is an opportunity to recognize and celebrate contributions of refugees to our communities and to raise awareness about the challenges that refugees face, and

WHEREAS, refugees are people who have been forced to flee their homes due to persecution, war, or violence; and

WHEREAS, refugees have the right to protection and assistance under international law, including the Universal Declaration of Human Rights and the Refugee Convention; and

WHEREAS, refugees contribute to the social, cultural, and economic fabric of our community and country; and

WHEREAS, Contra Costa County has a proud history of welcoming immigrants and refugees and supporting their integration and success; and

WHEREAS, the current global refugee crisis demands a response from all levels of government and society to address the needs of refugees and promote their well-being; and

WHEREAS, the Contra Costa County Board of Supervisors expresses its support for refugees and commits to welcoming and integrating them into our community; and

WHEREAS, Contra Costa County will provide access to education, healthcare, and employment opportunities for refugees, and work with local organizations to provide housing, food, and other essential services for refugees, and

WHEREAS, Contra Costa County will provide cultural orientation and language services to help refugees integrate into our community and advocate for policies and programs at the state and federal level that support refugees and promote their well-being

NOW, THEREFORE, BE IT RESOLVED: that the Contra Costa County Board of Supervisors has recognized June 20th as World Refugee Day and will work to raise awareness about the needs and experiences of refugees and promote a welcoming and inclusive community for all residents.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-216 **Agenda Date:** 6/25/2024 **Agenda #:** C.15.

To: Board of Supervisors

From: Federal D. Glover, District V Supervisor

Report Title: BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY POSTHUMOUS RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF MS. CURLIE JACKSON

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Adopt Ceremonial Resolution recognizing the contributions of Ms. Curlie Jackson.

FISCAL IMPACT:
None.

BACKGROUND:
See Resolution.

CONSEQUENCE OF NEGATIVE ACTION:
None.

The Board of Supervisors of Contra Costa County, California

IN THE MATTER OF

**BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY
POSTHUMOUS RESOLUTION RECOGNIZING THE CONTRIBUTIONS
OF MS. CURLIE JACKSON**

WHEREAS, Curlie Jackson was born and raised in Glenmora, Louisiana, and moved to Pittsburg, California in 1955 with her family. She was married to the late General Jackson for over 25 years, and together they raised seven children: James, Samuel, Jimmy, Richard, Linda, Isaac, and Donald. She is also survived by 27 grandchildren and a host of great-grandchildren; and

WHEREAS, Ms. Jackson was employed at the Pittsburg Unified School District (PUSD) for thirty-two years as a Parent Coordinator and worked for ten years at the Contra Costa County Juvenile Hall in Martinez, California, as a Youth Counselor. She continued her education and received an Associate Degree in 1975 from Diablo Valley College in Pleasant Hill, California, and attended Los Medanos College in Pittsburg, amassing over 40 credit hours towards a degree in Psychology and Social Science; and

WHEREAS, Ms. Jackson retired from PUSD as a Parent Coordinator and Student Advisor in 2005, yet she never retired from serving others, known for her sacrifices in service to others and her unwavering passion and devotion to the welfare of others; and

WHEREAS, Ms. Jackson became active in the community, serving as Chairperson of Woods Manor Board of Directors, President of the NAACP East County Branch, and a long-term active member of First Baptist Church of Pittsburg. She also served on various PUSD advisory boards and committees, including but not limited to the Student Attendance Review Board (SARB) from 2000 to the present, PUSD School Site Council at Heights Elementary School, PUSD School Site Council at Pittsburg High School, PUSD Communications Committee, the Pittsburg Education Committee that established Parent Coordinator roles in elementary schools, and was a member of the Contra Costa Interfaith Supporting Communities Organization (CCISCO) efforts to review the implementation of the PUSD's student assessment policy and procedures; and

WHEREAS, in 2005, Ms. Jackson was honored by the NAACP at the East Contra Costa County Martin Luther King Jr. Celebration with the Love & Action Award for her compassionate community service, continuing to excel in advocating for others; and

WHEREAS, Ms. Jackson had over 42 years of progressive leadership and brought to the board a wealth of experience from her dedicated service to the community, students, and their families, being recognized as one of PITTSBURG'S INCREDIBLE WOMEN who made a difference in the community; and

WHEREAS, Ms. Jackson, a tireless advocate and community leader, passed away on May 24, 2024, leaving a legacy of commitment, service, and compassion that will be remembered and cherished by all who knew her;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Contra Costa County, do hereby posthumously recognize and honor the life and contributions of Ms. Curlie Jackson, acknowledging her lifelong dedication to education, civil rights, and community advocacy. Her memory will continue to inspire and impact the lives of many within our community and beyond.

BE IT FURTHER RESOLVED, that the Board of Supervisors extends its deepest condolences to the family and friends of Ms. Curlie Jackson. Her tireless efforts and passion for justice have left an indelible mark on our community, and she will be greatly missed.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-217 **Agenda Date:** 6/25/2024 **Agenda #:** C.16.

To: Board of Supervisors

From: Choose an item.

Report Title: C**BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY POSTHUMOUS RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF MR. WILLIE J. MIMS**

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Adopt ceremonial resolution recognizing the contributions of Mr. Willie J. Mims.

FISCAL IMPACT:
None.

BACKGROUND:
See resolution.

CONSEQUENCE OF NEGATIVE ACTION:
None.

The Board of Supervisors of Contra Costa County, California

IN THE MATTER OF

**BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY
POSTHUMOUS RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF
MR. WILLIE J. MIMS**

WHEREAS, Willie J. Mims was born to Edward and Lillie Mims on November 30, 1944, in Donaldsonville, Louisiana, and has been a resident of California since he was one year old; and

WHEREAS, Mr. Mims grew up in West Pittsburg, now known as Bay Point, California, where he attended and graduated from Pacifica High School in 1963. He married his wife, Darlene, in July of 1967; and

WHEREAS, from 1971 to 1987, Mr. Mims worked as a Food Service Worker with the Veteran's Administration Hospital in Martinez, California, while pursuing higher education. He graduated from Diablo Valley College in 1972 with an Associate Arts Degree, transferred to San Francisco State University, and earned a Bachelor of Arts Degree in 1974 and a Master of Arts Degree in English & Creative Writing in 1978. He also attained a California Community College Instructor Credential and a California Secondary Education Teaching Credential in English in 1978; and

WHEREAS, Mr. Mims was employed for over 25 years with the Vallejo City Unified School District, where he served as Teacher/Teacher-in-Charge at John Finney High School, formerly Peoples High School, retiring from teaching and the work-world in 2009; and

WHEREAS, Mr. Mims was a former mentor of S.I.M.B.A (Safe In My Brother's Arms), a program focused on supporting boys aged 8 to 16 in building self-esteem and undergoing "manhood" training. He was a former Board member of the East County Boys and Girls Club and served as an "on call" Educational Advocate for the Youth Intervention Network (YIN) Program; and

WHEREAS, Mr. Mims has been called everything from justice warrior to tireless advocate, inspiring mentor, and civil rights champion. Dressed in his colorful African kufi hat and dashiki top, with his carved traditional walking stick, he was a striking figure known for his strong voice and impactful presence; and

WHEREAS, Mr. Mims was a lifelong educator and longtime East County NAACP education chair who advocated for students and families throughout the NAACP district, including Solano County, where he worked

as an English teacher. He was instrumental in addressing larger discrimination issues, such as the unequal rate of suspensions and expulsions of Black students and students with disabilities, helping to broker a groundbreaking agreement with the Antioch Unified School District and the local NAACP in 2015; and

WHEREAS, Mr. Mims, a legend in the East Contra Costa County community and beyond, continued his advocacy up until his final days, losing his battle with cancer on May 22, 2024, at the age of 79; and

WHEREAS, Mr. Mims' enduring legacy will be remembered for his unwavering commitment to justice, his role in bringing communities together, and ensuring that policymakers were aware of critical issues affecting the community;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Contra Costa County, do hereby posthumously recognize and honor the life and contributions of Mr. Willie J. Mims, acknowledging his lifelong dedication to education, civil rights, and community advocacy. His memory will continue to inspire and impact the lives of many within our community and beyond.

BE IT FURTHER RESOLVED, that the Board of Supervisors extends its deepest condolences to the family and friends of Mr. Willie J. Mims. His tireless efforts and passion for justice have left an indelible mark on our community, and he will be greatly missed.

File #: RES 2024-218 **Agenda Date:** 6/25/2024 **Agenda #:** C.17.

To: Board of Supervisors

From: Gus Kramer, County Assessor

Report Title: Gus S. Kramer, County Assessor, for 50 Years of Public Service to Contra Costa County

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

FISCAL IMPACT:

BACKGROUND:

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors of Contra Costa County, California

IN THE MATTER OF Recognizing Gus S. Kramer, County Assessor, for 50 Years of Public Service to Contra Costa County.

WHEREAS, Gus S. Kramer, County Assessor, began his career with Contra Costa County on March 1, 1974, as a Coroner's Aide in the Sheriff-Coroner's Office; from which he transferred to the Probation Department on October 10, 1979, as a Group Counselor; and

WHEREAS, on February 4, 1980, Gus was hired as a Junior Real Property Agent in the Public Works Department and promoted to Senior Real Property Agent on December 1, 1992, and during his tenure as a Real Property Agent, he was involved in three (3) major Public Works projects including the improvement and widening of Appian Way in El Sobrante, and of Willow Pass Road in Bay Point and Pittsburg, and the acquisition of land for the Pleasant Hill/BART Station Redevelopment Project; and

WHEREAS, in June of 1994, Gus was elected as the County Assessor and is currently serving his eighth term in office, where his career achievements include creating promotional opportunities for women and minorities, enhancing technology to improve operational efficiencies, raising performance standards, and providing outstanding service to the public; and

WHEREAS, Gus performs his duties with honesty and integrity, and is knowledgeable, tenacious, conscientious, dedicated, always putting the public first, while leading the Assessor’s Office with enthusiasm and passion, which has made him an outstanding County employee and a role model for his peers; and

WHEREAS, Gus has personally provided excellent service to taxpayers, by volunteering his time to conduct educational seminars to homeowners, schools, service groups, small businesses, veteran’s groups, and the public's real estate industry, often after hours and on weekends; and

WHEREAS, “getting things done” accurately and efficiently has been a hallmark of Gus’s career, as evidenced by consistent California State Board of Equalization reports, ranking Contra Costa County Assessor’s Office one of the highest in the State; and

WHEREAS, the Taxpayers of Contra Costa County have continued to re-elect Gus as their County Assessor since 1994, and at the conclusion of his current term, Gus will have served as Assessor for thirty-two (32 years), giving Gus the honor and distinction of being the longest serving Assessor in Contra Costa County’s history.

NOW, THEREFORE, BE IT RESOLVED: the Board of Supervisors joins Gus’s staff in congratulating him

on 50 years of dedicated, professional, and exemplary public service to Contra Costa County. PASSED and ADOPTED by a unanimous vote of the Board of Supervisors members present this 25th day of June 2024.

File #: RES 2024-219 **Agenda Date:** 6/25/2024 **Agenda #:** C.18.

To: Board of Supervisors

From: Karen Caoile, Director of Risk Management

Report Title: Recognizing Sabetha Anderson for her 30 years of service to Contra Costa County

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Resolution No. 2024- recognizing Sabetha Anderson for her 30 years of service to Contra Costa County.

FISCAL IMPACT:
None

BACKGROUND:
None

CONSEQUENCE OF NEGATIVE ACTION:
None

The Board of Supervisors of Contra Costa County, California

In the matter of:

RECOGNIZING the contributions of Sabetha Anderson on the occasion of her 30 years of service to Contra Costa County

WHEREAS, on September 27, 1993, Sabetha Anderson began her career with the Risk Management Department as a Student Worker in the Workers' Compensation Claims Unit; and

WHEREAS, on December 1, 1997, Sabetha was promoted to Clerk-Experienced Level; and

WHEREAS, on February 12, 2003, Sabetha was promoted to a State Certified Workers' Compensation Claims Adjuster I; and

WHEREAS, on January 30, 2018, Sabetha was promoted to Senior Workers' Compensation Claims Adjuster. As a Senior Workers' Compensation Claims Adjuster, Sabetha manages complex workers' compensation cases and provides comprehensive claim management training and leadership to Claims Adjusters and Clerks; and

WHEREAS, Sabetha developed a COVID-19 claim expertise, managing hundreds of COVID-19 claims in

addition to a complex caseload. Sabetha has received numerous customer service accolades from injured employees and department managers due to her high level of workers' compensation expertise and engaging communication style. Sabetha is a long-term Martinez resident who enjoys many local restaurants and events where she occasionally sees former Alhambra High School classmates. We hope Sabetha will continue to provide leadership and workers' compensation guidance to County injured employees and their leadership for years to come.

NOW, THEREFORE BE IT RESOLVED, that the Contra Costa County Board of Supervisors does hereby recognize and honor Sabetha Anderson for her 30 years of service, and gives its full appreciation for her dedicated service to the Risk Management Department and the people of this County.

File #: RES 2024-220 **Agenda Date:** 6/25/2024 **Agenda #:** C.19.

To: Board of Supervisors

From: Karen Caoile, Director of Risk Management

Report Title: Recognizing Aretha Chandler for her 30 years of service to Contra Costa County

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Resolution No. 2024/XX recognizing Aretha Chandler for her 30 years of service to Contra Costa County, as recommended by the Risk Management Director.

FISCAL IMPACT:
None.

BACKGROUND:
None.

CONSEQUENCE OF NEGATIVE ACTION:
None.

The Board of Supervisors of Contra Costa County, California

In the matter of: Resolution No.

RECOGNIZING the contributions of Aretha Chandler on the occasion of her 30 years of service to Contra Costa County.

WHEREAS, on April 1, 1992, Aretha Chandler began her career with the Department of Information Technology as a Computer Operator Trainee; and

WHEREAS, on October 1, 1997, Aretha was promoted to Senior Computer Operator; and

WHEREAS, on May 1, 1998, Aretha was promoted to Computer Operator III; and

WHEREAS, on June 9, 2004, Aretha was promoted to Information Systems Technician I; and

WHEREAS, on June 1, 2006, Aretha transferred to the Risk Management Department as an Information System Technician I; and

WHEREAS, Aretha was instrumental in the Risk Management Department's success to operate during the COVID-19 shelter-in-place Health Order of March 2020. She created the departmental Working Remotely from Home guideline, coordinated, and prepared for remote work equipment, and arranged group communication opportunities using technological applications. Aretha contributed to transitioning the Risk Management Department from utilizing paper timecards to electronic timecard submissions via the White Card system. Aretha is an integral team member in the onboarding of new employees and exiting of employees by providing IT expertise and support to these processes. Aretha continually assists with special projects including SharePoint migration, managing, and maintaining department equipment inventory, replacement, and upgrades. She is an essential team member with the department's Risk Management Information System (RMIS) and as a liaison with the County's Department of Information Technology.

NOW, THEREFORE BE IT RESOLVED, that the Contra Costa County Board of Supervisors does hereby recognize and honor Aretha Chandler for her 30 years of service and gives its full appreciation for her dedicated service to the Risk Management Department and the people of this County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-233 **Agenda Date:** 6/25/2024 **Agenda #:** C.20.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Recognizing John M Johnson for his 30 years of service to Contra Costa County.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Resolution recognizing John M Johnson, for his 30 years of service to Contra Costa County, as recommended by Anna Roth, Health Services Director.

FISCAL IMPACT:

BACKGROUND:

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors of Contra Costa County, California

In the Matter of:
RESOLUTION NO. _____

Honoring John M Johnson upon the occasion of 30 years of service with Contra Costa Health Services

WHEREAS John M Johnson began his career with Contra Costa County as a Disease Intervention Technician in the Health Services on July 16, 1994. Mr. Johnson began his work in the Tuberculosis Program 1994 and then transferred to support the HIV/STI Program in 2009, where he currently remains today; and

WHEREAS the staff celebrates Mr. Johnson's contributions to performing his duties in accordance with the values of the Contra Costa County Health Services Mission Statement through his dedicated flexibility working among various environments and populations; and

WHEREAS, Mr. Johnson has efficiently and effectively provided support to the community through focused testing services for HIV, STIs and prevention education in a way that supports Contra Costa Health Services' Commitment to Service Excellence; and

WHEREAS Mr. Johnson's prior experience as a Substance Use Counselor, fascinated connections to additional agencies supporting HIV/STI testing, fostering beneficial resources to new and long-term employees. He consistently demonstrates a genuine concern for the community and its residents; and

NOW, THEREFORE, BE IT RESOLVED that John M Johnson be recognized and thanked for his 30 years of public service to the Contra Costa Health Services Department, and for his dedication of work and invaluable contributions.

_____
FEDERAL GLOVER
Chair, District V Supervisor

JOHN GIOIA
District I Supervisor

CANDACE ANDERSON
District II Supervisor

DIANE BURGIS
District III Supervisor

KEN CARLSO
District IV 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: June 25, 2024

Monica Nino, County Administrator

By _____, Deputy

The Board of Supervisors of
Contra Costa County, California

In the Matter of: **RESOLUTION NO. _____**

Honoring John M Johnson upon the occasion of 30 years of service with Contra Costa Health Services

WHEREAS John M Johnson began his career with Contra Costa County as a Disease Intervention Technician in the Health Services on July 16, 1994. Mr. Johnson began his work in the Tuberculosis Program 1994 and then transferred to support the HIV/STI Program in 2009, where he currently remains today; and

WHEREAS the staff celebrates Mr. Johnson's contributions to performing his duties in accordance with the values of the Contra Costa County Health Services Mission Statement through his dedicated flexibility working among various environments and populations; and

WHEREAS, Mr. Johnson has efficiently and effectively provided support to the community through focused testing services for HIV, STIs and prevention education in a way that supports Contra Costa Health Services' Commitment to Service Excellence; and

WHEREAS Mr. Johnson's prior experience as a Substance Use Counselor, fascinated connections to additional agencies supporting HIV/STI testing, fostering beneficial resources to new and long-term employees. He consistently demonstrates a genuine concern for the community and its residents; and

NOW, THEREFORE, BE IT RESOLVED that John M Johnson be recognized and thanked for his 30 years of public service to the Contra Costa Health Services Department, and for his dedication of work and invaluable contributions.

_____
FEDERAL GLOVER
Chair, District V Supervisor

_____ _____
JOHN GIOIA **CANDACE ANDERSON**
District I Supervisor District II Supervisor

_____ _____
DIANE BURGIS **KEN CARLSO**
District III Supervisor District IV 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: June 25, 2024

Monica Nino, County Administrator

By _____, Deputy

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-221 **Agenda Date:** 6/25/2024 **Agenda #:** C.21.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: ADOPT Resolution recognizing Kelley Taylor for her 30 years of service to Contra Costa County, as recommended by the Health Services Director.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Resolution recognizing Kelley Taylor for her 30 years of service to Contra Costa County Health Services Department, as recommended by the Health Services Director, and the Ambulatory Care Operation Director

FISCAL IMPACT:

BACKGROUND:

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors of Contra Costa County, California

IN THE MATTER OF honoring Kelley Taylor, Ambulatory Care Clinical Supervisor, upon the occasion of 30 years of service with Contra Costa Health, as recommended by the Ambulatory Care Operation Director.

WHEREAS, Kelley Taylor began her career with Contra Costa Health Services as a Registered Nurse in December of 1993 working at Merrithew Memorial Hospital on the Medical/ Surgical Unit, which was referred to as B-Ward. Ms Taylor advanced her career by transferring to the Pediatric Department in 1995. In 2008 Ms. Taylor continued to advance her career and accepted a position as an Ambulatory Care Clinical Supervisor for the Concord Health Center. Ms. Taylor received her Master of Science in Nursing Practice and, in March 2020, graduated with her Doctorate in Nursing Practice; and

WHEREAS, the staff celebrate Ms. Taylor's contributions through her experience and education to perform her duties in accordance with the values of the Contra Costa Health Services Mission Statement through her dedicated work performance; and

WHEREAS, Ms. Taylor has efficiently and effectively provided support and dedication to Contra Costa Health, to the Ambulatory Policy Committee, Ambulatory Nursing Leadership, Ambulatory Redesign Committee, as well as various other committees to continue to uphold and elevate nursing in a way that supports Contra Costa Health Services' Commitment to Service Excellence; and

WHEREAS, Ms. Taylor has been a beneficial resource to new and long-term employees of the Nursing department. She consistently demonstrates a genuine desire to promote health care for all citizens of Contra Costa County. She selflessly shares her knowledge and experience each day with those around her; and

WHEREAS, Ms. Taylor has been an integral member of the Ambulatory Policy Committee since 2015, where she is often described as a fierce supporter of nursing but also a warm and fair collaborator on topics of patient care.

NOW, THEREFORE, BE IT RESOLVED: that Kelley Taylor be recognized and thanked for her 30 hears of public service to the Contra Costa County Health Department and for her dedication of work and invaluable contributions.

The Board of Supervisors of
Contra Costa County, California

In the Matter of: **RESOLUTION NO. _____**

recognizing Kelley Taylor, Ambulatory Care Clinical Supervisor, for 30 years of service with Contra Costa Health, as recommended by the Ambulatory Care Operation Director.

WHEREAS Kelley Taylor began her career with Contra Costa Health Services as a Registered Nurse in December of 1993 working at Merrithew Memorial Hospital on the Medical/ Surgical Unit, which was referred to as B-Ward. Ms Taylor advanced her career by transferring to the Pediatric Department in 1995. In 2008 Ms. Taylor continued to advance her career and accepted a position as an Ambulatory Care Clinical Supervisor for the Concord Health Center. Ms. Taylor received her Master of Science in Nursing Practice and, in March 2020, graduated with her Doctorate in Nursing Practice; and

WHEREAS, the staff celebrates Ms. Taylors' contributions through her experience and education to perform her duties in accordance with the values of the Contra Costa Health Services Mission Statement through her dedicated work performance

WHEREAS, Ms. Taylor has efficiently and effectively provided support and dedication to Contra Costa Health, to the Ambulatory Policy Committee, Ambulatory Nursing Leadership, Ambulatory Redesign Committee, as well as various other committees to continue to uphold and elevate nursing in a way that supports Contra Costa Health Services' Commitment to Service Excellence.

WHEREAS, Ms. Taylor has been a beneficial resource to new and long-term employees of the Nursing department. She consistently demonstrates a genuine desire to promote health care for all citizens of Contra Costa County. She selflessly shares her knowledge and experience each day with those around her.

WHEREAS, Ms. Taylor has been an integral member of the Ambulatory Policy Committee since 2015, where she is often described as fierce supporter of nursing but also a warm and fair collaborator on topics of patient care.

NOW, THEREFORE, BE IT RESOLVED that Kelley Taylor be recognized and thanked for her 30 years of public service to the Contra Costa Health Department, and for her dedication of work and invaluable contributions.

_____
FEDERAL GLOVER
Chair, District V Supervisor

_____ _____
JOHN GIOIA **CANDACE ANDERSON**
District I Supervisor District II Supervisor

_____ _____
DIANE BURGIS **KEN CARLSO**
District III Supervisor District IV 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:

RESOLUTION NO. _____

ATTESTED: June 25, 2024

Monica Nino, County Administrator

By _____, Deputy

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-222 **Agenda Date:** 6/25/2024 **Agenda #:** C.22.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Recognizing Lisa Redfern for her 30 years of service to Contra Costa County

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ADOPT Resolution in honor of Lisa Redfern for her 30 years of service to Contra Costa County, as recommended by Anna Roth, Director of Health Services, and Kristina Jadrich, Assistant Director of Nutritional Services.

FISCAL IMPACT:

None

BACKGROUND:

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors of Contra Costa County, California

In the matter of: Resolution No.

RECOGNIZING the contributions of Lisa Redfern on the occasion of her 30 years of service to Contra Costa County and the Health Services Department.

WHEREAS Lisa Redfern began her career with Contra Costa Health Services as a Clerk - Experienced Level in July of 1993 working at the Employment and Human Services Department. Ms. Redfern advanced her career by promoting to Clerk - Senior Level and transferring to the Contra Costa Health Services Central Appointment Unit in 1997, in which she called home for 10 years. Ms. Redfern then spent some time as an Account Clerk - Experienced Level at California Children's Services and then returned to being a Clerk - Senior Level to support the In-Home Supportive Services Program. This position provided Ms. Redfern the opportunity to work for the Season of Sharing program, which involved the hands-on provision of resources to those in need. In 2018, Ms. Redfern transferred to her current unit, Food and Nutrition Services at Contra Costa Regional Medical Center and has since been promoted to Clerk - Specialist Level.

WHEREAS, Ms. Redfern has been a beneficial resource to the employees of the Food and Nutrition Services unit. Ms. Redfern's careful attention to detail and genuine compassion for others has contributed to her success throughout her Clerk career with Contra Costa Health Services.

WHEREAS, Ms. Redfern has efficiently and effectively provided support and dedication. She continues to uphold and elevate Contra Costa Health Services' Commitment to Service Excellence.

WHEREAS, the staff celebrate Ms. Redfern's contributions through her experience performing her duties in accordance with the values of the Contra Costa Health Services Mission Statement through her dedicated work performance.

NOW, THEREFORE, BE IT RESOLVED that Lisa Redfern be recognized and thanked for her 30 years of public service to the Contra Costa Health Services Department, and for her dedication to work and contributions.

File #: RES 2024-223 **Agenda Date:** 6/25/2024 **Agenda #:** C.23.

To: **Board of Supervisors**

From: Diane Burgis, District III Supervisor

Report Title: RESOLUTION CELEBRATING THE EAST BAY REGIONAL PARK DISTRICT'S 90TH ANNIVERSARY

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ACCEPT the Resolution Celebrating the East Bay Regional Park District's 90th Anniversary as recommended by Supervisor Diane Burgis

FISCAL IMPACT:
None

BACKGROUND:
None

CONSEQUENCE OF NEGATIVE ACTION:
None

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF CELEBRATING THE EAST BAY REGIONAL PARK DISTRICT'S 90TH ANNIVERSARY

WHEREAS, the East Bay Regional Park District has reached a significant milestone, marking 90 years of public service as the largest regional park district in the nation; and

WHEREAS, the Park District has grown to encompass 73 regional parks, spanning 126,000 acres of parklands, 55 miles of shoreline, and over 1,300 miles of trails in Alameda and Contra Costa counties, offering diverse recreational opportunities such as hiking, biking, swimming, horseback riding, boating, fishing, picnicking, camping and discovering nature; and

WHEREAS, the Park District's commitment to environmental conservation and the provision of positive experiences in nature has been a cornerstone of its history and mission; and

WHEREAS, the visionary efforts of civic leaders in the late 1920s, who, faced with the sudden availability of watershed land in the East Bay hills, came together to preserve the land forever, balancing environmental conservation with public benefit; and

WHEREAS, the collaboration with renowned landscape architect Frederick Law Olmsted Jr. and National Park Service's Chief Naturalist Ansel Hall, resulting in the 1930 Olmsted-Hall report, laid the foundation for the East Bay Regional Park District, bringing national credibility to the cause; and

WHEREAS, during the challenging times of the Depression, civic leaders demonstrated unwavering dedication by placing a measure on the ballot in 1934 to establish the Park District and tax themselves for land preservation, with a resounding 71 percent approval on November 6, 1934; and

WHEREAS, on June 4, 1936, the District made its first land acquisitions from the East Bay Municipal Utility District, establishing the inaugural parks - Upper Wildcat Canyon (Tilden), Temescal and Roundtop (Sibley); and

WHEREAS, for nine decades, the East Bay Regional Park District has remained steadfast in its commitment to preserving and protecting open space, providing safe and welcoming parks for recreation, and enhancing the quality of life for the community; and

NOW, THEREFORE, BE IT RESOLVED, that we, Contra Costa County Board of Supervisors, hereby celebrate and commend the East Bay Regional Park District on its 90th Anniversary, recognizing its significant contributions to environmental conservation, recreation and community well-being; and

BE IT FURTHER RESOLVED, we extend our sincere gratitude to the Park District for its dedication to preserving natural beauty, fostering outdoor enjoyment and creating a lasting legacy for generations to come; and

BE IT FURTHER RESOLVED, we encourage all East Bay communities to join in the celebration of the Park District's 90 years of milestones and history, participating in the various events and programs throughout the year; and

BE IT FURTHER RESOLVED, that this resolution be presented to the East Bay Regional Park District as a gesture of our appreciation for its enduring commitment to public service and environmental stewardship.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-224 **Agenda Date:** 6/25/2024 **Agenda #:** C.24.

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Report Title: Resolution recognizing the 60th Anniversary of St.Vincent de Paul

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ACCEPT recommendation to recognize the 60th Anniversary of St. Vincent de Paul in Contra Costa County.

FISCAL IMPACT:
No Fiscal Impact.

BACKGROUND:
This resolution honors the work of St. Vincent de Paul in Contra Costa.

CONSEQUENCE OF NEGATIVE ACTION:
No action.

The Board of Supervisors of Contra Costa County, California

WHEREAS, On June 29, 2024, St. Vincent de Paul of Contra Costa County (SVdP) will celebrate their 60th Anniversary of serving our neighbors in need; and

WHEREAS, SVdP is fueled by more than 700 dedicated volunteers who feed, clothe, shelter and heal their neighbors in need. These volunteers, called "Vincentians", ensure that community members have the basic needs for their families to thrive; and

WHEREAS, For 60 years, SVdP's Vincentians have been the heart of the organization - caring for local neighbors in need with love, dignity, and respect; and

WHEREAS, The Society of St. Vincent de Paul began in Paris in 1833 by college students led by 20-year-old Blessed Frederic Ozanam, who was challenged to put his Catholicism into action. The Society quickly spread, coming to the US in 1845. In 1964, the Society of St. Vincent de Paul established its presence in Contra Costa County; and

WHEREAS, As SVdP celebrates its 60th anniversary, its impact has grown tremendously. Annually, SVdP serves over 90,000 people distributing over $1.8 million in financial aid, mostly for rent & utilities, and $4.5 million of in-kind aid, mostly food; and

WHEREAS, SVdP is built on three tenets: growing spiritually, providing aid to people in need, and developing friendships with other SVdP Vincentians and those they serve. This foundation has enabled the organization to adapt, ensuring its services remain relevant and impactful; and

WHEREAS, SVdP's services have evolved over the decades to address the changing needs of the community. In addition to direct aid, they have established programs that focus on long-term solutions to poverty. This includes job training programs and a new micro-loan program. SVdP's approach ensures that individuals and families are empowered to achieve self-sufficiency. Some of the standout programs SVdP offers are the free medical clinic and free dental clinic. These clinics, in collaboration with RotaCare Bay Area and Dentists on Wheels, are staffed by volunteer healthcare professionals and provide essential care to the uninsured. Another critical aspect of SVdP's work is its commitment to environmental stewardship. The SVdP Thrift Stores not only provide affordable goods to the community, they also promote recycling and reduce waste by giving goods a second life, benefiting both the environment and those in need.

WHEREAS, As SVdP marks 60 years in Contra Costa County, they remain a beacon of hope for vulnerable families in the Bay Area.

NOW THEREFORE BE IT RESOLVED, The Contra Costa County Board of Supervisors recognizes and honors St. Vincent de Paul for 60 years of committed service to the residents of Contra Costa County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1756 **Agenda Date:** 6/25/2024 **Agenda #:** C.25.

To: Board of Supervisors

From: Internal Operations Committee

Report Title: Updates to Mental Health Commission Bylaws Pertaining to Attendance

☐Recommendation of the County Administrator ☒ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT changes to the Mental Health Commission's bylaws pertaining to attendance.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
In July 2021, the IOC decided to recommend changes to the Mental Health Commission bylaws pertaining to recruitment and membership. Those changes were adopted by the Board of Supervisors in September 2021 and the current bylaws are attached hereto for reference. At that time, it was anticipated that additional changes pertaining to attendance would be forthcoming from the Commission and considered at a future IOC meeting. At the end of 2023, there was an incident involving a commissioner concerning differing interpretations of attendance requirements in the current bylaws. Consequently, the Commission determined to revise and clarify its attendance requirements to avoid any future misunderstanding.

At its regular meeting of June 10, 2024, the Internal Operations Committee (IOC) reviewed the Mental Health Commission's proposed changes to its bylaws pertaining to attendance, both redline and final draft versions, as well as the current version of the bylaws adopted September 2021, which are all attached for reference. The proposed changes were unanimously approved by 11 Commissioners at the Commission's May 1, 2024 meeting.

The IOC recognized that Proposition 1 will likely necessitate combining the Alcohol and Other Drugs Advisory Board with the Mental Health Commission (MHC) (or decommissioning those bodies and creating a new body) by the end of this year. Still, the IOC agreed that the proposed MHC bylaw amendments could move forward in the interim to define what constitutes an excused absence and provide a procedure to report and recognize excused absences. This is especially important for Commissioners who have professional obligations, particularly involving travel, that prevents attendance at some MHC meetings.

CONSEQUENCE OF NEGATIVE ACTION:
Without the clarifying changes, the Commission may continue to have disputes over interpretation of the bylaws as they pertain to attendance.

CONTRA COSTA COUNTY
MENTAL HEALTH COMMISSION

BYLAWS

Last Amended and Approved by the Board of Supervisors:
September 21, 2021

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ARTICLE I
NAME OF ORGANIZATION

SECTION 1. NAME OF ORGANIZATION

1.1 Name

The name of the organization shall be the "Contra Costa County Mental Health Commission."

ARTICLE II
DEFINITIONS

SECTION 1. DEFINITIONS

1.1 The following definitions shall apply to the Contra Costa County Mental Health Commission Bylaws:

a) Better Government Ordinance means the Contra Costa County Ordinance regarding open meetings and public records, commencing with the Contra Costa County Code §25-2.202

b) Board means the Contra Costa County Board of Supervisors

c) Brown Act means the Ralph M. Brown Act of 1974, commencing with section 54950 of the California Government Code

d) Commission means the Contra Costa County Mental Health Commission

e) Commissioner means a member of the Commission

f) Consumer means a person who is receiving or has received mental health services

g) Consumer Representative means a Consumer who is a member of the Commission

h) County means Contra Costa County

i) Family Member means a parent, spouse, registered domestic partner, sibling, or adult child of a consumer

j) Mental Health Director means the person serving as the director of the Contra Costa County Mental Health Department

k) Mental Health Department means the Contra Costa County Mental Health Department

1) Supervisor means a member of the Contra Costa County Board of Supervisors

ARTICLE III
GENERAL PROVISIONS

SECTION 1. AUTHORITY

1.1 Establishment

The Contra Costa County Mental Health Commission ("Commission" hereinafter) was established by order of the Contra Costa County Board of Supervisors on June 22, I993, pursuant to the Bronzan McCorquodale Act, Stats. 1992, c. 1374 (AB. 14) to serve in an advisory capacity to the Board of Supervisors.

SECTION 2. MANDATED ROLES AND RESPONSIBILITIES

2.1 Mandates

a) Pursuant to Welfare and Institutions Code Section 5604.2 (a) and (b), as it may be amended from time to time, the Commission shall do all of the following:

1) Review and evaluate the County's mental health needs, services, facilities, and special problems.

2) Review any County agreements entered into pursuant to Section 5650 of the Welfare & Institutions Code.
3) Advise the Board of Supervisors and the Mental Health Director as to any aspect of the County's mental health program.
4) Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.
5) Submit an annual report to the Board of Supervisors on the needs and performance of the county's mental health system.
6) Review and make recommendations on applicants for the appointment of a Mental Health Director. The Commission shall be included in the selection process prior to the vote of the Board of Supervisors.
7) Review and comment on the County's performance outcome data and communicate its findings to the California Mental Health Planning Council.
8) Assess the impact of the realignment of services from the state to the county, on services delivered to clients in this County.
9) Perform those additional duties as may be directed by the Board of Supervisors.

b) Pursuant to Section 5848 (b) and (c) of the Welfare & Institutions Code:
   1) The Commission shall conduct a public hearing on the draft three-year program and expenditure plan, and annual updates at the close of the required 30-day comment period and review the adopted plan or update and make recommendations to the County Mental Health Director for revisions.

ARTICLE IV
MEMBERSHIP

SECTION 1. MEMBERSHIP

1.1 Composition

a) The Commission shall consist of fifteen (15) members appointed by the Board of Supervisors, plus one member of the Board of Supervisors and an alternate assigned to be a representative to the Commission. Each member of the Board of Supervisors shall have three (3) members representing his or her district. The specific seat to be assigned to each nominee will be determined by the member of the Board of Supervisors making the nomination.

b) The following rules shall apply to membership on the Commission:
   1) One (1) member of the Board of Supervisors shall be a member of the Commission. The Board of Supervisors shall also appoint one (1) Supervisor to serve as an alternate member.
   2) Fifty percent (50%) of the Commission membership p shall be consumers or the parents, spouses, siblings, or adult children of consumers, who are receiving or have received mental health services. At least twenty-percent of the Commission membership shall be Consumers and at least twenty-percent shall be Family Members. If at least twenty percent of the total Commission membership is not comprised of Consumers and/or if at least twenty-percent of the total Commission membership is not comprised of Family Members, a Commissioner for the underrepresented category may be selected from any Supervisorial district, if there are no applicants from the impacted district. If it is not possible to secure membership as specified from among persons residing in the

County, the Board may substitute representatives of the public interest in mental health who are not employees of County Mental Health, Department of Health Care Services or on staff or a paid member of a governing body of a mental health contract agency.

c) On this Mental Health Commission, membership shall consist of:
   1) One (1) member of the Board of Supervisors
   2) Five (5) members shall be Consumer Representatives - individuals who are receiving or have received mental health services, preferably in Contra Costa County.
   3) Five (5) members shall be Family Members - parents, spouses, registered domestic partners, siblings or adult children of consumers who are receiving or have received mental health services, preferably in Contra Costa County.
   4) Five (5) members shall be Members-at-Large - individuals who have experience and knowledge of the mental health system, preferably in Contra Costa County.

1.2 Demographic and Ethnic Representation
   a) The Commission membership should reflect the ethnic diversity of the client population in the County.
   b) The composition of the Commission shall represent the demographics of the County as a whole, to the extent feasible.

1.3 Membership Restrictions
   a) No member of the Commission or his or her spouse shall be:
      1) A full-time or part-time employee of any Contra Costa County department that is directly involved in the provision of mental health services; or
      2) An employee of the State Department of Health Care Services; or
      3) An employee of, or a paid member of, the governing body of a mental health contract agency.
   b) Commission members must be eighteen (18) years of age or older and, except as otherwise provided in these Bylaws, must reside in Contra Costa County.
   c) Members of the Commission shall abstain from discussing or voting on any issue in which the member has a financial interest as defined in Section 87103 of the Government Code.

SECTION 2. ATTENDANCE

2.1 Attendance requirements
   a) Regular attendance at Commission meetings is mandatory for all Commission members.
      1) A member who has four (4) unexcused absences from regularly scheduled full Commission meetings in any consecutive twelve-month period, as opposed to calendar year, shall be deemed to have resigned from the Commission. In such event, the former Commission member's status will be noted at the next scheduled Commission and shall be recorded in the Commission's minutes. The Chairperson shall, without further direction from the Commission, apprise the Board of Supervisors of the member's resignation and request the appointment of a replacement.
      2) A Commissioner's absence from a regularly scheduled Commission meeting may be excused in the case of an unforeseen, extraordinary circumstance, including but not limited to major illness, natural disaster, or civil unrest. Commissioners shall obtain consent from the Chair at least one day prior to the meeting, for any planned absences. Excused absences will be recorded in the meeting minutes as an "excused absence".
   b) Each Commissioner will ensure that when s/he attends Commission-sponsored meetings (excluding Commission and Commission Committee meetings) or activities representing her/himself as a Commissioner, s/he expresses only those views approved by the Commission.

c) Regular attendance of one standing Commission Committee, with the exception of Executive Committee, is mandatory for all Commission members.
   1) A member who has four (4) unexcused absences from regularly scheduled Commission Committee meetings in any consecutive twelve-month period shall be deemed to have resigned from the Committee. In such event the former Committee member's status will be noted at the next scheduled Committee meeting and shall be recorded in the Committee's minutes. The resigned member shall choose a different Committee on which to serve.

SECTION 3. TERMS

3.1 Duration

The term of each member of the Commission shall be three (3) years in duration. Terms shall be staggered so that approximately one-third (1/3) of the appointments end each year. All terms end on June 30 in the appropriate year. The Supervisor appointed to the Commission serves until replaced by the County Board of Supervisors.

SECTION 4. VACANCIES AND RECRUITMENT

4.1 Role of the Commission

The role of the Commission in recruitment of new commissioners is at the discretion of and to the extent requested by the Board of Supervisors.

4.2 Applications

The Commission is encouraged to help identify and recruit qualified applicants to apply for any vacancies on the Commission.

4.3 Commission Identification and Recruitment of Applicants

a) Pursuant to Article IV, section 1.2, the Commission shall, to the extent feasible, identify and encourage applicants who will assist the County in maintaining a Commission that represents and reflects the diversity and demographics of the County as a whole, as provided in the Welfare & Institutions Code.
b) To the extent possible, the Commission shall identify and encourage applicants who have experience and knowledge of the mental health system, preferably in the County.

4.4 In order for applicants being considered for the Mental Health Commission to have a better understanding of their potential role, responsibilities, and restrictions as a Commissioner, applicants are encouraged to attend at least one Commission meeting, and also encouraged to meet with the Commission Chair, Commission Vice Chair or other commissioners prior to their appointment.

4.5 The Chair and Executive Committee of the Mental Health Commission shall coordinate appropriate training and orientation of all newly appointed commissioners.

ARTICLE V
MEETINGS

SECTION 1. REGULAR MEETINGS

1.1 Regular Meetings

Meetings of the Mental Health Commission shall be held monthly.

1.2 Schedule of Meetings

The meeting schedule for the following year shall be set in the month of December. If no meeting will be convened during the month of December, the meeting schedule shall be set at the last regular meeting of the calendar year. Meeting schedules shall be available online.

1.3 Minimum Number

A minimum of eleven (11) meetings shall be held per year.

1.4 Holidays

If the regular meeting date falls on a holiday, a new meeting date shall be selected.

SECTION 2. ORDER OF BUSINESS

2.1 Agendas

Agendas shall be prepared for regular Commission and Executive Committee meetings at the direction of the Commission Chairperson. When feasible, agendas shall be e-mailed and mailed seven (7) days prior to the meeting, but at a minimum 96 hours prior to the meeting. Agendas shall be posted, e-mailed and mailed and made available to the public in accordance with the Brown Act and the County's Better Government Ordinance.

SECTION 3. QUORUM

A quorum is one person more than one-half of the appointed members. The Commission must have a quorum present in order to hold a meeting.

SECTION 4. CLOSED SESSION

The Commission may not conduct closed sessions.

SECTION 5. SPECIAL MEETINGS

Special meetings of the Commission may be called at any time by the Chair or by a majority of the members of the Commission in accordance with the Brown Act and the County's Better Government Ordinance.

SECTION 6. OPEN MEETINGS

All meetings of the Commission, including all meetings of its Executive Committee, standing committees, task forces and ad hoc committees shall comply with the Brown Act and the County's Better Government Ordinance.

SECTION 7. DECISIONS AND ACTIONS OF THE COMMISSION

Unless otherwise stated, all matters coming before the Commission for action shall be determined by a majority of the Commissioners appointed.

SECTION 8. ADDRESSING THE COMMISSION

Public Comment shall be allowed on any items of interest to the public that are within the subject matter jurisdiction of the Commission, both agendized and non-agendized items, in accordance with the Brown Act and the County's Better Government Ordinance. The Chairperson may limit the amount of time a person may use in addressing the Commission on any subject, provided the same amount of time is allotted to every person wishing to address the Commission.

ARTICLE VI
NOMINATION, ELECTION AND REMOVAL OF OFFICERS

SECTION 1. NOMINATION OF OFFICERS AND EXECUTIVE COMMITTEE MEMBERS

1.1 Ad Hoc Nominating Committee

An Ad Hoc Nominating Committee shall be appointed in the month of August. During the September meeting, the Ad Hoc Nominating Committee shall announce the solicitation of nominations from the Commission members and obtain the nominee's consent to serve. At the October meeting, a slate of nominees will be announced.

1.2 Nominations

In the event of a vacancy in the office of Chairperson, Vice Chairperson or an Executive

Committee member during the term of office, nominations will be taken, nominees' consent to serve will be obtained, and nominees will be announced at the next regularly scheduled Commission meeting.

SECTION 2. ELECTION

2.1 Timing of

The Commission shall elect a Chairperson, Vice Chairperson and members of the Executive Committee at the November or next regular meeting of the Commission following the announcement of nominations as set forth in Section I.

2.2 Assumption of Office

The newly-elected Chairperson, Vice Chairperson and Executive Committee shall assume office January 1 and serve through December 31 of that year. In the case of a mid-term appointment, the elected Chairperson, Vice Chairperson or members of the Executive Committee will complete the remainder of the normal term.

2.3 Conduct of Election

The election will be conducted publicly through the use of signed ballots. Ballots will be announced and counted publicly by the Ad Hoc Nominating Committee. The election of each officer will carry with a majority vote of the Commission. In the case of a tie vote, the Commission may re-cast ballots until the tie is broken. If, in the opinion of the Chairperson, the tie will not be broken within a reasonable number of attempts, the election may be deferred until the next scheduled Commission meeting and the current seated officer will remain in office until a new officer is elected.

SECTION 3. TERMS OF OFFICE

The Officers of the Commission, the Chairperson and Vice Chairperson, shall serve no more than three (3) consecutive terms of one year each in the same position. This will not preclude an individual from serving as Chairperson or Vice Chairperson after one (1) year of having not served.

SECTION 4. REMOVAL OF OFFICER

4.1 Grounds for Removal

The Commission, by a majority of the Commissioners appointed, may remove the Chairperson and/or Vice Chairperson from office and relieve him/her of his/her duties

4.2 Nominations After Removal

In the event of removal of the Chairperson and/or Vice Chairperson, the Ad Hoc Nominating Committee shall meet and present nominations for the vacant position(s) at the next regularly scheduled Commission meeting.

ARTICLE VII
DUTIES OF OFFICERS

SECTION 1.DUTIES OF THE CHAIRPERSON

1.1 Meetings

a) The Chairperson shall preside at all meetings of the Commission and perform duties consistent with these Bylaws and the Welfare and Institutions Code
b) The Chairperson shall conduct meetings, maintain order and decorum, and decide questions of procedure in accordance with these Bylaws and in consultation with County staff via the Executive Assistant to the Commission.
c) The Chairperson shall conduct all meetings in the manner required by the Brown Act and the County's Better Government Ordinance.

1.3 Other Duties

The Chairperson shall be in consultation with the Mental Health Director.

SECTION 2. DUTIES OF THE VICE CHAIRPERSON

In the event of the Chairperson's absence from a Commission meeting or inability to act, the Vice Chairperson shall preside and perform all duties of the Chairperson. In the case of removal of the Chairperson, the Vice Chairperson shall perform all duties of the Chairperson until new elections can be held.

SECTION 3. TEMPORARY CHAIRPERSON

In the event both the Chairperson and Vice Chairperson are absent from a Commission meeting or are unable to act, the members shall, by order fully entered into their records, elect one of their members to act as Chairperson *Pro Tern*. The Chairperson *Pro Tern* shall perform the duties of the Chairperson until such time as the Chairperson or Vice Chairperson resumes his or her duties.

ARTICLE VIII
COMMITTEES

SECTION 1. CREATION OF COMMITTEES

Pursuant to the rules set forth herein, the Commission may create committees which can be standing committees, task forces or ad hoc committees as needed.

SECTION 2. STANDING COMMITTEES

2.1 Mission Statement

Each standing committee shall develop a Mission Statement. The Mission Statement is subject to approval by the Commission and shall be submitted to the Commission for approval no later than 60 days after establishment of the committee.

2.2 Composition

Each standing committee shall consist of a minimum of three (3) and a maximum of five (5) members of the Commission.

2.3 Appointment and Terms

a) The Commission may appoint Commission members to standing committees.
b) The terms of the Committee Chairpersons and Vice Chairpersons shall be one (1) year.
c) There are no limits on the number of terms an individual may serve as Committee Chairperson or Vice Chairperson.

2.4 Meetings/Actions

a) All matters coming before a standing committee shall be determined by a majority of the Commissioners on the committee.
b) All standing committee meetings shall be conducted in accordance with the Brown Act and the County Better Government Ordinance.
c) All actions approved by a standing committee will be referred to the Commission for final approval.

2.5 Chairpersons, Vice Chairpersons

a) Selection
   1) Each standing committee shall have a Chairperson and may have a Vice Chairperson who are selected by the Committee.
   2) In the event of a vacancy in the position of Chairperson or Vice Chairperson of a standing committee, the Commission Chairperson may serve as temporary Chairperson of the

standing committee for up to sixty (60) days while the Committee selects a new Chairperson or Vice Chairperson.

b) Duties

1) The Chairperson shall preside at all meetings of the standing committee and perform his or her duties consistent with the procedures outlined herein. The Chairperson shall work in consultation with the Commission Chairperson.

2) The Chairperson shall direct the preparation and distribution of agendas for their respective standing committee meetings as required by the Brown Act and the County's Better Government Ordinance.

3) The Chairperson shall provide monthly reports to the Commission regarding the activities of the standing committee and is encouraged to provide an outline of the monthly report to the Executive Assistant to the Commission for use in preparation of the Minutes.

SECTION 3. EXECUTIVE COMMITTEE

3.1 Purpose

The Executive Committee is charged with acting on the decisions of the Mental Health Commission. Its primary focus is to identify and avail any reasonable resources needed to deliberate over agenda items of the general membership, committee, task force or ad hoc committee meetings

3.2 Composition

The Commission Chairperson, and Vice Chairperson shall be members of the Executive Committee. Additional members shall be elected by the Commission. The Executive Committee shall consist of a minimum of three (3) members and a maximum of five (5) members.

3.3 Term

Elected members of the Executive Committee shall serve for one calendar year.

SECTION 4. TASK FORCES

4.1 Purpose

Task forces shall be time-limited and have a stated purpose beyond the scope of regular Commission responsibilities approved by the Commission and shall be required to report back to the Commission regarding progress toward its stated purpose.

4.2 Composition

Each task force shall consist of a minimum of three (3) members and a maximum of five (5) members. Non-Commissioners may be appointed from the community as non-voting members when special expertise, advice or opinion is desired, at the discretion of the Commission, but shall not exceed one half (1/2) of the membership of the Task Force. All task force members shall conform to the Mental Health Division client confidentiality statement.

4.3 Appointment and Terms

The Commission shall appoint Commission and non-Commission members to task forces based upon a majority vote of the Commission. The terms of all task force members shall be until the task force has completed its stated purpose.

4.4Meetings/ Actions

All meetings shall be conducted in accordance with the Brown Act and the Contra Costa County Better Government Ordinance. All matters coming before a task force shall be determined by a majority of the members of the task force.

4.5 Chairpersons

a) Selection

1) Each task force shall have a Chairperson and may have a Vice Chairperson, selected by

the members of the task force. In the event of a vacancy in the position of Chairperson of a task force, the Commission Chairperson may serve as temporary Chairperson of the task force for up to sixty (60) days while the Task Force selects a new Chairperson.

b) Duties

1) The Chairperson shall preside at all meetings of the task force and perform his or her duties consistent with the procedures outlined herein. The Chairperson shall work in consultation with the Commission Chairperson.

2) The Chairperson shall direct the preparation and distribution of agendas for the task force in the manner required by the Brown Act and the County's Better Government Ordinance.

3) The Chairperson shall provide monthly reports to the sponsoring standing committee or the Commission.

4.6 Removal

The Chairperson of the task force may request of the Chair of the Commission replacement of a member who fails to regularly attend the task force meetings.

SECTION 5. AD HOC COMMITTEES

5.1 Purpose

Ad Hoc Committees shall be established by the Commission as needed to address issues within the normal course of Commission responsibilities, including but not limited to applicant interviews and officer nominations. They shall be required to report back to the Commission.

5.2 Composition

An ad hoc committee shall consist of a minimum of three (3) and a maximum of five (5) members of the Commission.

5.3 Appointment

The Commission shall appoint Commission members to an ad hoc committee.

5.4 Meetings/Actions

All matters coming before an ad hoc committee shall be determined by a majority of the members of the ad hoc committee.

5.5 Chairpersons

a) Selection

Each ad hoc committee shall have a Chairperson, and may have a Vice Chairperson, selected by a majority of the members of the ad hoc committee. In the event of a vacancy in the position of Chairperson of an ad hoc committee, the Commission Chairperson may serve as temporary Chairperson of the ad hoc committee for up to sixty (60) days while the ad hoc committee selects a new Chairperson.

b) Duties

1) The Chairperson shall preside at all meetings of the ad hoc committee and perform his or her duties consistent with the procedures outlined herein. The Chairperson shall be in consultation with the Commission Chairperson.

2) The Chairperson shall direct the preparation and distribution of agendas for the ad hoc committee in the manner required by the Brown Act and the County's Better Government Ordinance.

3) The Chairperson shall provide monthly reports to the Commission.

5.6 Removal

The Chairperson of the ad hoc committee may request of the Chair of the Commission replacement of a member who fails to regularly attend the ad hoc committee meetings.

SECTION 6. COMMISSION REPRESENTATIVE

The Commission shall appoint an officer or other member of the Commission as the Commission Representative to the California Association of Local Mental Health Boards/Commissions. The Commission Representative shall represent the Mental Health Commission at statewide meetings and to report back to the Commission.

SECTION 1. STAFF SUPPORT

The County's Mental Health Division provides clerical support services to assist the Commission in the management of its operations and activities. The Executive Assistant shall maintain all necessary records. The budget of the Mental Health Division shall fund the position of the Executive Assistant to the Mental Health Commission.

SECTION 2. STAFF ATTENDANCE AT MEETINGS

The Mental Health Division staff provides information to the Commission and its committees regarding agenda items and attends meetings on a regular basis.

SECTION 3. ACTIONS

The Commission by its Chairperson shall regularly inform the Mental Health Director of Commission actions.

ARTICLE X
BYLAW AMENDMENTS

SECTION 1. AMENDMENTS

These Bylaws may be amended by a majority vote of the Commission in a regularly scheduled meeting as defined at Article V, Section 1. Before the Commission may consider or vote on Bylaw amendments, proposed amendments shall be submitted in writing to Commission members at least thirty (30) days prior to the meeting date at which they are to be considered.

Section 2. Attendance

~~1.~~**2.1 Attendance requirements**:

~~1.~~a) Regular attendance ~~at~~of Commission meetings is mandatory for all Commission members.

~~1)~~

1. Unexcused Absences:

A Commission member ~~who has four (4) unexcused absences from~~ is required to contact the Commission Chairperson and the administrative assistant at least 24 hours before a regularly scheduled meeting if they are unable to attend. Failure to do so will result in an unexcused absence. A Commission member who has four (4) unexcused absences from a regularly scheduled full ~~Commission meetings~~commission meeting in any consecutive twelve-month period, as opposed to calendar year, ~~shall~~will be deemed to have automatically resigned from the Commission. In such event, the ~~former~~ Commission member's status will be noted at the next ~~scheduled~~ Commission meeting and ~~shall be~~ recorded in the ~~Commission's~~meeting minutes. The Commission Chairperson shall, without further direction from the Commission, apprise the appointing Supervisor and request the Board of Supervisors ~~of~~to remove the ~~member's resignation~~appointee and request the appointment of a replacement.

~~A Commissioner's~~

2. Excused Absences:

~~1.~~ A Commission member's absence from a regularly scheduled Commission meeting may be excused ~~in the case of an unforeseen, extraordinary circumstance, including~~to include but not limited to major illness~~, natural disaster, or civil unrest. Commissioners~~ and unexpected family emergencies. They also include some unscheduled absences, such as surgical procedures, jury duty, funerals, and scheduled vacations. Commission members shall obtain consent from the ~~Chair~~Commission Chairperson at least one day prior to the meeting~~,~~ for any planned absences. Excused absences will be recorded in the meeting minutes as an ~~"~~"excused absence~~".~~"

~~b) Each Commissioner will ensure that when s/he attends Commission-sponsored meetings (excluding Commission and Commission Committee meetings) or activities representing her/himself as a Commissioner, s/he expresses only those views approved by the Commission.~~

~~c) Regular attendance of one standing Commission Committee, with the exception of Executive Committee, is mandatory for all Commission members.~~

~~1) A member who has four (4) unexcused absences from regularly scheduled Commission Committee meetings in any consecutive twelve-month period shall be deemed to have resigned from the Committee. In such event the former Committee member's status will be noted at the next scheduled Committee meeting and shall be recorded in the Committee's minutes. The resigned member shall choose a different Committee on which to serve.~~

3. Leave of Absence:

A Commission member who does not wish to resign and needs a leave from

the Commission commitments may request a leave of absence for illness or personal reasons for a period of up to three (3) months. The request must be submitted in writing to the Commission Chairperson, who will inform the appointing Supervisor. A Commission member may request an extension to their leave by submitting a request in writing to the Commission Chairperson, who will forward the request to the appointing Supervisor for approval.

Proposed Changes to Contra Costa County Mental Health Commission Bylaws

For Contra Costa County Board of Supervisors Approval

Section 2. Attendance

2.1 Attendance requirements:

a) Regular attendance of Commission meetings is mandatory for all Commission members.

1. Unexcused Absences:
   A Commission member is required to contact the Commission Chairperson and the administrative assistant at least 24 hours before a regularly scheduled meeting if they are unable to attend. Failure to do so will result in an unexcused absence. A Commission member who has four (4) unexcused absences from a regularly scheduled full commission meeting in any consecutive twelve-month period, as opposed to calendar year, will be deemed to have automatically resigned from the Commission. In such event, the Commission member's status will be noted at the next Commission meeting and recorded in the meeting minutes. The Commission Chairperson shall, without further direction from the Commission, apprise the appointing Supervisor and request the Board of Supervisors to remove the appointee and request the appointment of a replacement.

2. Excused Absences:
   A Commission member's absence from a regularly scheduled Commission meeting may be excused to include but not limited to major illness and unexpected family emergencies. They also include some unscheduled absences, such as surgical procedures, jury duty, funerals, and scheduled vacations. Commission members shall obtain consent from the Commission Chairperson at least one day prior to the meeting for any planned absences. Excused absences will be recorded in the meeting minutes as an "excused absence."

3. Leave of Absence:
   A Commission member who does not wish to resign and needs a leave from the Commission commitments may request a leave of absence for illness or personal reasons for a period of up to three (3) months. The request must be submitted in writing to the Commission Chairperson, who will inform the appointing Supervisor. A Commission member may request an extension to their leave by submitting a request in writing to the Commission Chairperson, who will forward the request to the appointing Supervisor for approval.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1757 **Agenda Date:** 6/25/2024 **Agenda #:** C.26.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Appointment of Scott Thompson, Interim Director of the Community Servies Bureau, as the Alternate of the First 5 Commission

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPOINT Scott Thompson, Interim Director of the Community Services Bureau, as Alternate to Marla Stuart, Employment and Human Services Department Director, on the Contra Costa First 5 Children and Families Commission.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Contra Costa County Board of Supervisors established the First 5 Contra Costa Children and Families Commission on June 15, 1999 (Ordinance 99-15). The Board appointed nine Commission members and nine Alternate members on September 1, 1999. Members include one Supervisor from the County Board of Supervisors, the directors of the County departments of Health Services and Employment and Human Services, and the director of the Children & Family Services Bureau. The other five members of the Commission are appointed by the Board of Supervisors and represent each Supervisorial District.

Commissioners and Alternate Commission members represent various disciplines and backgrounds including pediatrics, early childhood education, child welfare, and schools. Alternate members, including second representatives from the Board of Supervisors, the county agencies mentioned above, and five districts, hold all the powers of the appointed Commissioners except voting privileges.

The prior incumbent of the Employment and Human Services Department Alternate Seat concluded their tenure with the County. This Board Order will appoint Scott Thompson, Interim Director of the Community Services Bureau, as Alternate to Marla Stuart, Employment and Human Services Department Director, on the Contra Costa First 5 Children and Families Commission.

CONSEQUENCE OF NEGATIVE ACTION:
The Employment and Human Services Department Alternate Seat on the First 5 Contra Costa Children and Families Commission would remain vacant.

CHILDREN'S IMPACT STATEMENT:

The First 5 Contra Costa Children and Families Commission role and responsibilities support all five community outcomes established in the Children's Report Card,

(1) "Children Ready for and Succeeding in School";

(2) "Children and Youth Healthy and Preparing for Productive Adulthood";

(3) "Families that are Economically Self-Sufficient";

(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"

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1758 **Agenda Date:** 6/25/2024 **Agenda #:** C.27.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Appointments to First 5 Contra Costa Children and Families Commission

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPOINT Roslyn Gentry to the Children and Family Services Bureau Seat on the First 5 Contra Costa Children and Families Commission and APPOINT Ana Kaye as the Children and Family Services Bureau Alternate Seat on the First 5 Contra Costa Children Families Commission, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:
There is no fiscal impact for this action.

BACKGROUND:
The Contra Costa County Board of Supervisors established the First 5 Contra Costa Children and Families Commission on June 15, 1999 (Ordinance 99-15). The Board appointed nine Commission members and nine Alternate members on September 1, 1999. Members include one Supervisor from the County Board of Supervisors, the directors of the County departments of Health Services and Employment and Human Services, and the director of the Children & Family Services Bureau. The other five members of the Commission are appointed by the Board of Supervisors and represent each Supervisorial District.

Commissioners and Alternate Commission members represent various disciplines and backgrounds including pediatrics, early childhood education, child welfare, and schools. Alternate members, including second representatives from the Board of Supervisors, the county agencies mentioned above, and five districts, hold all the powers of the appointed Commissioners except voting privileges.

The prior incumbent of the Children and Family Services Bureau Seat has left County service. This Board Order will appoint Roslyn Gentry to the Children and Family Services Bureau Seat on the First 5 Contra Costa Children and Families Commission. The prior incumbent of the Children and Family Services Bureau Alternate Seat was Roslyn Gentry. This Board Order will appoint Ana Kaye to the Children and Family Services Bureau Alternate Seat on the First 5 Contra Costa Children and Families Commission.

CONSEQUENCE OF NEGATIVE ACTION:

The Children and Family Services Seat and Alternate Seat on the First 5 Contra Costa Children and Families Commission would remain vacant.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1759 **Agenda Date:** 6/25/2024 **Agenda #:** C.28.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Appointment to the Emergency Medical Care Committee

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPOINT Andrew Jensen to the B12 Contra Costa Office of the Sheriff Representative seat on the Emergency Medical Care Committee (EMCC) with a term expiration date of September 30, 2024:

B12 Contra Costa Office of the Sheriff Representative: Andrew Jensen, Martinez, CA 94553

FISCAL IMPACT:
There is no fiscal impact for this action.

BACKGROUND:
The EMCC is a multidisciplinary committee appointed by the County Board of Supervisors, to provide advice and recommendations on EMS-related matters to the Board, Health Services Director, and its EMS Agency. Membership consists of consumer representatives, and representatives of EMS-related organizations and groups.

On May 1, 2024, EMCC advisory body staff received notification via email that the current EMCC B12 seat holder was resigning his seat effective immediately due to a position transfer, and that the Contra Costa County Sheriff's Office selected Lieutenant Andrew Jensen as the seat replacement. No other candidates were nominated for the Contra Costa Office of the Sheriff representative seat replacement. On May 21, 2024, the EMCC B12 seat was declared vacant, to be filled after June 4, 2024.

CONSEQUENCE OF NEGATIVE ACTION:
If this request is not approved, the B12 Contra Costa Office of the Sherrif Representative seat on the EMCC will not be filled.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1760 **Agenda Date:** 6/25/2024 **Agenda #:** C.29.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Advisory Council on Aging Vacancies

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ACCEPT the resignations of Mike Awadalla and Jody Iorns, DECLARE vacancies in the At-Large #7 and City of Martinez seats on the Advisory Council on Aging for terms ending on September 30, 2024 and September 30, 2025 respectively, and DIRECT the Clerk of the Board to post the vacancies, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:
There is no fiscal impact for this action.

BACKGROUND:
Mike Awadalla was appointed by the Board of Supervisors as the Member at Large #7 representative on the ACOA on March 22, 2022, with a term ending on 9/30/2024. Jody Iorns was appointed by the Board of Supervisors as the City of Martinez Representative on the ACOA on February 22, 2022, with a term ending on 9/30/2025.

The Advisory Council on Aging (ACOA) provides county-wide planning, cooperation, and coordination for individuals and groups interested in improving and developing services and opportunities for older residents of the County. ACOA provides leadership and advocacy on behalf of older persons and serves as a channel of communication and information on aging.

CONSEQUENCE OF NEGATIVE ACTION:
The seats will not be declared vacant and new appointments to the positions would not be able to be made. This could cause issues with achieving quorum for the Council and potentially impact their ability to hold meetings.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1761 **Agenda Date:** 6/25/2024 **Agenda #:** C.30.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Declare a vacancy on the Family and Children's Trust Committee

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ACCEPT the resignation from Ani Pereira-Sekhon, DECLARE a vacancy in the At-Large Seat 2 on the Family and Children's Trust Committee for a term ending September 30, 2025, and DIRECT the Clerk of the Board to post the vacancy, as recommended by the Employment and Human Services Director.

FISCAL IMPACT:
There is no fiscal impact for this action.

BACKGROUND:
The Family and Children's Trust Committee (FACT) was established in 1985 by the Contra Costa County Board of Supervisors to make funding recommendations on the allocation of a variety of funds for prevention and intervention services to reduce child abuse and neglect, provide supportive services to families and children, and promote a more coordinated, seamless system of services for families. Funding for FACT supported projects are derived from Federal and State program legislation and donations to the County FACT fund.

Ms. Pereira-Sekhon notified Staff to FACT on May 21, 2024 of her resignation to the Family and Children's Trust Committee. Ms. Pereira-Sekhon has served on the FACT Committee since January 19, 2021 with the most recent re-appointment to the At-Large Seat 3 on November 7, 2023 (C.19) and realigned to At-Large Seat 2 on March 19, 2024 (C.11) with a term expiration date of September 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:
Failure to declare this vacancy will delay making a new appointment to the seat.

CHILDREN'S IMPACT STATEMENT:
The FACT Committee roles and responsibilities support all five community outcomes established in the Children's Report Card: 1) "Children Ready for and Succeeding in School"; 2) "Children and Youth Healthy and Preparing for Productive Adulthood"; 3) "Families that are Economically Self Sufficient"; 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," by providing funding recommendations to the BOS on the allocation of designated funds to support the prevention, intervention and treatment of child abuse and neglect, and the promotion of positive family functioning in Contra Costa County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1762 **Agenda Date:** 6/25/2024 **Agenda #:** C.31.

To: Board of Directors

From: Anna Roth, Health Services Director

Report Title: Declare Vacancy on the Alcohol and Other Drugs Advisory Board

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
DECLARE vacant At-Large 4 seat on the Alcohol and Other Drugs Advisory Board; 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 Alcohol and Other Drugs Advisory Board's mission is to identify needs in the community with regards to substance use prevention or treatment. The findings and recommendations are provided to the Board of Supervisors, the Health Services Department, Behavioral Health Division and the Alcohol and Other Drugs Services (AODS) administration. The Board is comprised by five supervisorial district seats, six At- Large Member Seats and three At- Large Alternate Seats. Rhiannon Shires vacated her seat due to personal reasons. The term of this seat will expire on June 30, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
The seat will remain unfilled, and this will potentially make it more difficult to achieve a quorum and lessen the viewpoint of communities impacted by substance use issues.

Contra Costa County Alcohol and Other Drugs Advisory Board
1220 Morello Avenue, Suite 101
Martinez, CA 94553
(925) 335–3307; fax (925) 335–3311

"The mission of the Contra Costa County Alcohol and Other Drugs Advisory Board is to assess family and community needs regarding prevention and treatment of alcohol and other drug-related problems. Resultant findings and recommendations are forwarded to the Health Services Department and the Board of Supervisors. The Board also serves as an advocate for these findings and recommendations to the communities that we serve."

District I
Olivia Liou

District 2
Shelley Clark

District 3
Vacant

District 4
Kristin Smith

District 5
Logan Campbell

At- Large Member
Mimi Medalle
Nicole Armstrong
Roland Fernandez
Rhiannon Shires
Nicole Green
Sadhika Pendyala

At- Large Alternate
Vacant
Vacant
Vacant

Date: May 23, 2024

To: Family and Human Services Committee, Contra Costa Board of Supervisors

From: Fatima Matal Sol, Staff contact for the Alcohol and Other Drugs Advisory Board

RE: **Alcohol and Other Drugs Advisory Board – At Large Member Vacancy**

The Alcohol and Other Drugs Advisory Board (AODAB), in its continued efforts to maintain full membership that represents the diversity in our community and county, hereby makes the following recommendation to declare vacant the member-at-Large Seat 4 with a scheduled expiration date of June 30, 2026.

NOMINEE	SEAT	TERM EXPIRATION
Rhiannon Shires, Psy.D.	**Member-at-Large Seat 4**	**6/30/2026**

After four years of serving with AODAB, Dr. Shires will be resigning from her seat to focus on new opportunities that will compromise her ability to maintain her time commitment to the Board. Accordingly, AOD staff will initiate outreach and recruitment efforts in the community to assist fill the vacancy. Should you have any questions, please contact me at:

Phone: 925-335-3307
Email: Fatima.MatalSol@cchealth.org

Thank you in advance for your kind consideration in this matter.

CCCAODS will provide reasonable accommodations for persons with disabilities planning to attend the meetings who should contact staff at least 24 hours before the meeting at (925) 335-3307.

The Contra Costa County Alcohol and Other Drugs Advisory Board welcomes and encourages public participation at each meeting. Public comments on the agenda or any item of interest within the jurisdiction of the Contra Costa County Alcohol and Other Drugs Advisory Board are restricted to a maximum of three minutes per speaker. Topics not posted on the agenda may be addressed by the general public, however, California Law prohibits a Board or Commission from taking action on matters which are not on the agenda, unless in specific instances as stated under the Brown Act. Any person wishing to address this Board on matters not posted on the agenda should bring their request to the attention of the Chair, Vice Chair or Staff of the Board. Thank you. For more information, contact Fatima Matal Sol (925) 335-3307.

Current AODAB Representation		
Seat	**Name**	**Address**
District I	Olivia Liou	Richmond, CA
District II	Shelley Clark	San Ramon, CA
District III	Vacant	
District IV	Kristin Smith	Concord, CA 94521
District V	Logan Campbell	Martinez, CA, 94553
At Large - 1	Mimi Medalle	Walnut Creek, CA 94597
At Large - 2	Nicole Armstrong	Pittsburg, CA 94565
At Large - 3	Roland Fernandez	Pittsburg, CA 94565
At Large - 4	Rhiannon Shires	Danville, CA
At Large - 5	Nicole Green	Pittsburg, CA 94565
At Large - 6	Sadhika Pendyala	San Ramon, CA
At Large - Alternate 1	Vacant	
At Large - Alternate 2	Vacant	
At Large - Alternate 3	Vaant	

Current AODAB Applicants	
Name	**Address**
Janelle Lafrades	Pittsburg, CA

Number of Apointed Members per District of Residence	
District I	1
District II	3
District III	0
District IV	2
District V	4

Number of Applicants per District of Residence	
District I	0
District II	0
District III	0
District IV	0
District V	0

District of Residence
I
II
III
IV
V
IV
V
V
II
V
II

District of Residence
V

Alcohol and Other Drugs Advisory Board
As of May 20, 2024

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1763 **Agenda Date:** 6/25/2024 **Agenda #:** C.32.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: People Who Make a Difference Awards 2024

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
PRESENTATION to recognize those who have significantly contributed towards reducing substance abuse in Contra Costa communities on the occasion of "People Who Make a Difference Awards 2024."

FISCAL IMPACT:
There is no fiscal impact for this action.

BACKGROUND:
Once a year, the Alcohol and Other Drugs Advisory Board of Contra Costa County acknowledges both volunteer and non-volunteer individuals and groups that have significantly contributed towards reducing alcohol and other drugs in Contra Costa.

CONSEQUENCE OF NEGATIVE ACTION:

Alcohol and Other Drugs Advisory Board of Contra Costa County
PEOPLE WHO MAKE A DIFFERENCE AWARDS 2024

VOLUNTEER INDIVIDUAL

District V – Supervisor Federal Glover

Delano Johnson

Delano Johnson has been an instrumental community member in the Pittsburg and Bay Point communities for over 15 years. He has helped hundreds of people struggling with substance use disorders by helping them seek and receive treatment as well as assisting with housing, employment, health insurance, and enrolling in school. Delano has worked directly with food banks, local churches and organizations to facilitate resident access to food, clothes, and hot showers. Throughout his years of volunteering, he has mobilized the community to come together to advocate for resources and support annual events.

VOLUNTEER GROUP

District IV – Supervisor Ken Carlson

Contra Costa Crisis Center Volunteers

The Contra Costa Crisis Center is a nonprofit organization that provides 24/7 services throughout the County to help people through crises by providing resources and connecting them to services. The services are available via phone call, text, and an online database of resources. The Contra Costa Crisis Center consists of a multidisciplinary team that also includes volunteers who are an instrumental part in supporting callers by providing emotional support and encouragement. By utilizing motivational interviewing techniques, volunteers assist many of the callers as they struggle with addiction issues. Volunteers make referrals to local resources, such as to Contra Costa County's Behavioral Health Access Line to link individuals to a broad variety of Behavioral Health services.

NON-VOLUNTEER INDIVIDUAL

District IV – Supervisor Ken Carlson

Justin Phillips

Justin Phillips is the Options Recovery Services' Executive Director who has expanded Options' Outpatient Substance Use Treatment from Alameda County to Contra Costa. Located in Concord, since its opening in 2022, Options has served over 373 clients. In 2023, the first group of clients who graduated from Options' celebrated their recovery with over twelve months of continuous drug and alcohol-free lives. During the pandemic, Options delivered in-person outpatient services for clients. Mr. Phillips went above and beyond by offering the unhoused population necessary resources such as hygiene supplies, clothing and food embodying a full scope continuum of care. In addition, Options hired bilingual staff to remove barriers and expand services to the Spanish-speaking population. Mr. Phillips has been a catalyst in expanding services in Contra Costa and going above and beyond in the community.

NON-VOLUNTEER GROUP

District IV – Supervisor Ken Carlson

Pueblos Del Sol

Pueblos Del Sol is a substance use treatment facility that offers detox and residential treatment for men in Concord, CA. Pueblos Del Sol offers Spanish-Speaking and culturally diverse services to clients, previous alumni, and incorporates family members and friends as an integral component to recovery services. Testimonies submitted by clients, alumni, and family members and friends share that the program and staff go above and beyond to create a safe, successful, and inclusive environment. Pueblos Del Sol is an exceptional example that it takes a multidisciplinary approach and team to provide high-level care in a substance use treatment program.

NON-VOLUNTEER GROUP

District II - Supervisor Candace Andersen

Discovery Counseling Center

Discovery Counseling Center is located in South County and has been serving the community for over 50 years providing mental health and substance use services. One school-based program that Discovery Counseling Center operates is the Alternative to Suspension Program (ASP) that is designed to support students and families in the San Ramon Valley Unified School District (SRVUSD) for students who are caught on campus or at school activities using substances. Students are then referred to the ASP where students participate in sessions that are aimed to identify and intervene in youth's substance use. ASP has been viable to SRVUSD students in raising awareness and empowering youth to

make informed decisions. Furthermore, ASP provides various resources such as emotional support and educational that are essential to combating substance use in the community.

NON-VOLUNTEER GROUP

Countywide

Operation Dawn

Operation Dawn is a faith-based organization based in the San Francisco Bay Area that provides recovery programs and support to the individual and to the family. Operation Dawn helps Asian Pacific Islander residents and their families to understand what drugs are, the harms associated, and provides education on the concept of health and treatment. There are numerous testimonies that share about youth and young adults' experiences with the rehabilitation services provided by Operation Dawn that were instrumental in their recovery journey.

YOUTH LEADERSHIP INDIVIDUAL

District IV – Supervisor Ken Carlson

Ronak Sharawagi

Ronak Sharawagi is a youth leader who is active in the Contra Costa CourAGE Youth Health Coalition, which is a youth-led and directed group focused on addressing substance use related issues in Contra Costa. Ronak is a member of CourAGE subgroup referred to as the "cannabis team." He has presented at different middle schools throughout the County serving as a role model to his peers. Ronak has been a presenter at conferences including a statewide Annual Cannabis Awareness and Prevention Conference and most recently helped lead a countywide Fentanyl Awareness and Overdose Rescue Training webinar.

YOUTH LEADERSHIP GROUP

District III – Supervisor Diane Burgis

Antioch Youth Development

Antioch Youth Development (AYD) is a peer-to-peer model program that focuses on youth development and substance use prevention by equipping high schoolers with leadership skills to mentor middle schoolers on underage cannabis use and prevention education. In addition to mentorship, the program hosts quarterly parent and community education nights to raise awareness of substance use and provide various resources to attendees. This year, AYD conducted a youth-led presentation where youth used the knowledge and skills learned in the program to highlight the importance of underage cannabis prevention education. AYD presentations allow youth to practice what they are being taught to raise awareness in their community.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1764 **Agenda Date:** 6/25/2024 **Agenda #:** C.33.

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Report Title: APPOINTMENT TO THE ECONOMIC OPPORTUNITY COUNCIL

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
REAPPOINT Renee Zeimer, Moraga resident, to the District II Public Sector Seat on the Economic Opportunity Council for a four-year term with an expiration date of June 30, 2028, as recommended by Supervisor Candace Andersen.

FISCAL IMPACT:

NONE

BACKGROUND:

The Economic Opportunity Council is the federally designated Community Action Program tri-partite oversight council in Contra Costa County. It is charged with the mission of working jointly with the Community Services Bureau in developing a Community Action Plan that guides the use of Community Services Block Grant Funds. There are currently 15 seats on the EOC.

Supervisor Andersen advertised the seat, received an application and met with the current appointee, is pleased with her involvement on the EOC and would like Ms. Zeimer to continue.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will become vacant.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1765 **Agenda Date:** 6/25/2024 **Agenda #:** C.34.

To: Board of Supervisors

From: Ken Carlson, District IV Supervisor

Report Title: REAPPOINT Jenelle M. Towle to the District IV Seat 1 on the Mental Health Commission.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPOINT the following individual to the District IV Seat 1 on the Mental Health Commission for a term ending June 30, 2027, as recommended by Supervisor Carlson:

Jenelle M. Towle - Pleasant Hill, CA

FISCAL IMPACT:
None

BACKGROUND:
The Contra Costa County Mental Health Commission was established by order of the Contra Costa County Board of Supervisors on June 22, 1993, pursuant to the Welfare & Institution Code 5604, also known as the Bronzan-McCorquodale Act, Stats. 1992, c. 1374 (A.B. 14). The primary purpose of the Commission is to serve in an advisory capacity to the Board of Supervisors from each of the five districts for a term of three years. Each district has a consumer of mental health services, family member and an at-large representative on the Commission, for a total of 15 members plus a representative from the Board of Supervisors.

CONSEQUENCE OF NEGATIVE ACTION:
The seat will remain vacant.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1766 **Agenda Date:** 6/25/2024 **Agenda #:** C.35.

To: Board of Supervisors

From: Ken Carlson, District IV Supervisor

Report Title: REAPPOINT Tavane Payne to the District IV Seat 2 on the Mental Health Commission for a term ending June 30, 2027, as recommended by Supervisor Carlson.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
REAPPOINT Tavane Payne to the District IV Seat 2 on the Mental Health Commission for a term ending June 30, 2027, as recommended by Supervisor Carlson.

FISCAL IMPACT:
None

BACKGROUND:
The Contra Costa County Mental Health Commission was established by order of the Contra Costa County Board of Supervisors on June 22, 1993, pursuant to the Welfare & Institution Code 5604, also known as the Bronzan-McCorquodale Act, Stats. 1992, c. 1374 (A.B. 14). The primary purpose of the Commission is to serve in an advisory capacity to the Board of Supervisors from each of the five districts for a term of three years. Each district has a consumer of mental health services, family member and an at-large representative on the Commission, for a total of 15 members plus a representative from the Board of Supervisors.

CONSEQUENCE OF NEGATIVE ACTION:
The seat will remain vacant.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1767 **Agenda Date:** 6/25/2024 **Agenda #:** C.36.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Approve the Board meeting minutes for May 2024

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE Board meeting minutes for May 2024, as on file with the Office of the Clerk of the Board.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Government Code Section 25101(b) requires the Clerk of the Board to keep and enter in the minute book of the Board a full and complete record of the proceedings of the Board at all regular and special meetings, including the entry in full of all resolutions and of all decisions on questions concerning the allowance of accounts. The vote of each member on every question shall be recorded.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors will not be in compliance with Government Code Section 25101(b).

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1768 **Agenda Date:** 6/25/2024 **Agenda #:** C.37.

To: Board of Supervisors

From: Kristin Connelly, Clerk-Recorder

Report Title: General Datatech, L.P. for NetApp Support and Maintenance

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the Clerk-Recorder, a purchase order with GDT (General Datatech, LP) in an amount not to exceed $6,272 and a related service agreement with NetApp to provide secure electronic data storage, support, and maintenance for the period April 1, 2024, through March 31, 2025.

FISCAL IMPACT:
The total purchase of $6,271.88 will not have any impact on the General Fund as it will be funded by the Department's Modernization Dedicated Fund.

Extending the support saves the Department money, once support runs out, and the servers reach end-of-life, they must be replaced.

BACKGROUND:
The Clerk-Recorder's office stores the entirety of its electronic data on two clustered NetApp Systems. This solution has been serving the department well for over the last 15 years. NetApp storage systems are known for their reliability and high performance, which is necessary when handling the public record which is stored in perpetuity.

NetApp storage solutions are highly scalable, allowing the Clerk-Recorder to easily expand capacity and data needs. Since 2006 the department has gone from 5TB of storage to 216 TB of storage. This scalability ensures that business operations can adapt to changing requirements without disrupting overall operations.

NetApp offers robust data protection features, including built-in data encryption, data backup, and disaster recovery solutions. These features help the Clerk-Recorder safeguard data against unauthorized access, data loss, and downtime.

The management tools provided by the NetApp allow Clerk-Recorder administrators centralized control and visibility over the storage infrastructure. This simplifies storage provisioning, monitoring, and troubleshooting, leading to improved operational efficiency and real time redundancy.

By executing this purchase order, the County is agreeing to defend, indemnify, and hold NetApp harmless for

any for any claims arising out of its performance under the purchase order agreement.

CONSEQUENCE OF NEGATIVE ACTION:
If this authorization is not approved, the department's IT team will not have access to technical assistance from NetApp which can lead to prolonged downtime. The department's IT team will struggle to address technical challenges efficiently, leading to delays in resolving issues and potential data loss without the expertise of NetApp support. With no support, this also means no access to firmware updates, security patches, and software upgrades, this will leave the NetApp units and all the public records vulnerable to security threats and may cause compatibility issues with other systems and software. This would increase the risk of extended downtime and data loss if critical components fail.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1769 **Agenda Date:** 6/25/2024 **Agenda #:** C.38.

To: Board of Supervisors

From: Kristin Connelly, Clerk-Recorder

Report Title: Clerk-Recorder Contract Extension for Recording and Indexing System

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a Software and Services Agreement Amendment with Granicus, LLC, to increase the payment limit by $1,150,000 to a new payment limit of $2,781,830, and extend the agreement term from May 6, 2024 to May 6, 2029, for the license and maintenance costs of the Department's recording system.

FISCAL IMPACT:
There is no fiscal impact to the County General Fund. This agreement will be funded by the dedicated Recorder Modernization Trust Fund (2451).

BACKGROUND:
Granicus, LLC, provides the Clerk-Recorder Division with an integrated system for electronic recording, cashiering, indexing and imaging. This system also provides the means to maintain and access the County's electronic historical vital and real property records. The Department conducted a robust Request for Proposal (RFP) before selecting and implementing this system in 2019, with the expectation that it would serve the County for 20 years.

CONSEQUENCE OF NEGATIVE ACTION:
Failure to approve this contract extension would leave the Clerk-Recorder Division without the software and technology necessary to perform the division's primary functions to the public and service agencies.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1770 **Agenda Date:** 6/25/2024 **Agenda #:** C.39.

To: Board of Supervisors

From: Kristin Connelly, Clerk-Recorder

Report Title: Contract Extension for Microfilm Storage

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Clerk-Recorder, or designee, to execute a contract amendment with Pacific Storage Company, Inc., to extend the term from June 4, 2024 through June 4, 2026, and increase the payment limit of the agreement by $10,000 to a new payment limit of $100,000 for the climate controlled and secure storage of the Department's microfilm records.

FISCAL IMPACT:
There is no fiscal impact to the County General Fund. This agreement is funded by the dedicated Recorder Modernization Trust Fund (2451).

BACKGROUND:
The Clerk-Recorder contracts with Pacific Storage Company, Inc., to store thirteen 2500 lbs. fireproof sages containing microfilm records in a secure, climate-controlled facility. The agreement also provides access to the contractor's remotely accessible online inventory management system. Pacific Storage Company, Inc., was originally selected by the Department for its established track record and has continually provided responsive and timely customer service.

This agreement has a modified indemnity clause, limits the contractor's liability for losses that result from contractor's negligence, and does not require the contractor to provide legal defense for the County.

CONSEQUENCE OF NEGATIVE ACTION:
The Department would need to identify another vendor to provide climate-controlled secure storage, costs and liability associated with relocating the stored microfilm to a new contractor could be substantial and include the risk of lower-quality service or high rates charged.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1826 **Agenda Date:** 6/25/2024 **Agenda #:** C.40.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: 2024/2025 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE the 2024/2025 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan (Exhibit A), identifying the activities authorized to be funded with Mitigation Fee revenue and respective funding allocations for the period of July 1, 2024, through June 30, 2025, as recommended by the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee (NRMFC).

FISCAL IMPACT:

The proposed action will not have an impact on the County's General Fund. Mitigation Fee revenue is used to cover the costs incurred by the County and City for any activities (Strategies) authorized to be funded under the applicable North Richmond Waste and Recovery Mitigation Fee Expenditure Plan approved by the County and City of Richmond (City). Each annual Expenditure Plan includes a Contingency line item in the budget to serve as a cushion for potential revenue shortfalls, and staff anticipates that there will be sufficient funding in the Contingency fund for this purpose.

BACKGROUND:

New Expenditure Plans and/or modifications to existing Expenditure Plans (Amended Expenditure Plan) must be approved by both the County Board of Supervisors and Richmond's City Council to officially authorize use of North Richmond Waste and Recovery Mitigation Fee funding. The purpose of this North Richmond Mitigation Fee (NRMF) is to mitigate designated impacts resulting from the County and City approved land use permits for the expanded Bulk Material Processing Center (BMPC) located in North Richmond.

Summary of Recommended 2024/2025 Expenditure Plan

At the NRMFC meeting on May 17, 2024, the Committee voted to recommend that the County Board of Supervisors and Richmond City Council approve a 2024/2025 Expenditure Plan that allocates funding from July 1, 2024, through June 30, 2025.

The recommended 2024/2025 Expenditure Plan attached (Exhibit A) incorporated the following changes:

- Increase funding for Strategy 1 - Bulky Item Pick-ups & Disposal Vouchers
- Decrease funding for Strategy 4.B - City/County Right-of-Way Pick-ups
- Decrease funding for Strategy 8 - Code Enforcement Staff - City
- Increase contingency funding

All other strategies remained unchanged. Most nonprofits were allocated funding under Strategies 10 and 13 based on a Request for Funding Proposal released by Committee staff on February 9, 2018. One nonprofit within strategy 10 was added per Committee direction at the October 16, 2020, meeting. The nonprofits selected for funding are shown in Attachments 2 and 4 of the Expenditure Plan.

The next NRMFC meeting is planned to be scheduled for October 18, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

Each new Expenditure Plan must receive final approval from the County Board of Supervisors and the Richmond City Council. Expenditure Plans and any associated amendments recommended or approved by the NRMFC only take effect if/when approved by the Board of Supervisors and the Richmond City Council. Therefore, if the 2024/2025 Expenditure Plan is not approved by the Board prior to July 1, 2024, the previously approved strategies (activities) could not be funded by NRMF in which case, most if not all, would not continue being implemented without interruption.

North Richmond Waste & Recovery Mitigation Fee
2024/2025 Expenditure Plan

The Waste & Recovery Mitigation Fee was established as a result of the Environmental Impact Report (EIR) certified in July 2004 for the WCCSL Bulk Materials Processing Center (BMPC) and Related Actions (Project). The Project involved new and expanded processing and resource recovery operations on both the incorporated and unincorporated area of the Project site, which the EIR concluded would impact the host community. To mitigate this impact Mitigation Measure 4-5 called for a Mitigation Fee to benefit the host community, described as follows:

> "Mitigation Fee. The facility operator shall pay a Mitigation Fee of an amount to be determined by the applicable permitting authority(ies) ***to defray annual costs associated with collection and disposal of illegally dumped waste and associated impacts in North Richmond and adjacent areas*****.** The mitigation fee should be subject to the joint-control of the City and County and should be collected on all solid waste and processible materials received at the facility consistent with the existing mitigation fee collected at the Central IRRF."

In July 2004, the City of Richmond and Contra Costa County entered into a Memorandum of Understanding (MOU) agreeing to jointly administer Mitigation Fee monies collected from the BMPC for the benefit of the incorporated and unincorporated North Richmond area. This North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Planning Committee (Committee) was formed pursuant to the terms of the MOU for the specific purpose of preparing a recommended Expenditure Plan. This Expenditure Plan provides a means to jointly administer the Mitigation Fee funding for the benefit of the host community, as described in the EIR. The Expenditure Plan is subject to final approval of the Richmond City Council and the Contra Costa County Board of Supervisors.

By approving this Expenditure Plan, the City Council and Board of Supervisors authorize the use of Mitigation Fee funding for only the purposes and in the amounts specified herein. The City and County have each designated their respective staff persons responsible for administering the development and implementation of the approved Expenditure Plan, which includes responsibility for drafting and interpreting Expenditure Plan language. However, the City and County have not delegated to the Committee or to staff the authority to expend funding for purposes not clearly identified in the Expenditure Plan document officially approved by their respective decision-making bodies.

Activities which can be funded in this Expenditure Plan period with the Mitigation Fee amounts specified within this Expenditure Plan are described herein as "Strategies" or "Staff Costs". Strategies are categorized as either "Core Services" or "Supplemental Enhancements". Core Services includes the higher funding priority strategies that most directly address the intended purpose of this City/County approved Mitigation Fee*, "to defray annual costs associated with collection and disposal of illegally dumped waste and associated impacts in North Richmond"*.

All references to the "Mitigation Fee Primary Funding Area" or "Mitigation Fee Funding Area" pertain to the geographic area shown in the attached map (Attachment 5).

Expenditure Plan Period:	July 1, 2024 - June 30, 2025 *(unless otherwise specified herein)*

BUDGET

The funding allocation amounts included in this document apply to the Expenditure Plan Period specified on the first page unless otherwise specified herein. The total amount of funding allocated in the Expenditure Plan Budget is based on revenue projections provided by the BMPC operator, Republic Service, which are dependent upon multiple variables (e.g. number of tons of recovered materials vs. solid waste, per ton gate rate charged and amount of CPI-adjusted per ton Mitigation Fee). Actual Mitigation Fee revenue may deviate from revenue projections provided by Republic and used to prepare this Budget. A "Contingency" line item is included in the Budget to help accommodate variations between projected and actual revenue. Excess funding allocated to strategies and not expended by the end of each Expenditure Plan period is treated as "roll-over" funding for reallocation in a subsequent Expenditure Plan period.

The Budget includes some line items that are based on fixed costs, however there are other line items which are scalable and/or dependent on utilization thereby providing flexibility to reallocate amounts if and when a significant need is identified. Allocated funding may remain unspent due to under-utilization of a particular program. If the amount allocated to a particular line item is determined to exceed needs based upon usage, the remaining funding can only be reallocated by officially amending the Expenditure Plan. This Expenditure Plan may only be adjusted upon official action taken by both the City and County. Although there has been some interest in allowing flexibility for staff to adjust funding allocations under specific circumstances, the authority to approve or modify the Expenditure Plan rests solely with the City Council and Board of Supervisors.

Annual fiscal year Expenditure Plan cycle is expected to reduce margin of error of Mitigation Fee revenue projections, streamline financial reconciliation/budgeting process and minimize need to amend Expenditure Plans mid-cycle. Amending Expenditure Plans involve administrative burden and costs due to the joint approval needed from both the Richmond City Council and County Board of Supervisors. In order to minimize the amount of funding needed to cover staff costs incurred to amend the Expenditure Plan, staff will only recommend changes to the Expenditure Plan when necessary to address a significant or time-sensitive need.

BUDGET TABLE

	#	Expenditure Plan (EP) Strategy	Budget Allocations for 2024/2025
Core Services	1	Bulky Item Pick-ups & Disposal Vouchers	$ 6,500.00
	2	Neighborhood Clean-ups	$ 30,000.00
	3	Prevention Services Coordinator	$ 50,726.75
	4.A.	City/County Right-of-Way Pick-ups & Tagging Abatement	$ 40,000.00
	4.B.	City/County Right-of-Way Pick-ups	$ 5,000.00
	5	Code Enforcement Staff - County	$ 91,850.60
	6	Illegal Dumping Law Enforcement	$ 175,814.30
	7	Surveillance Cameras	$ -
	8	Code Enforcement Staff - City	$ 13,000.00
Supplemental Enhancements	9	Community Services Coordinator	$ 90,909.09
	10	Community Clean-Up Projects (See Attachment 2)	$ 87,000.00
	11	North Richmond Green Community Service Programs	$ 16,042.00
	12	North Richmond Green Campaign	$ 14,500.00
	13	Garden Projects (See Attachment 4)	$ 48,179.79
	14	Mobile Tool Lending Library	$ 35,540.00
		Contingency *(10% of Projected Revenue)*	$ 81,909.73
Subtotal (without Committee Staffing)			$ 786,972.26
	X	Committee Administration/Staffing	$ 90,000.00
Total Projected Revenue in 2024/2025 (July 1, 2024 thru June 30, 2025)			$ 819,097.26
Roll-over Funding from Prior EP Cycle(s)			$ 57,875.00
Total 2024/2025 Expenditure Plan Budget			$ 876,972.26

DESCRIPTION OF STRATEGIES RECOMMENDED FOR FUNDING

Funding allocation amounts for each strategy are specified in the Budget table on page 3. The following Strategies describe the activities allowed to be funded with the amounts allocated to each in the Budget (associated allowable agency staff costs are described in the Staff Costs section). Strategies are grouped based on relative funding priority levels and the "Core Services" category contains higher priority Strategies than the "Supplemental Enhancements" category. Higher funding priority Strategies are those which best address the Fee's intended purpose, ***"to defray annual costs associated with collection and disposal of illegally dumped waste and associated impacts in North Richmond"***).

Level 1 Priority - PRIMARY CORE SERVICES STRATEGIES

- 1 - Bulky Item Pick-ups & Disposal Vouchers
- 2 - Neighborhood Clean-ups
- 4.A. - City/County Right-of-Way Pick-ups & Tagging Abatement
- 4.B. - City/County Right-of-Way Pick-ups
- 5 - Code Enforcement Staff – County
- 6 – Illegal Dumping Law Enforcement
- 8 – Code Enforcement Staff – City

Level 2 Priority - SECONDARY CORE SERVICES STRATEGIES

- 3 - Prevention Services Coordinator
- 7 - Surveillance Cameras

Level 3 Priority - PRIMARY SUPPLEMENTAL ENHANCEMENTS STRATEGIES

- 9 - Community Services Coordinator
- 10 - Community Clean-up Projects
- 11 - North Richmond Green Community Services Programs
- 12 - North Richmond Green Campaign
- 13 - Garden Projects
- 14 - Mobile Tool Lending Library

CORE SERVICES

1. Bulky Item Pick-ups & Disposal Vouchers

Provide residents in the Mitigation Fee Primary Funding Area, who prove eligibility consistent with City/County procedures, with the option of choosing to:

- Request up to one on-call pick-up service per household per calendar year for bulky items that are not accepted in the current on-call clean-ups through Richmond Sanitary Service (RSS), only available to those with an active account with RSS; or
- Request up to twenty four $5 vouchers per household for disposal at Republic's transfer station on Parr Blvd. per calendar year (vouchers expire

after six months, Mitigation Fees only pay for vouchers that are actually redeemed).

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: City of Richmond

Implementing Entity(ies):

Community Housing Development Corporation *(processes requests and issues Disposal Vouchers/arranges Bulky Item Pick-ups)*

Republic Services - Golden Bear Transfer Station & Richmond Sanitary Service *(reimbursed for Disposal Vouchers redeemed and Bulky Item Pick-ups provided)*

Reporting/Payment Requirements: Effective July 1, 2012, CHDC and Republic Services shall provide required data pertinent to Strategy 1 based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments.

2. Neighborhood Clean-ups

Provide at least one neighborhood and/or creek clean-up event in the Mitigation Fee Funding Area; additional clean-up event may be scheduled as funding allows.
[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: City of Richmond

Implementing Entity(ies):

City Manager's Office *(coordinates scheduling of clean-up dates and associated arrangements in conjunction with partner entities)*

Republic Services - Richmond Sanitary Service *(reimbursed for providing/servicing clean-up boxes and disposing of debris placed in clean-up boxes)*

Reporting/Payment Requirements: Effective July 1, 2012, the City Manager's Office and Republic Services shall provide required data pertinent to Strategy 2 based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments (funding transfers).

3. Prevention Services Coordinator

Fund at least a portion of a Prevention Services Coordinator (PSC) position (including salary/benefits/overhead and administering agency contracting charge[1]) on a contract basis to assist the City and County in implementing Strategy 1 as the point of contact for community members interested in claiming Disposal Vouchers or Bulky-Item Pick ups. Assist community members interested in reporting illegal dumping and seeking referral/resources. Track and report data related to illegally dumped waste collected by Republic Services Hot Spot Crew and handle

[1] Administering agency contracting charge applies ($3,000 per contract)

associated referrals to applicable public agencies, including right-of-way referrals for Strategy 4. The PSC may also assist City and County with administering funding allocated to selected non-profit organizations under Strategies 10 and 13.

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: Contra Costa County

Implementing Entity: Community Housing Development Corporation (CHDC) *(reimbursed actual cost for part-time position that issues Disposal Vouchers/arranges Bulky Item Pick-ups)*

Reporting/Payment Requirements: Effective July 1, 2012, CHDC shall provide required data pertinent to Strategy 1 and Strategy 3 based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments.

4.A. City/County Right-of-Way Pick-ups & Tagging Abatement

Fund consolidated pick-up program (including personnel, mileage, equipment rental and administrative costs) for removal of illegal dumping and tagging abatement in the public right-of-way located within the unincorporated & incorporated Mitigation Fee Primary Funding Area. Additional tasks would include identifying potential sites for Strategy 10 Clean-Up Projects. Funding is intended to pay for removal of illegal dumping that occurs as a result of referrals from the Prevention Services Coordinator for items/debris not collected by the designated Republic Services Hot Spot Route crew.

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: City of Richmond

Implementing Entity: Richmond Public Works Department's Abatement Division

Reporting/Payment Requirements: Effective July 1, 2012, the Richmond Public Works Department's Abatement Division shall provide required data pertinent to Strategy 4.A. based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments (funding transfers).

4.B. City/County Right-of-Way Pick-ups

Fund consolidated pick-up program (including personnel, mileage, equipment rental and administrative costs) for removal of illegal dumping in the public right-of-way located within the unincorporated & incorporated Mitigation Fee Primary Funding Area. Additional tasks would include identifying potential sites for Strategy 10 Clean-Up Projects. Funding is intended to pay for removal of illegal dumping that occurs as a result of referrals from the Prevention Services Coordinator for items/debris not collected by the designated Republic Services Hot Spot Route crew.

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: Contra Costa County

Implementing Entity: Republic Services

Reporting/Payment Requirements: Effective July 1, 2022, Contra Costa County's Department of Public Works shall provide required data pertinent to Strategy 4.B. based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments (funding transfers).

5. Code Enforcement Staff - County

Fund at least a portion of County code enforcement position (including salary/benefits and related vehicle and equipment costs), to assist with vacant/ abandoned lot abatements and fencing as well as other health/building/zoning violations related to illegal dumping and blight throughout the unincorporated Mitigation Funding Area. Additional tasks would include identifying potential sites for Strategy 10 Clean-Up Projects.

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: Contra Costa County

Implementing Entity: County Department of Conservation & Development's Building Inspection Division

Reporting/Payment Requirements: Effective July 1, 2012, the County Department of Conservation & Development's Building Inspection Division shall provide required data pertinent to Strategy 5 based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments (funding transfers).

6. Illegal Dumping Law Enforcement

Fund majority of a full-time Sheriff Deputy (between approximately 90-100% of salary/benefits, overtime, uniform and related cell phone, equipment, and vehicle costs) to assist with law enforcement investigations and patrols to combat illegal dumping within the Mitigation Fee Primary Funding Area. Additional tasks would include identifying potential sites for Strategy 10 Clean-Up Projects.
[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: Contra Costa County

Implementing Entity: County Sheriff's Office

Reporting/Payment Requirements: Effective July 1, 2012, the County Sheriff's Office shall provide required data pertinent to this Strategy based upon the

strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments (funding transfers).

7. Surveillance Cameras

Fund the cost of cameras, camera infrastructure, camera signage and costs related to monitoring, maintenance, warranty, repair & relocation of surveillance camera system equipment within the Mitigation Fee Primary Funding Area. Cameras will be used to assist the dedicated Illegal Dumping Law Enforcement officer prevent dumping in targeting specific locations where illegal dumping occurs most regularly.

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: Contra Costa County

Implementing Entity(ies):

Richmond Police Department *(operate, move and maintain eight Pan-Tilt-Zoom wireless video surveillance cameras and associated camera system infrastructure throughout NR -AND- install/clean/move FlashCam cameras located within the incorporated NR area if funding is available)*

County Sheriff's Department *(coordinate monitoring of FlashCams or other camera systems located throughout NR and identify/request relocation of surveillance cameras throughout NR as needed)*

County Public Works Department (*install/clean/move FlashCam or other camera systems cameras located within the unincorporated NR area upon request if funding is available)*

Reporting/Payment Requirements: Effective July 1, 2012, each Implementing Entity shall provide required data pertinent to each entity's applicable Strategy 7 responsibilities based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments (funding transfers) now or in the future.

8. Code Enforcement Staff - City

Fund at least a portion of City code enforcement position (including salary/benefits and related vehicle and equipment costs), to assist with vacant/ abandoned lot abatements and fencing as well as other health/building/zoning violations related to illegal dumping and blight throughout the incorporated Mitigation Funding Area. Additional tasks would include identifying potential sites for Strategy 10 Clean-Up Projects.

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: City of Richmond

Implementing Entity: City Department of Infrastructure Maintenance & Operations

Reporting/Payment Requirements: Effective July 1, 2020, the City Department of Infrastructure Maintenance & Operations shall provide required data pertinent to Strategy 8 based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments (funding transfers).

SUPPLEMENTAL ENHANCEMENTS

9. Community Services Coordinator

Fund at least a portion of a Community Services Coordinator (CSC) position to be staffed on a contract basis (including salary/benefits/overhead and administering agency contracting charge[2]). The CSC shall:

- serve as a link between the community of North Richmond, the City of Richmond, and Contra Costa County for issues related to beautification, illegal dumping, and blight using referral process identified by the City and County;
- coordinate outreach activities related to illegal dumping and beautification within the Primary Funding area, as specified by the City/County, including North Richmond Green community service programs and outreach activities described under Strategies 11 & 12; and
- Identifying potential sites for Strategy 10 Clean-Up Projects.
- be bilingual in order to assist with Spanish translation as needed.

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: Contra Costa County

Implementing Entity: Community Housing Development Corporation (CHDC).

Reporting/Payment Requirements: CHDC shall provide required data pertinent to Strategies 9, 11 & 12 based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments.

10. Community Clean-up Projects

Fund the implementation, oversight and administering agency contracting charges[3] of community clean-up projects with specific focus on reducing blight. Community clean-up projects may involve the removal of debris and/or landscaping maintenance. Sites to be cleaned shall be in the Mitigation Fee Funding area and designated by the Administering Agency. The number of sites to be cleaned will be determined by the amount of funding allocated.

[2] Administering agency contracting charge is $3,000 per contract.

[3] Administering agency contracting charge is $3,000 per contract entered into by the County and up to 20% of the per project funding allocation (as described in the "Administering Agency" section).

A breakdown of contracting costs and amount awarded to the Implementing Entity is contained in the Community Clean-up Project Table included as Attachment 2. Up to 15% of the Implementing Entity's Award Amount in Attachment 2 may be used for a fiscal sponsor or administrative oversight.

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: Contra Costa County. Community Housing Development Corporation (CHDC) may under contract with the County as an Administering Agency, administer Community Clean-Up Project contracts funded under this Strategy. CHDC shall use no more than twenty (20) percent (%) of the total amount awarded to Community Clean-Up Projects (after subtracting City/County contracting cost) listed in Attachment 2 to oversee implementation, including facilitating review/assessment of reports' and deliverables. Payments to Implementing Entities for Community Clean-Up Projects shall not be issued by CHDC without the written approval of City and County Committee Staff.

Implementing Entity: See Community Clean-up Projects Table in Attachment 2

Reporting/Payment Requirements: Any Community Clean-Up Projects shall be subject to the Reporting & Invoicing Requirements specified in the template Memorandum of Understanding included in Attachment 1. Attachment 1 only applies to Community Clean-Up Project contracts with the Implementing Entities. The County will issue advance payments to CHDC, as needed, to ensure there is adequate funding available for payments requested by Implementing Entities if and when authorized by City and County Staff. Additionally, CHDC would be subject to contractual payment and reporting provisions that differ from those in Attachment 1 due to the nature of the services to be provided.

11. North Richmond Green Community Services Programs

Fund the following North Richmond Green programs on a contract basis[4] to the extent the specific details submitted are determined to align with the purpose of the Mitigation Fee and Expenditure Plan:

- *NR Little League Baseball Program* - Includes cost of registration and uniforms with customized North Richmond Green patches for up to 5-6 teams, season kick-off event/parade, equipment, stipends for game monitoring and oversight, food and transportation.
- *NR Youth Twilight Basketball Program* - Includes cost of registration and uniforms with North Richmond Green patches for up to 5-6 teams, equipment, stipends for game monitoring and oversight, food and transportation.
- *NR Eco Workshops & Beautification Projects* – Eco Workshops and Beautification Projects include school gardens, recycling efforts, beach/creek/neighborhood clean-ups and ecological field trips. May fund the cost of materials, transportation and fees associated with pre-approved community beautification projects such landscaping and murals.

[4] Administering agency contracting charge applies ($3,000 per contract)

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: Contra Costa County

Implementing Entity: Community Housing Development Corporation (CHDC)

Reporting/Payment Requirements: CHDC shall provide required data pertinent to Strategies 9, 11 & 12 based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments.

12. North Richmond Green Campaign

Fund the design, printing and/or distribution of education and outreach materials on a contract basis[5] which must align with the purpose of the Mitigation Fee and Expenditure Plan and be pre-approved by Committee Staff. Outreach materials must include "Jointly funded by City of Richmond & Contra Costa County" unless otherwise specified herein. Outreach materials may be any of the types specified below, however must clearly intend to directly:

- Inform the community about Mitigation Fee funded programs/efforts,
- Increase participation in Mitigation funded programs/efforts,
- Reduce illegal dumping and blight in the Mitigation Fee Funding Area, and/or
- Promote beautification in the Mitigation Fee Funding Area.

The following type of outreach material expenditures may be funded if reviewed and pre-approved by Committee Staff:

- STIPENDS – Pay local community members (youth and adults) to distribute printed outreach materials door-to-door to promote mitigation-funded strategies *(Jointly Funded text not applicable to stipend expenses, only materials)*
- HANDOUTS/MAILERS – Newsletters, flyers, brochures or other documents intended to be handed out or mailed to local residents/organizations.
- T-SHIRTS - Shirts shall include the NRGreen.org website to encourage people to learn more about Mitigation funded programs/efforts *(local phone number should also be included when possible, however inclusion of Jointly Funded text may not be required)*
- NR GREEN FESTIVAL – Event held once per year and generally include information booths to raise awareness about mitigation-funded efforts and other local beautification efforts as well as fun activities for kids and food. Materials promoting the event shall include the NRGreen.org website as well as a local phone number.
- SIGNAGE – Printed or manufactured signage, which includes promotional banners for local events/parades, which should include the NRGreen.org website for Community members to learn more about Mitigation funded programs/efforts. Repair, replacement and removal of NRMF-funded Light Pole Banners.

[5] Administering agency contracting charge applies ($3,000 per contract)

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agency: Contra Costa County

Implementing Entity: Community Housing Development Corporation (CHDC)

Reporting/Payment Requirements: CHDC shall provide required data pertinent to Strategies 9, 11 & 12 based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments.

13. Garden Projects

Fund the implementation, oversight and administering agency contracting charges[6] of Garden Projects as further described below.

Community Garden Projects: Fund on-going maintenance and up-keep of existing community gardens within the Primary Funding Area. The projects selected under this Strategy have been funded on an on-going basis.

Details, including recommended allocation amounts, for Projects are included in Attachment 4. Up to 15% of the Non-Profit Implementer Award Amount specified in Attachment 4 may be used for administrative oversite.

[See "Staff Costs" section for agency activities that may also be funded under this Strategy.]

Administering Agencies: Contra Costa County. Community Housing Development Corporation (CHDC) may under contract with the County as the Administering Agency, administer Garden Project contracts funded under this Strategy. CHDC shall use no more than twenty (20) percent (%) of the total amount awarded to Projects (after subtracting City/County contracting cost) to oversee implementation, including facilitating review/assessment of reports and deliverables. Payments to Implementing Entities for Garden Projects shall not be issued by CHDC without the written approval of both City and County Committee Staff.

Implementing Entity: See Garden Projects Table in Attachment 4

Reporting/Payment Requirements: Any Garden Project contracts issued or amended by the City/County shall incorporate Reporting & Invoicing Requirements equivalent with those shown in Attachment 3. Garden Project contracts being administered by CHDC on behalf of the County shall also incorporate Reporting & Invoicing Requirements equivalent with those shown in Attachment 3. Attachment 3 only applies to the Garden Project contracts with the Implementing Entities. CHDC would be subject to contractual payment and reporting provisions that differ

[6] Administering agency contracting charge is $3,000 per contract entered into by the County and up to 20% of the per project funding allocation (as described in the "Administering Agency" section).

from those in Attachment 3 due to the nature of the services to be provided. The County will issue advance payments to CHDC, as needed, to ensure there is adequate funding available to payments requested by Implementing Entities if and when authorized by City and County Staff.

14. Mobile Tool Lending Library

Fund the development, implementation, and on-going maintenance of a mobile tool lending library that is accessible to the public within the Mitigation Fee Primary Funding Area at least once a week. Funding is intended to pay for the purchase of educational material, tools, a cell phone for the library, costs related to the tool lending system & trailer/tool maintenance, and personnel/labor.

Administering Agency: City of Richmond

Implementing Entity: City of Richmond Community Services Department

Reporting/Payment Requirements: Effective July 1, 2020, the City of Richmond Community Services Department shall provide required data pertinent to Strategy 14 based upon the strategy-specific invoicing/reporting requirements and schedule developed/maintained by Committee Staff in order to receive NRMF-funded payments (funding transfers).

STAFF COSTS

Committee Administration/Staffing Funding: The funding allocated for Committee Administration/Staffing may not be adequate to cover the full cost of staff time necessary for jointly staffing the North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Planning Committee as well as developing, administering and overseeing this Expenditure Plan for the specified period. Supplemental funding allocation may be necessary upon determining actual costs exceed the amount budgeted to cover the intended City/County costs for joint staffing.

Strategy-Specific Funding: The cost of City/County staff time spent providing direct implementation assistance and/or coordination for specific Strategies may be covered with a portion of the NRMF funding budgeted for each applicable Strategy. Additionally, a portion of the NRMF funding budgeted for Strategies will be used to pay fixed administering agency contracting charge for each applicable contract (Currently $3,000 per contract. An additional $3,000 may be added to a contract amendment to add additional funding or nonprofits to a contract during an existing contract cycle) unless otherwise specified herein.

TEMPLATE MEMORANDUM OF UNDERSTANDING BETWEEN

_____

AND
COMMUNITY HOUSING DEVELOPMENT CORPORATION

This is an agreement made and executed on _____ between Community Housing Development Corporation (CHDC) and _____ (Contractor). This contract will remain in effect for the time period identified in the TERM section of the agreement.

OVERVIEW:
The _____ North Richmond Mitigation Fee (NRMF) Expenditure Plan approved by the Board of Supervisors in _____ and Richmond City Council in _____ allocates a total of **$_____**to the Contractor for the disbursement of funds within Strategy 10 to complete Clean-Up Project(s) in the North Richmond Mitigation Area.

TERM: The term of this agreement begins on _____ and ends on _____. Contractor will complete all work performed under this agreement not later than _____. Invoices submitted for work performed before or after this specified term and invoices submitted after _____will not be paid.

I. Contractor's Obligations

The Contractor shall administer the _____, as described herein for an amount not to exceed **$_____**involving the following activities:

A. Recruit and Hire up to four (4) workers

1. Contractor will develop and publicize the job announcements. Job announcements shall contain, "Jointly funded by The City of Richmond & Contra Costa County" language.
2. Contractor will interview, select and hire up to four workers.
3. Contractor will host training for new hires that discusses the proper procedures of disposal of hazardous waste (televisions, phones, batteries, tires, paint etc.).

Task A - Deliverables:

1. Documentation of publicized job announcement in English/Spanish with required jointly funded language.
2. Documentation of hiring papers.

B. Clean up to _____(_) North Richmond Sites Approved by the County

1. Contractor shall select North Richmond addresses provided by the County or City to be cleaned during each clean up. Community clean-up projects may involve the removal of debris and/or landscaping maintenance.
    a. Addresses provided by the County or City will include a description of debris for removal and/or landscaping needs.
    b. Addresses provided by the County or City shall only be selected once for clean-up unless directed otherwise by County Staff.
2. Contractor will confirm with the County the address for cleanup one week and provide clear written procedures for the proper disposal of all waste types previously described at each clean-up site, including

waste that is recyclable, hazardous or requires special handling. Procedures shall be submitted and approved by the County before the site is cleaned up.

3. Contractor shall make arrangements in advance with the appropriate partners for the proper removal, recycling, composting or disposal of the debris identified in the area to be cleaned, including materials that require special handling such as tires, hazardous/universal wastes, appliances, and medical sharps/waste.
4. Contractor shall document approximate quantities (count, volume or weight) of each type of material/debris removed from the area during clean-up, using a log or other method agreed upon in advance.
5. Contractor shall demonstrate how the materials/debris removed during the clean-up were transported and where each type was properly recycled, composted or disposed.

Task B - Deliverables:

1. Documentation of disposal procedures approved by the County for each confirmed clean-up address.
2. Before photos of the entire site before the material/debris has been cleaned up.
3. Completed Contractor's Log identifying the types and amount of material/debris removed.
4. After photos of the entire site after it has been cleaned up. Contractor shall strive to take After photos from the same vantage points as the Before photos.
5. Documentation demonstrating that the material/debris removed was properly disposed or recycled. If debris removed during the clean-up is disposed of in existing containers that are routinely serviced by Republic Services, Contractor shall submit copy of an invoice or letter from Republic Services confirming what collection services were being provided at the disposal location during the applicable timeframe. For any in-kind hauling/disposal service offered by partner organizations or agencies, contractor may submit written communication identifying what was picked up by whom and where it was taken (e.g. e-mail message from the Parks District confirming that yard debris that was placed in tarps and set-out at agreed upon location was placed in designated green waste bin on the District's property or transported to a specified compost facility). Alternatively, if disposal services are provided in the form of debris box donation(s) from Republic Services, contractor may submit written communication confirming donation.

C. Attend Community Meetings and Events

1. Attend one North Richmond Green meeting(s) per quarter (quarterly periods end on December 31st, March 31st and June 30th).
    a. No portion of the Quarterly Meeting Attendance budget line item will be paid to Contractor unless Contractor submits written evidence proving Contractor representative attended at least one monthly North Richmond Green Meeting during the applicable quarter.

Task C - Deliverables:

1. Documented attendance via minutes or copies of sign-in sheets of North Richmond Green meetings

D. Reporting & Invoicing

1. Submit invoices and the required supporting documentation (including applicable required Deliverables and completed Progress Reports as specified in Section III. Payment Provisions) for each calendar month, and not later than 30 days after the end of the applicable monthly period. The Reporting and Invoicing budget line items are intended to ensure timely submittal of invoices and required supporting

documentation. No portion of the Invoicing budget line item will be paid to Contractor for invoices submitted late, or without the required documentation or completed Progress Report.

Task D- Deliverables:

1. Complete monthly invoices on time for all tasks completed, accompanied by all required deliverables (including completed Progress Report or Final Progress Report). If Contractor does not provide a timely and complete invoice with all deliverables required for applicable tasks outlined on the invoice, as specified herein, no later than 30 days after the end of the applicable monthly period, the Contractor shall forfeit the $100 allocated for each applicable invoice period. Contractor may not use any funding specifically allocated for Reporting and Invoicing for any other purpose
2. Completed Progress Report addressing activities that occurred during the corresponding invoice period (except for the final invoice) consistent with Section III.3.a.
3. Completed Final Progress Report addressing the entire project to be submitted with the final invoice consistent with Section III.3.a.

E. Eligible Costs:

Eligible costs consistent with the below table can only be reimbursed if included on invoices in conformance with the payment provisions and submitted prior to _____.

Budget Line Items by Task/Deliverable	Quantity	Payment per Unit	Total Payments	Budget Amount
A. Recruit and hire up to four (4) workers				**$ 1,750**
Deliverable 1 - Recruitment Documentation	1 each	$350	$350	
Deliverable 2 - Hiring Documentation	4 each	$350	$1,400	
B. Clean-up up to _____(_) designated locations in the NRMF Funding Area				**$ _____**
Deliverable 1 - Procedures	_ each	$200	$1600-	
Deliverable 2 - Before Photos	_ each	$300	$2,400-	
Deliverable 3 - Contractors Log	_ each	$400	$3,200-	
Deliverable 4 - After Photos	_ each	$300	$2,400-	
Deliverable 5 - Disposal Documentation	_ each	$600	$4,800-	
C. Attend North Richmond Green Meetings				**$ 750**
Deliverable 1 - NR Green Meetings	3 each	$250	$750	
D. Reporting and Invoicing				**$ 2,500**
Deliverable 1 - Timely & Complete Invoice	9 each	$100	$900	
Deliverable 2 - Progress Reports	8 each	$150	$1,200	
Deliverable 3 - Final Progress Report	1 each	$400	$400	
SUBTOTAL				**$ _____**
Fiscal Agent (10% of amount invoiced)			$0	
TOTAL BUDGET & ALLOWABLE PAYMENTS				**$ _____**

II. CHDC's Obligations

Subject to the payment limit of **$_____**CHDC shall reimburse Contractor for eligible costs described in the previous section where such are incurred in the performance of work under the contract, subject to the below Payment Provisions. CHDC will disburse Contractor funds only after receiving written approval by County authorizing the disbursement of the Contractor grant funds based on approved budget, approved advance and request for reimbursement.

III. Payment Provisions

Contractor shall submit invoices and required deliverables on a monthly basis consistent with the amounts and frequency specified in Section I.E -Eligible Costs, which together may not total more than **$_____**. Contractor will only receive payment for eligible costs incurred for work performed during the term of this contract which are itemized on invoices substantiated with adequate supporting documentation. Invoices submitted after July 30, -_____ will not be paid.

1. **Advanced Payments:** In order to receive any potential advance payment, such must be authorized for the specified project in Attachment ____ of the Expenditure Plan approved by the Board of Supervisors and The City of Richmond. Advance payment is limited to no more than ten (10) percent (%) of the approved implemented Entity Award for the Project. Contractor shall submit a written request to CHDC for approval by City and County Committee staff detailing the reason(s) advance payment is necessary and itemizing each specific cost that the requested advance payment amount would pay for and how such costs will aid in the completion of each applicable required task. Advance payment requests must be submitted prior to any other invoice. If an advance payment is issued, Contractor shall not be eligible for an additional payment until enough required deliverables have been approved to offset the amount paid in advance.

2. **Partial Payments:** The Contracting entity (City of County) may authorize partial payment to Contractor for submittal of incomplete deliverables if solely incomplete due to unusual and unforeseen circumstances beyond the control of the Contractor. Contractor must submit written request asking to receive payment for incomplete deliverable containing an explanation as to what factors beyond the Contractor's control specifically precluded the Contractor from submitting the completed deliverable and why such could not have been foreseen or avoided by Contractor.

3. **Invoices:** Invoices shall be submitted monthly, no later than 30 days after the end of the applicable monthly period and contain the following information in sufficient detail and be submitted in a form which adequately demonstrates consistency with this contract. Invoices shall be accompanied by the applicable deliverables.

    a. Itemization of any tasks completed during the applicable calendar month for which completed deliverables are submitted and associated payment is being requested.

4. **Supported Documentation**: The following required supporting documentation must be submitted with invoices when applicable as described below.

a. Every invoice must be accompanied by a Progress Report, with the exception of the final invoice which must be accompanied by a Final Report. Both types of Reports must contain all of the information specified in the City/County provided Report templates, as well as any applicable details specified above in Section I. Contractor's Obligations.

b. All applicable Deliverables associated with the tasks and requested payment amounts itemized on each monthly invoice.

SIGNATURES: Executed on the dates and by the persons named below.

Date: _____ **Date: _____**

By: _____ **By: _____**

Name: _____ **Name: _____**

IV. Conflict of Interest

By signing below, Contractor agrees not to employ, subcontract with, or make payment to any person (employees and stipend recipients), for the purpose of implementing this Project, that is at the same time employed by Contra Costa County, the City of Richmond or any entity that receives NRMF funding from the County or the City of Richmond, or serves on the NRMF Committee, except upon written approval by the Department of Conservation and Development Director or his designee.

Signature:_____

Name: _____

Title: _____

Date: _____

Attachment 2 - Community Clean-up Projects Table (Strategy 10)

2024/25 Expenditure Plan Funding Allocations for Projects
recommended for City/County approval by the North Richmond Mitigation Fee Committee

A total of **$87,000.00 is recommended to be allocated in the 2024/2025 Expenditure Plan for Community Clean-up Projects (Strategy 10)**. Two of the three entities below were previously selected by the Committee based on a Funding Request Proposal process conducted in 2018.[1] The third entity, SOS! Richmond, was added per Committee direction at the October 16, 2020 meeting.

Community Clean-up Projects Recommended for Funding in 2024/2025

Implementing Entity / *Fiscal Sponsor* *(if applicable)*	Project Title	Advance Payment Allowed (Up to 10% of Implementer Award Amount)	Requested Amount	Total Award Amount	County Contracting Costs[2]	CHDC Contracting Cost (20%) to Manage Non-Profits[2]	Non-Profit Implementer Award Amount for Project	Notes
Social Progress Inc.	Brighter Beginnings in North Richmond	Yes	$ 29,999.76	$ 25,250.00	$ 1,000.00	$ 4,850.00	$ 19,400.00	
SOS! Richmond	SOS! Richmond	Yes	$ 75,000.00	$ 36,500.00	$ 1,000.00	$ 7,100.00	$ 28,400.00	
Men & Women of Valor	Community Working Together	Yes	$ 20,000.00	$ 25,250.00	$ 1,000.00	$ 4,850.00	$ 19,400.00	
Total Funding Requested/Allocated			$ 124,999.76	$ 87,000.00	$ 3,000.00	$ 16,800.00	$ 67,200.00	

[1] Funding Request Proposal released on February 9, 2018 by Committee Staff and Proposals submitted by eligible non-profit organizations and Agencies on March 6, 2018. Funding Proposal Application received by Men & Women of Valor was the wrong application. At their meeting on March 23, 2018, the NRMF Committee gave Men & Women of Valor 30 days to re-submit their application to the NRMF Committee using the correct application and submittal requirements. On April 22, Committee staff received the correct Funding Proposal application. The Men & Women of Valor Proposal application was considered at the NRMF Committee Meeting on June 8th and selected for funding.

[2] Costs to have 3rd party organization (CHDC) manage and oversee contracts with Organizations selected for funding is up to twenty (20) percent (%) of award amount after first taking out City/County Contracting cost for $3,000 for City/County to contract directly with CHDC to have CHDC administer non-profit contracts.

Garden Project Reporting and Invoicing Requirements

Substantially equivalent language to be included in all NRMF-funded Community Project Agreements/Amendments

Agreements providing for payments using funding allocated for Community Projects must include provisions that address the requirements contained herein. Contractor shall submit Progress Reports covering each invoice period, using a City/County provided template in conjunction with each monthly invoice in order to be eligible for payment. Contractor shall monitor, document, and report all Project activities associated with the tasks and deliverables described in the agreement and any eligible Project costs for which reimbursement will be requested. Upon completion of work or the end of the contract's term, Contractor shall submit a Final Report, using a City/County provided template similar to the attached, in conjunction with the final invoice.

Task Deliverables

The agreement shall assign a dollar amount for each deliverable within each task. Contractor shall only be paid for completed deliverables submitted with all associated supporting documentation. The agreement may include assignment of one dollar amount to multiple deliverables for a specific task when appropriate to substantiate completion of the required task. The Contracting entity (City of County) may authorize partial payment to Contractor for submittal of incomplete deliverables if solely incomplete due to unusual and unforeseen circumstances beyond the control of the Contractor. Contractor must submit written request asking to receive payment for incomplete deliverable containing an explanation as to what factors beyond the Contractor's control specifically precluded the Contractor from submitting the completed deliverable and why such could not have been foreseen or avoided by Contractor.

Timely Submittal of Invoices

A separate Reporting & Invoicing budget line item shall be included in the agreement to facilitate timely submittal of invoices, progress reports and other deliverables. Submittal of monthly invoices shall be included as a deliverable and the exact amount that is payable upon timely submittal of each invoice complete with all required supporting documentation shall be specified. The agreement shall provide that no portion of the Reporting & Invoicing budget line item be paid to Contractor for invoices submitted beyond 30 days of any monthly invoice period, or without the required documentation including completed Progress Reports.

Pre-approval Required for Supplies and Materials

Unless the exact supplies and materials are specified as preauthorized in the Agreement, Contractor shall obtain pre-approval from the Contracting entity (City or County) prior to incurring supplies and materials expenses for which reimbursement will be requested. To request pre-approval, contractor shall provide written request identifying all proposed supplies and materials as well as an explanation demonstrating its reasonable cost and how said items will aid in the completion of each applicable required task.

Attendance of Community Meetings and Events

Contractor shall attend one North Richmond Green meeting per quarter during the contract period. Documentation substantiating attendance of required meetings shall be included as a deliverable for this task and be included with all applicable monthly invoice(s).

Acknowledgment Required on Outreach & Promotional Materials

Any printed outreach materials or promotional items must include “Jointly funded by City of Richmond & Contra Costa County”, with the exception of T-Shirts, which Contractor may request Contracting entity pre-approve to include only the NRGreen.org website address.

Authorized Advance Payments

In order to receive any potential payment in advance, such must be authorized for the specified Project in Attachment 2 or Attachment 3 of the Expenditure Plan approved by both the County Board of Supervisors and Richmond City Council. No Contractor authorized for advance payment may receive more than ten (10) percent (%) of the approved Implementing Entity Award for this Project. In order to receive any advance payment(s) provided for in the City and County approved Expenditure Plan, the Contractor shall submit a written request to both the City and County Committee Staff detailing the reason(s) advance payment is necessary and itemizing each specific cost that the requested advance payment amount (not to exceed 10% of total award) would pay for and how such costs will aid in the completion of each applicable required task.

Conflict of Interest Provisions

Contractor shall not employ, subcontract with, or make payment to any person, for the purpose of implementing a specified Project in Attachment 2 or Attachment 3 of the Expenditure Plan that is at the same time employed by Contra Costa County, City of Richmond or any entity that receives Expenditure Plan funding from the County or the City of Richmond, except upon written approval by the Contracting entity (either City or County).

Payment Provisions

Contractor shall submit invoices and required deliverables on a monthly basis consistent with the amounts and frequency contained in the “Eligible Costs” Section, which together may not total more than $ (enter applicable contract amount). Contractor will only receive payment for eligible costs if such amounts are included on invoices adequately substantiated with required supporting documentation that are all submitted to the Contracting entity on or before July 30th. Invoices or portions thereof for which required supporting documentation has not been submitted by July 30th (or 30 days after any contract end date prior to June 30th) shall not be eligible for payment.

1. **Invoices:** Invoices shall be submitted monthly and contain the following information in sufficient detail and be submitted in a form, which adequately demonstrates consistency with the “Service Plan” specified in the contract. Invoices shall be accompanied by the applicable deliverables.

    a. Itemization of any tasks partially or fully completed during the applicable calendar month for which completed deliverables are submitted and associated deliverable payment amount is being requested.

2. **Supporting Documentation**: The following required supporting documentation must be submitted with invoices when applicable as described below.

    a. Every invoice must be accompanied by a Progress Report, with the exception of the final invoice, which must be accompanied by a Final Report. Both types of Reports must contain all of the information specified in the City/County provided Report templates, as well as any applicable details specified in the Service Plan as a Contractor’s Obligation.

b. All applicable required deliverables associated with the requested payment amounts itemized on each monthly invoice.

City/County shall review submitted invoices and supporting documentation within a reasonable period of time and remit payment to Contractor promptly upon determining the purpose and amount of payment requested are authorized under the Agreement.

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Attachment 4 - Garden Projects (Strategy 13)

2024/2025 Funding Allocations for Garden Projects
recommended for City/County approval by the North Richmond Mitigation Fee Committee

A total allocation of **$48,179.79 is recommended to be allocated in the 2024/2025 Expenditure Plan for Garden Projects.**The following entities were previously selected by the Committee based on a Funding Request Proposal process conducted in 2018.[1]

Garden Projects Recommended for Funding in 2024/2025

Implementing Entity / *Fiscal Sponsor* *(if applicable)*	Project Title	Advance Payment Allowed (Up to 10% of Implementer Award Amount)	Requested Amount	Total Award Amount	County Contracting Costs[2]	CHDC Contracting Cost (20%) to Manage Non-Profits[2]	Non-Profit Implementer Award Amount for Project	Notes
Watershed Project	Shields Reid Habitat Garden	No	$ 29,986.25	$ 28,062.13	$ 1,747.34	$ 5,262.96	$ 21,051.83	
Communities United Restoring Mother Earth (CURME) / *Greater Richmond Interfaith Program*	Lots of Crops	No	$ 15,092.00	$ 20,117.66	$ 1,252.66	$ 3,773.00	$ 15,092.00	
Total Funding Requested/Allocation Recommended			**$ 45,078.25**	**$ 48,179.79**	**3,000.00**	**9,035.96**	**$ 36,143.83**	

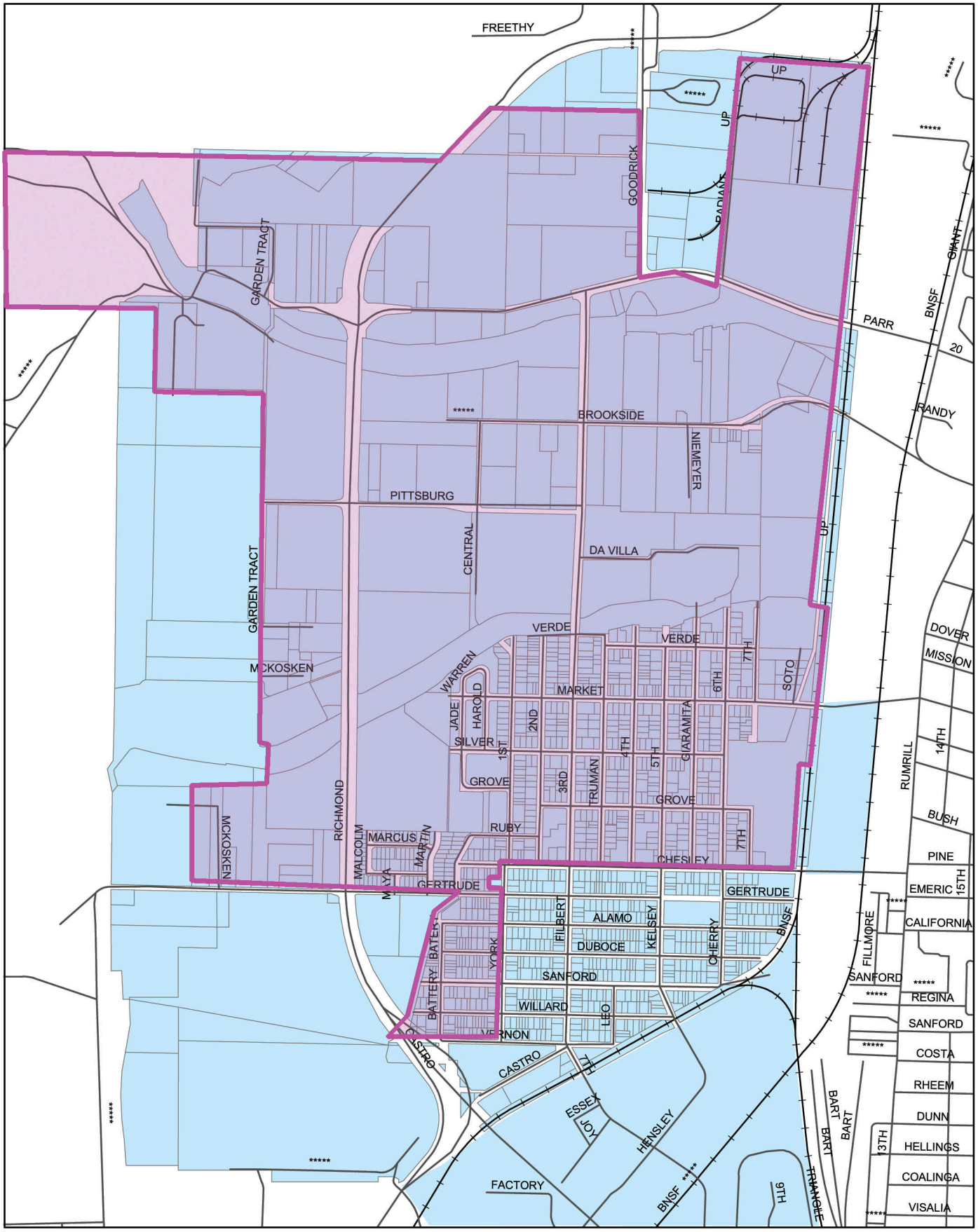
[1] Funding Request Proposal released on February 9, 2018 by Committee Staff and Proposals submitted by eligible non-profit organizations and Agencies on March 6, 2018.

[2] Costs to have 3rd party organization (CHDC) manage and oversee contracts with Organizations selected for funding is up to twenty (20) percent (%) of award amount after first taking out City/County Contracting cost of $3,000 for City/County to contract directly with CHDC to have CHDC administer non-profit contracts.

North Richmond Waste & Recovery Mitigation Fee Funding Area

Incorporated (City)

Unincorporated (County)

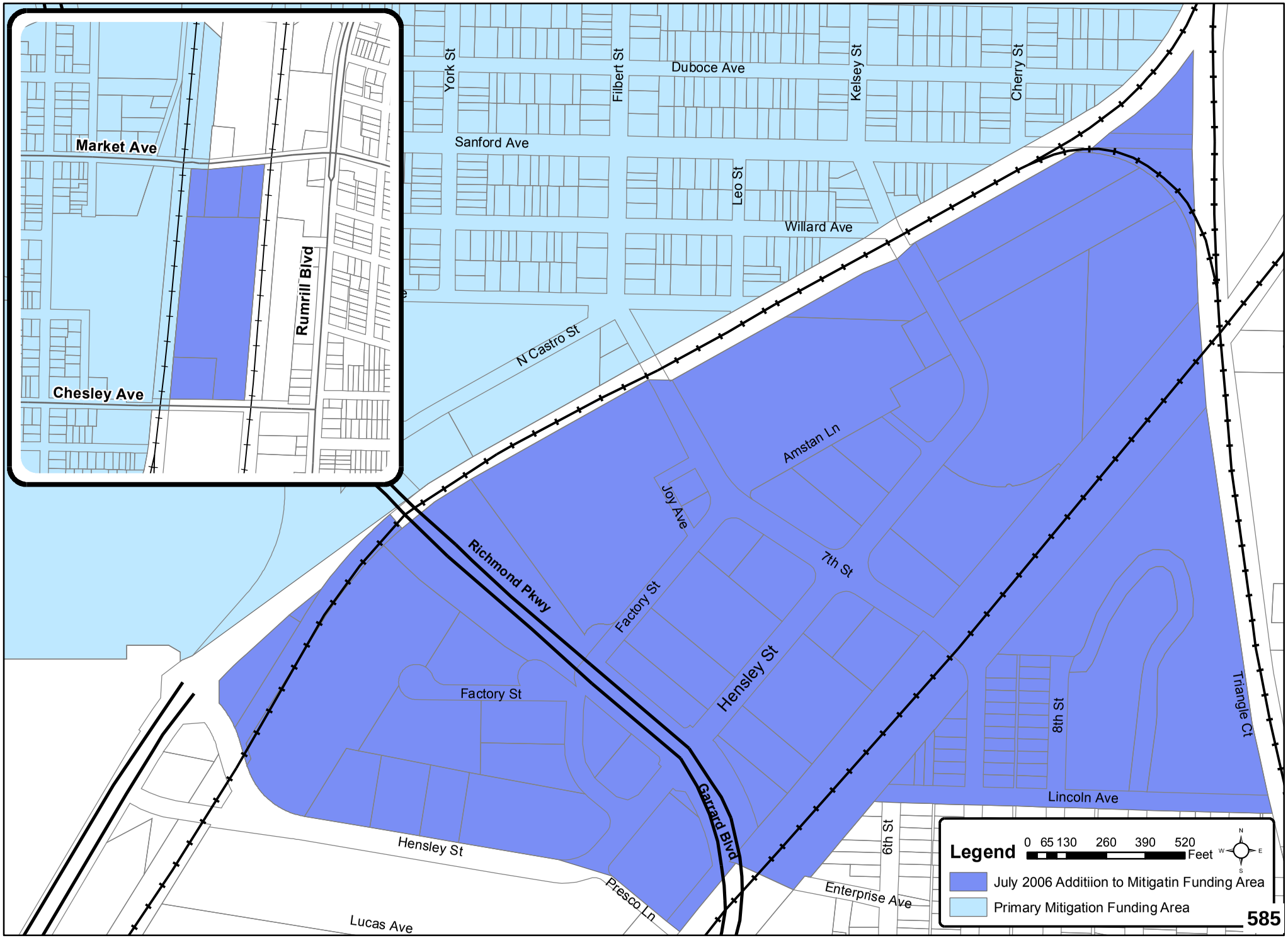


Contra Costa County
Community Development Department

Southern boundary shown on back side

Map contains copyrighted information
Revised on 7/28/2006

Committee Approved Additions to Primary Mitigation Funding Area



1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1827 **Agenda Date:** 6/25/2024 **Agenda #:** C.41.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: Allocation of FY 2024/25 CDBG, HOME, and ESG Funds and Approval of FY 2024/25 Action Plan

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

1. FIND the FY 2024/25 Annual Action Plan exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA guidelines;
2. APPROVE and ADOPT the Draft FY 2024/25 Annual Action Plan (Attachment A);
3. APPROVE the Family and Human Services Committee recommendations for the allocation of $849,500 in FY 2024/25 Community Development Block Grant (CDBG) funds in the Public Services (PS) category (Attachment B-1) and $369,404 Emergency Services Grant (ESG) funds (Attachment B-2);
4. APPROVE the Finance Committee recommendations for the allocation of $345,700 in FY 2024/25 CDBG funds in the Economic Development (ED) category (Attachment C-1) and the allocation of $369,196 in the Infrastructure/Public Facilities (IPF) category (Attachment C-2);
5. APPROVE the Department of Conservation and Development's recommendations for the allocation of $3,824,557 in FY 2024/25 CDBG funds in the Housing category and $5,040,063 in HOME Investment Partnership Program (HOME) funds (Attachment D), as recommended by the Department of Conservation and Development Director;
6. DIRECT the Department of Conservation and Development Director, or designee, to file a CEQA Notice of Exemption for the FY 2024/25 Annual Action Plan with the County Clerk;
7. AUTHORIZE the Department of Conservation and Development Director, or designee, to execute the program certifications and applications (SF-424's) for transmittal to the U.S. Department of Housing and Urban Development (HUD); and
8. AUTHORIZE the Department of Conservation and Development Director, or designee, to execute CDBG and ESG program agreements with the recommended organizations for the recommended activities, as approved and adopted in the FY 2024/25 Annual Action Plan by the Board of Supervisors.

FISCAL IMPACT:

There is no General Fund impact. All funds are provided to Contra Costa County on a formula basis through the U.S. Department of Housing and Urban Development (HUD).

Catalog of Federal Domestic Assistance Numbers:

- CDBG Program - 14.218

- HOME Program - 14.239
- ESG Program - 14.231

BACKGROUND:
The primary objective of the CDBG program is to develop viable urban communities by providing decent housing, a suitable living environment, and expanded economic opportunities, primarily for low-income persons and households (persons/households earning no more than 80 percent of the Area Median Income). CDBG funds are allocated on an annual formula basis to eligible entitlement jurisdictions, including Contra Costa County, by the U.S. Department of Housing and Urban Development (HUD). The County's Department of Conservation and Development (DCD) administers CDBG funds on behalf of the "Urban County." The Urban County includes the unincorporated County and all incorporated cities and towns except the cities of Antioch, Concord, Pittsburg, and Walnut Creek. Those specific cities administer independent CDBG programs. The County's CDBG Program will be entering its fiftieth year. On November 4, 2014, the Board of Supervisors adopted funding guidelines for the use of CDBG funds to specific activity categories as follows: Housing - 45 percent; Public Services (PS) - 17 percent; Economic Development (ED) - 10 percent; Infrastructure/Public Facilities (IPF) - 8 percent; and Program Administration - 20 percent.

The HOME program aims to expand the supply of decent, safe, sanitary, and affordable housing for very low and low-income households. HUD allocates HOME funds to eligible participating jurisdictions and HOME consortia on a formula basis. The Contra Costa HOME Consortium (Consortium) consists of the Urban County and the cities of Antioch, Concord, Pittsburg, and Walnut Creek. As the Consortium representative, DCD is responsible for administering and managing the HOME program for the Consortium.

Contra Costa County, as an entitlement jurisdiction, receives ESG program funds on an annual formula basis from HUD for use in funding renovation, rehabilitation, or conversion of buildings for use as emergency shelters for persons experiencing homelessness; provision of essential services for people without housing, emergency shelter operations and related services, and homelessness prevention and rapid-rehousing activities. DCD administers the ESG program funds on behalf of the Urban County.

FY 2024/25 Annual Action Plan Process and Funding Recommendations
Contra Costa County, as an entitlement or participating jurisdiction, is entitled to receive CDBG, HOME, and ESG funds from HUD each year for housing and community development activities. To receive these annual awards of federal funds, the County must submit to HUD a strategic plan, called the Consolidated Plan, every five years. The Consolidated Plan identifies priorities of local needs and general objectives on how these needs will be addressed. As part of the Consolidated Plan process, the County must submit an Annual Action Plan for each year during the five-year Consolidated Plan period. An Annual Action Plan specifies and describes what actions and activities will be carried out during the program year to address priority needs identified in the County's current Consolidated Plan, and identifies the use and amount of CDBG, HOME, and ESG funds and program income anticipated to be received during the program year by activity and identifies proposed accomplishments by activity. The proposed FY 2024/25 CDBG, HOME, and ESG Action Plan (Attachment A) covers the final year of the County's five-year 2020-2025 Consolidated Plan period.

The following sub-committees or advisory committees of the Board of Supervisors consider County staff's funding recommendations prior to final approval by the Board of Supervisors:

- Family and Human Services Committee - CDBG PS category and ESG Program funds
- Finance Committee - CDBG ED and IPF categories
- Affordable Housing Finance Committee - CDBG Housing category, and HOME funds

The Family and Human Services (FHS) Committee met on May 20, 2024, to consider staff recommendations for FY 2024/25 CDBG PS and ESG programs and projects. The meeting was noticed, and project applicants were encouraged to attend and provide input into the allocation process. After discussion, the FHS Committee approved staff recommendations as shown in Attachments B-1 and B-2.

The Finance Committee met on June 3, 2024, to consider staff recommendations for the FY 2024/25 CDBG-ED programs and IPF projects. The meeting was noticed, and project applicants were encouraged to attend and provide input into the allocation process. After discussion, the Finance Committee approved staff recommendations as shown in Attachments C-1 and C-2.

A meeting of the Affordable Housing Finance Committee (AHFC) was scheduled for Wednesday, June 5, 2024; however, the meeting was unable to be held due to lack of quorum of committee members. There was not enough time to schedule and hold another AHFC meeting prior to the Board of Supervisors meeting on Tuesday, June 25, 2024, where all federal and local funding will be considered and approved. HUD's deadline to submit the FY 2024/25 Action Plan, which must include all CDBG and HOME funded activities, is July 8, 2024. Therefore, staff's recommendations for CDBG and HOME housing activities, as shown in Attachment D, are being forwarded to the Board, as recommended by the Conservation and Development Director, in order to meet HUD's July 8, 2024 deadline.

CEQA: The Action Plan is exempt from CEQA review. However, individual projects may be subject to further determination and study, which the project's lead agency will undertake. Depending on the location of recommended projects, the County may be the responsible agency for some housing projects. CEQA determinations will be made and approved by the responsible agency for the respective housing projects before entering into project agreements or other legal documents for each respective housing project.

National Environmental Policy Act (NEPA): All CDBG, HOME, and ESG projects/programs are subject to a NEPA environmental review in accordance with HUD NEPA regulations (24 CFR Part 58). The NEPA review for each project will be completed prior to entering into project agreements or other legal documents for each respective project.

CONSEQUENCE OF NEGATIVE ACTION:
Negative action will prevent the FY 2024/25 Action Plan from being submitted to HUD by the July 8, 2024, deadline and jeopardize the County's receipt of the FY 2024/25 CDBG, HOME, and ESG funds.

CONTRA COSTA COUNTY

FY 2024/25

ACTION PLAN

Community Development Block Grant

HOME Investment Partnerships Act

Emergency Solutions Grants

May 25, 2024

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In accordance with the Americans with Disabilities Act and California Law, it is the policy of the Consortium to offer documents in a manner that is readily accessible to everyone, including individuals with disabilities.

If you have a disability and require information or materials in an appropriate alternative format or any other accommodation or language assistance, please contact Contra Costa County Department of Conservation and Development at (925) 655-2708. Hard-of-hearing individuals may call the California Relay Service at (800) 735-2929 or TDD (925) 779-7081 for assistance.

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EXECUTIVE SUMMARY

AP-05 EXECUTIVE SUMMARY - 91.200(C), 91.220(B)

1. INTRODUCTION

Established in 1850, the County of Contra Costa is one of nine counties in the San Francisco Bay Area. The County covers 733 square miles and extends from the northeastern shore of the San Francisco Bay easterly to San Joaquin County. The County is bordered on the south and west by Alameda County and on the north by Suisun Bay and San Pablo Bay. The western and northern communities are highly industrialized, while the inland areas contain a variety of urban, suburban/residential, commercial, light industrial, and agricultural uses.

The Contra Costa FY 2024/25 Action Plan describes funding allocations of specific projects and programs to address housing, economic development, infrastructure/public facility improvements, and public service needs, utilizing Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grants (ESG) program funds.

These funds are allocated annually to entitlement communities through the U.S. Department of Housing and Urban Development (HUD) to carry out a wide range of community development activities that benefit lower-income persons and households. To receive an annual allocation, jurisdictions must submit a plan describing how these funds will be expended over a five-year period (the Consolidated Plan) and an annual Action Plan. The current consolidated plan is for July 1, 2020, through June 30, 2025.

The cities of Antioch, Concord, Pittsburg, and Walnut Creek, along with the County of Contra Costa, have formed the Contra Costa HOME Consortium to cooperatively plan for the housing and community development needs of the County. The County administers HOME funds on behalf of all the Consortia cities and the Urban County. The Urban County includes all the unincorporated areas of the County, listed in Table 2, and the 15 cities/towns listed below in Table 1. The County administers Urban County CDBG funds, Consortium HOME funds, and County ESG funds. The cities of Antioch, Concord, Pittsburg, and Walnut Creek receive and administer their own allocation of CDBG funds.

Brentwood	El Cerrito	Martinez	Orinda	Richmond
Clayton	Hercules	Moraga	Pinole	San Pablo
Danville	Lafayette	Oakley	Pleasant Hill	San Ramon

TABLE 1 - URBAN COUNTY CITIES & TOWNS IN CONTRA COSTA

Alamo	Byron	Contra Costa Centre	El Sobrante	North Richmond
Port Costa	Bay Point	Canyon	Diablo	Kensington
Rodeo	Saranap	Bethel Island	Crockett	Knightsen
Rollingwood	Tara Hills	Blackhawk	Clyde	East Richmond Heights
Montalvin Manor	Pacheco	Vine Hill		

TABLE 2 - URBAN COUNTY UNINCORPORATED AREAS OF CONTRA COSTA

2. SUMMARIZE THE OBJECTIVES AND OUTCOMES IDENTIFIED IN THE PLAN

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis, or the strategic plan.

The Consolidated Plan establishes the following priorities for all projects and programs funded with CDBG, HOME, and ESG funds. Objectives and Strategies are explained below each priority listed:

PRIORITY NEED: AFFORDABLE HOUSING

Objectives/Strategies for Affordable Housing:

AH-1: Expand housing opportunities for extremely low, very-low, low, and moderate-income households by increasing the supply of decent, safe, and affordable rental housing via new housing construction or acquisition of land for the purpose of housing construction.

AH-2: Increase homeownership opportunities via the construction, acquisition, and/or rehabilitation of housing units for homeownership; and/or direct financial assistance provided to low- to moderate-income homebuyers.

AH-3: Maintain and preserve the existing affordable housing stock.

AH-4: Increase the supply of appropriate and supportive housing for special needs populations, which may include short-term tenant-based rental assistance.

PRIORITY NEED: REDUCE/ALLEVIATE HOMELESSNESS

Objectives/Strategies for Homelessness:

H-1: Further the "Housing First" approach to ending homelessness by supporting homeless outreach efforts, emergency shelter, transitional housing, and permanent housing with supportive services to help homeless persons achieve housing stability.

H-2: Expand existing prevention services, including emergency rental assistance, case management, housing search assistance, legal assistance, landlord mediation, money management, and credit counseling.

In addition to these objectives, the affordable housing and non-housing community development objectives of the Consolidated Plan also address the needs of people without homes and the problem of homelessness.

PRIORITY NEED: NON-HOUSING COMMUNITY DEVELOPMENT

Objectives/Strategies for Public Services:

CD-1 General Public Services: Ensure that opportunities and services are provided to improve the quality of life and independence for low-income persons (below 80% of the Area Median Income) and ensure access to programs that promote prevention and early intervention related to a variety of social concerns such as substance abuse, hunger, and other issues.

CD-2 Non-Homeless Special Needs Population: Ensure that opportunities and services are provided to improve the quality of life and independence for persons with special needs, such as older people, persons with disabilities, battered spouses, abused children, persons with HIV/AIDS, illiterate adults, and migrant farmworkers.

CD-3 Youth: Increase opportunities for children/youth to be healthy, succeed in school, and prepare for productive adulthood.

CD-4 Fair Housing: Promote fair housing activities and affirmatively further fair housing.

Objectives/Strategies for Economic Development:

CD-5 Economic Development: Reduce the number of persons with incomes below the poverty level, expand economic opportunities for extremely low-, very low-, and low-income residents, and increase the viability of neighborhood commercial areas by providing job training/job placement services, and technical assistance to microenterprises and small businesses.

Objectives/Strategies for Infrastructure/Public Facilities:

CD-6 Infrastructure and Accessibility: Maintain quality public facilities and adequate infrastructure and ensure access for the mobility-impaired by addressing physical access barriers to public facilities.

PRIORITY NEED: ADMINISTRATION

Objectives/Strategies for Administration:

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CD-7 Administration: Support the development of viable urban communities by extending and strengthening partnerships among all levels of government and the private sector; administer federal grant programs in a fiscally prudent manner

3. EVALUATION OF PAST PERFORMANCE

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Contra Costa County is completing the fourth year of the 2020-2025 Consolidated Plan period (FY 2024/25). The County has continued to focus on outcome-based performance measurements to ensure that needed services are delivered, and the results can be easily quantified.

4. SUMMARY OF CITIZEN PARTICIPATION PROCESS AND CONSULTATION PROCESS

Summary from citizen participation section of the plan.

Contra Costa County, and the other HOME Consortium cities, work together to conduct comprehensive outreach to obtain a broad perspective of the County's housing and community development needs. Residents and organizations involved in affordable housing, fair housing, homeless programs, and other community development activities were consulted. The outreach process ensures opportunities for the involvement of impacted persons, including lower-income persons and families, persons living in lower-income areas, minorities and non-English speaking persons, and persons with disabilities.

The Consortium also seeks input from other public and private agencies that provide emergency housing for those who are homeless, assisted housing for special needs populations, transitional housing, health services, mental health services, social services, and infrastructure support, as well as those agencies who provide fair housing and tenant/landlord services and ensure compliance with Civil Rights laws and regulations.

See the AP-10 Consultation section below for a more detailed summary of the Citizen Participation process.

5. SUMMARY OF PUBLIC COMMENTS

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

6. SUMMARY OF COMMENTS OR VIEWS NOT ACCEPTED AND THE REASONS FOR NOT ACCEPTING THEM

Not Applicable.

7. SUMMARY

The outreach process aided in developing this document but yielded no public comments.

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PR-05 LEAD & RESPONSIBLE AGENCIES - 91.200(B)

1. AGENCY/ENTITY RESPONSIBLE FOR PREPARING/ADMINISTERING THE CONSOLIDATED PLAN

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for the administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	CONTRA COSTA COUNTY	Department of Conservation and Development
HOME Administrator	CONTRA COSTA COUNTY	Department of Conservation and Development
ESG Administrator	CONTRA COSTA COUNTY	Department of Conservation and Development

TABLE 3 – RESPONSIBLE AGENCIES

Narrative

The Contra Costa HOME Consortium consists of the Contra Costa Urban County and four CDBG entitlement jurisdictions: Antioch, Concord, Pittsburg, and Walnut Creek.

The CDBG Urban County consists of the unincorporated County and 15 smaller cities and towns.

The ESG area is the same as the CDBG Urban County area.

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AP-10 CONSULTATION - 91.100, 91.200(B), 91.215(L)

1. INTRODUCTION

As part of this Action Plan development, County CDBG staff undertook an outreach program to consult and coordinate nonprofit agencies, affordable housing providers, and government agencies. On September 20, 2022, County staff sent a notice to the County's CDBG "Interested Parties" list of over 600 individuals representing various non-profit organizations and public agencies throughout Contra Costa County. This list consists of various persons representing non-profit service providers that cater to the needs of low- and moderate-income households and persons with special needs, including persons with disabilities; affordable housing providers, housing professionals, and housing advocates public agencies (other County departments or participating cities departments; improvement districts, school districts, etc.) economic development organizations, community groups, and elected officials.

All these agencies were notified, via e-mail, about participating in the FY 2024/25 CDBG, HOME, and ESG "Kickoff" Meetings that took place virtually on October 12, 2023, and November 2, 2023, in which interested agencies were informed about applying for CDBG, HOME, and ESG funds, and about participating in the overall Action Plan process.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health, and service agencies (91.215(l)).

Consortium members worked closely with the three Public Housing Authorities of Contra Costa, Pittsburg, and Richmond in the co-development of the 2020-25 Analysis of Impediments and the Consolidated Plan. The County HOME and CDBG staff have ongoing conversations with the County Housing Authority staff and work to coordinate the allocation of project-based Section 8 vouchers to HOME and CDBG-funded developments. This increases the number of households with extremely low incomes which can be served.

The Contra Costa County Department of Conservation and Development (DCD) coordinates the allocation of Emergency Solutions Grant funds with the County's Homeless Program office and the Continuum of Care (CoC) Board. CDBG funds are frequently used to assist in housing development for persons with special needs, including those with physical and mental health issues. DCD staff consults the appropriate Health Services Department (HSD) staff to confirm that the developments will have access to adequate funding for operations.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

DCD staff works very closely with the CoC Council on Homelessness (COH), sitting on the Board, attending monthly meetings, serving on subcommittees such as the Review and Ranking of all CoC applications, and working collaboratively with CoC County staff to coordinate efforts to address homelessness throughout the County.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies, and procedures for the operation and administration of HMIS.

The County works closely with the Contra Costa CoC to allocate ESG funds, develop performance standards, evaluate outcomes, and administrate HMIS. County staff consults with CoC and the Council on Homelessness Executive Board, which provides advice and input on the operations of homeless services, program operation, and program development efforts in Contra Costa County. Members of the CoC Board sit on the Review and Ranking Committee to determine the allocation of funding for ESG projects.

2. AGENCIES, GROUPS, ORGANIZATIONS, AND OTHERS THAT PARTICIPATED IN THE PROCESS AND CONSULTATIONS

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TABLE 4 – AGENCIES, GROUPS, ORGANIZATIONS WHO PARTICIPATED

1	**Agency/Group/Organization**	Contra Costa Health Services Homeless Program
	Agency/Group/Organization Type	Services-Persons with HIV/AIDS Services-homeless Services-Health Other government - County
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Contra Costa County Health Services Department was consulted to provide information on various special needs populations, including homeless populations, and services provided to those populations.
2	**Agency/Group/Organization**	CONTRA COSTA HOUSING AUTHORITY
	Agency/Group/Organization Type	Housing PHA Other government - County Regional organization
	What section of the Plan was addressed by Consultation?	Public Housing Needs

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	County housing staff consults with the HACC at least quarterly. The two agencies coordinate the Consolidated Plan, Annual Action Plan, Housing Authority Five-Year Plan, and Housing Authority Annual Plan. In addition, staff coordinates allocations of HOME, CDBG, and Project-based Section 8 vouchers whenever possible.
3	**Agency/Group/Organization**	BAY AREA LEGAL AID
	Agency/Group/Organization Type	Services - Housing Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Families with children Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation on Fair Housing, tenant/landlord cases throughout the County. Trends were identified, and eviction prevention was described as a homeless prevention strategy, especially for families with children.
4	**Agency/Group/Organization**	Hope Solutions
	Agency/Group/Organization Type	Services - Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Families with children Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation with the Executive Director of Hope Solutions regarding homeless housing, homeless services for children and parents entering housing, and stabilization of homeless families. The agency runs Garden Park Apartments and scattered site housing with a wide variety of supportive services and housing search assistance.

5	**Agency/Group/Organization**	ECHO HOUSING
	Agency/Group/Organization Type	Services - Housing Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	ECHO Housing is the Consortium-wide Fair Housing provider which provides tenant/landlord services in several jurisdictions. The agency was consulted by the Consortium, focusing on each of those issues, the needs of tenants, and tenant/landlord Fair Housing issues found in their public housing cases.
6	**Agency/Group/Organization**	CONTRA COSTA SENIOR LEGAL SERVICES
	Agency/Group/Organization Type	Services-Elderly Persons Services-Persons with Disabilities
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency Executive Director was consulted on the needs of seniors and disabled persons in order to identify and prioritize their needs.
7	**Agency/Group/Organization**	Lamorinda Spirit Van
	Agency/Group/Organization Type	Services-Elderly Persons Services-Persons with Disabilities
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency Executive Director was consulted to identify and prioritize senior and disabled persons' needs.

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8	**Agency/Group/Organization**	MONUMENT CRISIS CENTER
	Agency/Group/Organization Type	Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency Executive Director was consulted to identify and prioritize the needs of clients without homes, particularly the demand for food and services, as the agency runs Central County Homeless CARE Center.
9	**Agency/Group/Organization**	Meals on Wheels Diablo Region
	Agency/Group/Organization Type	Services-Elderly Persons Services-Persons with Disabilities
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency Executive Director and Directors of Meals on Wheels and Care Management was consulted to identify and prioritize the needs of their clients.
10	**Agency/Group/Organization**	Empowered Aging (formerly Ombudsman Services of Contra Costa)
	Agency/Group/Organization Type	Services-Elderly persons Services-Persons with Disabilities
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency Executive Director and Lead Program staff consulted seniors and disabled persons to identify and prioritize needs and further explore the needs and issues of the institutionalized population.
11	**Agency/Group/Organization**	A Place of Learning
	Agency/Group/Organization Type	Services-Children Services-Education
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency was consulted on youth, as the agency primarily serves Hispanic youth with free after-school tutoring for grades 1-6.
12	**Agency/Group/Organization**	COCO Kids (Contra Costa Childcare Council)
	Agency/Group/Organization Type	Services-Children Services-Education
	What section of the Plan was addressed by Consultation?	Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation by Consortium to focus on economic development. The agency provides microenterprise economic development services to childcare enterprises and focuses on early childhood education.
13	**Agency/Group/Organization**	LOAVES AND FISHES OF CONTRA COSTA
	Agency/Group/Organization Type	Services-Elderly persons Services-Persons with Disabilities Services-homeless
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation by Consortium to focus on homelessness and food scarcity. The agency provides hot meals five times per week in dining rooms throughout the Consortium areas. It primarily serves homeless persons, older persons, disabled persons, and very low-income families.
14	**Agency/Group/Organization**	FOOD BANK OF CONTRA COSTA AND SOLANO
	Agency/Group/Organization Type	Services-Elderly persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation by Consortium to focus on homelessness and food scarcity. The agency provides groceries and fresh food to food pantries and agencies throughout the Consortium area, primarily serving people experiencing homelessness, older persons, disabled persons, and very low-income families.
15	**Agency/Group/Organization**	Saint Vincent de Paul of Contra Costa County
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Elderly persons Services-Persons with Disabilities Services- People without Housing Services-Health
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation to focus on homelessness and food scarcity. The agency provides Rotocare medical care, a dining site for Loaves and Fishes, emergency housing retention assistance, information and referral, a day program for homeless families, and an employment training program for homeless individuals. The agency serves homeless persons, families, older persons, disabled persons, and very low-income families.
16	**Agency/Group/Organization**	SHELTER INC. OF CONTRA COSTA COUNTY
	Agency/Group/Organization Type	Housing Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation to focus on homelessness. The agency provides homeless prevention activities, housing retention subsidies and assistance, housing with supportive services, housing placement services, and is a key homeless housing provider in the County. They serve homeless individuals and families, older persons, and disabled persons. Shelter, Inc. also provides homeless prevention for very low-income families.

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17	**Agency/Group/Organization**	CONTRA COSTA CRISIS CENTER
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Elderly persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services - Victims
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency Executive Director and Lead Program staff were consulted as the agency is a 2-1-1 provider of information and referral for all services. It is also directly connected to Contra Costa Homeless Coordinated Entry System and the CORE outreach teams.
18	**Agency/Group/Organization**	RYSE Center
	Agency/Group/Organization Type	Services-Children Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth

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	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency Executive Director and program staff were consulted to better understand the needs of foster youth, homelessness prevention, and homelessness among foster, abused, and neglected youth.
19	**Agency/Group/Organization**	COURT-APPOINTED SPECIAL ADVOCATES
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency Executive Director and program staff were consulted to better understand the needs of foster youth, homelessness prevention, and homelessness among foster, abused, and neglected youth.
20	**Agency/Group/Organization**	EAST BAY CENTER FOR PERFORMING ARTS
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency Executive Director and program staff were consulted as the agency works with lower-income youth in West County.
21	**Agency/Group/Organization**	STAND! AGAINST DOMESTIC VIOLENCE
	Agency/Group/Organization Type	Services-Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency Program Director was consulted to better understand the needs of battered spouses and their children, including those who are made homeless when fleeing domestic violence.

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Identify any Agency Types not consulted and provide a rationale for not consulting.

No agency types were intentionally excluded. Organizations were consulted on an individual and group basis, as well as part of public meetings. The Consortium distributed a survey through workshops, public service agencies, the County website as well as the websites of all Consortium members. An extended and exhaustive effort was made to reach as many individuals and organizations as possible.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Contra Costa County Health, Housing, and Homeless Services Department (H3)	Strategic Plan goals are identical to the adopted Continuum of Care Plan goals and objectives described in the 2015 Ten-Year Plan (See H-1 Permanent Housing for Homeless and H-2 Prevention of Homelessness).
Contra Costa 2020-25 Analysis of Impediments	Contra Costa County Department of Conservation & Development	The Consortium and PHAs in CCC developed a new AI performed in the Analysis of Fair Housing format to best inform and coordinate fair housing activities throughout the County in the coming five years. The AI data and analysis are thoroughly integrated into the 2020-25 Consolidated Plan.
Northern Waterfront Strategic Action Plan	Contra Costa County Department of Conservation & Development	The Northern Waterfront Economic Development Initiative is a regional cluster-based economic development strategy with a goal of creating 18,000 new jobs by 2035. The Initiative leverages existing competitive advantages and assets by focusing on advanced manufacturing sub-sectors in five targeted clusters (advanced transportation fuels, bio-tech/bio-medical, diverse manufacturing, food processing, and clean tech). There is also a related component focusing on the human capital framework to benefit the residents of the Northern Waterfront. The initiative is a collaboration between the County and seven partner cities, who work together on diverse actions to enhance the region's economic vitality.

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Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Ensuring Opportunity Contra Costa	Richmond Community Foundation	The Ensuring Opportunity Campaign to End Poverty in Contra Costa is a cross-sector initiative that engages local elected officials, social sector organizations, businesses, labor, local government, faith-based, academia, and the philanthropic sector in a collective effort to eliminate poverty in our community. The Campaign is currently focusing on affordable housing. The Executive Director is an active participant in Consortium activities, focus groups, and homelessness efforts.
Plan Bay Area 2040: Regional Transportation Plan	Metropolitan Transportation Commission	This regional transportation plan and sustainable communities strategy for the San Francisco Bay Area (2017-2040) helps to inform long-term planning strategies and links to regional planning.
Plan Bay Area, People, Places, and Prosperity	Association of Bay Area Governments (ABAG)	ABAG is the comprehensive regional planning agency and council of governments for the nine counties and 101 cities and towns of the San Francisco Bay region. ABAG works to address common issues from a regional perspective and formed California's first council of governments. From this perspective, ABAG continues to work in regional land use, environmental stewardship, energy efficiency, and water resource protection. This past year, ABAG and MTC combined to share joint responsibility for Plan Bay Area, now with a single staff, serving both the ABAG Executive Board and the MTC Commission. ABAG publications and planning activities influence local plans for housing production and transportation.

TABLE 5 – OTHER LOCAL / REGIONAL / FEDERAL PLANNING EFFORTS

Narrative

DCD staff and Consortium member consultations, with other County departments and local agencies, enhance DCD staff's understanding of critical issues facing low-income residents of Contra Costa, especially understanding the needs of extremely low-income and homeless individuals and families. This specialized knowledge complements the feedback provided through public participation.

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AP-12 PARTICIPATION - 91.401, 91.105, 91.200(C)

1. SUMMARY OF CITIZEN PARTICIPATION PROCESS/EFFORTS MADE TO BROADEN CITIZEN PARTICIPATION

Summarize the citizen participation process and how it impacted goal setting.

On September 11, 2023, a Notice of Funding Availability/Request for Proposals (NOFA/RFP) for CDBG-IPF, CDBG-Housing, HOME, and HOPWA funds was sent to the County's CDBG and HOME "Interested Parties" list, a list of over 600 individuals representing various non-profit organizations and public agencies throughout Contra Costa County. The NOFA/RFP notice was also posted/published in all editions of the Contra Costa Times and posted on the County's Department of Conservation and Development (DCD) website the same day.

On October 12, 2023, the CDBG-IPF Kickoff public meeting was held virtually via Zoom. Approximately 59 people representing various non-profit and public agencies attended the meeting.

On November 2, 2023, the CDBG, HOME, and HOPWA Kickoff public meeting was held virtually via Zoom. Approximately 89 people representing various non-profit and public agencies attended the meeting.

On May 20, 2024, the County's Family and Human Services Committee held a public meeting to hear the staff's recommendations for the Public Service category of the County's CDBG Program and staff's recommendations under the County's ESG Program.

On May 25, 2024, public notices were posted/published in all newspaper editions of the Contra Costa Times announcing the June 25, 2024 County's Board of Supervisors public hearing to recommend CDBG, HOME, ESG, and HOPWA funds to public services, economic development, infrastructure/public facilities, affordable housing, and ESG projects/programs/activities. The County's Draft Action Plan was made available to the public May 25, 2024 through June 25, 2024, on the County's DCD website, and a hard copy was available upon request to the public at the County's DCD physical location at 30 Muir Road, Martinez, CA.

On June 5, 2024, the County's Affordable Housing Finance Committee scheduled a public meeting to consider staff's affordable housing recommendations for the CDBG, HOME, and HOPWA programs. Approximately __ people representing various affordable housing development nonprofit organizations attended the meeting.

On June 3, 2024, the County's Finance Committee held a public meeting to hear staff's recommendations for the Economic Development and Infrastructure/Public Facilities categories of the County's CDBG Program.

On June 25, 2024, the Board of Supervisors public hearing meeting was held. At the meeting, the County's FY 2024/25 CDBG/HOME/ESG/ Action Plan, including the recommendations for all public services, economic development, infrastructure/public facilities, affordable housing, and ESG projects, was considered and approved by the County's Board of Supervisors.

Citizen Participation Outreach

#	Mode of Outreach	Target of Outreach	Summary of Response/Attendance	Summary of Content	Summary of Comments Not Accepted	URL (if applicable)
1	Internet	Non-targeted Broad community	On September 11, 2023, Contra Costa County emailed a NOFA/RFP for CDBG, HOME, and HOPWA funds to the County's interested parties list, a list of over 600 individuals representing various nonprofit organizations and public agencies throughout the County.	NA	NA	www.contracosta.ca.gov/CDBG
2	Newspaper Ad	Non-targeted Broad community	The County published a newspaper notice on September 11, 2023, announcing its CDBG, HOME, and HOPWA Kick-Off Meeting for interested persons, nonprofits, and public agencies to attend.	NA	NA	NA
3	Newspaper Ad	Non-targeted Broad community	The County published a newspaper notice on September 11, 2023, announcing its CDBG-IPF Kick-Off Meeting for interested persons, nonprofits, and public agencies to attend.	NA	NA	NA
4	Public Meeting	Non-targeted Broad community	The County held its CDBG-IPF Meeting virtually via Zoom on October 12, 2023. Approximately 59 individuals representing various nonprofit	No Comments	NA	NA

#	Mode of Outreach	Target of Outreach	Summary of Response/Attendance	Summary of Content	Summary of Comments Not Accepted	URL (if applicable)
			organizations and public agencies attended, interested in learning more about the application process.			
5	Public Meeting	Non-targeted Broad community	The County held its CDBG, HOME, HOME-ARP, and HOPWA Kick-Off Meeting virtually via Zoom on November 2, 2023. Approximately 89 individuals representing various nonprofit organizations and public agencies attended, interested in learning more about the application process.	No Comments	NA	NA
6	Public Meeting	Non-targeted Broad community	On May 20, 2024, the County's Family and Human Services Committee held a public meeting to hear staff's recommendations for the Public Service category of the County's CDBG Program and ESG Program.	No Comments	NA	NA
7	Newspaper Ad	Non-English speaking: Spanish, Chinese, and Tagalong; Non-targeted and Broad community	A Public Notice was posted/published on May 25, 2024 to announce that the FY 2024/25 Action Plan, including recommendations for CDBG, HOME, and ESG projects, programs, and activities, would be considered at the June 25, 2024, Board of Supervisors public hearing.	No Comments	NA	NA
8	Public Meeting	Non-targeted Broad community; Affordable Housing Developers	On June 5, 2024, the County's Affordable Housing Finance Committee called a public meeting to consider the staff's affordable housing recommendations. Approximately __ people attended the in-person and virtual meetings.	No Comments	NA	NA

#	Mode of Outreach	Target of Outreach	Summary of Response/Attendance	Summary of Content	Summary of Comments Not Accepted	URL (if applicable)
11	Public Meeting	Non-targeted Broad community	On June 2, 2024, the County's Finance Committee held a public meeting to hear staff recommendations for the Economic Development and Infrastructure/Public Facilities categories of the County's CDBG Program.		NA	NA
12	Public Meeting	Non-targeted Broad community	On June 25, 2024, the County's Board of Supervisors met and adopted the FY 2024/25 Annual Action Plan.			www.contracosta.ca.gov/7283/Board-of-Supervisors

Table 6 – Citizen Participation Outreach

EXPECTED RESOURCES

AP-15 EXPECTED RESOURCES - 91.420(B), 91.220(C)(1,2)

Introduction

Contra Costa anticipates that over the Strategic Plan's five-year course, CDBG, HOME, and ESG funds will be available. These federal funds will be used to leverage public and private resources in all program areas. The Annual Action Plan budgets reflect one-fifth of the anticipated resources over the 5-year Consolidated Plan period.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year ___				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	4,614,953	874,827	744,505	6,234,285	0	Expected amount available based on recent allocation and anticipated estimated Program Income during the FY 2024/25 program year.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year ___				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	2,989,514	742,995	1,698,500	5,431,009	0	Expected amount available based on recent allocation and anticipated estimated Program Income during the FY 2024/25 program year.
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	399,140	0	0	399,140	0	Expected amount available based on recent allocation.

TABLE 7 - EXPECTED RESOURCES – PRIORITY TABLE

Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied.

County policy requires projects funded with CDBG funds to provide a minimum match as follows: 10 percent is required from nonprofit organizations, 25 percent from local government agencies, and 100 percent from for-profit entities. Public service and economic development projects (sponsored by nonprofit organizations and public agencies) receiving multiple-year funds are further required to increase the match level for each funding year up to 50 percent match after year five. In accordance with federal regulations, all projects funded with Consortium HOME funds are required to provide a minimum 25 percent permanent match to the project from non-federal sources. In affordance with federal regulations, all projects funded with ESG funds are required to provide a minimum 100 percent match from non-federal sources.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan.

As the Housing Successor Agency to the former redevelopment agency, the County owns land that will be used for affordable housing development in Bay Point, North Richmond, and Rodeo. The Housing Successor (to the former Redevelopment Agency) will issue requests for proposals to develop the Rodeo and Bay Point parcels during the Consolidated Plan period. The Housing Successor is considering using the proceeds of that sale to support the Rodeo and Bay Point developments. However, no CDBG, HOME, or ESG funds are currently allocated to this prospective project.

ANNUAL GOALS AND OBJECTIVES

AP-20 ANNUAL GOALS AND OBJECTIVES - 91.420, 91.220(C)(3)&(E)

GOALS SUMMARY INFORMATION

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	CD-1: General Public Services	2020	2025	Non-Housing Community Development	Contra Costa County	Non-Housing Community Development	CDBG: $316,500	Public service activities other than Low/Moderate Income Housing Benefit: 6,529 Persons Assisted
2	CD-2: Non-Homeless Special Needs Population	2020	2025	Non-Homeless Special Needs Non-Housing Community Development	Contra Costa County	Non-Housing Community Development	CDBG: $183,000	Public service activities other than Low/Moderate Income Housing Benefit: 10,453 Persons Assisted
3	CD-3: Youth	2020	2025	Non-Housing Community Development	Contra Costa County	Non-Housing Community Development	CDBG: $73,000	Public service activities other than Low/Moderate Income Housing Benefit: 1,257 Persons Assisted
4	CD-4: Fair Housing	2020	2025	Non-Housing Community Development	Contra Costa County	Non-Housing Community Development	CDBG: $40,000	Public service activities other than Low/Moderate Income Housing Benefit: 80 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
5	CD-5: Economic Development	2020	2025	Non-Housing Community Development	Contra Costa County	Non-Housing Community Development	CDBG: $395,700	Public service activities other than Low/Moderate Income Housing Benefit: 539 Persons Assisted Jobs created/retained: 3 Jobs Businesses assisted: 205 Businesses Assisted
6	CD-6: Infrastructure/Public Facilities	2020	2025	Non-Housing Community Development	Contra Costa County	Non-Housing Community Development	CDBG: $369,196	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 8,857 Persons Assisted
7	CD-7: Administration	2020	2025	Administration	Contra Costa County	Administration	CDBG: $1,057,956 HOME: $373,250 ESG: $29,736	Other: 1 Other
8	H-1: Housing & Supportive Services for Homeless	2020	2025	Homeless	Contra Costa County	Homelessness Prevention	CDBG: $142,000 ESG: $238,344	Public service activities other than Low/Moderate Income Housing Benefit: 800 Persons Assisted Homeless Person Overnight Shelter: 1,578 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
9	H-2: Rapid Rehousing & Homelessness Prevention	2020	2025	Homeless	Contra Costa County	Homelessness Prevention	CDBG: $30,000 ESG: $131,060	Tenant-based rental assistance / Rapid Rehousing: 160 Households Assisted Homelessness Prevention: 0 Persons Assisted
10	AH-3: Maintain and Preserve Affordable Housing	2020	2025	Affordable Housing		Affordable Housing	CDBG: $2,774,554 HOME: $5,040,000	Rental units rehabilitated: 229 Household Housing Unit Homeowner Housing Rehabilitated: 52 Household Housing Unit

TABLE 8 – GOALS SUMMARY

GOAL DESCRIPTIONS

1	**Goal Name**	CD-1: General Public Services
	Goal Description	Ensure that opportunities and services are provided to improve the quality of life and independence for lower-income persons and ensure access to programs that promote prevention and early intervention related to various social concerns such as substance abuse, hunger, and other issues.
2	**Goal Name**	CD-2: Non-Homeless Special Needs Population
	Goal Description	Ensure that opportunities and services are provided to improve the quality of life and independence for persons with special needs, such as elderly/frail elderly, persons with disabilities, victims of domestic violence, abused/neglected children, persons with HIV/AIDS, illiterate adults, and migrant farmworkers.

3	**Goal Name**	CD-3: Youth
	Goal Description	Increase opportunities for children/youth to be healthy, succeed in school, and prepare for a productive adulthood.
4	**Goal Name**	CD-4: Fair Housing
	Goal Description	Continue to promote fair housing activities and affirmatively further fair housing.
5	**Goal Name**	CD-5: Economic Development
	Goal Description	Reduce the number of persons with incomes below the poverty level, expand economic opportunities for very-low and low-income residents, and increase the viability of neighborhood commercial areas. Strategies include: • Support job training, retraining, and employment search services for low-income persons; and Provide technical assistance and capital (loan or grant) to small businesses/micro-enterprises to develop and/or expand capacity and produce jobs for low-income persons.
6	**Goal Name**	CD-6: Infrastructure/Public Facilities
	Goal Description	Maintain quality public facilities and adequate infrastructure and ensure access to public facilities for people with disabilities. Strategies include: • To construct or improve public facilities and infrastructure including, but not limited to, providing and improving access to facilities for persons with disabilities. This may include directly improving or constructing facilities or infrastructure in low-income areas or assisting non-profit agencies that serve low-income populations. • To remove barriers to the safe travel of persons with disabilities that exist in the public right-of-way. To improve the public right-of-way to enhance public safety and accessibility, improve public health, and promote the provisions of a "complete streets program." Improvements will be targeted to areas where the current level of improvement is less than the current standard.

7	**Goal Name**	CD-7: Administration
	Goal Description	Support the development of viable urban communities through extending and strengthening partnerships among all levels of government and private sector, and administer federal grant programs in a fiscally prudent manner. Strategies include: • To continue the collaborative administration with the other Consortia jurisdictions for the County's housing and community development programs undertaken under this Strategic Plan. This effort will include common policies and procedures for requests for the use of funds, sub-recipient reporting, record-keeping, and monitoring. To support the efforts of the housing authorities of the City of Pittsburg, the City of Richmond, and Contra Costa County. Members will also cooperatively further the efforts of the Contra Costa Continuum of Care Council on Homelessness.
8	**Goal Name**	H-1: Housing & Supportive Services for Homeless
	Goal Description	Further, the "Housing First" approach to ending homelessness by supporting homeless outreach efforts, emergency shelter, transitional housing, and permanent housing with supportive services to help homeless persons achieve housing stability.
9	**Goal Name**	H-2: Rapid Rehousing & Homelessness Prevention
	Goal Description	Expand existing prevention services, including emergency rental assistance, case management, housing search assistance, legal assistance, landlord meditation, money management, and credit counseling.
11	**Goal Name**	AH-3: Maintain and Preserve Affordable Housing
	Goal Description	Maintaining and preserving affordable housing (rental and homeownership) is a growing need as existing affordable housing reaches the current affordability terms. Increasing market-rate rents incentivizes private owners to convert their affordable units to market-rate units. Affordable housing developers purchase existing buildings when feasible to maintain existing affordable housing.

AP-35 PROJECTS - 91.420, 91.220(D)

INTRODUCTION

The projects below meet specific Consolidated Plan priorities and goals. The 2020-2025 Consolidated Plan establishes the priorities for affordable housing and non-housing community development (Public Service, Infrastructure/Public Facilities, and Economic Development) programs and projects funded with CDBG, HOME, and ESG funds. In addition to the Consolidated Plan priorities, the Board has established a priority for housing projects, including units affordable to extremely low-income households. The project summary below provides information on specific housing projects and non-housing projects funded with CDBG, HOME, and ESG funds.

#	Project Name
1	Bay Area Crisis Nursery: Bay Area Crisis Nursery
2	Community Housing Development Corporation of North Richmond: Multicultural Family/Senior Center
3	Community Housing Development Corporation of North Richmond: Housing Instability Counseling Program
4	Community Violence Solutions: CIC Child Sexual Assault Intervention
5	ECHO Housing: Tenant/Landlord Counseling and Dispute Resolution Services
6	Food Bank of Contra Costa and Solano: Collaborative Food Distribution
7	Housing and Economic Rights Advocates: Financially Stability Legal Services
8	Loaves and Fishes of Contra Costa: Nourishing Lives
9	Monument Crisis Center: Critical Safety Net Resources for Families and Individuals
10	Richmond Community Foundation: Sparkpoint Contra Costa
11	St. Vincent de Paul of Contra Costa: RotaCare Pittsburg Free Medical Clinic at St. Vincent de Paul
12	City of Lafayette: Lamorinda Spirit Van Senior Transportation Program
13	Contra Costa Crisis Services: Crisis / 211 Contra Costa
14	Contra Costa Family Justic Alliance: Family Justic Navigation Program
15	Contra Costa Senior Legal Services: Legal Services for Seniors
16	Court Appointed Special Advocates: Serving All Foster Children
17	Empowered Aging: Ombudsman Services for Contra Costa
18	Lions Center for the Visually Impaired: Independent Living Skills for Blind and Visually Impaired
19	Meals on Wheels Diablo Region: Care Management
20	Meals on Wheels Diablo Region: Meals on Wheels
21	Pleasant Hill Recreation & Park District: Senior Service Network
22	Rainbow Community Center of Contra Costa: Kind Hearts Community Support Program
23	East Bay Center for the Performing Arts: Deep Roots, Wide World Program

#	Project Name
24	James Morehouse Project / Bay Area Community Resources: James Morehouse Project
25	Mount Diablo Unified School District: CARES After School Enrichment Program
26	RYSE Inc.: RYSE Career Pathway Program
27	Village Community Resource Center: Village Community Resource Center Program Support
28	ECHO Housing: Fair Housing Services
29	Contra Costa County Health Services: Coordinated Outreach, Referral, and Engagement Program
30	Greater Richmond Interfaith Program: Homeless Shelter and Soup Kitchen
31	STAND! For Families Free of Violence: Rollie Mullen Center Emergency Shelter
32	Winter Nights Family Shelter, Inc.
33	SHELTER Inc.: Homeless Prevention Program
34	Multicultural Institute: Lifeskills / Day Labor Program
35	Opportunity Junction: Bay Point Career Counseling and Placement Assistance
36	CoCoKids Inc.: Road to Success
37	Loaves and Fishes of Contra Costa: Culinary Arts Training
38	Opportunity Junction: Administrative Careers Training Program
39	Renaissance Entrepreneurship Center: Using the Power of Entrepreneurship to Build Economical
40	West Contra Costa Business Dev. Center Inc.: Emerging Entrepreneurs Program
41	East Bay Center for the Performing Arts: Lighting System Replacement and Upgrades
42	Lions Center for the Visually Impaired - LCVI Site Renovation
43	Martinez Early Childhood Center, Inc.: Fencing/Gates Project
44	Nurturing Independence through Artistic Development: NIAD CAP Phase 2 - Entryway Doors and Lobby
45	ESG24 Contra Costa County
46	Eden Development: The Riveter Supportive
47	Novin Development: Civic Center Apartments
48	Resources for Community Development: Lakeside Apartments
49	Neighborhood Preservation Program
50	CDBG Program Administration
51	HOME Program Administration

TABLE 9 – PROJECT INFORMATION

AP-38 PROJECT SUMMARY

PROJECT SUMMARY INFORMATION

1	**Project Name**	Bay Area Crisis Nursery: Bay Area Crisis Nursery
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $17,000
	Description	Provide short-term residential/shelter services and emergency childcare for 20 children, ages birth through 5 years old. Families experiencing a crisis are afforded residential services for 30 days within a 6-month period. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B). Matrix Code: 05L Eligibility: Public Services - 24 CFR 570.201(e).
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Twenty families experiencing a crisis, requiring short-term residential/shelter services and emergency childcare.
	Location Description	1506 Mendocino Drive, Concord, CA 94521
	Planned Activities	Provide short-term residential/shelter services and emergency childcare for 20 children ages birth through 5 years old. Services will include crisis childcare from 7 am - 7 pm daily. Families can access childcare services for 30 days within a 6-month period.
2	**Project Name**	Community Housing Development Corporation of North Richmond: Multicultural Family/Senior Center
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $40,000

	Description	Operate and maintain a community center for 700 residents of North Richmond. Activities include providing educational, recreational, and nutritional programs to the North Richmond community. The center will work with partner agencies to provide food and referrals to families and seniors. National Objective: Low Mod Area Benefit- 24 CFR 570.208(a)(1)(i) Matrix Code: 05Z Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 700 Richmond residents
	Location Description	515 Silver Avenue, Richmond, CA 94801
	Planned Activities	Operate and maintain a community center for residents of North Richmond. Activities include providing educational, recreational, and nutritional programs to the North Richmond community. The center will work with partner agencies to provide food and referrals to families and seniors.
3	**Project Name**	Community Housing Development Corporation: Housing Instability Counseling Program
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $25,000
	Description	The program will provide housing counseling services to households facing housing instability such as eviction, default, foreclosure, or loss of income that cause or could cause eviction, default, foreclosure, or homelessness. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B) Matrix Code: 05U Eligibility: Public Services - 24 CFR 570.201(e)
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The project will deliver housing counseling services to 75 households facing housing instability such as eviction, default, foreclosure, or loss of income that causes or could cause eviction, default, foreclosure, or homelessness.

	Location Description	1535 Fred Jackson Way Ste. A Richmond, CA 94801.
	Planned Activities	The project will deliver housing counseling services to households facing housing instability, such as eviction, default, foreclosure, or loss of income that causes or could cause eviction, default, foreclosure, or homelessness.
4	**Project Name**	Community Violence Solutions: CIC Child Sexual Assault Intervention
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $15,000
	Description	Provide 175 child sexual assault and physical abuse victims, aged 2-17, and their non-offending family members with services, including forensic interviews, advocacy, case management, and mental health services, to help clients show positive changes in behavior and psychological well-being. National Objective: Presumed Beneficiary Abused Children - 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05N Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	175 child sexual assault and physical abuse victims, ages 2-17, and their non-offending family members.
	Location Description	Martinez - specific addresses are confidential due to the nature of the program. It also has sites in San Pablo, Pleasant Hill, and Antioch. Staff is also located at the Family Justice Centers in Richmond and Concord.
	Planned Activities	The program will provide child sexual assault and physical abuse victims ages 2-17 and their non-offending family members with services, including forensic interviews, advocacy, case management, and mental health services to help clients positively change behavior and psychological well-being.
5	**Project Name**	ECHO Housing: Tenant/Landlord Counseling and Dispute Resolution Services
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services

	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $80,000
	Description	ECHO will provide tenant/landlord counseling and dispute resolution to 430 tenants and landlords in the Urban County, which include low-income persons with an AMI of 80% or less, racial and ethnic minorities, female-headed households, disabled households, and elderly/senior households. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B) Matrix Code: 05K Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Provide information and assistance to 430 tenants and landlords on their housing rights and responsibilities.
	Location Description	301 West 10th Street Antioch, CA 94509
	Planned Activities	ECHO will provide tenant/landlord counseling and dispute resolution to 430 tenants and landlords in the Urban County, which include low-income persons with an AMI of 80% or less, racial and ethnic minorities, female-headed households, disabled households, and elderly/senior households.
6	**Project Name**	Food Bank of Contra Costa and Solano: Collaborative Food Distribution
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $46,500
	Description	The Food Bank will continue to operate and grow the Senior Food Program with distribution sites throughout Concord and the Urban County. The Senior Food Program offers low-income seniors a free bag of groceries twice a month, including deliveries via a partnership with Meals on Wheels. The program will provide 1,839 individuals across 19 sites in the Urban County. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B)] Matrix Code: 05W Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025

	Estimate the number and type of families that will benefit from the proposed activities	At least 1,839 low-income seniors in the Urban County.
	Location Description	4010 Nelson Avenue, Concord, CA 94520
	Planned Activities	Operate and grow their Senior Food Program, providing free groceries twice a month to low-income seniors, including deliveries via a partnership with Meals on Wheels.
7	**Project Name**	Housing and Economic Rights Advocates: Financially Stability Legal Services
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $25,000
	Description	HERA's Financial Stability Legal Services will serve 80 lower-income Urban County residents by assisting homeowners and tenants in maintaining a suitable living environment through their debt/credit, home preservation, and tenant rights work, reducing discriminatory barriers to access affordable housing through their one-stop service. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B) Matrix Code: 05X Eligibility: Public Services 24 CFR 570.201(e)
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	80 families
	Location Description	3950 Broadway, Suite 200, Oakland, CA 94611
	Planned Activities	Legal and financial services for low-income persons.
8	**Project Name**	Loaves and Fishes of Contra Costa: Nourishing Lives
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development

	Funding	CDBG: $18,000
	Description	Provide emergency food assistance to 750 people, resulting in improved nutrition. National Objective: Area Benefit - 24 CFR 570.208(a)(1)(ii)Matrix Code: 05W Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	750 low- to very low-income men, women, and children recently out of work, homeless, unemployed, underemployed, or disabled.
	Location Description	835 Ferry Street, Martinez, CA 94553
	Planned Activities	Provide free buffet-style lunches and groceries on weekdays to 750 homeless and low-income Urban County residents at the Loaves & Fishes Martinez Dining Room.
9	**Project Name**	Monument Crisis Center: Critical Safety Net Resources for Families and Individuals
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $17,000
	Description	Provide wrap-around safety net services through on-site food distribution, direct referrals to shelter, workshops for financial assistance and employment, referrals to healthcare, and on-site legal and crisis support services. Services will be provided to at least 2,000 lower-income Urban County residents will be provided services. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B)] Matrix Code: 05Z Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	2,000 low-income, Urban County residents.
	Location Description	1990 Market Street, Concord, CA 94520

	Planned Activities	Provide wrap-around safety net services through on-site food distribution, direct referrals to shelter, workshops for financial assistance and employment, referrals to healthcare, and on-site legal and crisis support services. Services will be provided to at least 2,000 lower-income Urban County residents.
10	**Project Name**	Richmond Community Foundation: Sparkpoint Contra Costa
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $15,000
	Description	Provide services to 210 Urban County residents to assist them in obtaining and maintaining employment and improving their careers. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B)] Matrix Code: 05H Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	210 Urban County residents, primarily in the Bay Point community.
	Location Description	3105 Willow Pass Road, Bay Point, CA 94565
	Planned Activities	Provide services to 210 Urban County residents to assist them in obtaining and maintaining employment and improving their careers.
11	**Project Name**	St. Vincent de Paul of Contra Costa: RotaCare Pittsburg Free Medical Clinic at St. Vincent de Paul
	Target Area	Contra Costa County
	Goals Supported	CD-1: General Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $18,000
	Description	Provide free urgent and chronic medical care to 310 uninsured clients in the Urban County. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B)] Matrix Code: 05M Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025

	Estimate the number and type of families that will benefit from the proposed activities	310 uninsured clients in the Urban County
	Location Description	2110 Gladstone Drive, Pittsburg, CA 94565
	Planned Activities	Provide free urgent and chronic medical care to 310 uninsured clients in the Urban County.
12	**Project Name**	City of Lafayette: Lamorinda Spirit Van Senior Transportation Program
	Target Area	Contra Costa County
	Goals Supported	CD-2: Non-Homeless Special Needs Population
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $10,000
	Description	Provide low-cost transportation to seniors living in Lafayette, Moraga, and Orinda. Transportation services will be provided to 160 seniors, allowing them to attend medical and other personal appointments, grocery and sundry shopping, exercise, and other classes. National Objective: Presumed Beneficiary Seniors - 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05A Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	160 homebound seniors
	Location Description	500 St. Mary's Road, Lafayette, CA 94549
	Planned Activities	Seniors in the "Lamorinda" area (Lafayette, Orinda, and Moraga) will be provided free or low-cost transportation for essential services and recreation. These seniors would not otherwise have a way to get to these locations.
13	**Project Name**	Contra Costa Crisis Service: Crisis / 211 Contra Costa
	Target Area	Contra Costa County
	Goals Supported	CD-2: Non-Homeless Special Needs Population
	Needs Addressed	

	Funding	CDBG: $18,000
	Description	Provide crisis intervention services, information, and referrals to 8,200 Urban County residents, including homeless persons, abused children, seniors, battered spouses, persons with HIV/AIDS, and people with disabilities. National Objective: Presumed Beneficiary 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05Z Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Provide crisis intervention service, information, and referrals to 8,200 Urban County residents.
	Location Description	Services are provided over the phone.
	Planned Activities	Provide crisis intervention service, information, and referrals to 8,200 Urban County residents, including homeless persons, abused children, seniors, battered spouses, persons with HIV/AIDS, and people with disabilities.
14	**Project Name**	Contra Costa Family Justice Alliance: Family Justice Navigation Program
	Target Area	Contra Costa County
	Goals Supported	CD-2: Non-Homeless Special Needs Population
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $350,000
	Description	Operate the West County Family Justice Center (FJC) to provide one-stop services to over 800 victims of domestic violence, sexual assault, child abuse, elder abuse, and human trafficking. National Objective: Presumed Beneficiary 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05G Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	800 victims of domestic violence, sexual assault, child abuse, elder abuse, and human trafficking.
	Location Description	Confidential Address

	Planned Activities	Operate and maintain the West County Family Justice Center to provide one-stop services to at least 800 victims of domestic violence, sexual assault, child abuse, elder abuse, and human trafficking.
15	**Project Name**	Contra Costa Senior Legal Services: Legal Services for Seniors
	Target Area	Contra Costa County
	Goals Supported	CD-2: Non-Homeless Special Needs Population
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $20,000
	Description	Provide free legal advice to 300 Urban County seniors, resulting in the retention of housing, protection from physical and financial abuse, and the provision of consumer and individual rights. National Objective: Presumed Beneficiary Seniors - 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05A Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	300 Urban County seniors
	Location Description	2702 Clayton Road, Ste. 202, Concord, CA 94519
	Planned Activities	Provide free legal advice to 300 Urban County seniors, resulting in the retention of housing, protection from physical and financial abuse, and the provision of consumer and individual rights.
16	**Project Name**	Court Appointed Special Advocates: Serving All Foster Children
	Target Area	Contra Costa County
	Goals Supported	CD-2: Non-Homeless Special Needs Population
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $18,000
	Description	Provide advocacy, mentoring, and representation services to 71 Urban County abused and neglected children who are wards of the County's Juvenile Dependency Court as a way to improve access to health and social services and a safe and permanent living situation. National Objective: Presumed Beneficiary Abused Children 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05N Eligibility: Public Services [24 CFR 570.201(e)]

	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Provide services to 71 Urban County abused and neglected children.
	Location Description	2151 Salvio Street, Suite 295, Concord, CA 94520
	Planned Activities	Provide advocacy, mentoring, and representation services to 71 Urban County abused and neglected children who are wards of the County's Juvenile Dependency Court as a way to improve access to health and social services and a safe and permanent living situation.
17	**Project Name**	Empowered Aging: Ombudsman Services for Contra Costa
	Target Area	Contra Costa County
	Goals Supported	CD-2: Non-Homeless Special Needs Population
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $10,000
	Description	Provide advocacy services to 300 Urban County elders residing in long-term care facilities, ensuring that these elderly residents receive proper health care and necessary daily living support. National Objective: Presumed Beneficiary Seniors - 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05A Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	300 elderly and dependent seniors residing in long-term care facilities
	Location Description	4415 Cowell Road, Suite 100, Concord, CA 94518
	Planned Activities	Provide advocacy services to 300 Urban County elders residing in long-term care facilities, ensuring that these elderly residents receive proper health care and necessary daily living support.
18	**Project Name**	Lions Center for the Visually Impaired: Independent Living Skills for Blind and Visually Impaired
	Target Area	
	Goals Supported	CD-2: Non-Homeless Special Needs Population

	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $13,000
	Description	Provide in-home independent living skills instruction and training to 55 visually impaired adults throughout the Urban County so they will maintain their independence and avoid institutionalization. National Objective: Presumed Beneficiary Disabled Persons - 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05B Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	55 Visually impaired adults throughout the Urban County, most are elderly.
	Location Description	175 Alvarado Avenue, Pittsburg, CA 94565.
	Planned Activities	Provide in-home independent living skills instruction and training to 55 visually impaired adults throughout the Urban County so they will maintain their independence and avoid institutionalization.
19	**Project Name**	Meals on Wheels Diablo Region: Care Management
	Target Area	Contra Costa County
	Goals Supported	CD-2: Non-Homeless Special Needs Population
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $17,000
	Description	Provide care management services to 400 Urban County seniors, resolving health and wellness issues, quality of life, and ability to live independently. National Objective: Presumed Beneficiary Seniors - 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05A Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	400 Urban County seniors
	Location Description	1300 Civic Drive, Walnut Creek, CA 94596.

	Planned Activities	Provide care management services to 400 Urban County seniors, resolving health and wellness issues, quality of life, and ability to live independently.
20	**Project Name**	Meals on Wheels Diablo Region: Meals on Wheels
	Target Area	Contra Costa County
	Goals Supported	CD-2: Non-Homeless Special Needs Population
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $17,000
	Description	Deliver hot and nutritious meals to 660 frail, homebound, Urban County seniors, resulting in maintained and/or improved health and welfare and aging in place. National Objective: Presumed Beneficiary Seniors - 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05A Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	660 frail, homebound, Urban County seniors.
	Location Description	1300 Civic Drive, Walnut Creek, CA 94596.
	Planned Activities	Volunteers will deliver hot meals to seniors who are unable to prepare food for themselves and who are without a caregiver. A registered dietitian constructs each daily menu, ensuring that health needs are met. Alternatively, underserved areas are provided with a week's supply of frozen/microwaveable food on a single day.
21	**Project Name**	Pleasant Hill Recreation & Park District: Senior Service Network
	Target Area	Contra Costa County
	Goals Supported	CD-2: Non-Homeless Special Needs Population
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $12,000
	Description	Provide on-site care management services and crisis intervention to 150 Urban County seniors, preventing displacement and/or premature institutionalization. National Objective: Presumed Beneficiary Seniors - 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05A Eligibility: Public Services [24 CFR 570.201(e)]

	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	150 Urban County seniors
	Location Description	233 Gregory Lane, Pleasant Hill, CA 94523
	Planned Activities	Provide on-site care management services and crisis intervention to 150 Urban County seniors, preventing displacement and/or premature institutionalization.
22	**Project Name**	Rainbow Community Center of Contra Costa: Kind Hearts Community Support Program
	Target Area	Contra Costa County
	Goals Supported	CD-2: Non-Homeless Special Needs Population
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $13,000
	Description	Provide home/friendly visitor services and wellness calls to 78 Urban County seniors with HIV/AIDS and Lesbian, Gay, Bisexual, and Transgender seniors to decrease isolation and improve their quality of life. National Objective: Presumed Beneficiary Senior with HIV/AIDS - 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05A Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	78 Urban County seniors with HIV/AIDS and Lesbian, Gay, Bisexual, and Transgender seniors
	Location Description	2118 Willow Pass Road, Suite 500, Concord, CA 94520
	Planned Activities	Provide congregate meals, food pantry services, home/friendly visitor services, and wellness calls to 78 Urban County People with AIDS and Lesbian, Gay, Bisexual, and Transgender seniors to decrease isolation and improve their quality of life.
23	**Project Name**	East Bay Center for the Performing Arts: Deep Roots, Wide World Program

	Target Area	Contra Costa County
	Goals Supported	CD-3: Youth
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $15,000
	Description	Provide performing arts instruction to over 790 students at two City of Richmond elementary schools, resulting in improved academic performance, community building, and exposure to diverse global art traditions. Program performance will be measured via observation and both mid-year and year-end surveys taken by the students. National Objective: Low Mod Area Benefit [24 CFR 570.208(a)(1)(i)] Matrix Code: 05Z Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	790 students, primarily residing in the City of Richmond
	Location Description	Stege Elementary - 4949 Cypress Avenue, Richmond, CA 94804 Nystrom Elementary - 230 Harbour Way South, Richmond, CA 94804
	Planned Activities	Provision of performing arts curriculum to students, primarily of a socioeconomically disadvantaged background, at two West Contra Costa Unified School District elementary schools. The curriculum will focus on music fundamentals, hands-on instruction, global music repertoire, and ensemble performance techniques.
24	**Project Name**	James Morehouse Project / Bay Area Community Resources: James Morehouse Project
	Target Area	Contra Costa County
	Goals Supported	CD-3: Youth
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $10,000

	Description	Provide comprehensive mental health and student support services to 110 students attending El Cerrito High School resulting in improved well-being and increased school readiness measured by student pre- and post-evaluations. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B) Matrix Code: 05D Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	110 El Cerrito High School students
	Location Description	540 Ashbury Avenue, El Cerrito, CA 94530
	Planned Activities	Provide comprehensive mental health and student support services to 110 students attending El Cerrito High School resulting in improved well-being and an increase in school readiness measured by student pre- and post-evaluations
25	**Project Name**	Mount Diablo Unified School District: CARES After School Enrichment Program
	Target Area	Contra Costa County
	Goals Supported	CD-3: Youth
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $10,000
	Description	Provide after-school enrichment classes for 817 K-8 students in Bay Point, resulting in a greater understanding of the content of the enrichment services, connection to and engagement in school, and academic improvement. National Objective: Low Mod Area Benefit- 24 CFR 570.208(a)(1)(i) Matrix Code: 05Z Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	817 elementary and middle school students in Bay Point
	Location Description	1266 San Carlos Avenue, Room A6, Concord, CA 94518

	Planned Activities	Provide after-school enrichment classes for 817 K-8 students in Bay Point, resulting in a greater understanding of the content of the enrichment services, connection to and engagement in school, and academic improvement.
26	**Project Name**	RYSE Inc.: RYSE Career Pathway Program
	Target Area	Contra Costa County
	Goals Supported	CD-3: Youth
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $40,000
	Description	Operate the Career Pathway Program by providing support for career development and soft skills, media arts skill development, paid work experience opportunities, and academic enrichment and interventions. 230 West County youth will be provided services during the year. National Objective: Low Mod Area Benefit - 24 CFR 570.208(a)(1)(i) Matrix Code: 05Z Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	230 West County youth
	Location Description	205 41st Street, Richmond, CA 94805
	Planned Activities	Operate the Career Pathway Program by providing support for career development and soft skills, media arts skill development, paid work experience opportunities, and academic enrichment and interventions. 230 West County youth will be provided services during the year.
27	**Project Name**	Village Community Resource Center: Village Community Resource Center Program Support
	Target Area	Contra Costa County
	Goals Supported	CD-3: Youth
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $13,000

	Description	VCRC Program Support will aid a total of 100 children with after-school tutoring services. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B) Matrix Code: 05DEligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	100 Far East County youth
	Location Description	633 Village Drive, Brentwood, CA
	Planned Activities	VCRC Program Support will aid 100 children with after-school tutoring services.
28	**Project Name**	ECHO Housing: Fair Housing Services
	Target Area	Contra Costa County
	Goals Supported	CD-4: Fair Housing CD-7: Administration
	Needs Addressed	Administration
	Funding	CDBG: $40,000
	Description	Provide comprehensive fair housing counseling services to approximately 80 Urban County residents. This will be funded as an Administrative activity subject to the 20 percent Administrative cap. National Objective: N/A: Fair Housing Services(subject to 20% Admin Cap) Matrix Code: 21D Eligibility: Public Services[24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The project estimates serving 80 Urban County clients, particularly racial and ethnic minorities, seniors, and persons with disabilities.
	Location Description	301 West 10th Street Antioch, CA 94509.
	Planned Activities	Provide comprehensive fair housing counseling services to approximately 80 Urban County residents.
29	**Project Name**	Contra Costa County Health Services: Coordinated Outreach, Referral, and Engagement Program

	Target Area	Contra Costa County
	Goals Supported	H-1: Housing & Supportive Services for Homeless
	Needs Addressed	Homelessness Prevention
	Funding	CDBG: $90,000
	Description	Provide day and evening homeless street outreach services to at least 400 Urban County individuals living outside throughout the County to engage, stabilize, and deliver health and basic need services and aid in obtaining interim and permanent housing. National Objective: Presumed Beneficiary Homeless -24 CFR 570.208(a)(2)(i)(A) Matrix Code:03T Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Provide day and evening homeless street outreach services to at least 400 Urban County individuals living outside throughout the County to engage, stabilize, and deliver health and basic need services and aid in obtaining interim and permanent housing.
	Location Description	Services occur throughout the County, primarily in homeless encampments and public locations.
	Planned Activities	Provide day and evening homeless street outreach services to at least 400 Urban County individuals living outside throughout the County to engage, stabilize, and deliver health and basic need services and aid in obtaining interim and permanent housing.
30	**Project Name**	Greater Richmond Interfaith Program: Homeless Shelter and Soup Kitchen
	Target Area	Contra Costa County
	Goals Supported	H-1: Housing & Supportive Services for Homeless
	Needs Addressed	Homelessness Prevention
	Funding	CDBG: $30,000
	Description	GRIP is the only family homeless shelter in West Contra Costa County that provides housing for up to 65 people (in family groups) per day. GRIP also provides daily hot meals and comprehensive case management services, including permanent housing navigation, physical and mental health referrals, domestic violence counseling referrals, money management, and employment support. National Objective: Presumed Beneficiary Homeless- 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 03T Eligibility: Public Services [24 CFR 570.201(e)]

	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	GRIP proposes to serve up to 250 low-income individuals and people who are experiencing homelessness.
	Location Description	165 22nd Street Richmond, CA 94801
	Planned Activities	GRIP is the only family homeless shelter in West Contra Costa County that provides housing for up to 65 people (in family groups) per day. GRIP also provides daily hot meals and comprehensive case management services, including permanent housing navigation, physical and mental health referrals, domestic violence counseling referrals, money management, and employment support.
31	**Project Name**	STAND! For Families Free of Violence: Rollie Mullen Center Emergency Shelter
	Target Area	Contra Costa County
	Goals Supported	H-1: Housing & Supportive Services for Homeless
	Needs Addressed	Homelessness Prevention
	Funding	CDBG: $12,000
	Description	STAND!'s Emergency Shelter can accommodate up to 24 adult survivors and their children fleeing from violent relationships for up to 3 months at no cost. The shelter provides clients access to comprehensive supportive services that help clients transition toward independence. The program will assist 80 adults and their children. National Objective: Presumed Beneficiary/Abused children, battered spouses -24 CFR 570.208(a)(2)(i)(A) Matrix Code: 05G Eligibility: Public Services -24 CFR 570.201(e)
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	The program will assist 80 adults and their children.
	Location Description	Location may take place at various sites but must remain undisclosed.

	Planned Activities	STAND!'s Emergency Shelter can accommodate up to 24 adult survivors and their children who are fleeing from violent relationships for up to 3 months at no cost. The shelter provides clients with access to comprehensive supportive services that help clients transition toward independence.
32	**Project Name**	Winter Nights Family Shelter, Inc.
	Target Area	Contra Costa County
	Goals Supported	H-1: Housing & Supportive Services for Homeless
	Needs Addressed	Homelessness Prevention
	Funding	CDBG: $10,000
	Description	Provide emergency shelter, food, tutoring, transportation, case management, and housing placement assistance to 16 Urban County residents. National Objective: Presumed Beneficiary Homeless - 24 CFR 570.208(a)(2)(i)(A) Matrix Code: 03Z Eligibility: Public Services [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	16 Urban County Residents
	Location Description	Rotating shelter locations.
	Planned Activities	Provide emergency shelter, food, tutoring, transportation, case management, and housing placement assistance to 16 Urban County residents.
33	**Project Name**	SHELTER Inc.: Homeless Prevention Program
	Target Area	Contra Costa County
	Goals Supported	H-2: Rapid Rehousing & Homelessness Prevention
	Needs Addressed	Homelessness Prevention
	Funding	CDBG: $30,000
	Description	Provide homelessness prevention and rapid rehousing services to 160 Urban County residents to quickly regain stable, permanent housing or maintain their current housing. National Objective: Presumed Beneficiary Homeless -24 CFR 570.208(a)(2)(i)(A) Matrix Code:05Q Eligibility: Public Services [24 CFR 570.201(e)]

	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	160 low-income Urban County residents will benefit.
	Location Description	1333 Willow Pass Road #206 Concord, CA 94520.
	Planned Activities	Provide homelessness prevention and rapid rehousing services to 160 Urban County residents to quickly regain stable, permanent housing or maintain their current housing.
34	**Project Name**	Multicultural Institute: Lifeskills / Day Labor Program
	Target Area	Contra Costa County
	Goals Supported	CD-5: Economic Development
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $30,000
	Description	Provide job-matching, individualized health, legal, and educational assistance to 400 poverty-level and extremely low-income day laborers. National Objective: Very low- and low-income persons - 24 CFR 570.208(a)(2)(i)(B) Matrix Code: 05H Eligibility: Job training and placement assistance [24 CFR 570.201(e)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	500 poverty level and extremely low-income Spanish-speaking immigrant workers, primarily day-laborers
	Location Description	3600 MacDonald Avenue Richmond, CA 94801
	Planned Activities	Provide job-matching, individualized health, legal, and educational assistance to 500 poverty-level and extremely low-income day laborers.
35	**Project Name**	Opportunity Junction: Bay Point Career Counseling and Placement Assistance
	Target Area	Contra Costa County
	Goals Supported	CD-5: Economic Development
	Needs Addressed	Non-Housing Community Development

	Funding	CDBG: $20,000
	Description	Provide intensive, individualized vocational services to 15 persons. These services include assessment and development of employment plans, case management/service referrals, connections to in-demand vocational training, group/one-on-one career skills development, placement assistance, and retention services. National Objective: Low Mod - 24 CFR 570.208(a)(2)(i)(B). Matrix Code: 05H Eligibility: Public Services - 24 CFR 570.201(e).
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	15 low-income Urban County residents who are unemployed or underemployed and need career development support.
	Location Description	SparkPoint Contra Costa-East, Ambrose Community Center, 3105 Willow Pass Road, Bay Point, CA 94565
	Planned Activities	Provides intensive, individualized vocational services, including assessment and development of employment plans, case management, service referrals, connections to in-demand vocational training, group and one-on-one career skills development, placement assistance, and retention services.
36	**Project Name**	CoCoKids Inc.: Road to Success
	Target Area	Contra Costa County
	Goals Supported	CD-5: Economic Development
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $90,000
	Description	Provide recruitment, training, and ongoing support services to 90 low and moderate-income persons so they can sustain their licensed family daycare business or receive a childcare license to open and operate a new licensed family daycare business (microenterprise). National Objective: Very low- and low-income persons - 24 CFR 570.208(a)(2)(iii) Matrix Code: 18C Eligibility: Micro-Enterprise Assistance [24 CFR 570.201(o)(1)(ii)]
	Target Date	6/30/2025

	Estimate the number and type of families that will benefit from the proposed activities	Approximately 90 low-income microenterprise/small business owners will be assisted with technical assistance by this project.
	Location Description	1035 Detroit Ave #200, Concord, CA 94518
	Planned Activities	Provide recruitment, training, and ongoing support services to 90 low and moderate-income persons so they can sustain their licensed family daycare business or receive a childcare license to open and operate a new licensed family daycare business (microenterprise).
37	**Project Name**	Loaves and Fishes of Contra Costa: Culinary Arts Training
	Target Area	Contra Costa County
	Goals Supported	CD-5: Economic Development
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $15,000
	Description	A free 12-week introductory culinary program for 14 individuals interested in the culinary industry and experiencing barriers to employment. National Objective: Very low-and low-income persons-24 CFR 570.208(a)(2)(iii) Matrix Code: 05H Eligibility: Special Economic Development Activities - 24CFR 570.203(c)
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	14 homeless and low-income individuals.
	Location Description	14 homeless and low-income individuals.
	Planned Activities	A free 12-week introductory culinary program for individuals interested in the culinary industry and experiencing barriers to employment.
38	**Project Name**	Opportunity Junction: Administrative Careers Training Program
	Target Area	Contra Costa County
	Goals Supported	CD-5: Economic Development
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $100,000

	Description	Provides wraparound career advancement services to place low-income job seekers into careers in the administrative field. Through computer training with life skills, case management, paid work experience, mental health services, career skills training, job placement, and long-term alumni follow-up, the ACT will place three job seekers into contracted employment positions. National Objective: Low Mod Jobs- 24 CFR 570.208(a)(4) Matrix Code: 18A Eligibility: Economic Development-Technical Assistance [24 CFR 570.203(b)]
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	Three program participants seeking contracted employment
	Location Description	3105 Willow Pass Road, Bay Point, CA 94565
	Planned Activities	Three job seekers will be placed in contracted employment roles after completing 12 weeks of intensive training in the required technical skills to succeed in administrative roles and the life skills needed to thrive in a contemporary workplace. This will include a post-training internship and lifetime alumni services.
39	**Project Name**	Renaissance Entrepreneurship Center: Using the Power of Entrepreneurship to Build Economical
	Target Area	Contra Costa County
	Goals Supported	CD-5: Economic Development
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $45,000
	Description	Intensive small business/microenterprise training and technical assistance to 45 unduplicated individuals who own a small business/microenterprise or wish to start a small business/microenterprise. National Objective: Very low- and low-income persons and Job Creation - 24 CFR 570.208(a)(2)(iii) Matrix Code:18C Eligibility: Micro-Enterprise Assitance-24 CFR 570.201(o)(1)(ii)
	Target Date	6/30/2025

	Estimate the number and type of families that will benefit from the proposed activities	45 existing small business owners or persons wishing to open a business living in Richmond and the Urban County. Renaissance Richmond will support lower-income English- and Spanish-speaking Urban County residents, particularly women and people of color.
	Location Description	1500 Macdonald Avenue, Richmond, CA 94801
	Planned Activities	Intensive small business/microenterprise training and technical assistance to 45 unduplicated individuals who own a small business/microenterprise or wish to start up a small business/microenterprise.
40	**Project Name**	West Contra Costa Business Dev. Center Inc.: Emerging Entrepreneurs Program
	Target Area	Contra Costa County
	Goals Supported	CD-5: Economic Development
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $95,700
	Description	To provide technical assistance and support to 60 existing microenterprises/small businesses or persons wishing to open a microenterprise/small business to create/retain jobs. National Objective: Very low- and low-income persons - 24 CFR 570.208(a)(2)(iii) Matrix Code: 18C Eligibility: Micro-Enterprise Assitance-24 CFR 570.201(o)(1)(ii)
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	60 low-income persons who have started or are planning to start a business in West County
	Location Description	812 San Pablo Ave., Ste. 2, Pinole, CA 94564
	Planned Activities	To provide technical assistance and support to 60 existing microenterprises/small businesses or persons wishing to open a microenterprise/small business to create/retain jobs.
41	**Project Name**	East Bay Center for the Performing Arts: Lighting System Replacement and Upgrades
	Target Area	Contra Costa County

	Goals Supported	CD-6: Infrastructure/Public Facilities
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $72,000
	Description	Removal and replacement of outdated lighting system in the Iron Triangle Theater. National Objective: Area Benefit [24 CFR 570.208(a)(1)(i). Matrix Code: 03D [Youth Centers]. Eligible Activity: Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements [24 CFR 570.201(c)].
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	8,000 West County children and youth ages, 3 - 18, and their families.
	Location Description	339 - 11th Street, Richmond, CA 94801
	Planned Activities	Replacement of the critically outdated lighting system in the Iron Triangle Theater, moving the Center toward it's environmental sustainability goals for facilities, while bolstering the quality and impact of it programming.
42	**Project Name**	Lions Center for the Visually Impaired - LCVI Site Renovation
	Target Area	Contra Costa County
	Goals Supported	CD-6: Infrastructure/Public Facilities
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $112,500
	Description	Remodel of an existing kitchen to become a catering/production kitchen, to better serve clients. National Objective: Presumed Beneficiary/Adults with Disabilities [24 CFR 570.208(a)(2)(i)(A). Matrix Code: 03B [Facilities for Persons with Disabilities]. Eligible Activity: Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements [24 CFR 570.201(c)].
	Target Date	6/30/2025

	Estimate the number and type of families that will benefit from the proposed activities	350 Contra Costa County seniors, who are blind or visually impaired.
	Location Description	175 Alvarado Avenue, Pittsburg, CA 94565
	Planned Activities	The project will remodel existing kitchen to become a "catering/production" kitchen; work includes removal and replacement of in kind cabinetry,and laminate countertops, remove and replace fixtures and partions, upgrade existing plumbing and electrical, painting, remove and replace existing floors.
43	**Project Name**	Martinez Early Childhood Center, Inc.: Fencing/Gates Project
	Target Area	Contra Costa County
	Goals Supported	CD-6: Infrastructure/Public Facilities
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $90,898
	Description	Installation of secure fencing and gates that limit and monitor access to the childcare facility. National Objective: Limited Clientele Activities - Income eligibility requirements [24 CFR 570.208(a)(2)(i)(C). Matrix Code: 03M [Child Care Centers]. Eligible Activity: Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements [24 CFR 570.201(c)].
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	127 children, ages 0-5 years, and their low-income families, living and working in Contra Costa County.
	Location Description	615 Arch Street, Martinez, CA 94553
	Planned Activities	Installation of secure fencing and gates that limit and monitor access, providing a level of security for the children enrolled in care. Currently the campus entrance is open for the public to access, which has led to shelter-in-place incidents in the past.
44	**Project Name**	Nurturing Independence through Artistic Development: NIAD CAP Phase 2 - Entryway Doors and Lobby
	Target Area	Contra Costa County

	Goals Supported	CD-6: Infrastructure/Public Facilities
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: $93,798
	Description	Installation of ADA-compliant upgrades to NIAD's entryway doors, and accessibility improvements to their lobby and Gallery. National Objective: Presumed Beneficiary/Adults with Disabilities [24 CFR 570.208(a)(2)(i)(A). Matrix Code: 03B [Facilities for Persons with Disabilities]. Eligible Activity: Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements [24 CFR 570.201(c)].
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	80 artists with Intellectual/Developmental Disabilities (I/DD) who are consumers of the Regional Center of the East Bay (RCEB), living in Contra Costa.
	Location Description	551 - 23rd Street, Richmond, CA 94804
	Planned Activities	This project constitutes Phase 2 of the applicant's Community Accessibility Improvement Pla, which outlines the installation of ADA-compliant upgrades to NIAD's entryway doors and accessibility improvements to their lobby and Gallery.
45	**Project Name**	ESG24 Contra Costa County
	Target Area	Contra Costa County
	Goals Supported	H-1: Housing & Supportive Services for Homeless
	Needs Addressed	H-2: Rapid Rehousing & Homelessness Prevention
	Funding	Non-Housing Community Development
	Description	ESG: $399,140

	Target Date	For FY 2024/25, Contra Costa County will use ESG funds to provide emergency shelter services (essential services and shelter operations) to people experiencing homelessness and victims of domestic violence ($207,500); to provide street outreach services for unsheltered homeless individuals and families to connect them with emergency shelter, housing, or critical services and providing them with urgent, non-facility-based care. ($30,844); to provide rapid rehousing and prevention services. (rental/financial assistance, case management) to prevent homelessness and to quickly rehouse the homeless ($131,060); and for general program administration ($29,736).
	Estimate the number and type of families that will benefit from the proposed activities	6/30/2025
	Location Description	1,734 Persons experiencing homelessness, including those fleeing from domestic violence and those at risk of becoming homeless
	Planned Activities	Various throughout the Urban County
46	**Project Name**	Eden Development: The Riveter Supportive
	Target Area	Contra Costa County
	Goals Supported	AH-3: Maintain and Preserve Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: $2,040,000
	Description	Adaptive reuse and acquisition for 58 affordable permanent supportive housing rental units formerly known as 100 38th Street - Supportive. The project was awarded 34 project-based vouchers from the Contra Costa County Housing Authority. The supportive housing would adopt a Housing First approach by providing on-site resident services and County case management. Anticipates applying for VASH funds as additional set-aside funding for veterans. Additional set-asides for transition-aged youth would be determined by other financing and voucher availability and regulatory requirements. FY 2024/25 CDBG allocation is $2,000,000 to the project plus $40,000 for project delivery. Activity Eligibility: Rehabilitation of privately-owned residential buildings. 24 CFR 570.202 (a)(1)
	Target Date	5/31/2026

	Estimate the number and type of families that will benefit from the proposed activities	58 affordable permanent supportive housing rental units.
	Location Description	100 38th Street Richmond, CA
	Planned Activities	Adaptive reuse and acquisition of 58 affordable permanent supportive housing rental units formerly known as 100 38th Street – Supportive.
47	**Project Name**	Novin Development: Civic Center Apartments
	Target Area	Contra Costa County
	Goals Supported	AH-3: Maintain and Preserve Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: $1,040,000
	Description	Acquisition and rehabilitation project with 49-units, including 48 studios serving households with incomes at 30% of the Area Median Income (AMI) or below and meets the definition of chronic homelessness, with 1 one-bedroom manager's unit. FY 2024/25 CDBG allocation is $1,000,000 to the project and $40,000 for project delivery. Activity Eligibility: Rehabilitation of privately-owned residential buildings. 24 CFR 570.0202 (a)(1).
	Target Date	12/31/2025
	Estimate the number and type of families that will benefit from the proposed activities	48 studios serviing households with incomes at 30% of the Area Median Income (AMI) or below and meets the definition of chronic homelessness, with 1 one-bedroom manager's unit.
	Location Description	425 24th Street, Richmond, CA
	Planned Activities	49-unit acquisition and rehabilitation project with 48 studios serving households with incomes at 30% of the Area Median Income (AMI) or below and meet the definition of chronic homelessness, with 1 one-bedroom manager’s unit.
48	**Project Name**	Resources for Community Development: Lakeside Apartments
	Target Area	Contra Costa County
	Goals Supported	AH-3: Maintain and Preserve Affordable Housing
	Needs Addressed	Affordable Housing

	Funding	HOME: $5,040,000
	Description	Acquisition/resyndication and rehabilitation of 124 permanent rental housing units affordable to households earning between 20% to 60% AMI. The project has 30 Project-Based Vouchers that support extremely low-income households, including persons living with HIV/AIDS, homeless individuals, and other special needs populations. The FY 2024/25 HOME allocation is $5,000,000 for the project plus $40,000 for project delivery. Activity Eligibility: Affordable Rental Housing.
	Target Date	12/31/2025
	Estimate the number and type of families that will benefit from the proposed activities	124 permanent rental housing units affordable to households earning between 20% to 60% AMI.
	Location Description	1897 Oakmead Drive, Concord, CA
	Planned Activities	Acquisition/resyndication and rehabilitation of 124 permanent rental housing units affordable to households earning between 20% to 60% AMI. The project has 30 Project-Based Vouchers that support extremely low-income households, including persons living with HIV/AIDS, homeless individuals, and other special needs populations.
49	**Project Name**	Neighborhood Preservation Program
	Target Area	Contra Costa County
	Goals Supported	AH-3: Maintain and Preserve Affordable Housing
	Needs Addressed	
	Funding	:
	Description	National Objective: Low Mod Housing ActivitiesMatrix Code: 14AEligibility: Rehabilitation of privately-owned residential buildings - 24 CFR 570.202 (a)
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	Throughout the Urban County, with an emphasis on low-mod neighborhoods.
	Location Description	Throughout the Urban County, with an emphasis on low-mod neighborhoods.

	Planned Activities	Eliminate conditions that may be detrimental to health/safety, property, and/or public welfare. Rehabilitation includes building code compliance, the elimination of blighting conditions, energy efficiency improvements, accessibility improvements, and the modernization of aging neighborhoods.
50	**Project Name**	CDBG Program Administration
	Target Area	Contra Costa County
	Goals Supported	CD-7: Administration
	Needs Addressed	Administration
	Funding	CDBG: $1,057,956
	Description	General Program Administration of CDBG Program. $882,991 is coming from the FY 2024/25 allocation amount (20% of the FY 2024/25 allocation minus $40,000 for ECHO Fair Housing Services-Project 28), and $174,965 is coming from anticipated CDBG Program Income (20% of anticipated CDBG Program Income).
	Target Date	6/30/2025
	Estimate the number and type of families that will benefit from the proposed activities	N/A. General CDBG Program Administration
	Location Description	30 Muir Road, Martinez, CA
	Planned Activities	General administration activities of administering the County's Urban County CDBG Program
51	**Project Name**	HOME Program Administration
	Target Area	Contra Costa County
	Goals Supported	CD-7: Administration
	Needs Addressed	Administration
	Funding	HOME: $373,250
	Description	Administration of the HOME Program $298,951 is coming from the FY 2024/25 allocation amount (10% of the FY 2024/25 allocation), and $74,299 is coming from anticipated HOME Program Income (10% of anticipated HOME Program Income).
	Target Date	6/30/2025

	Estimate the number and type of families that will benefit from the proposed activities	N/A. HOME Program Administration
	Location Description	30 Muir Road, Martinez, CA 94553
	Planned Activities	General program administration of HOME program.
52	**Project Name**	~~CDBG and HOME Unallocated Funds~~
	Target Area	~~Contra Costa County~~
	Goals Supported	~~AH-1 New Construction of Affordable Rental Housing~~ ~~AH-3: Maintain and Preserve Affordable Housing~~ ~~H-1: Housing & Supportive Services for Homeless~~ ~~H-2: Rapid Rehousing & Homelessness Prevention~~ ~~CD-1: General Public Services~~ ~~CD-2: Non-Homeless Special Needs Population~~ ~~CD-3: Youth~~ ~~CD-4: Fair Housing~~ ~~CD-5: Economic Development~~ ~~CD-6: Infrastructure/Public Facilities~~
	Needs Addressed	~~Affordable Housing~~ ~~Homelessness Prevention~~ ~~Non-Housing Community Development~~
	Funding	~~CDBG: $880,000 HOME: $450,000~~
	Description	~~CDBG and/or HOME funds are available for eligible affordable housing, public service, economic development, and/or infrastructure/public facilities projects that may be identified during the program year.~~
	Target Date	~~6/30/2025~~
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	

AP-50 GEOGRAPHIC DISTRIBUTION - 91.420, 91.220(F)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The County's CDBG entitlement area is the entire area of the County except for the Cities of Antioch, Concord, Pittsburg, and Walnut Creek. The County administers the HOME Program for the Contra Costa HOME Consortium, which includes the Cities of Antioch, Concord, Pittsburg, and Walnut Creek. The Contra Costa HOME Consortium entitlement area is the entire County. The County also administers the ESG Program. The County's ESG entitlement area is the entire area of the County, except for the Cities of Antioch, Concord, Pittsburg, and Walnut Creek.

Low-income census tracts can be found throughout the County; however, many communities in west and east Contra Costa County, such as Richmond, San Pablo, North Richmond, Montalvin Manor, Tara Hills, Bay View, and Bay Point, all have a concentration of minority populations (more than 78.3% of the population) that are also in low/mod-income census tracts.

Geographic Distribution

Target Area	Percentage of Funds
Contra Costa County	100

TABLE 10 - GEOGRAPHIC DISTRIBUTION

Rationale for the priorities for allocating investments geographically

Though projects may serve the entire Urban County, as with many Public Service projects, the program intends to target services to areas with the highest need. This includes revitalization strategy areas or census tracts that meet area benefit criteria (an area, typically a census tract or a contiguous group of census tracts, where at least 51 percent of the population is low/mod-income). In all cases, Subrecipients must demonstrate that they can serve a minimum of 51 percent of very low- and low-income persons or households. However, it has been the County's practice to fund projects that serve a minimum of 75 percent extremely low, very low- and low-income persons or households. Furthermore, the established policy prioritizes housing projects that provide units affordable to and occupied by households with extremely low incomes. These policies and practices have ensured that projects/programs serve those areas with the highest need.

Housing activities to meet Consolidated Plan priorities include new construction, rehabilitation, and preservation of existing affordable housing. These housing projects have the potential to either assist in neighborhood revitalization or provide de-concentration of low-income and/or minority populations by

location in areas with little supply of affordable housing.

Discussion

Given the size of the entitlement areas of the CDBG, HOME, and ESG Programs for the County, Contra Costa County's CDBG, HOME, and ESG funds are awarded to projects and programs on a competitive allocation basis. The projects/programs, as in the case of many Public Service projects, typically serve more than just one specific area or neighborhood of the County; however, it is the intent of the programs to target services to areas with the highest need, such as a revitalization strategy area or a census tract that has a high percentage of low/mod-income households.

The highest numbers of low-income and minority households are in west Contra Costa County, followed by east Contra Costa County and central Contra Costa County. All projects funded with CDBG, HOME, and ESG funds are targeted at low-income households throughout the County.

AFFORDABLE HOUSING

AP-55 AFFORDABLE HOUSING - 91.420, 91.220(G)

INTRODUCTION

The tables below represent the affordable housing projects funded in FY 2024/25, the fourth year of the FY 2020-2025 Consolidated Plan to meet the affordable housing goals and strategies.t

One Year Goals	Number of Households To Be Supported
Homeless	49
Non-Homeless	232
Special Needs	0
Total	281

TABLE 11 - ONE YEAR GOALS FOR AFFORDABLE HOUSING BY SUPPORT REQUIREMENT

One Year Goals	Number of Households To Be Supported
Rental Assistance	0
Production of New Units	0
Rehab of Existing Units	281
Acquisition of Existing Units	0
Total	281

TABLE 12 - ONE YEAR GOALS FOR AFFORDABLE HOUSING BY SUPPORT TYPE

AP-60 PUBLIC HOUSING - 91.420, 91.220(H)

INTRODUCTION

There are three Public Housing Authorities operating in the Consortium, the Housing Authority of Contra Costa (HACCC, which is the largest), the Richmond Housing Authority (RHA), and the Housing Authority of the City of Pittsburg (HACP).

ACTIONS PLANNED DURING THE NEXT YEAR TO ADDRESS THE NEEDS FOR PUBLIC HOUSING

HACCC has begun a long-term project to reposition and rehabilitate its public housing portfolio despite ever-decreasing federal, state, and local funding. The planning portion of this process is completed for one of our major developments, and implementation is underway. As part of this process, HACCC has moved forward with RAD conversion and Demolition/Disposition at the Las Deltas property in North Richmond. These units have been removed from the public housing portfolio and converted to project-based voucher assistance that will be used to help fund the construction or rehabilitation of more affordable housing units.

Over the long term, HACCC intends to convert all public housing to project-based units via RAD, although the capacity to oversee is not currently available.

HACCC anticipates utilizing approximately $2.6 million of HUD funding for modernization improvements at all its public housing developments. Specific improvements include:

- $1,160,000 for Phase 2 modernization of Alhambra Terrace public housing development.
- $360,000 for roofing at Kidd Manor & Vista del Camino public housing developments.
- $250,000 for window upgrades during unit turnovers.
- $70,000 gas line & plumbing upgrades at the Los Nogales Development.
- $226,000 for unscheduled and emergency unit modernization and site improvements at various properties.
- $220,000 for boiler replacement at the Kidd Manor development.
- $139,000 for non-routine maintenance repairs (ordinary maintenance items such as window and flooring replacement or electrical repair where the scale of damage is beyond the scope of day-to-day maintenance) at various properties.
- $137,000 for continuous repairs and replacement of concrete walks and driveways at various properties.
- $62,000 for new appliances at various properties.

ACTIONS TO ENCOURAGE PUBLIC HOUSING RESIDENTS TO BECOME MORE INVOLVED IN MANAGEMENT AND PARTICIPATE IN HOMEOWNERSHIP

HACCC actively encourages all Public Housing residents to get involved in the community in which they are living. Quarterly town hall meetings are organized at each property in an effort, among other goals, to develop resident leaders and solicit participation in resident service programs. HACCC believes it is important to provide residents with conduits to service providers in every community to provide families with the opportunity to pursue employment, job training, and other education that will lead them toward self-sufficiency. The ultimate goal is to transition households from welfare to work and achieve greater independence. HACCC has active resident services at four of the thirteen Public Housing Developments located in Contra Costa County, and currently, two residents serve on the Housing Authorities Board of Commissioner. The resident services program provides office and meeting facilities for work participants, childcare or after-school programs for children of working parents, equipment and materials as funding allows, and technical assistance from non-profit or governmental agencies as needed.

IF THE PHA IS DESIGNATED AS TROUBLED, DESCRIBE THE MANNER IN WHICH FINANCIAL ASSISTANCE WILL BE PROVIDED OR OTHER ASSISTANCE.

Not applicable.

AP-65 HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES - 91.420, 91.220(I)

INTRODUCTION

During FY 2024/25, the County will continue its efforts to maintain the availability of housing and services for people experiencing homelessness in Contra Costa.

Emergency Solutions Grant (ESG) funds may be used for five program components related to homelessness: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and data collection. The County is allocating ESG funds for FY 2024/25 to emergency shelter services, including youth and domestic violence providers, homeless street outreach services, homelessness prevention to assist low-income residents at risk of becoming homeless, and rapid rehousing of homeless residents in quickly regaining housing stability.

CDBG funds are also targeted to support public service activities that offer various services to people experiencing homelessness, those at risk of becoming homeless, and special needs populations. In FY 2024/25, funds will be allocated for the operating expenses of an emergency shelter for single adults and programs that provide a homeless hotline, housing counseling and legal services, and food distribution. Support services such as client advocacy, job skills training, independent living skills training, respite care, counseling and case management, and nutrition education will be provided to the frail elderly, disabled, and the visually impaired. ESG funds will be allocated for adult and youth homeless shelters, emergency shelters for victims of domestic violence, homeless street outreach services, homeless support services, and homeless prevention and rapid rehousing activities, including case management and direct financial assistance. These services are available throughout the County.

During FY 2024/25, the County will continue to work with the County's Council on Homelessness and the County's CoC to implement key strategies identified in the five-year CoC Plan and the Ten-Year Plan to End Homelessness. The County's Ten-Year Plan to End Homelessness includes priorities to address three types of homeless populations: the chronically homeless, those discharged into homelessness, and the transitionally (or episodic) homeless people. This will include programs and projects to increase income and employment opportunities for homeless households, expand needed support services and programs to prevent homelessness and increase the availability of housing affordable to extremely low-income households and homeless persons.

Describe the jurisdiction’s one-year goals and actions for reducing and ending homelessness, including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs.

Contra Costa County and many other Contra Costa Consortium jurisdictions provide CDBG funds for homeless outreach teams through the Contra Costa County Health Services Coordinated Outreach,

Referral, and Engagement (CORE) Homeless Street Outreach Program. Contra Costa County provides $90,000 in CDBG funds and $30,884 in ESG funds to the CORE Street Outreach Program. The focus of the CORE Homeless Street Outreach Program is to target high-risk, hard-to-reach, chronically homeless individuals, transition-aged youth, and families living outside whom typically do not access services or do not know how to access services. CORE uses a client-centered, "whatever it takes" approach to build rapport and engage consumers in services that aim to get them off the streets and stabilized. CORE Outreach teams consist of two outreach workers, two outreach team leads, and an Outreach Coordinator. Outreach staff is trained in core principles and practices of trauma-informed care and motivational interviewing and espouses a "housing first" philosophy.

The various CORE teams operate over 18 hours during the day and evening. Two or three-person outreach teams go out systematically within an established service area (East, Central, and West County) to contact chronically homeless individuals living on the streets, provide face-to-face outreach and engagement, and provide information necessary to address behavior contributing to their homelessness. All CORE teams work closely with law enforcement and other local entities, providing intervention services to advise the homeless of available options and to help them avoid incarceration.

Contra Costa 211: CDBG funds are also distributed to the Contra Costa Crisis Center for the 211 lines (see the County's Project summary in AP-38 for more information). The line provides a single point of contact for homeless individuals seeking services throughout the County. Phone counselors complete an intake assessment to determine each caller's needs and then provide referrals to various community programs, including shelters, food pantries, and mental health services. Contra Costa Crisis Center has participated in the Coordinated Intake and Assessment subcommittee and will be a key partner in piloting and implementing.

Health Care for the Homeless: In addition to providing direct medical care, testing, and immunization services, the County-funded Health Care for the Homeless Program uses its mobile healthcare van for outreach. The bilingual Healthcare for the Homeless Team assesses clients' needs, provides social support, and links clients to appropriate services and programs, including mental health and substance abuse programs, Medi-Cal, the County's Basic Adult Care program, and the Covered California healthcare insurance exchange.

Addressing the emergency shelter and transitional housing needs of homeless persons

Emergency Shelter Funding: Of the funds received by the County for FY 2024/25, $207,500. (ESG) and $52,000 (CDBG) are allocated to local emergency shelters to provide shelter and case management services to homeless adults, families, youth, and victims of domestic violence and their children. Upon entry to one of the shelters, each resident or family is assigned a case manager to assist the individual in determining an appropriate service plan to help them regain housing as soon as possible. The shelters are part of the County's Continuum of Care and enable individuals and families to work on stabilizing their lives and moving toward a permanent housing solution. Antioch, Concord, Pittsburg, and Walnut

Creek cities also provide CDBG funds to local emergency shelters.

Transitional Housing Development: In October 2011, under the working name Synergy House and using both CDBG and State funds, the County began to rehabilitate an existing vacant residential building in Martinez and convert it into a sober living transitional housing program for homeless single men completing substance abuse treatment programs. The new facility is directly adjacent to a recently constructed treatment facility, Discovery House. The facility opened in August 2013 and was newly designated as Uilkema House. The Uilkema House program added 12 new beds to the homeless continuum of care. It allows Contra Costa homeless, single men completing treatment programs such as Discovery House to transition back into the community with the skills and resources necessary to maintain sobriety.

CARE Centers/Multi-Service Centers: There are two multi-service centers, or Coordinated Assessment Referral and Engagement (CARE) Centers, located in specific regions of the County. The CARE Centers are drop-in centers designed to offer basic survival needs, case management, life skills, referral and linkage, housing search assistance, employment assistance, assistance accessing healthcare and mainstream resources, alcohol and other drug counseling and treatment, and crisis intervention. The centers serve as a place of respite from the larger community and provide a sense of belonging and connection to those within the homeless community. The CARE Centers also serve families experiencing homelessness, educating them about their rights to services that enable their children to continue their education and connecting them to various services focused on serving families. One of the CARE Centers primarily specializes in serving families and seniors.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

Transitional Housing Development: The Uilkema House facility opened in August 2013 and added 12 new beds to the homeless continuum of care and allows Contra Costa homeless, single men completing treatment programs such as Discovery House to transition back into the community with the skills and resources necessary to maintain their sobriety.

Veterans: In cooperation with the local Veterans Administration office, Contra Costa's CoC continues to work to increase its capacity to house and serve homeless veterans, including the distribution of HUD-VASH vouchers and rental assistance for permanent housing units provided to homeless veterans and their families under the Supportive Services for Veteran Families (SSVF) program.

Shortening Period of Time Homeless: The County will continue to pursue increasing the capacity of its Rapid Rehousing program. For FY 2024/25, $161,060 ($131,060 in ESG and $30,000 in CDBG funds) is

allocated to provide rapid rehousing and homeless prevention services to individuals and families experiencing homelessness or at risk of becoming homeless. Rapid rehousing provides housing relocation/stabilization services and financial assistance in paying deposits, rent, and utility bills to help homeless individuals and families quickly regain and maintain housing and self-sufficiency. To reach those most in need, outreach includes healthcare and mental health facilities, foster care and other youth programs, veteran's services and social services agencies, churches, and other religious organizations.

Reducing Recidivism: The Contra Costa County's Health Services Department has integrated the County's Mental Health, Alcohol, and Other Drug Services and Homeless Programs into a single Behavioral Health Division to continue addressing the mental health and substance abuse issues that are common barriers to long-term housing success for homeless individuals and families.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care, and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Foster Care: When foster youth age out of the foster care system, the County links them to the Independent Living Skills Program (ILSP). ILSP includes workshops that prepare youth for emancipation (money management, education, computer skills, home management, and social skills), employment assistance, non-McKinney-Vento housing, retention services, and an individualized transition plan out of foster care. In addition, foster youth can elect to remain in foster care or return to care after emancipation (but before turning 21) to receive a two-year housing subsidy, which can be used in a market rate unit, student housing, or congregate living. This is a State program that all foster youth and former foster youth can access.

Mental Health: Clients treated by the County Behavioral Health Division are regularly reviewed for readiness and prepared for discharge into environments that provide stepped-down levels of care. The Department holds a weekly Bed Committee where all institutionalized consumer discharge plans are prepared. Discharge planning responsibilities fall to the Clinic managers for those consumers currently receiving services and to the Mental Health Transition Team (consisting of managers, a psychiatrist, RNs, clinicians, and peer providers) for those patients not otherwise connected to the County system.

State hospitals discharge to Institutes for Mental Disease (IMD)/Skilled Nursing Facilities (SNF), not to HUD CoC-funded programs. Persons discharged from IMDs/SNFs are placed in Crisis Residential/Transitional Residential Services (CR/TRS). Those discharged from Acute Inpatient Facilities (AIFs) are released to appropriate settings, such as the Respite Center at the County's Adult Emergency Shelter. Those exiting CR/TRS are discharged to independent, shared, or supported (e.g., Board & Care) housing. State Mental Health Services Act (MHSA) funds also pay for 79 housing units for homeless

discharged with severe mental illness.

Discussion

A major factor contributing to problems of the homeless and special needs populations in the County is the lack of housing affordable to extremely low- and very low-income households and an inadequate supply of accessible housing. The County's strategies to maintain and increase the supply of affordable housing are equally relevant to strategies to alleviate the problems of these populations. As further recognition of the housing needs of homeless and at-risk populations, in FY 1998/99, the Contra Costa Board of Supervisors adopted a policy to encourage the inclusion of units affordable to extremely- low-income households in projects funded with CDBG and HOME funds. In addition, a minimum of five percent of all new housing built with County funds must be accessible to mobility-impaired households, and an additional two percent must be accessible to the hearing/vision impaired. Wherever feasible, the County also requires including accessible units in housing rehabilitation projects.

Strategies to improve housing affordability through direct payment assistance are also effective in preventing and alleviating homelessness among lower-income and special-needs households. Therefore, the County will continue to pursue additional Section 8 vouchers, FEMA funds, Shelter Plus Care, and other resources to assist the currently homeless and at-risk population in obtaining and maintaining permanent housing.

In addition to strategies to increase the affordable housing supply using CDBG, HOME, and HOPWA resources, the County Health Services Department will apply for HEARTH Act funds to maintain and expand programs and projects to serve people experiencing homelessness, including families with children, youth leaving foster care, victims of domestic violence, and individuals with problems of substance abuse and mental illness. Potential projects include rental assistance for homeless individuals and families, continued operating support for permanent and transitional housing projects and multi-service centers, the potential development of additional permanent housing with support services for families, and a variety of support services (e.g., outreach, case management, education/job training, health services, counseling/parent education, substance abuse treatment, and money management).

AP-75 BARRIERS TO AFFORDABLE HOUSING -91.420, 91.220(J)

INTRODUCTION

There are several significant barriers to affordable housing within Contra Costa County, including a lack of adequate funds to preserve existing affordable housing and expand the supply of affordable housing. The following is a representative example of actions taken by local jurisdictions to mitigate the effects of public policy that may serve as barriers to affordable housing:

- Zoning and land use restrictions that prevent or otherwise limit the development of dense housing types that are more likely to be affordable than detached single-family homes;
- Zoning and land use approval processes that prolong the time it takes for development to occur;
- Community opposition to the development of affordable housing;
- Local development standards for height limits, stories, lot coverage maximums, and parking requirements which reduce the number of units allowed on any given site;
- Contra Costa County has an urban limit line to concentrate development in urban areas and protect open space. This policy increases the cost of land, which increases the cost of development;
- High land costs;
- Inadequate inclusionary housing policies;
- Insufficient financial resources for affordable housing development; and
- Insufficient tenant protections.

Specific barriers in each jurisdiction are further explained in MA-40 of the FY 2020-2025 Consolidated Plan.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing, such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment.

The County will continue its efforts to remove or ameliorate public policies which negatively impact affordable housing development in the County, including the following:

- Consistent with the General Plan, the County will initiate zoning changes for residential and designated agricultural sites from current zoning designations to Planned Unit Development.

- Through the Density Bonus Ordinance (unincorporated) and State Density Bonus law, the County is required to grant one density bonus with incentives or concessions when an applicant for a housing development seeks and agrees to construct a housing development, excluding any

units permitted by the density bonus that will contain at least one of the following: ten percent of the total units for lower-income households; five percent of the total units for very low-income households; senior citizen housing development or a mobile home park that limits residency based on age requirements for housing older persons, provided that all units in the development are offered to the public for purchase; ten percent of the total units sold to persons or families of moderate income; ten percent of the total units of a housing development for transitional foster youth, disabled veterans, or homeless persons; twenty percent of the total units for lower income students in a student housing development meeting certain requirements; one hundred percent of all units in the development, including total units and density bonus units for lower-income households.

- The Inclusionary Housing Ordinance (unincorporated) requires all developers of five or more units to provide 15 percent of the units at affordable costs to low, very low-, or moderate-income households depending on the type of project. Developers may pay a fee in lieu of providing affordable units, depending on the size of the project. The Farmworker Housing Ordinance (unincorporated) establishes requirements and development standards for housing accommodations for five or more farm workers. This ordinance includes ministerial and discretionary permits for developing different types of farmworker housing in agriculturally zoned districts.

- Every year since 2017, the California State legislature has been adopting a multitude of various housing legislation that promotes the construction of new housing units, including affordable housing units, fair housing, transit-oriented development, density bonus, accessory dwelling units, residential lot subdivisions, and the streamlining of housing development entitlement permits, among other housing laws.

AP-85 OTHER ACTIONS - 91.420, 91.220(K)

INTRODUCTION

This section discusses the Contra Costa County Department of Conservation and Development's effort to address underserved needs, develop the institutional structure for delivering housing and community development activities, and expand and preserve affordable housing opportunities within the Urban County and HOME Consortium areas.

Actions planned to address obstacles to meeting underserved needs

The following are obstacles to meeting the needs of the underserved:

- Accessibility of services
- Awareness of services
- Coordination of services
- Resource appropriate to the level of need

Accessibility of Services: Lack of accessibility to services can be the result of a lack of transportation for those in need, services that are not delivered in a culturally appropriate manner or the appropriate language, burdensome prerequisites to accessing services (red tape), and services that are not provided in proximity to those in need. Lack of transportation is a particular challenge for those who do not drive, do not have a car, are elderly, and/or for persons with disabilities. Most of the public service programs/projects listed in AP-38 are located within the neighborhoods or communities of the target population to provide easy accessibility to their services. Some of the public service projects serving older people or persons with disabilities offer transportation to their services or provide "in-home" services.

Awareness of Services: The lack of awareness of the availability of services by those in need and a lack of knowledge about how to access services are significant obstacles to providing services. All agencies receiving CDBG, HOME, or ESG funds from the County must provide significant outreach to those in need. County DCD staff will continue to monitor CDBG/HOME/ESG-funded agencies to verify if an agency's outreach is adequate and that outreach materials are available in various languages.

Coordination of Services: Those in need must often access services from several points; similar services may also be provided by more than one agency. Those served by one agency may have needs not being addressed by the particular agency currently serving that person or family. County DCD staff advocates for CDBG/HOME/ESG-funded agencies to collaborate and coordinate with other agencies in the community to serve their target population. DCD staff will continue encouraging agencies to collaborate and coordinate to avoid service duplication and provide more efficient services to their clients or target

populations.

Resources: Resources are generally less than required to meet the level of need. The available CDBG/HOME/ESG funds are prioritized to the high Priority Needs and Goals established in the 2020-2025 Consolidated Plan. Funding is also prioritized to those undertakings that represent the most efficient use of funds, are delivered by the most qualified persons, and serve the broadest geography.

Actions planned to foster and maintain affordable housing

The County uses 45 percent of its CDBG funding to support affordable housing preservation activities. For over 40 years, the Neighborhood Preservation Program has provided low-interest loans and grants to low-income homeowners for rehabilitation and accessibility/energy efficiency improvements. This program improves the recipients' living conditions and helps maintain viable neighborhoods. In addition to CDBG funds, HOME funds are available and utilized in coordination with the County's CDBG funds to support affordable housing development.

CDBG funds are also used to support the acquisition and rehabilitation of existing affordable apartments and convert market-rate housing to affordable housing.

HOME funds are used for new construction, acquisition and rehabilitation, and preservation of existing affordable housing. These funds leverage State, local, and private funds.

Actions planned to reduce lead-based paint hazards

The County will continue to protect young children from lead-based paint hazards in housing funded with CDBG, HOME, and ESG resources through the implementation of 24 CFR Part 35. This regulation aims to reduce or eliminate lead-based paint hazards in federally-owned housing and housing receiving federal funds. All developers enter into legal agreements that include requirements for compliance with the lead-based paint regulation. The Neighborhood Preservation Program has developed a program-specific lead-hazard reduction implementation plan. All other projects will develop plans appropriate to the project type and level of funding received.

Actions planned to reduce the number of poverty-level families

The County and cities employ various strategies to help alleviate poverty, including efforts to stimulate economic growth and job opportunities and provide County residents with the skills and abilities required to take advantage of those opportunities. This also includes implementing Section 3 strategies to ensure employment and contracting opportunities for low and very low-income persons or businesses residing within the community where a HUD-funded project is located. The County and most of its cities actively work to attract and retain businesses. Many are involved in revitalization efforts for their downtown areas utilizing various strategies such as infrastructure and facade improvement programs and the preparation of revitalization plans to guide future development. The County provides

services and supports programs that promote personal responsibility, independence, and self-sufficiency through its various departments.

One of the County's Department of Conservation and Development (DCD) responsibilities is managing the CDBG, HOME, and ESG programs. Many CDBG and HOME-funded programs are geared toward helping lower-income persons find and maintain stable housing, receive training for jobs that provide a livable wage, and access support services needed to attain self-sufficiency. By Board guidelines, 10 percent of the annual grant amount is set aside for economic development activities. Programs funded under the Economic Development category are intended to assist businesses with expanding economic opportunities for lower-income persons and to increase the viability of neighborhood commercial areas. As recorded in the list of projects of this Action Plan, job training and placement projects have been approved for funding. In addition to economic development activities, the County works with other jurisdictions and local non-profits to provide emergency and transitional housing and support services necessary to assist people experiencing homelessness in achieving economic independence.

The County's Employment and Human Services Department (EHSD) provides services to adults, children, families, and older people. Bureaus within EHSD that directly relate to the reduction of poverty include the Workforce Services, Children and Family Services, and the Workforce Development bureaus. Other programs administered by EHSD that indirectly support economic self-sufficiency and are intended to assist families and persons in leading productive lives include, but are not limited to 1) the Family Preservation Program, which emphasizes keeping families together in a safe, nurturing environment and providing them with skills that will last when they leave the program; and 2) Service Integration Teams that provide services to increase the economic self-sufficiency of families, improve family functioning, and expand community capacity to support children and families.

Actions planned to develop institutional structure.

During FY 2024/25, the County will continue to work with the cities and other public and private agencies and organizations to implement strategies designed to accomplish the affordable housing and community development objectives identified in FY 2020-2025 Consolidated Plan. Specific actions to be undertaken by the County include providing resources and technical assistance to public agencies and the non-profit and for-profit community in developing, financing, and implementing programs and projects consistent with the County's annual and five-year plans. In addition, the County will work with the cities and other agencies to establish an informal cooperative network to share resources and facilitate development in the Urban County and Consortium area.

Actions planned to enhance coordination between public and private housing and social service agencies

The County's efforts to coordinate activities and strategies for affordable housing development and providing emergency and transitional housing and supportive services include cooperative planning efforts and participation in several countywide housing and service provider organizations. Planning

efforts to be undertaken during the current program year include the following:

Contra Costa Consortium members continue to work on strategies and actions designed to overcome identified impediments and eliminate housing discrimination problems in Contra Costa.

The Continuum of Care and the Council on Homelessness work with Contra Costa jurisdictions, public and private agencies, the interfaith community, homeless advocacy groups, and other community organizations to implement the Continuum of Care Plan, which includes strategies and programs designed to alleviate homelessness, and the Ten-Year Plan to End Homelessness.

In addition to the above, the County participates in a number of countywide housing and service provider organizations, which are intended to share resources and coordinate strategies and programs for affordable housing and community development activities. These organizations include the Association of Homeless and Housing Service Providers, the Tri-Valley Affordable Housing Committee, the Contra Costa HIV/AIDS Consortium, the Children and Families Policy Forum, the Non-Profit Housing Association, and the Workforce Development Board.

PROGRAM SPECIFIC REQUIREMENTS

AP-90 PROGRAM SPECIFIC REQUIREMENTS - 91.420, 91.220(L)(1,2,4)

INTRODUCTION

Program Income: The County estimates receiving $874,827 in CDBG program income and estimates receiving $742,995 in HOME program income during FY 2024/25.

Other: The County has no float-funded activities, Section 108 loan guarantees, or surplus urban renewal settlement funds. The County does not have any Urgent Needs activities.

The benefit to low- and moderate-income persons: All the County's FY 2024/25 CDBG funds that do not go towards Program Administration are allocated to activities that benefit persons of low- and moderate-income. The County anticipates utilizing 20 percent of all CDBG Program funds towards CDBG Program Administration.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)
REFERENCE 24 CFR 91.220(L)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income available for use included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the following program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	847,827
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**847,827**

OTHER CDBG REQUIREMENTS

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two, or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate-income. Specify the years covered that include this Annual Action Plan.	80.00%

HOME INVESTMENT PARTNERSHIP PROGRAM (HOME)
REFERENCE 24 CFR 91.220(L)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The Contra Costa HOME Consortium does not provide HOME funds in any form not identified in Section 92.205. HOME funds are typically provided as low-interest deferred residual receipt loans (multi-family housing), deferred shared appreciation loans (single-family housing), and small grants

(specific project-related program delivery).

2. A description of the guidelines that will be used for the resale or recapture of HOME funds when used for homebuyer activities, as required in 92.254, is as follows:

The HOME Consortium uses recapture provisions to ensure that all or a portion of the HOME funds are repaid to the Consortium when the home is sold, transferred, or otherwise not occupied by an eligible owner.

Recapture Provisions: The amount repaid to the HOME program is the original principal of the HOME loan plus a share of the appreciation. The appreciation is the difference between the original purchase price of the home and the current sales price. The current sales price will either be the fair market value or the restricted sales price if the home is subject to a resale restriction. The appreciation amount does not include any permanently fixed improvements but may be adjusted downward by the value of deferred maintenance, not including expected wear and tear. The HOME program share of the appreciation equals the share of the HOME loan of the original purchase price. For example, if the purchase price was $400,000, the HOME loan was $20,000 (five percent of the purchase price), and the future sales price was $500,000. The amount repaid (not considering the adjustments for improvements or deferred maintenance) will be $20,000 plus five percent of the $100,000 appreciation ($5,000) for a total repayment of $25,000.

If the home has decreased in value because of market conditions, the HOME Consortium will share in the depreciation of the home. The amount of depreciation of the HOME loan is the percentage of the HOME loan to the original purchase price of the home. Using the same assumptions as in the preceding paragraph, if the future sales price of the home is $350,000, the amount due would be $20,000 minus five percent of the depreciation ($2,500) for a total repayment of $17,500.

If the depreciation of the home is so significant that the outstanding debt on the home exceeds the value of the home, the Consortium will negotiate with the other lenders to accept a lower repayment. This will enable all debt to be paid through the home sale proceeds.

The Home Consortium does not allow subsequent buyers to assume an existing loan but may make the repaid funds available to a subsequent buyer as a new loan.

Resale Restrictions: The HOME Consortium does not use resale restrictions. However, HOME loans may be provided to buyers with resale restrictions. The resale restrictions may be required by a developer such as Habitat for Humanity or may be required by another program such as Inclusionary Housing or Density Bonus. The HOME loan will meet the recapture provisions described above in those cases. The HOME loan will be repaid and may be available to the next home purchaser. The appreciation amount will be based on the maximum resale value determined by the resale restriction if that value is below the fair market value. For example, if the original purchase price was $400,000, the market value is $500,000, and the resale restricted price is $450,000, the HOME

appreciation share would be $450,000.

The resale restrictions will provide a fair return on investment by calculating the future price based on the change in area median income. This factor ensures that the future price will remain affordable to the original target purchaser (typically low-income). This price will be adjusted based on the value of capital improvements and deferred maintenance.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

HOME funds for homebuyer activities are provided to purchasers of newly constructed or rehabilitated homes. The HOME Consortium uses recapture provisions to ensure that all or a portion of the HOME funds are repaid to the HOME Consortium when the home is sold, transferred, or otherwise not occupied by an eligible owner.

Recapture Provisions: The amount repaid to the HOME program is the original principal of the HOME loan plus a share of the appreciation. The appreciation is the difference between the original purchase price of the home and the current sales price. The current sales price will either be the fair market value or the restricted sales price if the home is subject to a resale restriction. The appreciation amount does not include any permanently fixed improvements but may be adjusted downward by the value of deferred maintenance, not including expected wear and tear. The HOME program share of the appreciation equals the share of the HOME loan of the original purchase price. For example, if the purchase price was $400,000, the HOME loan was $20,000 (five percent of the purchase price), and the future sales price was $500,000. The amount repaid (not considering the adjustments for improvements or deferred maintenance) will be $20,000 plus five percent of the $100,000 appreciation ($5,000) for a total repayment of $25,000.

If the home has decreased in value because of market conditions, the HOME Consortium will share in the depreciation of the home. The amount of depreciation of the HOME loan is the percentage of the HOME loan to the original purchase price of the home. Using the same assumptions as in the preceding paragraph, if the future sales price of the home is $350,000, the amount due would be $20,000 minus five percent of the depreciation ($2,500) for a total repayment of $17,500.

If the depreciation of the home is so significant that the outstanding debt on the home exceeds the value of the home, the Consortium will negotiate with the other lenders to accept a lower repayment. This will enable all debt to be paid through the home sale proceeds.

The HOME Consortium does not allow subsequent buyers to assume an existing loan but may make the repaid funds available to a subsequent buyer as a new loan.

Resale Restrictions: The HOME Consortium does not use resale restrictions. However, HOME loans may be provided to buyers with resale restrictions. The resale restrictions may be required by a

developer such as Habitat for Humanity or may be required by another program such as Inclusionary Housing or Density Bonus. The HOME loan will meet the recapture provisions described above in those cases. The HOME loan will be repaid and may be available to the next home purchaser. The appreciation amount will be based on the maximum resale value determined by the resale restriction if that value is below the fair market value. For example, if the original purchase price was $400,000, the market value is $500,000, and the resale restricted price is $450,000, the HOME appreciation share would be $450,000.

The resale restrictions will provide a fair return on investment by calculating the future price based on the change in area median income. This factor ensures that the future price will remain affordable to the original target purchaser (typically low-income). This price will be adjusted based on the value of capital improvements and deferred maintenance.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds, along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

The HOME Consortium is not currently using HOME funds to refinance existing debt.

EMERGENCY SOLUTIONS GRANT (ESG)

1. Include written standards for providing ESG assistance (may include as attachment)

Written standards for providing ESG assistance can be found attached as Appendix B.

2. If the Continuum of Care has established a centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

The Contra Costa Coordinated Entry system is a collaboration of multiple communities, government, and faith-based agencies that collectively provide services that range from homelessness prevention to permanent housing placements. Consumers are linked to the support needed to obtain and sustain housing.

A. Eligibility

Our Coordinated Entry system is designed to serve anyone in Contra Costa County experiencing a housing crisis. This includes those who are:

- Unsheltered (e.g., living outside, in a car, on the streets, or in an encampment),
- Sheltered (e.g., in an emergency shelter or transitional housing), or
- At imminent risk of homelessness (e.g., being evicted, unable to pay rent, doubled up, or in an

unsafe living situation).

B. Access Consumers connect to services through one of three portals:

- CALL: The 2-1-1 information line, operated by the Contra Costa Crisis Center, provides a phone portal for individuals and families needing to connect to homeless services.
- CARE Centers: Coordinated Assessment and Resource (CARE) Centers provide a walk-in option for individuals and families who need to connect to homeless services. Services offered include help with basic needs, light case management, housing navigation services, and substance use disorder treatment and support.
- CORE Outreach: Coordinated Outreach Referral and Engagement (CORE) outreach teams engage homeless individuals living outside, help facilitate and/or deliver health and basic needs services, and connect clients to CARE Centers and other homeless services.

C. Assess

Severity and type of needs are assessed through a variety of tools:

- Prevention/Diversion Pre-Screen: Identifies the need for financial assistance and/or case management services to prevent a person at risk of homelessness from becoming homeless or to divert a person experiencing homelessness from entering the crisis response system (including emergency shelter and transitional housing)
- Homeless Management Information System (HMIS) Intake: Collects basic information about a client, including information to determine eligibility and prioritization for emergency shelter
- Emergency Shelter Prioritization Tool: in combination with the HMIS Intake, prioritizes individuals and families for available emergency shelter beds
- VI-SPDAT: The Vulnerability Index – Service Prioritization Decision Assistance Tool, an evidence-based tool that prioritizes individuals, transition-age youth, and families for available permanent housing based on acuity and chronicity

D. Assign

Clients are matched with available resources based on need and vulnerability. The most vulnerable clients are prioritized for available housing navigation and location services. The full continuum of our homeless housing and services is available through the Contra Costa Coordinated Entry system, including:

- Prevention/Diversion: Financial assistance or case management to stay housed
- Basic Needs and Services: showers, food, laundry, benefits enrollment, referrals, etc.
- Emergency Shelter: Short-term, temporary place to stay
- Housing Navigation Services: Assistance with locating and obtaining housing
- Rapid Re-housing: Time-limited rental assistance with case management

- Permanent Supportive Housing: Long-term housing assistance with services

3. Identify the process for making sub-awards and describe how the ESG allocation is available to private nonprofit organizations (including community and faith-based organizations).

The County allocates ESG funds through a competitive application process. The RFP is posted on the Conservation and Development Department's website, and notice is mailed or emailed to the Interested Persons contact list. This list includes local social service agencies, homeless service providers, other interested individuals, and other County departments. Applications are reviewed by staff for completeness and compliance with program requirements. Technical assistance is provided to applicants as needed by County staff. Funds are allocated based on the requirements of ESG regulations and the need for services within the County. ESG funding recommendations are presented to the CoC through the Contra Costa Council on Homelessness and then approved by the County's Board of Supervisors. ESG applicants are invited and encouraged to attend these meetings. Nonprofit organizations carry out three out of the six ESG-funded activities for FY 2024/25.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

The County meets the requirement for homeless participation in the provision of services by consulting and coordinating services with the CoC and Council on Homelessness. The CoC and the Council on Homelessness provide a forum for communication and coordination among agencies and, as a group, provide advice and input on the operations of homeless services. Consumer input is incorporated into the development of local services through the ongoing participation of consumers in local meetings, where they are given the opportunity to provide specific feedback on their needs and experiences with the existing system. In addition, each funded project must outline how homeless persons are involved in the operation of shelters and the provision of services. Furthermore, the County’s Council on Homelessness has a Consumer/Consumer Advocate seat in which the person appointed to that seat typically is either a current or previous consumer of the County’s homeless services. The Consumer/Consumer Advocate seat is currently filled.

5. Describe performance standards for evaluating ESG.

A performance measurement outcome statement is included in all ESG contracts between the County and sub-recipients. Projects are monitored and evaluated on meeting the requirements detailed in the statement. Subrecipients must also submit periodic progress reports detailing project progress toward objectives, problems, and/or resolution to meeting goals, quantitative participation data by ethnicity, income, and household status. The projects are also subject to financial audit review by County staff. Additional requirements for performance goals and the evaluation of outcomes are determined in conjunction with the CoC and the Council on Homelessness.

FY24/25 CDBG Request & Recommendation Table				
Application Number	**Applicant**	**Program Name**	**Requested Funding**	**Recommended Funding**
Public Service				
23-01-PS	Bay Area Crisis Nursery	Bay Area Crisis Nursery	$17,000	$17,000
23-02-PS	Community Housing Development Corporation of North Richmond	Multicultural Family/Senior Center	$50,000	$40,000
23-03-PS	Community Housing Development Corporation	Housing Instability Counseling Program	$25,000	$25,000
23-04-PS	Community Violence Solutions (CVS)	CIC Child Sexual Assault Intervention	$15,000	$15,000
23-05-PS	Contra Costa County Health Services	Coordinated Outreach, Referral, and Engagement Program	$100,000	$90,000
23-06-PS	Contra Costa Crisis Service	Crisis / 211 Contra Costa	$18,000	$18,000
23-07-PS	Contra Costa Family Justic Alliance	Family Justice Navigation Program	$35,000	$35,000
23-08-PS	Contra Costa Senior Legal Services	Legal Services for Senior	$20,000	$20,000
23-09-PS	Court Appointed Special Advocates (CASA)	Serving all Foster Children	$18,000	$18,000
23-10-PS	ECHO Housing	Fair Housing Services	$40,000	$40,000

FY24/25 CDBG Request & Recommendation Table				
Application Number	**Applicant**	**Program Name**	**Requested Funding**	**Recommended Funding**
Public Service				
23-11-PS	ECHO Housing	Tenant/Landlord Counseling and Dispute Resolution Services	$80,000	$80,000
23-12-PS	East Bay Center for the Performing Arts	Deep Roots, Wide World Program	$35,000	$15,000
23-13-PS	Empowered Aging	Ombudsman Services for Contra Costa	$10,000	$10,000
23-14-PS	Food Bank of Contra Costa and Solano	Collaborative Food Distribution	$46,500	$46,500
23-15-PS	Greater Richmond Interfaith Program	Homeless Shelter and Soup Kitchen	$30,000	$30,000
23-16-PS	Housing and Economic Rights Advocates	Financially Stability Legal Services	$25,000	$25,000
23-17-PS	James Morehouse Project / Bay Area Community Resources	James Morehouse Project at El Cerrito High School	$10,000	$10,000
23-18-PS	Lamorinda Spirit Van-City of Lafayette	Lamorinda Spirit Van Senior Transportation Program	$10,000	$10,000
23-19-PS	Lions Center for the Visually Impaired	Independent Living Skills for Blind and Visually Impaired	$13,000	$13,000
23-20-PS	Loaves and Fishes of Contra Costa	Nourishing Lives in Martinez, Antioch, Oakley, Pittsburg & Walnut Creek	$18,000	$18,000

FY24/25 CDBG Request & Recommendation Table				
Application Number	**Applicant**	**Program Name**	**Requested Funding**	**Recommended Funding**
Public Service				
23-21-PS	Meals on Wheels Diablo Region	Care Management	$17,000	$17,000
23-22-PS	Meals on Wheels Diablo Region	Meals on Wheels (MOW)	$17,000	$17,000
23-23-PS	Monument Crisis Center	Critical Safety Net Resources for Families and Individuals	$22,000	$17,000
23-24-PS	Mount Diablo Unified School District	CARES After School Enrichment Program	$10,000	$10,000
23-25-PS	Multicultural Institute	Lifeskills/Day Labor Program	$30,000	$30,000
23-26-PS	Opportunity Junction	Bay Point Career Counseling and Placement Assistance	$20,000	$20,000
23-27-PS	Pleasant Hill Recreation & Park District	Senior Service Network	$12,000	$12,000
23-28-PS	Rainbow Community Center of Contra Costa	Kind Hearts Community Support Program	$13,000	$13,000
23-29-PS	Richmond Community Foundation	Sparkpoint Contra Costa	$15,000	$15,000
23-30-PS	RYSE, Inc.	RYSE Career Pathway Program	$40,000	$40,000
23-31-PS	SHELTER Inc.	Homeless Prevention Program	$30,000	$30,000

FY24/25 CDBG Request & Recommendation Table				
Application Number	**Applicant**	**Program Name**	**Requested Funding**	**Recommended Funding**
Public Service				
23-32-PS	STAND! For Families Free of Violence	Rollie Mullen Center Emergency Shelter	$12,000	$12,000
23-33-PS	St. Vincent de Paul of Contra Costa	RotaCare Pittsburg Free Medical Clinic at St. Vincent de Paul	$18,000	$18,000
23-34-PS	Village Community Resource Center	Village Community Resource Center Program Support	$13,000	$13,000
23-35-PS	Winter Nights Family Shelter, Inc.	Winter Nights Family Shelter, Inc.	$10,000	$10,000
Total Public Service			$894,500	$849,500

FY24/25 CDBG Request & Recommendation Table				
Application Number	**Applicant**	**Program Name**	**Requested Funding**	**Recommended Funding**
Emergency Solutions Grants				
23-01-ESG	Contra Costa Health, Housing and Homeless Services	Contra Costa Adult Continum of Services	$97,500	$97,500
23-02-ESG	Contra Costa Health, Housing and Homeless Services	Calli House Youth Shelter	$30,000	$30,000
23-03-ESG	Contra Costa Health, Housing and Homeless Services	CORE-Coordinated Outreach, ESG	$35,844	$30,844
23-04-ESG	SHELTER, Inc.	Homeless Prevention & Rapid Rehousing Program	$131,060	$131,060
23-05-ESG	STAND! For Families Free of Violence	Emergency Shelter	$49,500	$49,500
23-06-ESG	Trinity Center Walnut Creek	Trinity Center (ESG General Operating Support)	$30,500	$30,500
Total ESG Projects			$374,404	$369,404

Community Development Block Grant Program
Economic Developme Category
FY 2022/23, FY 2023/24, FY 2024/25
Analysis, Evaluation, and Recommendation Table

Application Number	Applicant	Program Service Area	Eligibility		Funding Request & Recommended			Program Description / Outcome	Performance (as of 03/31/24)
24-01-ED	**CoCoKids Inc.**	County-wide	Consolidated Plan Priority	CD-5: Economic Development	FY	Requested Funds	**Recommended Funding**	Provide recruitment, training, and ongoing support services to 100 low- and moderate-income persons so they can sustain their licensed family day care business or receive a childcare license to open and operate a new licensed family daycare business (microenterprise)	CoCoKids Inc. is performing well ahead of pace (91%) in meeting their goal of serving 100 clients for the fiscal year. They are timely on submitting their quarterly reports and demands.
			National Objective	Low and Moderate Income [24 CFR 570.208(a)(2)(iii)]					
	Program Name		**Eligible Activity**	Microenterprise and small business assistance [24CFR 570.201(o)]	22/23	$78,550	**$78,550**		
	Road to Success		Target Population	Low- and moderate-income persons with an opportunity to maintain or start a microenterprise as a licensed in-home childcare provider.	23/24	$112,500	**$90,000**		
					24/25	$90,000	**$90,000**		
Application Number	**Applicant**	**Program Service Area**	**Eligibility**		**Funding Request & Recommended**			**Program Description / Outcome**	**Performance (as of 03/31/24)**
24-02-ED	**Loaves and Fishes of Contra Costa (LFCC)**	County-wide	**Consolidated Plan Priority**	CD-5: Economic Development	FY	Requested Funds	**Recommended Funding**	Offer a free 12-week introductory Culinary program for 24 individuals interested in the culinary industry and experiencing barriers to employement. Program has a Memorandum of Understanding (MOU) with employer (Pacific Catch) to hire 2 part-time employes, euivalent to 1 FTE.	Loaves and Fishes of Contra Costa is behind (33%) in meeting their annual goal of serving 24 clients. However, they are timely in submitting their reports and demands.
			National Objective	Benefitting very low-and low-income persons [24 CFR 570.208(a)(2)(iii)[					
	Program Name		**Eligible Activity**	Special Economic Development Activities [24CFR 570.203(c)	22/23	$15,000	**$15,000**		
	Loaves and Fishes of Contra Costa Culinary Arts Training		Target Population	Is very low to low income individuals experiencing barriers to employment.	23/24	$15,000	**$15,000**		
					24/25	$15,000	**$15,000**		
Application Number	**Applicant**	**Program Service Area**	**Eligibility**		**Funding Request & Recommended**			**Program Description / Outcome**	**Performance (as of 03/31/24)**
24-03-ED	**Opportunity Junction**	County-wide	**Consolidated Plan Priority**	CD-5: Economic Development	FY	Requested Funds	**Recommended Funding**	To provide training and job placement assistance to 3 low-income persons, leading to economic self-sufficiency through careers in the administrative field.	Oppoortunity Junction has met their annual goal of placing 3 job seekers into full-time employment. They are also timely in submitting their reports and demands.
			National Objective	Benefitting very low- and low-income persons [24 CFR 570.208(a)(2)(i)(B)]					
	Program Name		**Eligible Activity**	Job training and placement assistance [24 CFR 570.201(e)	22/23	$100,000	**$100,000**		
	Administrative Careers Training (ACT) Progam		Target Population	The program will expand economic opportunities for Low-income persons through administrative job training and career development.	23/24	$100,000	**$100,000**		
					24/25	$100,000	**$100,000**		

Community Development Block Grant Program
Economic Developme Category
FY 2022/23, FY 2023/24, FY 2024/25
Analysis, Evaluation, and Recommendation Table

Application Number	Applicant	Program Service Area	Eligibility		Funding Request & Recommended			Program Description / Outcome	Performance (as of 03/31/24)
24-04-ED	**Renaissance Entrepreneurship Center**	County-wide	Consolidated Plan Priority	CD-5: Economic Development	FY	Requested Funds	**Recommended Funding**	Intensive small business/microenterprise training and technical assistance to 45 unduplicated indivuals who own a small business/microenterprise ow wish to start-up a small business/microenterprise.	Renaissance Entrepreneurship Center has exceeded their goal (220%) of serving 45 for the fiscal year. They are timely on submitting their quarterly reports and demands.
			National Objective	Very low- and low-income persons/mircroenterprise assistance [24 CFR 570.208(a)(2)(iii)] and job creation [24 CFR 570.208(a)(4)(i)]					
	Program Name		**Eligible Activity**	Microenterprise and small business assistance [24CFR 570.201(o)]	22/23	$45,000	**$45,000**		
	Using the Power of Entrpreneurship to Build Economically Vibrant Families and Communities		Target Population	Low-income reisdents of Richmond and Contra Costa County who own or wish to own a small business/microenterprise. Clinets will be men and woman, with services provided in both English and Spanish	23/24	$45,000	**$45,000**		
					24/25	$45,000	**$45,000**		

Application Number	Applicant	Program Service Area	Eligibility		Funding Request & Recommended			Program Description / Outcome	Performance (as of 03/31/24)
24-05-ED	**West Contra Costa Business Dev. Center, Inc.**	County-wide	Consolidated Plan Priority	CD-5: Economic Development	FY	Requested Funds	**Recommended Funding**	West Contra Costa Business Development Center (BDC) provide technical assistance and support to 60 existing businesses or persons wishing to open a business as a way to create/retain jobs.	West Contra Costa Business Development Center is slightly behind (72%) in meeting their annual goal of serving 60 clients. However, they are timely in submitting their reports and demands.
			National Objective	Very low- and low-income persons/mircroenterprise assistance [24 CFR 570.208(a)(2)(iii)] and job creation [24 CFR 570.208(a)(4)(i)]					
	Program Name		**Eligible Activity**	Microenterprise and small business assistance [24CFR 570.201(o)]	22/23	$95,700	**$95,700**		
	Emerging Entrpeneurs Program		Target Population	50 low-income persons who have started or are planning to start a business located in West County.	23/24	$95,700	**$95,700**		
					24/25	$95,700	**$95,700**		

FY24/25 CDBG Request & Recommendation Table Infrastructure/Public Facilities Category				
Application Number	**Applicant**	**Program Name**	**Requested Funding**	**Recommended Funding**
Infrastructure / Public Facilities				
24-01-IPF	City of Martinez	Citywide Accessibility Improvements	$140,000	$0
24-02-IPF	East Bay Center for the Performing Arts	Lighting System Replacement and Upgrades	$72,000	$72,000
24-03-IPF	Lions Center for the Visually Impaired	LCVI - Site Renovation	$120,000	$112,500
24-04-IPF	Martinez Early Childhood Center Inc.	Fencing/Gates project	$90,898	$90,898
24-05-IPF	Nurturing Indepedemce through Artisitic Development (NIAD)	NIAD Community Accessibility Improvement Plan Phase 2 - Entryway Doors and Lobby	$95,000	$93,798
Total Infrastructure/Public Facilities			$517,898	$369,196

Affordable Housing
FY 2024/25 Recommendation Table

Attachment D

								Funds Requested		Staff Recommendations				
Project ID	Project Name Location	BOS District	Sponsor/ Developer #1	Sponsor/ Developer #2	Affordable Units	Total Project Cost	Previous Allocation	CDBG	HOME	CDBG	HOME	County Project Delivery Costs	Total FY 2024/25 Funds Recommended	Conditions of Approval
24-01	Civic Center Apts Richmond	1	Novin Development	Trinity Center	49	$ 15,436,920	N/A	$ 1,000,000	$ -	$ 1,000,000	$ -	$ 40,000	$ 1,040,000	1. Novin must receive an award of State of California HCD Homekey funds by December 31, 2024 to fill the financing gap and commence construction by April 1, 2025. If the project is not succesful in receiving an award of Homekey funds, the CDBG funds will be recaptured and reallocated to another CDBG eligible project that will be able to expend the CDBG funds in a timely manner. 2. Confirmation that the project's financials are compliant with the County's Affordable Housing Program Guidelines.
24-02	Healthy Homes Contra Costa Urban County	Various	Rebuilding Together East Bay North	N/A	52	$ 468,000	N/A	$ 390,000	$ -	$ 390,000	$ -	$ -	$ 390,000	1. An award of $390,000 in CDBG funds will require the applicant to rehabiliate at least 52 homes in the Urban County. 2. Individual Projects within the program must include physical improvements to the dwelling and not solely include a home assessment.
24-03	Lakeside Apts Concord	4	Resources for Community Development	N/A	122	$ 49,701,667	N/A	$ -	$ 5,000,000	$ -	$ 5,000,000	$ 40,000	$ 5,040,000	1. All other financing commitments secured by December 31, 2025 and FY 2024/25 HOME funds committed, as evidenced by an executed loan by August 31, 2026. HOME funds will be recpatured by January 2026 if significant progress is not being made to meet the August 31, 2026 commitment deadline. 2. An award of $5,000,000 in HOME will require a total of 21 HOME-assisted units. 3. Confirmation that the project's financial are compliant with the County's Affordable Housing Program Guidelines.

Affordable Housing
FY 2024/25 Recommendation Table

24-05	Neighborhood Preservation Program Urban County	Various	Dept. of Conservation & Development	N/A	14	$ 765,000	Ongiong	$ 650,000	$ -	$ 150,000	$ -	$ -	$ 150,000	1. Obtention of building condition assessor. 2. An award of $150,000 in FY 2024/25 CDBG funds plus an anticipated $250,000 in NPP loans repaid will require home rehabilation projects: 5 single-family loans, 1 single-family grant, and 8 mobile-home grants.
24-06	The Riveter - Supportive Richmond	1	Eden Development, Inc.	Community Housing Development Corporation	58	$ 60,706,193	$500,000 PLHA	$ 2,000,000	$ -	$ 2,000,000	$ -	$ 40,000	$ 2,040,000	1. All other financing commitments secured by June 30, 2025, and FY 2024/25 CDBG funds committed, as evidenced by an executed loan, by December 31, 2025. CDBG funds will be recaptured by July 2025 if significant progress is not being made to meet the May 2026 CDBG expenditure deadline. 2. Confirmation that the project's financials are compliant with the County's Affordable Housing Program Guidelines.
					APPLICATION TOTALS			**$ 4,040,000**	**$ 5,000,000**	**$ 3,580,000**	**$ 5,040,000**		**$ 8,660,000**	

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1828 **Agenda Date:** 6/25/2024 **Agenda #:** C.42.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: Approve FY 2024/25 Recommendations to Award Measure X Housing Fund and Permanent Local Housing Allocation Funds

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE the Department of Conservation and Development's FY 2024/25 recommendations for the allocation of $11,702,500 in Measure X Housing Funds and $3,526,423 in Permanent Local Housing Allocation (PLHA) funds, as recommended by the Department of Conservation and Development Director.

FISCAL IMPACT:
There is no General Fund impact. Measure X funds are part of a countywide, 20-year ½ cent sales tax approved by Contra Costa County voters on November 20, 2020. The County has already been awarded the PLHA funding, which will cover the cost of funding these recommendations and the County's administrative costs up to 5% of the total grant.

BACKGROUND:
Measure X
Measure X is a countywide 20-year ½ cent sales tax approved by Contra Costa County voters on November 3, 2020. The ballot measure language stated the intent of Measure X is "to keep Contra Costa's regional hospital open and staffed; fund community health centers, provide timely fire and emergency response; support crucial safety-net services; invest in early childhood services; protect vulnerable populations; and for other essential County services."

On November 16, 2021, the County Board of Supervisors approved the allocation of Measure X funding to establish a new funding source for housing-related activities, now termed the Measure X Housing Fund (MX Housing Fund). Eligible projects under the MX Housing Fund for project funds to be distributed through the Affordable Housing Program include:

- Affordable housing for populations earning up to 80 percent Area Median Income (AMI), focusing on 50 percent AMI and below.
- Acquisition, pre-development, construction, rehabilitation, and operating reserve funds.
- Innovation pilot programs and capacity-building technical assistance for affordable housing activities (acquisition, pre-development, construction, rehabilitation, and operating reserve funds).
- Grant writing for affordable housing activities (acquisition, pre-development, construction, rehabilitation, and operating and reserve funds).

PLHA

PLHA is a state program with entitlement and competitive components intended to fund more affordable housing. The State designated Contra Costa County as the administrator of the entitlement grant award for the Contra Costa "Urban County," which includes the unincorporated communities and all the incorporated cities except for the cities of Antioch, Concord, Pittsburg, and Walnut Creek, which have their own entitlements. The PLHA funds may be used to:

- Increase the supply of housing for households at or below 80 percent AMI;
- Facilitate housing affordability, particularly for lower- and moderate-income households; and
- Promote projects and programs to meet the local government's unmet share of regional housing needs allocation.

The allocation of PLHA included in the 2024/25 Notice of Funding Availability (NOFA) is $3,712,024 with five percent set aside for Program Administration, leaving $3,526,423 available to allocated to eligible projects.

FY 2024/25 NOFA/RFP Process

On October 12, 2023, a Notice of Funding Availability (NOFA) for County affordable housing funds (federal and local sources, including Measure X and PLHA) and a Request for Proposals (RFP) notice was released and published in all editions of the Contra Costa Times and posted on the County's DCD website soliciting applications for the development, acquisition, and/or rehabilitation of affordable housing throughout the County. On November 2, 2023, a public Housing "Kick-Off" Meeting was held virtually by County DCD staff via Zoom to provide information to prospective applicants on the NOFA/RFP. County staff also held virtual "office hours" on five separate occasions in November and December 2023 to provide additional technical assistance to prospective applicants.

The County received 23 applications by the December 18, 2023, the deadline for both federal and local funds. During the months of January through April 2024 staff assessed and analyzed the applications, which included interviews of all applicants that submitted complete applications. After reviewing and analyzing the applications and conducting interviews with the applicants, DCD staff prepared a report and recommendations for the various affordable housing funding programs to present to the County's Affordable Housing Finance Committee (AHFC), the advisory committee to the Board of Supervisors that reviews staff's recommendations on affordable housing financing activities.

A meeting of the AHFC was scheduled for Wednesday, June 5, 2024; however, the meeting was unable to be held due to a lack of quorum of the committee members. There was not enough time to schedule and hold another AHFC meeting prior to the Board of Supervisors meeting on Tuesday, June 25, 2024, where all federal and local funding are being considered for approval to meet federal or state deadlines. Therefore, DCD staff's recommendations for MX Housing Funds and PLHA funds, as shown in Attachment A, are being forwarded to the Board of Supervisors for consideration, as recommended by the Department of Conservation and Development Director, to meet federal or state deadlines. The allocations of federal funds for capital housing activities are being considered in a separate Board action on the Board's June 25, 2024 meeting agenda.

Recommended MX Housing Fund/PLHA Awards for Capital Housing Projects

Choice in Aging

Developer: Satellite Affordable Housing Associates

Location: Pleasant Hill
Recommended Award Amount: $7,931,542 Measure X funds
Contingencies for Approval: All other financing commitments secured by December 31, 2024; FY 2024/25 Measure X funds committed, as evidenced by an executed loan, by August 31, 2025. Measure X funds will be recaptured by January 2025 if significant progress is not made to meet the commitment deadline of August 31, 2025.

Project Summary: An 82-unit senior development including one manager's unit and units set aside for homeless veterans and affordable to households earning 30%-60% Area Median Income (AMI).

Esperanza Place Phase 2
Developer: Habitat for Humanity East Bay/Silicon Valley
Location: Walnut Creek
Recommended Award Amount: $1,000,000 Measure X funds
Contingencies for Approval: Measure X funds committed, as evidenced by an executed loan, by June 30, 2026; Construction of Phase 2 must commence by June 30, 2027.

Project Summary: New construction of 19 for-sale condominium units in Phase 2 of Esperanza Place (a 42-unit condominium project).

Riverhouse Hotel
Developer: Eden Development
Location: Martinez
Recommended Award Amount: $1,000,000 Measure X funds
Contingencies for Approval: Measure X funds committed, as evidenced by an executed loan by June 30, 2026. Construction must commence by June 30, 2027.

Project Summary: The rehabilitation of an existing, occupied 75-apartment development, including two manager's units, and the conversion of 6 commercial spaces into nine new affordable units.

Village of Hope Pittsburg
Developer: Hope Solutions
Location: Pittsburg
Recommended Award Amount: $1,770,958 Measure X funds
Contingencies: FY 2024/25 Measure X funds committed, as evidenced by an executed loan, by June 30, 2026; Construction must commence by June 30, 2027.

Project Summary: New construction of 15 permanent supportive housing rental units for transitional aged youth.

El Cerrito Plaza Parcel A South
Developers: Related California, Holliday Development, Satellite Affordable Housing Associates
Location: El Cerrito
Recommended Award Amount: $1,876,423 PLHA funds
Contingencies: All other financing commitments secured by December 31, 2025; FY 2024/25 PLHA funds committed, as evidenced by an executed loan, by August 31, 2026; PLHA funds will be recaptured by January 2026 if significant progress is not demonstrated to meet the August 31, 2026, commitment deadline.

Project Summary: The first phase of a multi-phase master plan transit-oriented development in partnership with BART and the City of El Cerrito, for the new construction of 70 rental units for low and very low-income families, including one manager's unit.

Rumrill Commons

Developers:	Novin Development/Community Resident Services, Inc.
Location:	San Pablo
Recommended Award Amount:	$1,650,000 PLHA funds

Contingencies: PLHA funds committed, as evidenced by an executed loan, by August 31, 2026.

Project Summary: New construction of 40 rental units affordable to households earning 30%-60% Area Median Income, including one manager's unit.

CONSEQUENCE OF NEGATIVE ACTION:

Negative Action will prevent these affordable housing developers from moving forward with their FY 2024/25 projects. The applicants would have to wait and apply for funds from the County in next year's funding cycle, which could jeopardize the projects or significantly delay their construction schedules.

CDBG-Housing, HOME, Measure X, PLHA Funds
Recommendations

					Funds Requested						DCD Recommendations						
Application Number	Project Name / Developer	Location BOS District	Project Type	Population Served	Afford. Units	CDBG Funds	HOME Funds	Measure X	PLHA Funds	FY 2024/25 Total Funds Requested	Previous Allocation	CDBG	HOME	Measure X	PLHA	Project Delivery Costs	FY 2024/25 Total Funds Recommended
24-01	Alvarado Gardens - 2 Danco Comm.	San Pablo District 1	NC Rental	Family	49	$0	$0	$5,000,000	$0	$5,000,000		$0	$0	$0	$0	$0	$0
24-02	Anton SR Anton Dev. Co.	San Ramon District 2	NC Rental	Family	130	$0	$2,807,717	$3,000,000	$1,244,430	$7,052,147		$0	$0	$0	$0	$0	$0
24-03	Bob Dabney Plaza CHDC	Richmond District 1	NC Rental	Family Homeless	32	$0	$1,250,000	$2,000,000	$1,000,000	$4,250,000		$0	$0	$0	$0	$0	$0
24-04	Choice in Aging Senior SAHA	Pleasant Hill District 4	NC Rental	Seniors Veterans	82	$0	$3,300,000	$9,000,000	$0	$12,300,000	$1,000,000 PLHA	$0	$0	**$7,931,542**	$0	$0	$7,931,542
24-05	Civic Center Novin & Trinity Center	Richmond District 1	Motel Conversion	Homeless	49	$0	$0	$500,000	$500,000	$1,000,000	N/A	$1,000,000	$0	$0	$0	$40,000	$1,040,000
24-06	EC Plaza - A South Related CA & SAHA	El Cerrito District 1	NC Rental	Family	70	$0	$1,000,000	$3,750,000	$0	$4,750,000	$3,500,000 HOME/MX	$0	$0	$0	**$1,876,423**	$0	$1,876,423
24-07	EC Plaza - C East Related CA & SAHA	El Cerrito District 1	NC Rental	Family	83	$0	$0	$3,000,000	$2,000,000	$5,000,000		$0	$0	$0	$0	$0	$0
24-08	Esperanza Place - 2 Habitat for Humanity	Walnut Creek District 4	NC Homebuyer	Family	19	$0	$0	$1,000,000	$0	$1,000,000	$1,605,000 HOME (Phase 1)	$0	$0	**$1,000,000**	$0	$0	$1,000,000
24-09	Grace Commons Novin Development	Antioch District 5	NC Rental	Family	79	$0	$0	$2,000,000	$0	$2,000,000		$0	$0	$0	$0	$0	$0
24-10	Healthy Homes CC Rebuilding Together EBN	Urban County	Owner Occupied Rehab	N/A	52	$390,000	$0	$0	$0	$390,000	N/A	$390,000	$0	$0	$0	$0	$390,000
24-11	Hope Village - Antioch Hope Solutions	Antioch District 3	NC Rental	Homeless Families	22	$0	$2,197,535	$1,980,000	$0	$4,177,535		$0	$0	$0	$0	$0	$0
24-12	Independent Living Lions Center	Antioch District 3	APPLICATION WITHDRAWN														
24-13	La Loma EAH Housing	Rodeo District 5	NC Rental	Seniors	66	$0	$3,000,000	$9,000,000	$0	$12,000,000		$0	$0	$0	$0	$0	$0
24-14	Lakeside RCD	Concord District 4	Rehab Rental	Family Homeless	122	$0	$2,000,000	$3,000,000	$0	$5,000,000	N/A	$0	$5,000,000	$0	$0	$40,000	$5,040,000
24-15	NPP Habitat & DCD	Urban County	Owner Occupied Rehab	N/A	14	$650,000	$0	$0	$0	$650,000	Ongoing	$150,000	$0	$0	$0	$0	$150,000
24-16	Riverhouse Hotel Eden Housing	Martinez District 5	Rehab Rental	Seniors Disabled	83	Withdrawn	$0	$1,000,000	$0	$1,000,000	$3,000,000 CDBG/HOME	$0	$0	**$1,000,000**	$0	$0	$1,000,000
24-17	Rumrill Commons Novin Dev.	San Pablo District 1	NC Rental	Family	39	$0	$0	$1,000,000	$650,000	$1,650,000	N/A	$0	$0	$0	**$1,650,000**	$0	$1,650,000
24-18	Sunflower Hill Pacific West & Novin Dev.	Lafayette District 2	NC Rental	Intellectual Develop. Disability	38	$0	$0	$1,500,000	$0	$1,500,000		$0	$0	$0	$0	$0	$0
24-19	TBV Villas at Renaissance Guiding Light Inc.	Richmond District 1	NC Rental	Family	104	$0	$5,363,068	$3,386,932	$0	$8,750,000		$0	$0	$0	$0	$0	$0

CDBG-Housing, HOME, Measure X, PLHA Funds
Recommendations

						Funds Requested					DCD Recommendations						
Application Number	Project Name / Developer	Location BOS District	Project Type	Population Served	Afford. Units	CDBG Funds	HOME Funds	Measure X	PLHA Funds Funds	FY 2024/25 Total Funds Requested	Previous Allocation	CDBG	HOME	Measure X	PLHA	Project Delivery Costs	FY 2024/25 Total Funds Recommended
24-20	Terracina Riverlake USA Properties	Discovery Bay District 3	NC Rental	Family	168	$0	$500,000	$3,500,000	$1,000,000	$5,000,000		$0	$0	$0	$0	$0	$0
24-21	The Post Apartments Novin Development	Pleasant Hill District 4	Rehab Rental	Family	70	$754,463	$0	$0	$0	$754,463		$0	$0	$0	$0	$0	$0
24-22	The Riveter - Supportive CHDC & Eden	Richmond District 1	Adapt. Reuse Rental	Homeless	58	$2,000,000	$3,500,000	$8,000,000	$3,000,000	$16,500,000	$500,000 PLHA	$2,000,000	$0	$0	$0	$40,000	$2,040,000
24-23	Village of Hope - Pittsburg Hope Solutions	Pittsburg District 5	NC Rental	Homeless	15	$0	$1,474,009	$2,314,807	$0	$3,788,816	$0	$0	$0	$1,770,958	$0	$0	$1,770,958
				TOTALS	**1,444**	**$3,794,463**	**$26,392,329**	**$63,931,739**	**$9,394,430**	**$103,512,961**		**$3,540,000**	**$5,000,000**	**$11,702,500**	**$3,526,423**		**$23,888,923**

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1829 **Agenda Date:** 6/25/2024 **Agenda #:** C.43.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: Authorization for grading and trenching for utility improvements on parcel 011-350-010, as it is grant deeded to Contra Costa County.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

1. FIND that the project is Categorically Exempt from the California Environmental Quality Act (CEQA), under CEQA Guidelines Section 15303, 15304 and 15305.

2. APPROVE and AUTHORIZE, under the terms of the attached grant deed of development rights held by the County, Century Communities of California, LLC to conduct site improvements, including grading and trenching for a utility extension, on Assessor's Parcel No. 011-350-010, located at Newport Drive in the Discovery Bay area, in accordance with development plan County File No. CDDP24-03002.

3. DIRECT the Director of the Department of Conservation and Development to file a Notice of Exemption with the County Clerk.

FISCAL IMPACT:

There is no fiscal impact. The applicant has paid the necessary application deposit and is obligated to pay supplemental fees to recover any and all additional costs associated with the application process.

BACKGROUND:

The proposed grading and trenching activities will be on an open space parcel (Parcel J), adjacent to Newport Drive and across from Slifer Drive, in the Discovery Bay area of the County. Per the Conditions of Approval (COA) of the Discovery Bay West Development Subdivision (CDSD91-07686), the development rights for the open space parcel have been dedicated to Contra Costa County necessitating the Board to authorize improvements on this property.

On January 22, 2024, RMW Architecture & Interiors submitted an application to amend Final Development Plans #CDDP09-03029 (Newport Pointe Subdivision) and #CDDP91-03025 (Discovery Bay West Subdivision) to allow grading and site improvements on Parcel J (APN 011-350-010). The project involves trenching along the eastern boundary of the subject property, along Newport Drive, to allow utility connection from the Newport Pointe Subdivision to the Town of Discovery Bay's sanitary sewer system. Once completed, the parcel

is required to be returned to its original condition. The project also includes grading to create a necessary slope along the common boundary line Parcel J and the parcel adjacent to the south (APN: 011-220-013). The slope is meant to be a transition from the existing ground to the proposed raised elevation of the Newport Point subdivision. This slope is located within APN 011-350-010.

On May 20, 2024, the Zoning Administrator conducted a noticed public hearing on the application. No public testimony was received, and the application was approved subject to conditions. As such, the proposed project is deemed consistent with the existing uses on-site, which was approved by the Zoning Administrator. Therefore, staff recommends the Board of Supervisors authorize the grading and site improvements on Parcel J, a property where the development rights have been granted to the County.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, development plan County File No. CDDP24-03002 will be denied and the applicant will not be able grade and trench for utilities as needed by the Newport Pointe subdivision.

CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION

APPROVED PERMIT

APPLICANT:	Ashley Munce 6700 Koll Center Pkwy, Ste 210 Pleasanton, CA 94566	APPLICATION NO.:	CDDP24-03002
		ASSESSOR'S PARCEL NO.:	011-220-013 and 011-350-010
		PROJECT LOCATION:	Intersection of Newport Drive and Slifer Drive Discovery Bay, CA
OWNER:	Century Communities of California, LLC 6700 Koll Center Pkwy, Ste 210 Pleasanton, CA 94566	ZONING DISTRICT:	P-1
		APPROVED DATE:	May 20, 2024

This matter having not been appealed within the period of time prescribed by law, a Modification to Development Plan #CDDP09-03029 (Newport Pointe Subdivision) and #CDDP91-03025 (Discovery Bay West Subdivision) to allow grading and site improvements on Parcel J to allow utility connection from the Newport Pointe Subdivision to the Town of Discovery Bay's sanitary sewer system, and grading between the southern portion of Parcel J and the northern portion of Newport Pointe Subdivision in the DISCOVERY BAY area is hereby APPROVED, subject to the attached conditions of approval.

By: R. Hernandez
Ruben L. Hernandez
County Zoning Administrator

Unless otherwise provided, THIS PERMIT WILL EXPIRE ONE (1) YEAR from the approved date identified above.

PLEASE NOTE THE EFFECTIVE DATE, as no further notification will be sent by this office.

FINDINGS AND CONDITIONS OF APPROVAL – COUNTY FILE #CDDP24-03002, ASHLEY MUNCE (APPLICANT) / CENTURY COMMUNITIES OF CALIFORNIA, LLC (OWNER) AS APPROVED BY THE ZONING ADMINISTRATOR ON MAY 20, 2024

FINDINGS

A. Growth Management Performance Standards

1. Traffic: The project would not generate commuter trips. The scope involves the trenching for sewer improvements, and grading on Parcel J of the Discovery Bay West subdivision, for the Newport Pointe subdivision to the south. Once the work is completed, the parcel shall remain undisturbed with the occasional maintenance for the utilities. Overall, neither of these activities would cause an increase in the number of vehicle trips or change circulation patterns in the general vicinity.

2. Water: The subject area currently obtains water service from the Town of Discovery Bay Community Services District. The grading and the trenching for utility improvements will not generate any additional demand for water service beyond what currently is associated and expected from the Newport Pointe subdivision.

3. Sanitary Sewer: The project sites currently receives sanitary sewer service from the Town of Discovery Bay Community Services District. The grading and the trenching for utility improvements will not generate any additional demand for sanitary sewer service beyond what currently is associated with the Newport Pointe subdivision.

4. Fire Protection: The project sites is in the service area of the Contra Costa County Fire Protection District. Utility improvements and grading will not generate additional demand for fire protection services.

5. Public Protection: Trenching for utility improvements and grading will not affect or alter the use of the parcel or the adjacent subdivisions, and therefore, will not increase the demand for police service facilities or personnel.

6. Parks and Recreation: The utility improvements and grading will not increase the population in the area, and therefore will not increase the demand for parks or recreational facilities.

7. Flood Control and Drainage: The expansion of sanitary improvements on the subject parcel, and the southern portion grading activities are not expected to change the drainage pattern on site or substantially increase stormwater runoff.

B. Development Plan Findings (County Code Section 84-26.1806)

In approving a Development Plan in the Discover Bay P-1 District, findings are required that the proposed project is consistent with the intent and purpose of the P-1 District and is compatible with other uses in the vicinity, both inside and outside of the district.

1. *Required Finding: The proposal is consistent with the purpose of the zoning district.*

   Project Finding: The subject properties are located in the P-1 Planned Unit District and include the Newport Point subdivision (to the south) and the Discovery Bay West Development (to the north).

   The conditions of approval for both Final Development Plans and their respective Major Subdivisions include conditions that are intended to guide development within the subdivision, and the type of development allowed on the subject properties. These Development Plans also address obtaining the necessary utilities to meet the expected needs of the existing residential development and the proposed Newport Pointe development. The trenching along Newport Drive is needed to ensure sufficient capacity to serve the proposed Newport Pointe Subdivision. Currently, the existing sanitary sewer system within Newport Drive and along parcel 011-220-013 does not have enough capacity, and therefore requires extension onto Parcel J where the facilities would have capacity for the project. As it is, the system extension cannot be installed within Newport Drive near the project site due to physical conflicts with other storm drain pipelines.

   The additional grading addresses an elevation change on the northern boundary of the Newport Pointe Subdivision and the southern property line of the Parcel J. Ultimately, both parcels are expected to remain the same once the trenching and the grading are completed. The use within each development plan is not intended to change. Additionally, Condition of Approval #3 requires the applicant to include plans to return the trenched area to its original condition so as to maintain the nature of the parcel as an open space area for both subdivisions. Therefore, the overall project is consistent with the development guidelines as described by the Newport Point Development and the Discovery Bay West Development.

2. *Required Finding: That the proposal is compatible with other uses in the vicinity, both inside and outside the zoning district.*

   The project does not change the use established under the P-1 Zoning District

approval, and remains as open space, as originally approved. The surrounding areas consist of single-family residences to the north (Discovery Bay West), proposed new single-family lots to the south (Newport Pointe subdivision), a R.V. storage and parking area to the west, and a vacant lot to the east, both of which are also designated as open space. The original approval in 1997, deemed Parcel J and the lot across from it (Parcel E) as open space lots with no allowability for development. Both lots are also noted as "restricted development" and have been grant deeded to the County.

The project does not construct any permanent structures, and it plans to maintain the area as open space. The trenching for utilities is limited to the western property boundary abutting Newport Drive. The grading is occurring on the southern property line abutting the Newport Pointe Subdivision. Trenching is often treated as temporary work, and not typically considered development. The grading that is to occur on the southern portion of the subject parcel is only requested to create a smoother transition between lots due to the different elevations, and to address the 100-year floodplain elevation. The rest of the parcel is to remain in its existing condition. The project has also been conditioned to ensure that the applicant returns the site to its original condition once the trenching and installation of utilities culminates. Ultimately, the use of the parcel will remain as open space and shall remain undisturbed once the utility work and slope adjustments along the southern border are finished. Therefore, the project is compatible with the vicinity.

C. California Environmental Quality Act (CEQA) Findings

The proposed project is exempt under CEQA Guidelines Section 15304 and 15305. Section 15304 exempts minor trenching and backfilling where the surface has been restored. The project applicant is conditioned to return the trenching area to its original condition. Section 15305 exempts minor alterations in land use in areas with an average slope of less than 20% which do not result in any changes in land use or density. The proposed grading along the northern boundary of parcel 011-220-013 is not expected to change the land use or density and will maintain the parcel with its intended use.

CONDITIONS OF APPROVAL FOR COUNTY FILE #CDDP24-03002

Development Plan Approval

1. This Substantial Modification to Development Plans #CDDP09-03029 (Newport Pointe Subdivision) and #CDDP91-03025 (Discovery Bay West Subdivision) to allow grading and site improvements on Parcel J. The proposed site improvements will

include trenching on Parcel J to allow utility connection from the Newport Pointe Subdivision to the Town of Discovery Bay's sanitary sewer system, and grading between the southern portion of Parcel J and the northern portion of Newport Pointe Subdivision, is generally **APPROVED** based on the application and materials received by the Department of Conservation, Community Development Division (CDD) on January 22, 2024 and additional information received on March, 08, 2024.

2. This approval is contingent upon receiving Board of Supervisors approval for the trenching and grading of Parcel J (Assessor Parcel Number: 011-350-010).

3. Prior to receiving Final Inspection, and once the trenching of utilities has been completed, the applicant must provide evidence that the disturbed area along Newport Drive has been returned to its original condition.

Application Costs

4. The Development Plan application was subject to an initial deposit of $3,500.00. The application is subject to time and material costs if the application review expenses exceed the initial deposit. **Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first**. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due, the Department of Conservation and Development may seek a court judgement against the applicant and will charge interest at a rate of ten percent (10%) from the date of judgement. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance in the event that additional fees are due.

General Provisions

5. Any deviation from or expansion beyond the limits of this permit may necessitate the filing and approval of a request for modification to the Development Plan Permit approval.

6. Unless otherwise noted, all conditions of approval for CDDP91-03025, and CDDP09-03029 remain in full force and effect and apply to this proposal.

Air Quality

7. The following air quality measures shall be implemented during project

construction and shall be stated on the face of all construction plans:

a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

d. All vehicle speeds on unpaved roads shall be limited to 15 mph.

e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

The applicant shall post a publicly visible sign with the telephone number and the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

8. During construction, the project developer shall implement standard construction dust control measures which shall be stated on the face of all construction plans:

a. Watering active construction areas on the site at least twice daily.

b. Daily watering or covering stockpiles of debris, soils, sand, and other materials that can be blown by the wind.

c. Covering all trucks hauling soils, sand, and other loose material or require all material-hauling trucks to maintain at least two feet of freeboard.

d. Paving, watering three times daily, or applying non-toxic soil stabilizers on all unpaved access roads, parking lots, and staging areas at construction site.

e. Sweeping streets daily, preferably with water sweepers, if soil is carried onto adjacent streets.

f. Seeding disturbed areas as quickly as possible or installation of cover vegetation over exposed soils.

Cultural Resources

9. The following mitigation measure shall be implemented during project construction-related ground disturbance, and shall be stated on the face of all construction plans:

10. Should human remains be encountered during grading, trenching, or other on-site excavation(s), earthwork within 30 feet of the discovery should be stopped until the County Coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the human remains. If the human remains are of a Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the property and provide recommendations for the proper treatment of the remains and associated grave goods.

Construction Restrictions

Contractor and/or developer shall comply with the following construction, noise, dust and litter control requirements.

11. A dust and litter control program shall be submitted for the review and approval of the Community Development Division staff. Any violation of the approved program or applicable ordinances shall require an immediate work stoppage. Construction work shall not be allowed to resume until, if necessary, an appropriate construction bond has been posted.

12. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

13. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.

14. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

15. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

16. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

17. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:

    New Year's Day (State and Federal)
    Birthday of Martin Luther King, Jr. (State and Federal)
    Washington's Birthday (Federal)
    Presidents' Day (State)
    Cesar Chavez Day (State)
    Memorial Day (State and Federal)
    Juneteenth National Independence Day (Federal)
    Independence Day (State and Federal)
    Labor Day (State and Federal)
    Columbus Day (Federal)
    Veterans Day (State and Federal)
    Thanksgiving Day (State and Federal)
    Day after Thanksgiving (State)
    Christmas Day (State and Federal)

For specific details on the actual day the State and Federal holidays occur, please visit the following websites:

Federal Holidays: Federal Holidays (opm.gov)
California Holidays: https://www.calhr.ca.gov/employees/pages/state-holidays.aspx

18. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.

ADVISORY NOTES

PLEASE NOTE THAT ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a 90-day period after the project is approved.

The 90-day period, in which you may protest the amount of any fee or the imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90 days of the approval date of this permit.

B. The applicant must comply with the requirements of the Contra Costa County Building Inspection Division. They will require, at minimum, architectural, and structural plans before issuance of a building permit.

C. The applicant must comply with applicable requirements of the Contra Costa County Fire Protection District. The applicant is advised to submit plans to the Fire Protection District for approval prior to submitting for a building permit.

D. The applicant is advised that plans submitted for a sign permit may require prior approval and be stamped by the Town of Discovery Bay Community Services District.

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5

Recorded at the request of:
Contra Costa County
Public Works Department
Engineering Services
Return to:
Public Works Department
Records Section

Area: Byron
Subdivision: 7686
APN: 011-220-027

CONTRA COSTA Co Recorder Office
STEPHEN L. WEIR, Clerk-Recorder
DOC- 2000-0057844-00
Check Number
T, MAR 23, 2000 08:21:00
FRE $0.00
Ttl Pd $0.00 Nbr-0000841833
kat/R6/1-5

GRANT DEED OF DEVELOPMENT RIGHTS
(Open Space)

To meet condition of approval number 5B of Subdivision 7686, **Talisman Realty Group, Inc.** (Owner) hereby grants to the **County of Contra Costa**, a political subdivision of the State of California (Grantee) and its governmental successor or successors, the future development rights, as defined herein below, over a portion of that real property known as Parcels "E and J", of Subdivision 7686, situated in the County of Contra Costa, State of California and more particularly described in Exhibit A.

Development rights are defined to mean and refer to the right to approve or disapprove of any proposed construction, development or improvement within the areas marked "restricted development area." The development rights are and shall be a form of covenant, which shall run with the said property and shall bind the current owner and any future owners of all or any portion of said property. In the event of a disapproval of proposed construction by the Grantee or its successor, said proposed construction shall not be performed. Grantee or its successor may condition its approval of any proposed construction upon prior or subsequent performance of such conditions as Grantee may deem appropriate.

Any owner or owners of all or any portion of said property desiring to develop any improvement requiring the approval of Grantee or its successor herein shall submit to such entity a written proposal describing the nature, extent, and location of such improvement. Grantee or its successor shall have sixty (60) days from receipt of such proposal in which to grant its approval or disapproval. Failure by Grantee or its successor to respond in said time period shall be equivalent to the approval of such proposal.

The undersigned executed this instrument on JAN. 12, 2000 (Date).

Talisman Realty Group, Inc.

By: A. J. Shaw
Albert T. Shaw, Director.

(See attached notary)

JD.mw
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57844

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Contra Costa } ss.

On 1-12-00 (Date), before me, Elizabeth A. Stagner (Name and Title of Officer (e.g., Jane Doe, Notary Public))

personally appeared A.T. Shaw (Name(s) of Signer(s))

X personally known to me
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.

WITNESS my hand and official seal.

Elizabeth A. Stagner
Signature of Notary Public

GBP 1 ELIZABETH A. STAGNER GBP 1
COMM. 1166827
NOTARY PUBLIC - CALIFORNIA
CONTRA COSTA COUNTY
My Comm. Expires Jan. 23, 2002

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Grant Deed of Development Rights

Document Date: 1-12-00 Number of Pages: 1

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer

Signer's Name:

Individual

X Corporate Officer — Title(s):

Partner — Limited General

Attorney in Fact

Trustee

Guardian or Conservator

Other:

Signer Is Representing:

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

© 1997 National Notary Association • 9350 De Soto Ave. P.O. Box 2402 • Chatsworth CA 91313-2402 Prod. No. 5907 Reorder: Call Toll-Free 1-800-876-6827

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ACTION BY THE BOARD OF DIRECTORS OF TALISMAN REALTY GROUP, INC. BY WRITTEN CONSENT WITHOUT A MEETING

The undersigned, being all of the present directors of Talisman Realty Group, Inc., a California corporation, individually and collectively consent, by this writing, to take the following actions, to adopt the following resolution:

RESOLVED, that the corporation authorizes A.T. Shaw to be the sole signator for the execution of any and all subdivision maps for the corporation.

This consent is executed pursuant to section 307, subdivision (b) of the California Corporations Code which authorizes the taking of action of the Board of Directors by unanimous written consent without a meeting.

Dated: July 28, 1999

Kenneth H. Hofmann, Director

Albert T. Shaw, Director

Dennis M. Drew, Director

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Subdivision 7686
(Open Space)

EXHIBIT "A"

All that real property situated in the County of Contra Costa, State of California, described as follows:

All of Parcels "E and J," designated as "Restricted Development Area (Open Space)" as shown on the final map of Subdivision 7686, on file at the County Recorder's Office as follows:

Date: MAR 2 3 2000

Book: 418

Page: 26

JD:mw
G:\GrpData\EngSvc\JOSEPH\1999\August\SUB 7686.doc

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C.183

57844

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Contra Costa County
Public Works Department
Engineering Services Division
Return to:
Public Works Department
Engineering Services Division

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

Adopted this Resolution on March 7, 2000, by the following vote:

AYES: SUPERVISORS GIOIA, UILKEMA, DESAULNIER, CANCIAMILLA AND GERBER

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

RESOLUTION NO.: 2000/92

SUBJECT: Acceptance of Instrument.

IT IS BY THE BOARD RESOLVED that the following instrument is hereby ACCEPTED:

INSTRUMENT	REFERENCE	GRANTOR	AREA
Grant Deed of Developments Rights (Open Space)	Subdivision 7686	Talisman Realty Group, Inc.	Byron

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

ATTESTED: MARCH 7, 2000
PHIL BATCHELOR, Clerk of the Board of Supervisors and County Administrator

By Joan Staley, Deputy

RL:JD:mw
G:\GrpData\EngSvc\BO\2000\BO 7686 & 8143.doc

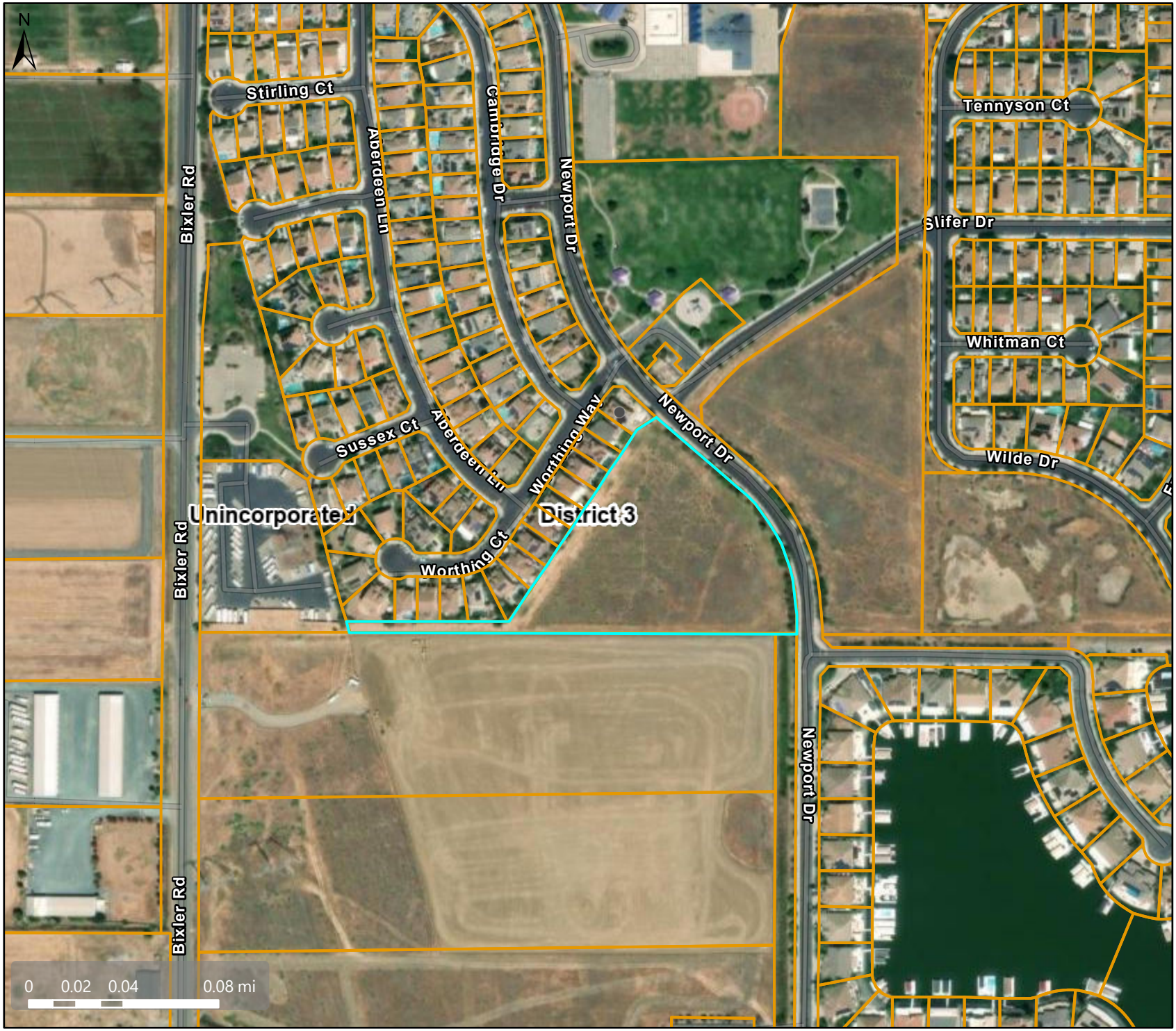
Originator: Public Works (ES)
Contact: Rich Lierly (313-2348)

cc: Recorder (via Title Co.) then PW Records
Current Planning, Community Development

END OF DOCUMENT

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CCMap Export



Map Legend

- Assessment Parcels
- Planning Layers (DCD)
- Unincorporated
- Board of Supervisors' Districts

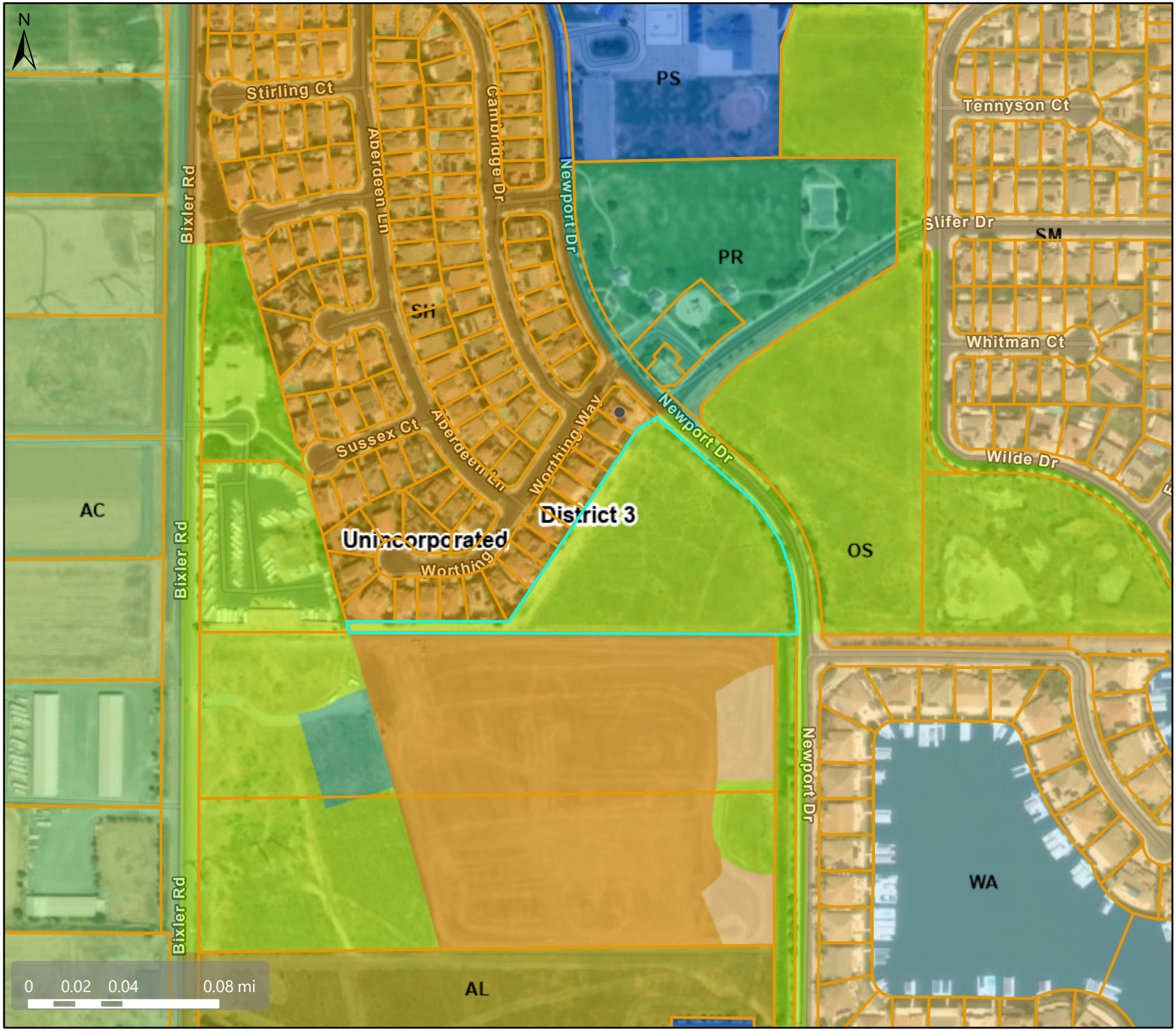
DOIT GIS
CONTRA COSTA COUNTY

This map is a user generated, static output from an internet mapping application and is intended for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION.
CCMap is maintained by Contra Costa County Department of Information Technology, County GIS. Data layers contained within the CCMap application are provided by various Contra Costa County Departments. Please direct all data inquires to the appropriate department.

Spatial Reference
PCS: WGS 1984 Web Mercator Auxiliar
Datum: WGS 1984

Credits: Contra Costa County Development of Conservation and Department, Esri Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, U

General Plan Designation



Map Legend

- Assessment Parcels
- Planning Layers (DCD)
- General Plan
  - SM (Single Family Residential - Medium) 3.0 - 4.9 Units per Net Acre
  - SH (Single Family Residential - High) 5.0 - 7.2 Units per Net Acre
  - PS (Public/ Semi-Public)
  - PR (Parks and Recreation)
  - OS (Open Space)
  - AL (Agricultural Lands) 5 Acre Minimum Parcel Size
  - AC (Agricultural Core) 40 Acre Minimum Parcel Size
  - WA (Water)
  - Unincorporated
  - Board of Supervisors' Districts

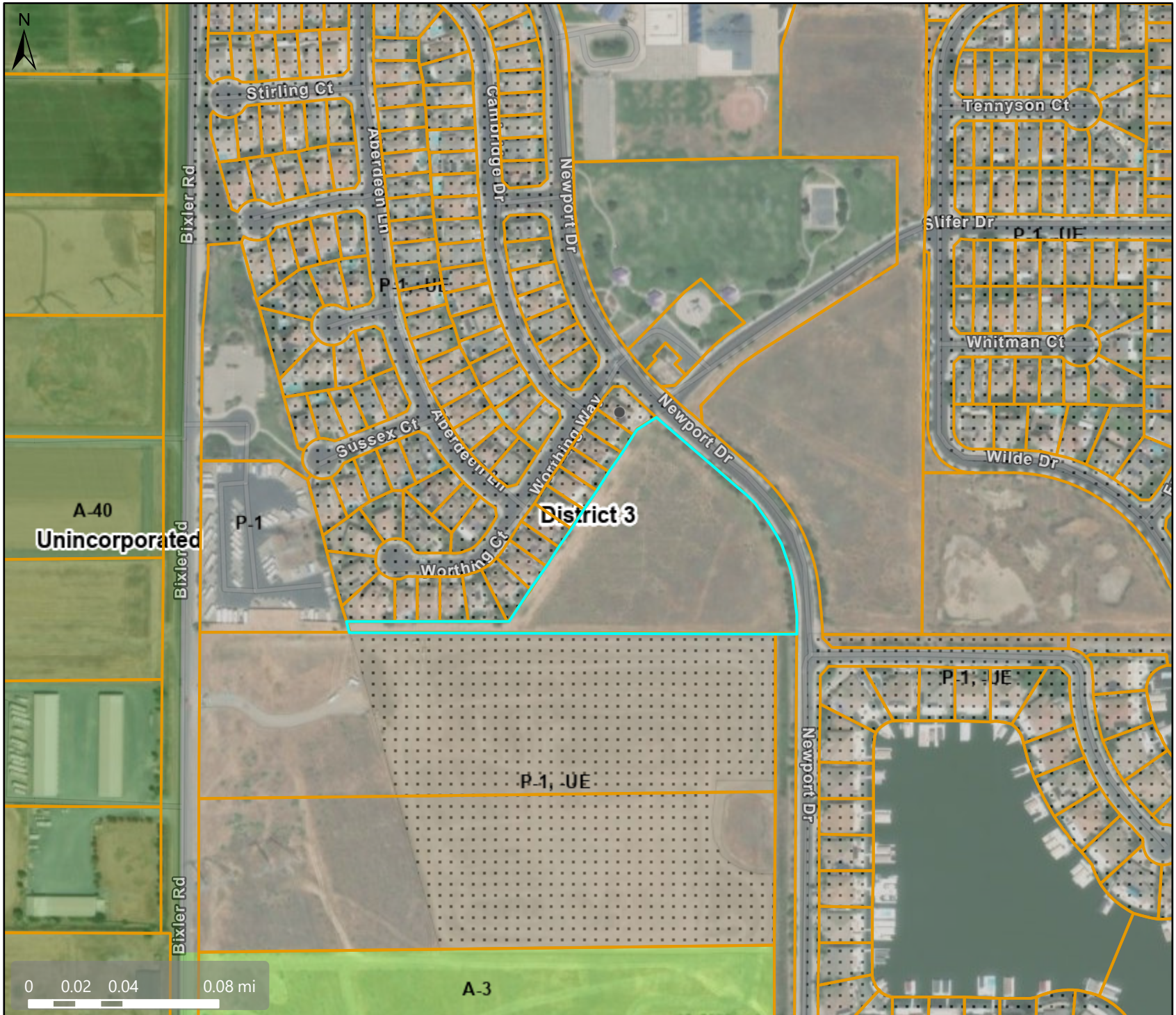
DOIT GIS
CONTRA COSTA COUNTY

This map is a user generated, static output from an internet mapping application and is intended for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION.
CCMap is maintained by Contra Costa County Department of Information Technology, County GIS. Data layers contained within the CCMap application are provided by various Contra Costa County Departments. Please direct all data inquires to the appropriate department.

Spatial Reference
PCS: WGS 1984 Web Mercator Auxiliar
Datum: WGS 1984

Credits: Contra Costa County Development of Conservation and Department, Esri Community Maps Contributors, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, U

Zoning District



Map Legend

- Assessment Parcels
- Planning Layers (DCD)
- Zoning
- ZONE_OVER
  - A-3 (Heavy Agriculture)
  - A-40 (Exclusive Agriculture)
  - P-1 (Planned Unit)
  - P-1 -UE (Urban Farm Animal Exclusion)
  - Unincorporated
- Board of Supervisors' Districts

DOIT GIS
CONTRA COSTA COUNTY

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2001 ROLL - POR TR 7686 M.B. 418-26 (DISCOVERY BAY WEST UNIT I)

22

1" = 200'

TR 8167
MB 425-34
10-12-00
16.35AC

39

PCL "A"

PCL "B"
02
9.976Ac.

PCL "C"
03
5.824Ac.

PCL "D"
13
.581Ac.

PCL "E"
05
8.713Ac.

PCL "J"
10
4.623Ac.

12
.106Ac.

23

22

POINT OF TIMBER RDG

NEWPORT DR

CAMBRIDGE DR

36

TR 8166
MB 420-35
6-2-00

38

PCL "I"
09
2.493Ac.

37

TR 8167
MB 418-34
3-23-00

PCL "F"

08
1.569Ac.

PCL "H"

PCL "G"
07
2.545Ac.

BIXLER RD

350

12

4/23/03

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38

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ASSESSOR'S MAP
BOOK 11 PAGE 35
CONTRA COSTA COUNTY, C



DEVELOPMENT PLAN

APN 011-350-010

TOWN OF DISCOVERY BAY CONTRA COSTA COUNTY CALIFORNIA

SCALE: 1"=40' DATE: JANUARY 11, 2024

0 40 80 120

cbg CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS
SAN RAMON ▪ (925) 866-0322
ROSEVILLE ▪ (916) 788-4456
WWW.CBANDG.COM

G:\2576-010\ACAD\EXHIBITS\XB_COUNTY DEVELOPMENT PLAN.DWG

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1830 **Agenda Date:** 6/25/2024 **Agenda #:** C.44.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: U.S. Department of Transportation Active Transportation Infrastructure Investment Program

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to apply for and accept an amount not to exceed $400,000 from the U.S. Department of Transportation Active Transportation Infrastructure Investment Program to conduct the San Pablo Avenue Enhanced Bicycle and Pedestrian Gap Closure Study.

FISCAL IMPACT:
None to the General Fund. Match funding not to exceed $100,000 (20% of total study cost) will come from transportation funds. Staff time for recommended activities is covered under existing budgets (50% Road Fund and 50% Measure J Fund).

BACKGROUND:
In March 2024, the U.S. Department of Transportation released final grant guidelines and a call for projects for a new grant program called the Active Transportation Infrastructure Investment Program (ATIIP). The grant program will provide funding for planning activities and projects that provide safe and connected active transportation infrastructure in an active transportation network or active transportation spine. For planning activities, the minimum grant award is $100,000, and there is no maximum award amount. A minimum twenty percent local match is required.

Staff from both the Department of Conservation and Development and Public Works Department collaborated to identify one candidate project to submit to the ATIIP for funding to conduct a study: the **San Pablo Avenue Enhanced Bicycle and Pedestrian Gap Closure Study**. The study will evaluate enhanced bicycle and pedestrian improvements, including Class I or Class IV separated bicycle facilities and green infrastructure, along San Pablo Avenue between Richmond Parkway and the City of Pinole in the Tara Hills, Montalvin Manor, and Bayview communities. The study area is included in both the County's Active Transportation Plan and the Vision Zero Report. The total estimated cost to conduct the study for the project is $500,000, with the County providing a local match not to exceed $100,000 from transportation funds.

CONSEQUENCE OF NEGATIVE ACTION:

County staff will not submit a grant application for the U.S. Department of Transportation Active Transportation Infrastructure Investment Program.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1831 **Agenda Date:** 6/25/2024 **Agenda #:** C.45.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: Contract with Contra Costa Centre Association

☐Recommendation of the County Administrator ☒ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Director of Conservation and Development, or designee, to execute a contract with the Contra Costa Centre Association in an amount not to exceed $421,295 for transportation demand management services for the Contra Costa Centre area, for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:
No impact to the County General Fund. 100% County Service Area M-31 funds. The commercial property owners at Contra Costa Centre voted to approve the formation of County Service Area M-31 to fund County mandated transportation demand management services in the area.

BACKGROUND:
Contra Costa County (County) has required a Transportation Demand Management (TDM) program for the Contra Costa Centre area since 1986 to encourage the use of alternative modes of transportation by station area employees in order to mitigate the traffic impacts resulting from the development of the area. Property owners in Contra Costa Centre area were required to establish a County Service Area with an annual assessment to fund the TDM Program. The County has entered an agreement with the Contra Costa Centre Association to manage the TDM program for the Contra Costa Centre area each year since 1990.

The TDM program offers commute alternative service to BART station area employees. While there is no mandate requiring participation by employers or any penalty for non-participation, there has been high participation in the program by both employers and employees. The TDM program goals of achieving over 30% of the area employees travel to work via alternative modes (transit, carpool, van-pools, bicycle, walk, telecommute, etc.) have consistently been met.

The project agreement covers a 12-month period from July 1, 2024 to June 30, 2025. It funds the operation of van-pools and a noon-time shuttle service to nearby commercial areas, bicycle services, on-site transit ticket sales, and marketing and management of a variety of transit subsidy and incentive programs.

CONSEQUENCE OF NEGATIVE ACTION:

The Contra Costa Centre Association members who have paid an annual assessment for transportation demand management services would be unable to provide them through this contract.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1832 **Agenda Date:** 6/25/2024 **Agenda #:** C.46.

To: Board of Supervisors

From: John Kopchik, Director, Conservation and Development

Report Title: Grant funding of up to $1,200,000 from the U.S. Economic Development Administration (EDA) for a pre-development strategy for a Next-Generation Battery Manufacturing Tech Innovation Hub along the Northern Waterfront

☐Recommendation of the County Administrator ☒ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Director, Department of Conservation and Development, or designee, to apply for and accept grant funding of up to $1,200,000 from the U.S. Economic Development Administration (EDA) for a pre-development strategy for a Next-Generation Battery Manufacturing Tech Innovation Hub Along the Northern Waterfront, as recommended by the Ad-Hoc Committee on the Northern Waterfront Economic Development Initiative.

FISCAL IMPACT:
If awarded, the U.S. Economic Development Administration (EDA) grant will contribute $1.2 M towards a project with a total cost in the range of $1.5 M to $2.4 M, as determined by the County in its application. Therefore, the County's required match will be in the range of $300,000 to $1.2 M, depending on the final budget amount in the County's application. Qualifying matching funds include expenditures from non-federal funding sources related to economic development activities that support the development of the clean energy sector of the local economy in Contra Costa County. The matching requirement for this grant application will be satisfied by expenditures anticipated from the County's Green Empowerment Zone, funded from State revenues, of which $2 M in expenditures are expected over the next three years that meet the match requirements.

BACKGROUND:
On June 5, 2024, the Ad-Hoc Committee on the Northern Waterfront Economic Development Initiative recommended that the Board of Supervisors authorize staff to submit an application for U.S. Economic Development (EDA) funding for a pre-development strategy for a Next-Generation Battery Manufacturing Tech Innovation Hub along the Northern Waterfront of Contra Costa County. The pre-development strategy for a Next-Generation Battery Manufacturing Tech Innovation Hub includes a market feasibility analysis, a pre-analysis of sites along the Northern Waterfront of Contra Costa County, and workforce development and community engagement. Partners include the Lawrence Berkeley National Laboratory, the Northern Waterfront cities of Pittsburg and Antioch, the Workforce Development Board of Costa County, and the Contra Costa Community College District. The required match would be satisfied by the County's Green Empowerment Zone. Applications are submitted on a rolling basis but should be submitted by July 31, 2024 in order to be competitive.

CONSEQUENCE OF NEGATIVE ACTION:
Failing to submit a grant application will prevent the Department of Conservation and Development from receiving a grant award from the U.S. Economic Development Administration (EDA) for pre-development for a Next-Generation Battery Manufacturing Tech Innovation Hub along the Northern Waterfront.



Next-generation **B**attery **M**anufacturing **T**ech Innovation Hub

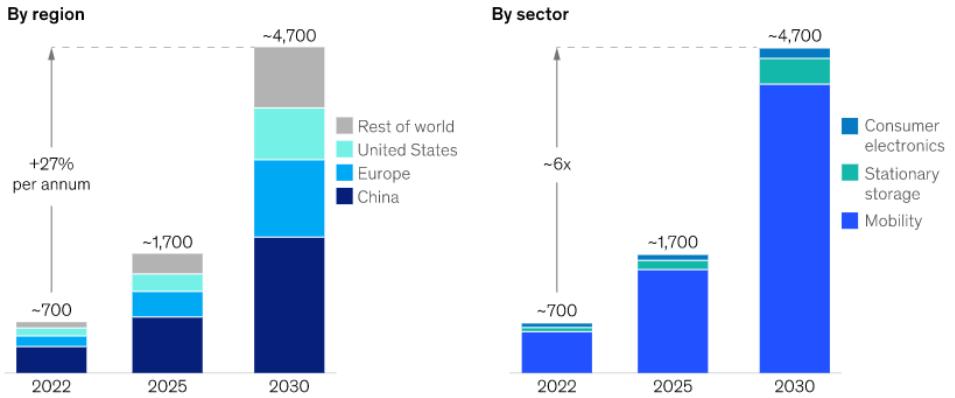
A west coast ecosystem for battery manufacturing

ENERGY TECHNOLOGIES AREA
BERKELEY LAB

Alecia Ward
Strategic Development
Lawrence Berkeley National Laboratory

Global Market for batteries is growing

Global Li-ion battery cell demand, GWh, Base case



[1]Including passenger cars, commercial vehicles, two-to-three wheelers, off-highway vehicles, and aviation.
Source: McKinsey Battery Insights Demand Model

Demand is expected to grow by about 33% annually to reach 4,700 GWh by 2030, worth ~$400B

Domestic production currently represents 7% of global demand

Mining & Extraction	Material Synthesis & Manufacturing	Cell Manufacturing & Assembly	Testing & Certification	Reuse & Recycle
*Source: McKinsey market reports for Li-ion batteries	~$200B* (2030)	~$200B* (2030)	~$2B* (market creation)	~$13B* (2030)

U.S. Energy Storage Economy

U.S. transportation and stationary energy storage combined markets estimates*

- 2.5–4 terawatt-hours (TWh) annually, by 2030 (driven by transportation sector)
- 3x-5x the current 800-gigawatt-hour (GWh) market

Current gen Li-Ion batteries

- Will meet near term energy storage market growth
- Will not be sufficient to meet performance and demand of ubiquitous EVs and grid storage

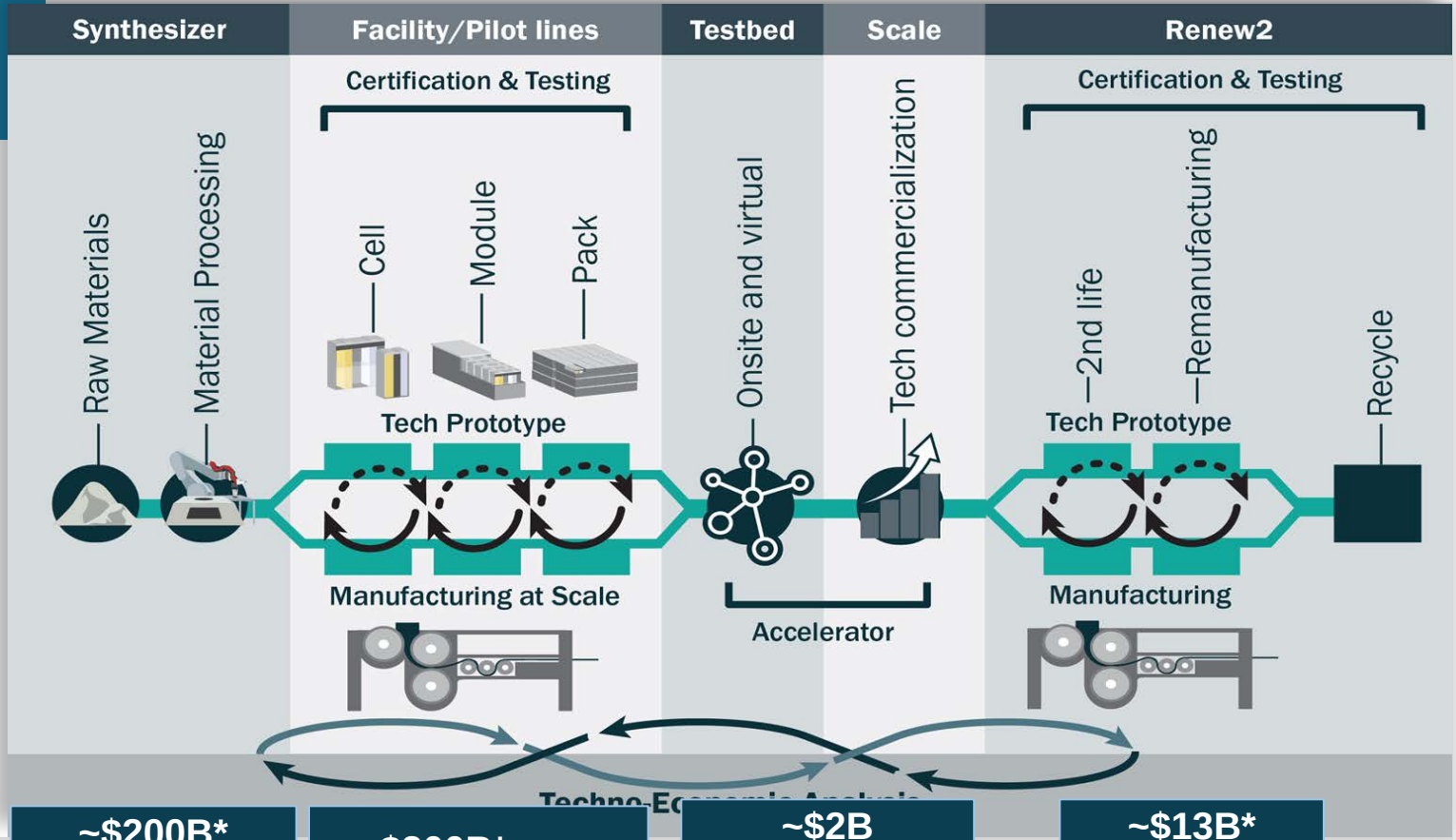
Next-Gen Batteries

- Will need higher energy densities, longer lives, uncompromised safety
- Will need new chemistries that use raw materials from domestic sources

Domestic production will need pilot & demonstration scale R&D for commercialization & manufacturing

*Source: ESGC Market Report

Hub Concept



~$200B* (2030)	~$200B* (2030)	~$2B (Market creation)	~$13B* (2030)

CA has an opportunity to meet decarb policy goals and plant flag as leader for next-gen battery techs

Demo & Scale-up

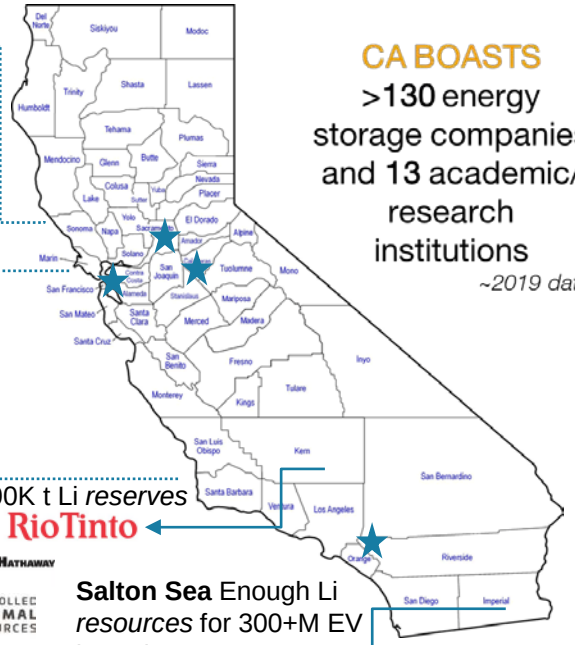
- Interest in Sacto which is ideal for fabrication and demonstration and scale up

Innovation & Prototyping

- Interest in revitalization of the Northern Waterfront in Contra Costa County – Ideal for material processing and small-scale pilot line production

Materials Processing

- Recent award of an EDA planning grant to UC Riverside related to those Li reserves



CA BOASTS >130 energy storage companies and 13 academic/ research institutions

~2019 data

Mojave Desert >300K t Li *reserves* (largest domestic)

RioTinto

Berkshire Hathaway Energy

Controlled Thermal Resources

EnergySource Minerals

Salton Sea Enough Li *resources* for 300+M EV batteries

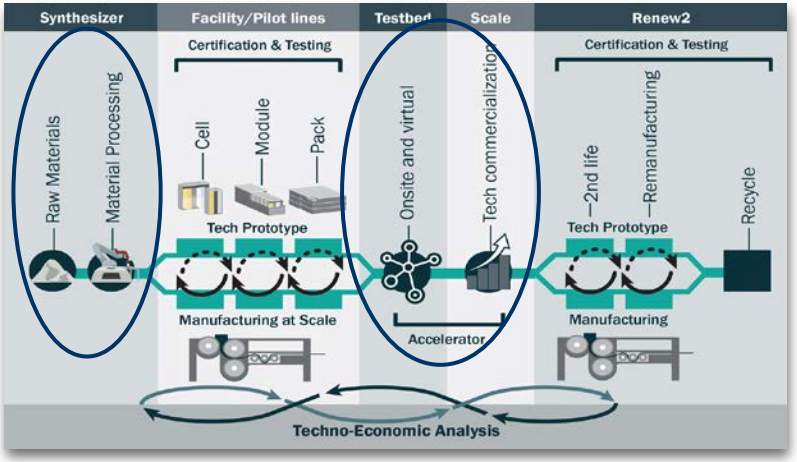
Rare opportunity to coalesce industry and government to meet emerging technology needs

Hub Facility I
Materials Processing

In order to accelerate battery technology development, manufacturing and scale-up…

Industry needs:

- ➔ New methods for mining & extracting natural sources
- ➔ Improved processes for separation and conversion of raw materials into chemical precursors
- ➔ Advances in chemical processing of precursors into battery active electrode and electrolyte components
- ➔ Innovative scale-up synthesis engineering: to go from lab to pilot to commercial scale faster
- ➔ Innovative materials processing for direct recycling of battery materials.



Synthesizer pilot & materials accelerator facility:

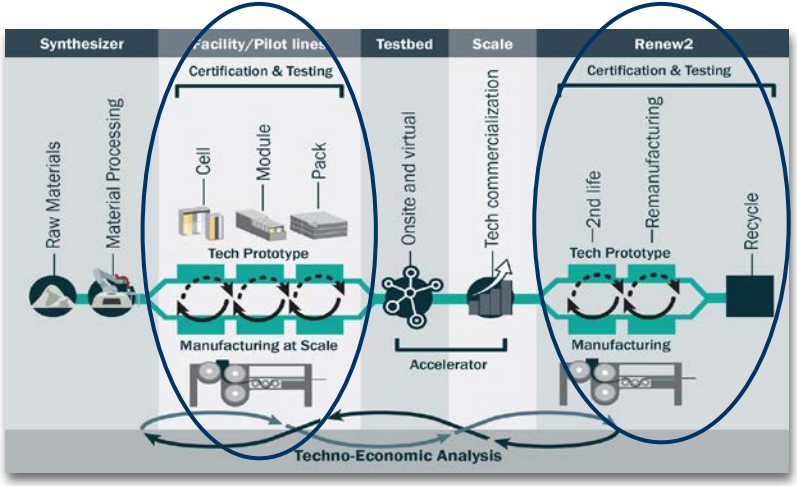
- ➔ Chemical synthesis amenities for production of active materials at kilogram scales
- ➔ Process and material specifications for commercial scale production
- ➔ Rapid materials performance validation in coin or pouch test cell configuration

Hub Facility II
Battery Components & Assembly

In order to accelerate battery technology development, manufacturing and scale-up…

Industry needs:

- ➔ Manufacturing and optimization of the composite battery electrode composition and architecture
- ➔ Pilot scale cell production and evaluation
- ➔ New technologies integrations
- ➔ Commercial scale demonstration facilities of battery cell assembly and optimization
- ➔ Evaluation of battery performance under realistic operating conditions



Battery cell manufacturing pilot & testing facility:

- ➔ Battery component fabrication
- ➔ Battery cell assembly
- ➔ Testing for optimization and end use
- ➔ Modular design of the pilot cell production facilities for new technology integration

The Battery Value Chain

Additional Slides

Needs of the U.S. Energy Storage Industry

Mining & Extraction	Material Synthesis & Manufacturing	Cell Manufacturing & Battery Assembly	Certification	Reuse & Recycle
• Processing technologies for extraction, separation • Raw material conversion into precursor materials from non-traditional sources of Li etc. such as geothermal brine (Salton Sea)	• Chemical processing of precursors into battery active electrode and electrolyte components • Scale-up synthesis engineering: to go from lab to pilot to commercial scale faster	• Manufacturing and optimization of the composite battery electrode composition and architecture • Commercial scale battery cell, module and battery pack optimization • Evaluation of battery performance under realistic operating conditions	• Testing in real world conditions • Validation of battery performance • Certification of batteries for end use applications	• Low cost battery disassembly and material extraction • Manufacturability for recycling • Reuse, 2nd life application

Next-Generation Battery Manufacturing Hub

Market Demand and Conditions

Global projections estimate that market demand for energy storage (transportation and stationary storage) is expected to grow by about 33% annually to reach 4,700 gigawatt hours (GWh) by 2030. This growth across the supply chain is estimated to be worth $400 billion (industry revenue), creating enormous opportunities for workers, American technology providers, manufacturers up and down the supply chain, and the broader U.S. economy.[1] This is a rare instance where technology development and manufacturing are intimately intertwined with national and global policy needs, and it presents an important opportunity to catalyze a domestic supply chain with alignment among government agencies, academia, and industry.

Federal Context

Decarbonization of the economy hinges on widespread deployment of advanced energy storage technologies. Through the Inflation Reduction Act (IRA) and the Bipartisan Infrastructure Law (BIL), the U.S. federal government is making once-in-a-generation investments aimed at advancing and developing next generation, domestically sourced, battery energy storage technologies at commercial scale. Cultivating domestic supply chains and reshoring battery manufacturing will empower industry to meet what's anticipated to be unprecedented demand for battery-based storage over the coming decade. Achieving these goals will support domestic workers, businesses, and the wider U.S. economy, while reducing reliance on international supply chains.

California Context

The state of California — a global leader in decarbonization and clean energy —has an opportunity to leverage federal resources and invest in next generation storage technologies that support the state's policy goals. These goals include reaching a zero-carbon economy and operating on 100% renewable energy by 2045 and transitioning the medium- and heavy-duty transportation fleet market to zero emissions by 2040. With a whole-economy effort, California and its local jurisdictional partners are uniquely positioned to engage with utilities, the private sector, and academic research institutions to capture the benefits of reducing emissions while securing greater global market share for California-sourced materials and California-based companies.



[1] McKinsey & Company

KEY ASSETS

- ✓ Raw materials that can be extracted with minimal impact on the environment
- ✓ Academic and research facilities that are global leaders in technology innovation
- ✓ Dynamic private sector supported by venture capital and a startup culture
- ✓ Skilled workers in related industries who have transferrable skills
- ✓ Workforce training providers who know how to collaborate with industry
- ✓ One of the biggest markets for next-generation batteries
- ✓ Key institutions that already provide global leadership in clean energy transition

THE POTENTIAL

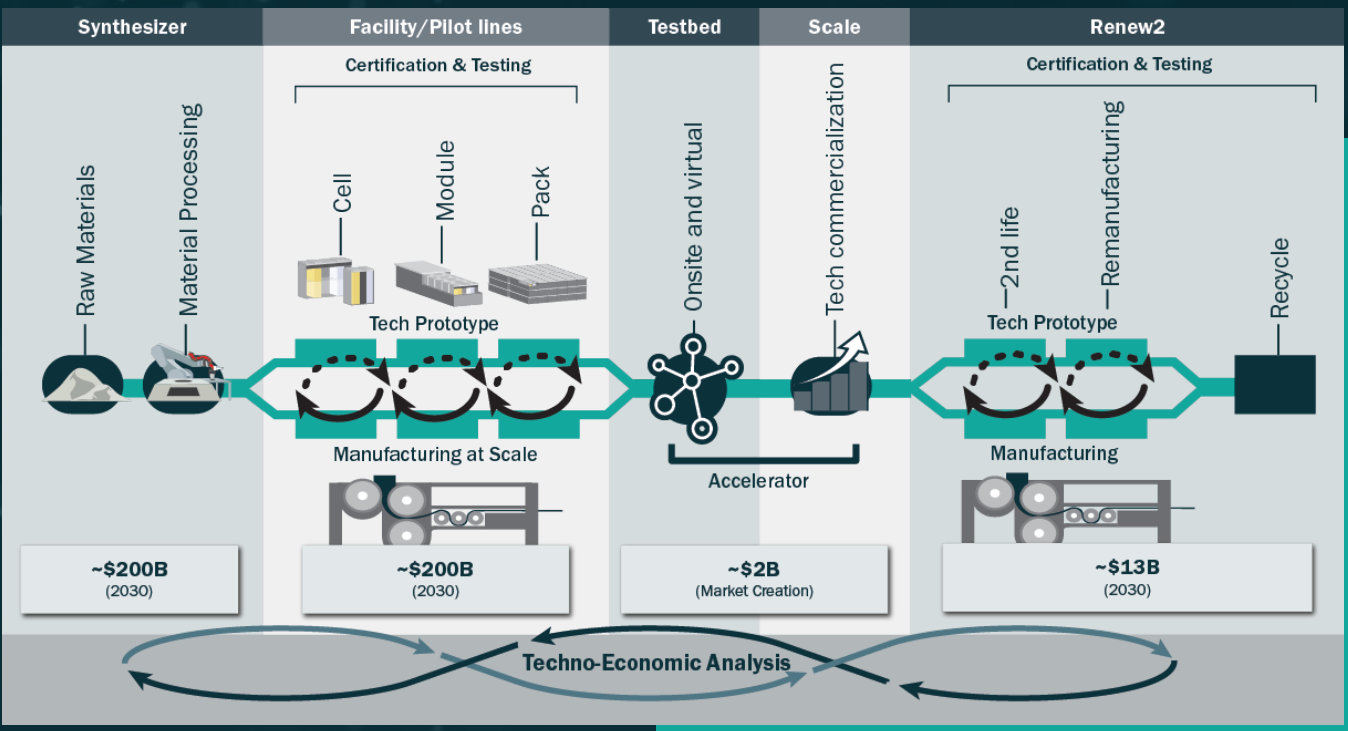
- ✓ California is the fifth largest economy on the planet, yet it is also true that there are many disadvantaged communities that have been under invested in.
- ✓ We need to continue to invest in high-road, blue collar, middle-income jobs that will support families and also generate revenue for local jurisdictions.
- ✓ There is a perception that California can't be competitive in the advanced manufacturing sector, but it has all the inputs for a next-generation manufacturing supply chain, copious amounts of critical mineral reserves, and has the right mix of labor assets to drive the next gen battery manufacturing economy.
- ✓ There is a perception that California's regions can manage projects on their own, but the state would benefit from state-wide coordination to deliver large, complex economic development projects that have market making and market moving potential.



Local Community Context

For decades, California communities that once thrived as manufacturing hubs have experienced disinvestment and decline. As production moved overseas, family-sustaining jobs for workers without a college degree, a stable tax base for local governments, private sector investment, and technical proficiency followed. If harnessed effectively, the IRA and IIJA has the potential to reverse these trends. Many communities, such as the Northern Waterfront in Contra Costa County, Sacramento County, the San Joaquin Valley, and the Inland Empire are committed to revitalizing their industrial assets into job centers and economic engines that accelerate the clean energy transition. They are also committed to investing in human capital and collaborating regionally to increase their chances of securing federal and state funding. These communities should be central to realizing federal and state goals for a climate-neutral future, energy independence, and national security and deserve a voice in defining how the energy transition will be implemented in their own neighborhood. Seeking feedback from community stakeholders is essential, and that is why more than 109 local jurisdictions have joined this effort.

NEXT-GENERATION BATTERY MANUFACTURING HUB



The Technology and Manufacturing Gap

Despite anticipated strong future market demand and increasing availability of government funding, initial industry outreach indicates that battery technology developers — particularly those developing advanced, next generation systems — are struggling through key mid- to late-stages of the development/commercialization process. These struggles come at a critical time, as foreign competitors are also in the process of investing aggressively in advanced battery technologies. This need occurs across the battery manufacturing value chain and is particularly pronounced in the processing and commercial development of existing and next-gen materials used in battery components (cathodes, anodes, electrolytes); fabrication and assembly of batteries (cells, modules, packs); and reuse and recycling of battery materials.

The Nexus Between Research and Jobs

Co-location of research and manufacturing is especially important for batteries. Advances have centered around material processing, novel chemistries, and optimized battery composition. All of these activities rely on being able to iterate quickly.

Manufacturing along the battery value chain — material synthesis and fabrication of cells, packs, and modules — moved abroad due to lower costs of production. Once production moved, the associated R&D followed.

In the next generation of battery technologies, there is an existential need to catalyze the entire U.S. supply chain to ensure its resilience. Doing so can anchor a virtuous cycle domestically. Co-located reseearch and industrial activity mutually reinforce each other to generate self-perpetuating economic growth.

Shovel-Ready Solutions

The solution is a network of connected facilities from pilot-scale material synthesis and battery fabrication and to commercial-scale manufacturing of end-use batteries. Developing processes to extract and synthesize materials, as well as fabricate battery components at commercial scale, is essential to boost America's and California's global economic leadership. So is rapid testing and validation of materials and batteries. All of this development is strategically co-located with relevant R&D in order to take advantage of rapid iteration, which is needed to accelerate novel technologies to full-scale deployment that can meet market needs.

California has shovel-ready projects spread throughout the state that are ready to meet industry needs. The University of California, Riverside has been designated a "Tech Hub" by the federal government to research lithium-ion technology for next-generation electric vehicle batteries. The California Mobility Center in Sacramento has received CEQA approval to construct a 25-acre clean energy, power, and zero-emission innovation collaborative campus to study and test next-generation battery and vehicle technology. Contra Costa has a designated Green Empowerment Zone spanning the entire Northern Waterfront designed to transition their community away from oil and gas. These projects can connect in the San Joaquin Valley to provide high-road, large-scale manufacturing opportunities.

The Coalition

More than 200 coalition partners from California and across the country have joined together — from government, local communities, higher education, nonprofits, the private sector, labor and the trades, academia, and regulatory agencies — to create a Next Generation Battery Technology Manufacturing Ecosystem. The coalition is committed to conceiving and achieving this development in ways that amplify the voices of diverse community leaders and ensure that equity and environmental justice are integral to the economic development and strong job outcomes envisioned.

Join us and help empower the next generation of advanced battery technologies.

- ✓ Help us design a multiyear, multidecade cycle of equitable workforce development that meaningfully reinforces and strengthens our economy.
- ✓ Help us revitalize industrial brownfield sites and put them in service in ways that make sense not just for our economy, but also for our communities.
- ✓ Help us stabilize an aging grid while simultaneously electrifying nearly every facet of our economy.
- ✓ Help us unlock the full promise of clean, renewable energy to power not just our homes, our businesses, and our factories, but also our transportation.

Contact Us today

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California Mobility Center

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Jim Hawley
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State & External Relations, Berkeley Lab

Vikrant Sood
vikrant.sood@gmail.com
Economic Development Consultant to the Project

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1833 **Agenda Date:** 6/25/2024 **Agenda #:** C.47.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Budget Amendment for CAO Space Modifications at 1026 Escobar St, Martinez

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE Budget Amendment No. BDA-24-00236 authorizing the transfer of $7,072 from the County Administrator-Law & Justice Information Systems (0235) to Plant Acquisition (0111) for requested modifications to designated space at the 1026 Escobar Street Administration Building.

FISCAL IMPACT:
100% General Fund.

BACKGROUND:
The County Administrator-Law & Justice Information Systems Division is among the County Departments set to move into the new Administration Building at 1026 Escobar Street, Martinez. As part of the planning, some modifications need to be made to the designated office space to make it more useable for the Division's needs. The requested action will transfer the budget appropriations to the designated capital account to pay for the costs of the modifications.

CONSEQUENCE OF NEGATIVE ACTION:
The action is needed to transfer the funds from the Department to the Capital Project account to pay for the costs of the requested space modifications.

Company	Contra Costa County
Budget Template	Operating Budget : FY2023-24 Operating Budget
Budget	FY2023-24 Operating Budget
Amendment ID	BDA-24-00236
Amendment Date	05/28/2024
Description	Description Transfer $7,072 from the County Administrator-Law & Justice Information Systems (0235) to Plant Acquisition (0111) for requested modifications to designated space at the 1026 Escobar Street Administration Building.
Amendment Type	Appropriation / Estimated Revenue Adjustment
Balanced Amendment	Yes
Status	Draft

Budget Amendment Entries

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2023-24 Year (FY2023-24 Operating Budget)	2310:NON CNTY PROF SPCLZD SVCS	1200 GENERAL ADMINISTRATION (Home Org)	1095 L & J INFORM SYST - COUNTY	100300 GENERAL	$0.00	$7,072.00	BOS Agenda 6/25/24, TMP4216	
FY 2023-24 Year (FY2023-24 Operating Budget)	4356:001-651 PINE DEMO	1200 GENERAL ADMINISTRATION (Home Org)	4405 PLANT ACQ-OFFICE BLDGS	100300 GENERAL	$7,072.00	$0.00	BOS Agenda 6/25/24, TMP4216	

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1834 **Agenda Date:** 6/25/2024 **Agenda #:** C.48.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Appropriations Limits for County Service Areas

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE tax revenue for all County service areas in Contra Costa County to be included in the County's annual appropriations limit, in accordance with Government Code section 25214.1(b).

FISCAL IMPACT:

Annual savings in administrative costs.

BACKGROUND:

The California Constitution requires local government entities to establish an annual appropriations limit, which is the maximum amount a government entity may spend in a given fiscal year. The appropriations limit is also referred to as the "Gann limit." A government entity's appropriations limit is adjusted each year based on changes in the cost of living and population.

Government Code section 25214.1(a) requires the Board of Supervisors to adopt a resolution each year to establish the appropriations limit for each county service area. A county service area is considered an administrative unit of the County, and the Board of Supervisors is the governing authority of each county service area. Historically, the Board of Supervisors has established separate appropriations limits for each county service area in Contra Costa County. In fiscal year 2023-2024, the Board established appropriations limits for the following county service areas: L-100, M-1, M-29, M-16, M-17, M-20, RD-4, P-5, R-4, and R-7A.

Government Code section 25214.1(b) allows the Board of Supervisors to include tax revenue for all county service areas in the County's own appropriations limit, instead of establishing separate appropriations limits for each county service area. Under this Board action, tax revenue for all county service areas in the County, including any county service area whose property tax rate exceeded 12.5 cents per $100 of assessed valuation in 1977-1978, will be included in Contra Costa County's annual appropriations limit.

CONSEQUENCE OF NEGATIVE ACTION:

Negative action would result in no changes to the current methods used to establish an annual appropriations limit for County Services Areas. The proposed methodology results in an administrative cost savings, specifically cost avoidance of election costs for at least one County Service Area, which would not be realized should this action be disapproved by the Board.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1835 **Agenda Date:** 6/25/2024 **Agenda #:** C.49.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Authorization to Amend Contract with Macias Gini & O'Connell, LLP to include the Measure X Audit in the Existing Contract for Professional Auditing Services

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the County Administrator, or designee, to execute a contract amendment with Macias Gini & O'Connell, LLP to incorporate Measure X audit services into the existing contract for professional auditing, and increase the payment limit by $44,970 to an amount not to exceed $1,490,447, with no change to the term ending May 31, 2026 (100% Measure X).

FISCAL IMPACT:
The proposed action adds additional services to the contract with Macias Gini & O'Connell, LLP with an increase of $44,970 to the current contract limit of $1,445,477, for a total contract price not to exceed $1,490,447.

BACKGROUND:

Measure X revenues are general purposes revenues blended within the County's existing financial statements. In Fall of 2023, the Board of Supervisors provided policy direction to perform an annual fiscal year audit of expenditures of tax revenue generated by Measure X to ensure that expenditures conform to the stated intent of the ballot measure and the Board's direction for specific allocations.

An audit of Measure X expenditures requires knowledge of the County's financial systems and statements and is compatible with the existing contract for professional auditing services being performed by Macias Gini & O'Connell, LLP (MGO). The existing contract for professional auditing services includes annual external audits of the County, In-Home Supportive Services (IHSS) Public Authority, County of Contra Costa Public Financing Authority, and the Single Audit required of all entities receiving over $750,000 from the federal government.

The current contract with MGO was competitively bid, with a Request for Proposals issued by the County on April 24, 2023. Proposals were due from interested firms on May 12, 2023, and the County received two proposals from qualified, public sector accounting firms; Macias Gini & O'Connell, LLP and Eide Bailly, LLP. Following receipt of the proposals, the County convened a review panel on May 17, 2023 to review each proposal and make a recommendation for contract award to the Board of Supervisors. The review panel used a consensus based, forced ranking approach to evaluate the proposals, and recommended Macias Gini & O'Connell, LLP (MGO) to be granted the contract award by the Board of Supervisors for a three-year period

with two optional one-year extensions. The contract period, including optional extensions, will not exceed five-years, at which point it will be necessary to proceed with a new RFP process for the next contract cycle.

The proposed contract amendment is necessary to authorize and approve payment for the County's auditors to complete an annual audit and report on expenditures related to Measure X, in accordance with Board direction.

CONSEQUENCE OF NEGATIVE ACTION:
Should the proposed action not be approved by the Board of Supervisors, the County will not be able to perform an independent audit of Measure X expenditures.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-228 **Agenda Date:** 6/25/2024 **Agenda #:** C.50.

To: **Board of Supervisors**

From: Monica Nino, County Administrator

Report Title: Side Letter between Contra Costa County and the Defenders' Association

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT a Resolution approving a side letter of agreement modifying the Memorandum of Understanding (MOU) between Contra Costa County and the Defenders' Association, to: (1) add a new Section 18.9 to permit certification of an entire employment list, when hiring for specified classifications; (2) amend Section 42.2.G. by replacing Deputy Public Defender - Fixed Term with Deputy Public Defender I; and (3) provide amended contributions for employees affected by the change to the additional deferred compensation Section 42.2.G.

FISCAL IMPACT:
There is no fiscal impact as the funds were previously earmarked for this benefit. The distribution of the funds is detailed in the Side Letter.

BACKGROUND:
The Contra Costa County Personnel Management Regulations ("PMRs") and the MOU between Contra Costa County and the Defenders' Association do not authorize the Office of the Public Defender to receive a full, rank -order employment list from the Human Resources Department when it recruits for positions in the Deputy Public Defender I, II, III, and IV classifications. PMR Part 605.3(c) and PMR Part 711 authorize the Office of the Public Defender to receive such lists for these classifications if agreed to in an MOU between the County and a recognized employee organization that represents these classifications.

The Office of the Public Defender recently reorganized and reclassified Deputy Public Defender - Fixed Term to Deputy Public Defender I. This Side Letter amends the MOU to reflect that change to ensure that the employees who were reclassified from Deputy Public Defender - Fixed Term to Deputy Public Defender I continue to receive the previously negotiated benefits provided to them in Section 42.2 of the MOU. Because contributions for the year have already been paid out to Deputy Public Defender Investigators, Exhibit A of this Side Letter details the amounts already paid out to those Investigators, the amount to be paid to eligible Deputy Public Defender Is moving forward, and the amended payment amount to be paid to the Deputy Public Defender Investigators on account of the payments that will be made to the eligible Deputy Public Defender Is.

CONSEQUENCE OF NEGATIVE ACTION:
The PMRs will continue to preclude the Human Resources Department from providing the Office of the Public Defender with full, rank-order employment lists when it recruits for positions in the classifications of Deputy Public Defender I, II, III, and IV. Additionally, employees who are eligible for this benefit will not receive the

benefit.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF the Side Letter between Contra Costa County and the Defenders' Association, amending the Memorandum of Understanding to: (1) authorize the Office of the Public Defender to receive a full, rank-order employment list from the Human Resources Department when it recruits for positions in the Deputy Public Defender I, II, III, and IV classifications; (2) amend Section 42.2.G. by replacing Deputy Public Defender - Fixed Term with Deputy Public Defender I; and (3) provide amended contributions for employees affected by the change to the additional deferred compensation Section 42.2.G.

The Contra Costa County Board of Supervisors acting in its capacity as the governing board of Contra Costa County RESOLVES THAT:

Effective the first of the month when approved by the Board of Supervisors, the Side Letter of Agreement dated June 12, 2024, between the Defenders' Association and Contra Costa County be ADOPTED.

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SIDE LETTER AGREEMENT
BETWEEN
CONTRA COSTA COUNTY AND
THE CONTRA COSTA COUNTY DEFENDERS' ASSOCIATION

This Side Letter is by and between the Contra Costa County Defenders' Association ("Association") and Contra Costa County ("County") and is effective on the first of the month when approved by the Board of Supervisors.

This Side Letter:

I. Amends the Memorandum of Understanding between the County and the Association (July 1, 2022- June 30, 2026) to add a new Section 18.9 to permit certification of an entire employment list, referred to as "Rule of the List" in Rule 711 of the County Personnel Management Regulations, when hiring for specified classifications.

II. Amends Section 42.2.G by replacing Deputy Public Defender – Fixed Term (25WB) with Deputy Public Defender I (25WA).

III. Provides amended contributions for employees affected by the change to the additional deferred compensation Section 42.2.G.

I. A new Section 18.9 is added to the MOU as follows:

SECTION 18 – Promotion/Certification Rule

[*Subsections 18.1 through 18.8 remain unchanged by this side letter.*]

18.9 Certification Rule. On each request for personnel from an open employment list for the classifications of Deputy Public Defender I, Deputy Public Defender II, Deputy Public Defender III, and Deputy Public Defender IV, all names shall be certified. The appointing authority must, before selection, contact the eligibles and interview all interested eligible candidates above the rank of the person selected for appointment. The employment lists for all other classifications must comply with the requirements of the County's Personnel Management Regulations.

II. Section 42.2 is relettered and corrected. The new Subsection G is amended as follows:

SECTION 42 - MISCELLANEOUS PROVISIONS

[Subsection 42.1, 42.2.A through C., and 42.3 remains unchanged]

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42.2 Deferred Compensation

D. **No Cross Crediting:** The amounts contributed by the employee and the County pursuant to Subsection C do not count towards the "Qualifying Base Contribution Amount" or the "Monthly Base Contribution Amount for Maintaining Incentive Eligibility" in Subsection A. Similarly, the amounts contributed by the employee and the County pursuant to Subsection A do not count towards the employee's $25 per month minimum contribution required by Subsection C.

~~D~~E. **Maximum Annual Contribution:** All of the employee and County contributions set forth in Subsections A and C will be added together to ensure that the annual maximum contribution to the employee's deferred compensation account does not exceed the annual maximum contribution rates set forth in the United States Internal Revenue Code.

F. **Deferred Compensation Plan – Loan Provision:** On June 26, 2012, the Board of Supervisors adopted Resolution 2012/298 approving an amendment to the Deferred Compensation Plan Loan Program. The Contra Costa County Public Defenders Association (CCCPDA) became eligible to apply for loans through the Contra Costa County Deferred Compensation Program effective June 26, 2012. The following is a summary of the provisions of the loan program:

1. The minimum amount of the loan is $1,000.

2. The maximum amount of the loan is the lesser of 50% of the employee's balance or $50,000, or as otherwise provided by law.

3. The maximum amortization period of the loan is five (5) years.

4. The loan interest is fixed at the time the loan is originated and for the duration of the loan. The loan interest rate is the prime rate plus one percent (1%).

5. There is no prepayment penalty if an employee pays the balance of the loan plus any accrued interest before the original amortization period for the loan.

6. The terms of the loan may not be modified after the employee enters into the loan agreement, except as provided by law.

7. An employee may have only one loan at a time.

8. Payment for the loan is made by monthly payroll deduction.

9. An employee with a loan who is not in paid status (e.g. unpaid leave of absence) may make his/her monthly payments directly to the Plan

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Administrator by some means other than payroll deduction each month the employee is in an unpaid status (e.g. by a personal check or money order).

10. The Loan Administrator (MassMutual Life Insurance Company or its successor) charges a one-time $50 loan initiation fee. This fee is deducted from the employee's Deferred Compensation account.

11. The County charges a one-time $25 loan initiation fee and a monthly maintenance fee of $1.50. These fees are paid by payroll deduction.

~~E~~G. **Additional Contribution to Deferred Compensation Plan** (pursuant to the funds referenced in Section 43 - Non-Healthcare/Non-General Wage Re-Opener):

The County shall provide a monthly deferred compensation contribution to eligible employees in the Contra Costa County Defenders Association who are enrolled in the County's deferred compensation program. Only permanent full-time or permanent part-time employees in a position designated at a minimum of twenty (20) hours per week who have been employed by the County for at least ninety (90) calendar days, will be eligible for the contribution. An employee will be considered enrolled in the County's deferred compensation program as long as they maintain a balance in such an account. Any newly hired employee who satisfies these requirements will also be eligible to receive this contribution on a go-forward monthly basis provided they open a deferred compensation account during the applicable year. The contributions and eligible classifications are as follows:

1. For the 2021 contribution only, the additional contribution will be limited to eligible Public Defender Investigators Unit employees. The pro-rata amount for each Public Defender Investigators Unit employee will be determined by dividing $33,000 by the number of eligible Public Defender Investigators Unit employees enrolled in the County's deferred compensation program on October 10, 2021. This contribution amount will be distributed proportionately on a monthly basis, starting November 10, 2021, for the remainder of the 2021 calendar year.

2. For the 2022 and 2023 calendar years, from the February 10 through June 10, 2024 pay periods, the additional contribution will be available to eligible employees in the Public Defender Investigators Unit and Deputy Public Defender- Fixed Term (Job Code - 25WB) classification. After funding the increased reimbursement amount effective January 1, 2022, under Section 25.2 - Public Defender Investigator Professional Expenses. any remaining funds pursuant to Section 43 - Non-Healthcare/Non-General Wage Re-Opener, are to be applied to this contribution. The

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pro-rata amount for each employee is determined for the applicable year by dividing these remaining funds by the number of eligible employees in these positions who are enrolled in the County's deferred compensation program on January 1. Individual contributions are to be distributed on a monthly basis among all eligible employees starting with the following February 10 pay date through the following January 10 pay date. The parties acknowledge that the amount of each employee's pro-rata share is subject to change from year to year as the amount will be wholly dependent on the amount of remaining funds under Section 43 and the number of employees in these positions who are enrolled in the deferred compensation program at the time.

3. Beginning with the July 10, 2024 pay period and all subsequent years, the additional contribution will be available to eligible employees in the Public Defender Investigators Unit and Deputy Public Defender I (25WA) classification. After funding the increased reimbursement amount under Section 25.2 - Public Defender Investigator Professional Expenses., any remaining funds pursuant to Section 43 - Non-Healthcare/Non-General Wage Re-Opener, are to be applied to this contribution. The pro-rata amount for each employee is determined for the applicable year by dividing these remaining funds by the number of eligible employees in these positions who are enrolled in the County's deferred compensation program on January 1. Individual contributions are to be distributed on a monthly basis among all eligible employees starting with the following February 10 pay date through the following January 10 pay date. The parties acknowledge that the amount of each employee's pro-rata share is subject to change from year to year as the amount will be wholly dependent on the amount of remaining funds under Section 43 and the number of employees in these positions who are enrolled in the deferred compensation program at the time.

The contribution under this subsection G. will be added to any existing amounts already deferred or contributed to the Contra Costa County Deferred Compensation Plan for the purpose of ensuring that the annual Plan maximum contributions as defined under IRS Code Section 457(b), or other tax qualified designated saving vehicle, are not exceeded.

III. The Additional Deferred Compensation contributions described in the new subsection G. of Section 42.2 added by this Side Letter will be adjusted only for the remainder of the 2024 calendar year and contributed for the eligible employees as described in Exhibit A, attached to this Side Letter and incorporated herein by reference. A one-time lump sum contribution also will be made for Employee #94102 in the amount of $609.66 to account for the months of February – April.

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The terms of sections I. and II. of this Side Letter will be incorporated into the next MOU between the County and the Association. The parties acknowledge that this Side Letter resolves Grievance # 006-24 and does not impact any other pending grievances. Except as specifically amended or excluded by this Side Letter, all other terms and conditions of the MOU between the County and the Association (July 1, 2022- June 30, 2026) remain unchanged by this Side Letter.

Date: 6/12/2024

Contra Costa County: (Signature / Printed Name)		**CCC Defenders' Association:** (Signature / Printed Name)	
DocuSigned by: David Sanford 256DA027F7FB477...	David Sanford	DocuSigned by: Michael Caesar 59AC485E04F449C...	Michael Caesar
DocuSigned by: RebeccaCox 695AD9D188D6407...	Rebecca Cox		

DocuSign Envelope ID: 42FCC3C0-68F8-4F87-9100-BFF3EDC139E1

Exhibit A

ID	Job Code	Classification	Enrolled as of 1/1/24?	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	New Annual Amount	Annual minus received	New Monthly Amount July-January
93994	25WA	DPD I	No															
92429	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
93929	25WA	DPD I	No															
93370	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
94442	25WA	DPD I	No															
92469	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
92428	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
93930	25WA	DPD I	No															
93933	25WA	DPD I	No															
93935	25WA	DPD I	No															
94082	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
93993	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
94053	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
91957	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
86581	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
88574	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
79625	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
87332	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
80452	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
78413	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
88566	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
87420	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
93452	6NWA	PD Investigator I	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
94102	6NWA	PD Investigator I	Yes - Error	203.22	203.22	203.22	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
93254	6NWA	PD Investigator I	No															
94051	6NWA	PD Investigator I	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54

7 DPD qualify
12 PD qualify
19 total eligible employees

Total **26824.96**

***County contributions will be made only up to the annual maximum permitted by the IRS

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-229 **Agenda Date:** 6/25/2024 **Agenda #:** C.51.

To: **Board of Supervisors**

From: Monica Nino, County Administrator

Report Title: Side Letter between Contra Costa County and IFPTE, Local 21

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT a Resolution approving a side letter of agreement modifying the Memorandum of Understanding (MOU) between Contra Costa County and IFPTE, Local 21 to: (1) modify Appendix E - Shift Differential, On-Call, Call Back Matrix to add the classification of Supervising Hazardous Materials Specialist (VLHB), Information Security Specialist (LWSC), and make revisions to titles and references throughout, and (2) amend Section 42.33 Hazardous Material Certification Allowance to include the new classification of Supervising Hazardous Materials Specialist (VLHB).

FISCAL IMPACT:
The cost of differentials for the Supervising Hazardous Materials Specialist will be based on whether the future incumbents meet the stated requirements. The 5% certification differential is expected to cost approximately $7,000 annually for each qualifying employee in the classification. The continuing education differential will cost approximately $3,600 annually. The Incident Response Team differential will cost $489 annually.

The cost of on-call and call-back is dependent on use. Contra Costa Health anticipates a total annual cost of approximately $105,000 for all three Supervising Hazardous Materials Specialist positions.

The cost of on-call for the Information Security Specialist will be based on usage and paid at the rate of one hour of base salary for each four hours spent on-call.

BACKGROUND:
Contra Costa Hazardous Materials Programs (CCHMP) is proposing the creations of the Supervising Hazardous Materials Specialist classification to assist in maintaining regulatory requirements and reduce the burden of responsibility on the Assistant Director of Hazardous Materials Programs. Once established, the Supervisor classification will participate in CCHMP's Incident Response Team, which provides on-call pay to its participants. The differentials assigned to the new classification will align with those provided to the Assistant Director, ensuring uniformity of benefits between the two supervisory classifications.

The Information Security Specialist is being added to the on-call matrix in order to compensate incumbents for the responsibility to maintain availability and respond to after-hours security incidents.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, the County will not be able to effectively recruit employees in the impacted classifications, which will negatively impact service delivery.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF the Side Letter between Contra Costa County and IFPTE, local 21, amending the Memorandum of Understanding (MOU) between Contra Costa County and IFPTE, Local 21 to: (1) modify Appendix E - Shift Differential, On-Call, Call Back Matrix to add the classification of Supervising Hazardous Materials Specialist (VLHB), Information Security Specialist (LWSC), and make revisions to titles and references throughout, and (2) amend Section 42.33 Hazardous Material Certification Allowance to include the new classification of Supervising Hazardous Materials Specialist (VLHB).

The Contra Costa County Board of Supervisors acting in its capacity as the governing board of Contra Costa County RESOLVES THAT:

Effective the first of the month following adoption by the Board of Supervisors, the Side Letter of Agreement dated June 17, 2024 be ADOPTED.

SIDE LETTER
Between
Contra Costa County
and
Professional and Technical Engineers, IFPTE, Local 21

This side letter is by and between Professional and Technical Engineers, IFPTE, Local 21 ("Local 21") and Contra Costa County ("County"). This side letter is effective the first of the month following approval by the Board of Supervisors.

This side letter amends the Memorandum of Understanding ("MOU") between the County and Local 21 (July 1, 2022 - June 30, 2026) as follows:

1. Modify Appendix E - Shift Differential, On-Call, Call Back Matrix to add the new classification of Supervising Hazardous Materials Specialist ~~(xxxx)~~ to the list of classifications eligible for on-call pay and call-back pay; and add the classification of Information Security Specialist (LWSC) to the list of classifications eligible for on-call pay and call-back pay. The revised Appendix E is attached. VLHB DS

2. Amend Section 42.33 Hazardous Material Certification Allowance to include the new classification of Supervising Hazardous Materials Specialist to receive the Incident Response Team differential, Certifications differential, and Continuing Education Allowance. Section 42.33 will reads as follows:

   42.33 ~~Hazardous Material Certification Allowance~~ **Hazardous Materials Differentials**. Health Services Department employees in the classification of Assistant Director of Hazardous Material Program (VLFA) and Supervising Hazardous Materials Specialist (~~XXXX~~) are eligible to receive the following differentials on a monthly basis: VLHB DS

   A. Incident Response Team (B95): a differential of one hundred and sixty-three dollars and fifty cents ($163.50) per month while participating on the Incident Response Team.

   B. Certifications Differential (C28): a monthly differential in the amount of five percent (5%) of base monthly salary for the possession and maintenance of all three (3) of the following certifications:
      - State required certifications (current and future) to perform Unified Program Inspections.
      - Hazardous Waste Operations and Emergency response Standards as defined in Section 5192 (e) of Title 8 of the California Code of Regulations.
      - California Specialized Training Institute (CSTI) Hazardous Materials Specialist certifications.

   C. Continuing Education Allowance (AC3): a Continuing Education Allowance of two and one half percent (2.5%) of base monthly salary for the fiscal year

following the fiscal year in which the employee completes at least sixty (60) hours of pre-approved education or training, other than the training that is required by law for the Assistant Director of Hazardous Material Program or a Supervising Hazardous Materials Specialist, or training required by the minimum qualifications for the classification of Assistant Director of Hazardous Material Program or Supervising Hazardous Materials Specialist as set forth in the respective job description, or at least three (3) semester units of pre-approved college credit, or a pre-approved combination thereof, subject to the following conditions:

1. An application must be submitted to the Hazardous Materials Division Director prior to beginning the education or training.
2. The education or training must be directly related to the technical duties of the employee's job.
3. The course must be approved, in advance, by the Hazardous Materials Division Director.
4. The employee must provide evidence of completion of the course with a passing grade, when applicable.

This Side Letter will remain in effect for the term of the current Memorandum of Understanding ("MOU") between the County and Local 21 (July 1, 2022 - June 30, 2026). The terms of the Side Letter will be incorporated into the successor MOU unless otherwise negotiated by the parties. All other terms and conditions of the current MOU between the County and Local 21 remain unchanged by this Side Letter.

Date: 6/17/24

Contra Costa County: *(Signature / Printed Name)*	**IFPTE, Local 21:** *(Signature / Printed Name)*
David Sedlak	Sean Stalbaum
/	/
/	/

APPENDIX E

Only the following classifications are eligible to receive Shift Differential Pay, On-Call Duty Pay, or Call-Back Time Pay to the extent designated below:

Code	Classification	Shift	On-Call	Call-Back
VLFA	ASST DIR OF HAZ MAT PROGRAM		X	
VWDG	~~CHIEF OF DET HLTH NURSING SVCS~~ DIR OF NURSING – DETENTION HLTH NRSING SVCS		X	
3AGG	COMMUNITY LIBRARY MANAGER	X		
LKHA	COMPUTER OPERATIONS SUPERVISOR	X		
LWSA	DATABASE ADMINISTRATOR		X	
VVGS	DIRECTOR PUB HLTH CLINIC SVCS		X	
VWDF	DIRECTOR, INPATIENT NURSING OP		X	
VBHB	EMERGENCY MEDICAL SVS PRG CORD		X	
9GSA	EMERGENCY PLANNING COORD	X		
1WHB	ENVIRONMENTAL SVCS SUPERVISOR	X		
LBTC	HEALTH SVCS INFO SYS PROG/ANL		X	
LBTB	HEALTH SVCS INFO SYSTEMS SPEC	X	X	
VCFB	HEALTH SVCS INFO TECH SUPV		X	
VDHA	HOMELESS SERVICES PROGRAM CHIEF		X	
LBVC	HS SYSTEMS ANALYST II	X	X	
LBTD	HS SYSTEMS ANALYST III		X	
LWSC	INFORMATION SECURITY SPECIALIST		X	X
LTNA	INFO SYS MANAGER I		X	
LBHB	INFORMATION SYSTEMS SUPERVISOR		X	
VQDN	MH PROGRAM CHIEF		X	
VQDC	MH PROGRAM MANAGER		X	
LNSA	NETWORK ADMINISTRATOR I	X	X	X
LNSB	NETWORK ADMINISTRATOR II		X	X
LBTA	NETWORK ANALYST II		X	X
LNVA	NETWORK TECHNICIAN II		X	
VWHF	NURSING PROGRAM MANAGER		X	
VBSG	PRE-HOSPTL CARE COORDINATOR		X	
VWHL	PUBLIC HLTH NURSE PROG MANAGER	X	X	
VBSD	PUBLIC HLTH PRGM SPEC I		X	
VBND	PUBLIC HLTH PRGM SPEC II		X	
VVDB	PH CHIEF OF NURSING & CLINICAL SERVICES		X	
PSHB	PW MAINTENANCE SUPERVISOR			X
VIHB	RESPIRATORY CARE SERVICES SUPERVISOR	X		
3AGH	SR COMMUNITY LIBRARY MANAGER	X		
V4HE	SUPERVISING ARP ENGINEER		X	
VHHF	SUPERVISING CLINICAL LAB SCIEN	X		
VLHA	SUPERVISING ENVIRON HLTH SPEC		X	
~~(XXXX)~~ VLHB	SUPERVISING HAZ MATERIALS SPECIALIST		X	X

APPENDIX E

Code	Classification	Shift	On-Call	Call-Back
LWWA	SYSTEMS SOFTWARE ANALYST I		X	
LWVA	SYSTEMS SOFTWARE ANALYST II		X	

The following classifications, while assigned to the Contra Costa Regional Medical Center and all Health Centers, are eligible to receive On-Call Duty Pay, or Call-Back Time Pay to the extent designated below:

Code	Classification	On-Call	Call-Back
VWHJ	AMBULATORY CARE CLINICAL SERVICES	X	
~~VEDA~~VHFB	AODS PROGRAM CHIEF	X	
VYSC	ASSISTANT DIRECTOR OF PHARMACY SVCS	X	
VWDH	CHIEF NURSING INFORMATICS OFFICER	X	
V7DA	COMMUNICABLE DISEASE PROGRAM CHIEF	X	X
LKVA	COMPUTER OPERATIONS ANALYST	X	X
VQFB	DEPUTY DIRECTOR BEHAVIORAL HEALTH	X	
VWDC	DIR OF AMBULATORY CARE NURSING SVCS	X	
VVGS	DIR OF PUBLIC HEALTH LABORATORY SVCS	X	X
VYDC	DIRECTOR OF PHARMACY SERVICES	X	
VCDC	FACILITIES MANAGER	X	X
VRFA	HEALTH PLAN NURSE PROGRAM DIRECTOR	X	
LKFA	HEALTH SERVICES INFO SYS OPS MNGR	X	
LBFA	HS INFO TECH MANAGER	X	
LBVB	HS IT CLINICAL SYS ANALYST I	X	
LBTE	HS IT CLINICAL SYS ANALYST II	X	
LBWC	HS SYSTEMS ANALYST I	X	
VWSF	INFECTION PREVENTION & CONTROL MGR	X	X
LBSD	HSIT SECURITY SPECIALIST	X	
LBVA	NETWORK ANALYST I	X	X
LBHA	NETWORK MANAGER	X	
LNWA	NETWORK TECHNICIAN I	X	
LWWA	SYSTEMS SOFTWARE ANALYST I	X	X
LWVA	SYSTEMS SOFTWARE ANALYST II	X	X
VWHG	UTILIZATION REVIEW MANAGER	X	

During the term of this Agreement, the parties may mutually agree to add additional classifications to this list, upon approval of the County Administrator or his/her designee, and approval by the Board of Supervisors.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1836 **Agenda Date:** 6/25/2024 **Agenda #:** C.52.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Grand Jury Report No. 2404 "County Petroleum Refineries and Hazardous Material Releases: Improving the Hazmat Response"

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

RECEIVE Civil Grand Jury Report No. 2404, entitled " County Petroleum Refineries and Hazardous Material Releases: Improving the Hazmat Response " (attached), and REFER to the County Administrator, the Health Services Director and the Sheriff-Coroner for response.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

On June 11, 2024, the 2023-24 Contra Costa County Civil Grand Jury filed the above referenced report. Per standard procedures, this action alerts the Board of Supervisors that the report has been received and directs the appropriate staff to review the report, provide the Board of Supervisors with an appropriate response, and forward the Sheriff-Coroner's response to the Superior Court no later than August 10, 2024 (60 days) and the Board of Supervisors's response no later September 9, 2024 (90 days).

CONSEQUENCE OF NEGATIVE ACTION:

There is no immediate consequence.

Grand Jury

Contra Costa County

725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

June 11, 2024

Monica Nino
Contra Costa County
1025 Escobar Street
Martinez, CA 94553

Dear Monica Nino:

Attached is a copy of Grand Jury Report No. 2404, "County Petroleum Refineries and Hazardous Material Releases: Improving the Hazmat Response" by the 2023-2024 Contra Costa County Grand Jury

Sincerely,

Joanne Sarmento

Joanne Sarmento, Foreperson
2023-2024 Contra Costa County Civil Grand Jury

Enclosure

RECEIVED
JUN 14 2024
COUNTY ADMINISTRATOR

A Report of
The 2023 – 2024 Contra Costa County Civil Grand Jury

Report 2404
June 10, 2024

County Petroleum Refineries And Hazardous Material Releases

Improving The Hazmat Response

Civil Grand Jury reports are posted at: https://www.cc-courts.org/civil/grand-Jury-reports.aspx

A Report of
The 2023 – 2024 Contra Costa County Civil Grand Jury

Report 2404
June 10, 2024

County Petroleum Refineries And Hazardous Material Releases

Improving The HazMat Response

APPROVED BY THE GRAND JURY

Joanne Sarmento

JOANNE SARMENTO
GRAND JURY FOREPERSON

6/11/24

Date

APPROVED FOR FILING

Terri Mockler

Hon. TERRI MOCKLER
JUDGE OF THE SUPERIOR COURT

6/11/24

Date

Civil Grand Jury reports are posted at: https://www.cc-courts.org/civil/grand-Jury-reports.aspx

SUMMARY

Contra Costa County is home to four petroleum refineries. Petroleum refineries store and utilize hazardous materials that pose a potential health risk to the surrounding community. To "promote prompt and accurate reporting of releases or threatened releases of hazardous materials that may result in injury or damage to the community and/or the environment" the Contra Costa Health Services Hazardous Materials Program (HazMat) administers the Hazardous Materials Incident Notification Policy (HMINP), approved by the Board of Supervisors in 1991.[1] As part of HMINP, HazMat can activate the Community Warning System (CWS) to alert surrounding communities to the release of hazardous materials. CWS is a web-based alert and notifications system that is designed to be activated by the petroleum refinery, preferably using a computer terminal at its facility connected to a similar computer terminal at HazMat.[2] HMINP includes specific guidelines to be used by the petroleum refinery to advise HazMat whether a particular release or threatened release poses a health hazard to the community, and to assess and report to Hazmat the severity of the risk created by that particular release.

As noted in HMINP Attachment A-1, the Community Warning System does not provide any direct notification to the public of any hazardous materials release that is not expected to have off-site health consequences, defined in HMINP as Level One releases. Our investigation confirms that CWS could be modified to provide direct notification to the public through phone calls, text messages and emails even for Level One releases, and we have concluded that this change to HMINP should be considered by the Board of Supervisors.

Currently, CWS is an "opt-in" system. Residents must register their cell phones to receive notifications on those phones of reported releases or threatened releases of hazardous materials. We recommend that the county continue to acquire all available cell phone contact data for county residents, and that the Board of Supervisors develop a plan to provide for a system in which all cell phone numbers of county residents are automatically added to CWS to include an option for the resident to "opt-out" of the system should they choose to do so.

As a separate matter, the current staffing structure used by HazMat to respond to hazardous material releases is, according to HazMat, not as effective as it should be, and to address this deficiency three new supervisory positions should be added to the staff. In addition, HazMat should place a toxicologist on retainer. This may reduce the current delay in the public's understanding of the health impacts of a hazardous release incident. These four positions can be added at no additional cost to the county and these staff changes should be considered by the Board of Supervisors.

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[1] Relevant portions of the Hazardous Materials Incident Notification Policy can be found at: https://www.cchealth.org/home/showpublisheddocument/719/638240012037070000

[2] The refineries, Marathon Petroleum, Martinez Renewable Fuels, the Chevron Richmond Refinery, Martinez Refining (PBF Energy), the Phillips 66 Refinery in Rodeo, and four other industrial plants in the county that use hazardous chemicals (Chemtrade Logistics, Richmond, EcoServices, Inc. Martinez, Corteva Agrisciences, LLC, Pittsburg and K2Pure Solutions, Pittsburg) have and can use the computer terminal at their facility, which is the preferred method, or use an emergency response pager or telephone to notify HazMat.

BACKGROUND

Contra Costa County is home to at least nine industrial chemical processing facilities; four of Northern California's five petroleum refineries are located in the county. The petroleum refineries have released potentially dangerous compounds into the air and ground, endangering county residents' health. It is the responsibility of HazMat to monitor the compliance of the petroleum refineries and other responsible businesses[3] with existing safety regulations regarding their use of hazardous materials, to respond to hazardous materials release incidents, and to report and provide warnings to the public regarding releases of hazardous materials.

The HMINP Notification System for CWS

HMINP authorizes notices to be provided by phone calls to landline telephones, and to cell phones with text messages and emails to individuals who have registered their cell phones with CWS, as well as for postings to social media such as Facebook and X (formerly known as Twitter), and information banners posted on the website maintained by HazMat. Landline phone numbers are automatically available to CWS using the reverse 911 directory.

HMINP defines releases or threatened releases as follows:

- A Level One release is not expected to have off-site health consequences.
- A Level Two release is expected to go off-site and may have adverse health consequences for sensitive individuals including those with lung or heart disease, the elderly, and the very young.
- A Level Three release is expected to go off-site and may have adverse health consequences for the general public.

For a reported Level Two or Level Three release, HMINP provides notifications for members of the public who have registered their cell phones to receive messages from the system.[4]

CWS is used by the county to provide notifications to residents for all potential life-safety hazards, not just hazardous materials releases, but also for fires, earthquakes, floods, and law enforcement activities. CWS is maintained and operated within the county's Office of the

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[3] Defined in HMINP, Section III, as "facilities and other entities that have custody of the hazardous material at the time it is accidentally released or the facility where the release occurs."

[4] Until May 2023, HMINP did not require text messages and emails be sent to registered cellphones for a Level Two release. As with Level One, only postings on social media and on the HazMat website were provided to the public. That policy was amended to provide for direct notifications for a Level Two release, and HazMat is to be commended for adding this important modification to HMINP.

Sheriff's Emergency Services Division. Residents must affirmatively register their cell phones with CWS directly to receive notifications on those devices.[5]

Every responsible business in the county, including the petroleum refineries, is legally required to immediately notify HazMat of any release of hazardous materials. This requires that the business set the initial classification level of the release. The county relies on the responsible businesses to comply with this HMINP policy so HazMat can provide accurate notifications to the affected communities.

Releases reported to HazMat occur frequently. As shown in Appendix One, in the thirteen months following November 2022, the four petroleum refineries in the county notified HazMat of 247 releases. These included flares, fires, and spills. This report focuses specifically on the petroleum refineries, but the findings can apply to all regulated responsible businesses in the county.

Development of an Opt-Out Registration for CWS

About 30% of county residents have registered with CWS with the result that the 70% of residents who have not registered may not receive any alerts or notifications. With an opt-out system, additional residents' cell phones would automatically be added to CWS to be used for any emergency or informational notification, and more residents would likely receive notices concerning hazardous material releases. The resident would then have the option to remove the cell phone number from the system. CWS is permitted by state law to obtain the necessary information from cell phone providers to compile the necessary data.[6]

When an incident occurs HazMat must be notified by the refinery, preferably from the remote computer terminal maintained at the refinery facility, or by emergency response pager or telephone. HazMat then consults with the refinery and may send 5 or 6 staff technicians to investigate and assess the incident on site. A refinery may categorize a hazardous release as only a Level One when it should have a higher classification. HMINP allows HazMat to change a Level One notification to a Level Two or Level Three, and this authority was used for a sulfur release from Martinez Refining Company (MRC) on December 15, 2023, due to noxious odors emitted from the facility as reported by the public.[7] However, if an incident is not reported by a petroleum refinery to HazMat, it can be too late to activate CWS. The recent example is the unreported Thanksgiving 2022 release from MRC of an estimated 20 tons of spent catalyst used in their refining process. The release began on November 24 and continued into the early hours of November 25. HazMat learned of the release only from media accounts two days after it had

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[5] Notices can in very specific circumstances be automatically sent to unregistered cell phones directly from cell towers to phones within range of a tower or towers under the federal Wireless Emergency Alert System.

[6] Government Code Section 8593.4 provides in relevant part: "(a) A local government may enter into an agreement to access the contact information of resident accountholders through the records of a public utility for the sole purpose of enrolling residents of that local government in a city-operated, county-operated, or city- and county-operated public emergency warning system."

[7] https://www.eastbaytimes.com/2023/12/15/health-advisory-goes-out-to-martinez-residents-after-suspected-flaring-at-refinery

begun. Spent catalyst ash was found in the neighborhood surrounding MRC on cars and other outside surfaces. When HazMat learned of the release, the substance was no longer airborne and CWS was not activated. As analyzed by county and state investigators, including technicians from HazMat, and confirmed by lab reports, the release contained aluminum, barium, chromium, nickel, vanadium, and zinc. HazMat ultimately designated this release as a Level Two or higher. In January and March of 2023, HazMat advised residents on its website and through press releases not to eat produce from home gardens due to the release. A toxicology report was not commenced until May and not completed until June 8, 2023, approximately 6 months after the release. HazMat then issued an "all clear" notice for the home gardens. The release incident was classified under Section **H**. 3 of HMINP as a Major Chemical Accident or Release (MCAR), which accordingly authorized the establishment of an ad hoc Oversight Committee to provide an independent root cause analysis, incident investigation, and community exposure/risk assessment of this release by MRC.[8]

Notifications for Level One Incidents

There is recent evidence that members of the public who have registered their cell phones want more information from CWS regarding hazardous material releases than is currently provided. A survey was conducted by Contra Costa Health Services from December 15, 2023 to January 19, 2024 that received 560 responses from 61 zip codes, primarily in Martinez, Pittsburg, and Richmond. Approximately 87% of the survey respondents indicated they would like to receive direct information regarding CWS Level One incidents.[9]

On May 30, 2024, Contra Costa Heath Services proposed to the ISO/CWS committee a modification to HMINP to provide for community awareness messaging for Level One incidents that include odor, audible impact, flaring lasting longer than 20 minutes or visible plumes off site. The proposal is currently under further review by HazMat as well as by the Office of the Sheriff's Emergency Services Division. HazMat is also to be commended for this initiative.[10]

Improvement of Staffing at HazMat

Concerning staffing, we have confirmed from public records that the Contra Costa Health agency which operates HazMat is approved by the Board of Supervisors to assess annual permit fees to

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[8] On January 5, 2023, HazMat asked the Contra Costa County District Attorney to take legal action against MRC for this unreported incident. On or about November 16, 2023, the District Attorney announced the commencement of a Joint Civil Enforcement Action against MRC. The conduct of MRC from November 2022 to December 2023, as listed in Appendix One, is not further addressed in this report which focuses on the resources and response capabilities of HazMat, HMINP, and CWS.

[9] A Summary of Survey Results is attached as Appendix Two.

[10] The proposal includes a new Level Zero notification policy posted solely on the Contra Costa Health Services website for hazardous material releases with no off-site impact of any kind.

the responsible businesses pursuant to the Contra Costa County Certified Unified Program Agency (CUPA) to cover the costs of administering the HazMat program, including HMINP.[11]

CUPA fees have not been modified since 2012 and Contra Costa Health Services has hired an outside contractor to perform a CUPA fee study which is in draft status and currently not available for inclusion in this report. We have learned that the purpose of the new CUPA fee study is to support the request from Contra Costa Health Services for a change in its organizational structure to establish the job classification of Supervising Hazardous Materials Specialist and add three such positions to report directly to the Assistant Director of HazMat.

On February 22, Contra Costa Health Services made a detailed report to the Industrial Safety Ordinance/Community Warning System (ISO/CWS) committee of the Board of Supervisors describing the proposed new organizational structure. Contra Costa Health Services has provided the ISO/CWS committee with its assessment of the improvements the proposed new organizational structure and new staff positions would provide.

METHODOLOGY

We have reviewed documents provided by Contra Costa Health Services, materials posted on the websites maintained by HazMat, the Martinez City Council, the Board of Supervisors, and comments from the public made at open meetings of government officials. We have reviewed HMINP and interviewed both personnel from various county departments and an outside industry expert.

DISCUSSION

Development of an Opt-Out Registration System for CWS

Currently CWS is an opt-in system in which residents must affirmatively register their cell phones to receive notifications on those devices of reported releases or threatened releases of hazardous materials, a system that presently includes only about 30% of county residents. We have concluded that an opt-out system in which all cell phone numbers of county residents are automatically added to CWS can be implemented by acquiring from public and private agencies, as permitted by state law, cell phone contact data for county residents, and that the Board of Supervisors should use this data to develop a plan to provide for a system in which all cell phone numbers of county residents are automatically added to CWS. The plan would include an option for residents to opt out of the system should they choose to do so.

Notification of Level One Releases

In addition, and whether or not an opt-out system is adopted, the survey evidence now available supports a finding that members of the public who have already registered their cell phones want to receive information from CWS on Level One releases. Residents should be given the option to receive this additional information.

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[11] HazMat also administers under CUPA, the California Accidental Release Prevention Program, the Underground Storage Tank Program, and the Aboveground Petroleum Storage Act Program pursuant to Health and Safety Code Section 25404.

Improvement of Staffing for HazMat

As reported to the ad hoc ISO/CWS committee of the Board of Supervisors, Contra Costa Health Services proposes adding three new Supervising Hazardous Materials Specialists. Under the current structure just one Supervisor, the Assistant Director of HazMat, oversees twenty (20) staff-level Hazard Materialist Specialists, making oversight difficult and hampering field operations if more than once incident occurs at the same time.

The proposed Supervising Hazardous Materials Specialists would respond and supervise 5 staff-level Hazardous Materials Specialists from among the 20 who are assigned to respond to a specific hazardous materials incident. The Supervising Hazardous Materials Specialists would have the authority to make binding decisions on what action to take in the field in response to a particular incident. The proposed specialists would report to the Assistant Director of HazMat, providing that Assistant Director with increased capacity to complete administrative tasks such as reviewing contracts for engaging third party services, such as a retained toxicologist, in lieu of supervising responses to hazardous materials incidents in the field.

Putting a Toxicologist on Retainer

Had a toxicologist been on retainer to HazMat, the impact of the Thanksgiving MRC release on home garden produce could have been resolved sooner. The estimate from HazMat is that having a toxicologist on retainer would have saved as much as three weeks' time to complete a report assessment of the health consequences to home garden produce as compared to the current system which includes no retained toxicologist.

Funding

Funding to change the process for collecting residents' contact data, the cost to modify HMINP, the cost to implement an opt-out registration system, and the retention of a toxicologist could be included in the new CUPA fee structure and/or be funded from Measure X revenue. Measure X is the countywide, 20-year, ½ cent sales tax approved by voters on November 3, 2020. The ballot measure language stated that the intent of Measure X is "to keep Contra Costa's regional hospital open and staffed; fund community health centers, **emergency response**; support crucial safety-net services; invest in early childhood services; protect vulnerable populations; and for other essential county services." (Bold added.) Modification to the CWS registrations system, HMINP, and retaining a toxicologist, would accordingly be an appropriate use of Measure X funds.

FINDINGS

F1. An opt-out rather than an opt-in system for all cell phone numbers of county residents should increase the percentage of residents receiving accurate and timely information regarding hazardous material releases.

F2. A Level One incident that may include flaring, fire/smoke/plume, odors, or other conditions that can be observed or sensed by the public off site is not presently reported by CWS to landline telephones or registered cell phones, and the system can be modified to do so.

F3. Contra Costa Health Services has hired an outside contractor to perform a CUPA fee study which is in draft status and currently not available for inclusion in this report.

F4. One purpose of the new CUPA fee study is to support the request from Contra Costa Health Services for a change in its organizational structure to establish the job classification of Supervising Hazardous Materials Specialist.

F5. Contra Costa Health Services is in the process of receiving approval from the Board of Supervisors to add three Supervising Hazardous Materials Specialists to its staff.

F6. Placing a toxicologist on retainer would enable Contra Costa Health Services to obtain a toxicology report needed for some hazardous material release incidents without the delay of the current procedure.

RECOMMENDATIONS

R1. By March 31, 2025, the Board of Supervisors should develop a plan to modify CWS so that it automatically registers all available contact data for all county residents and businesses into CWS and provides a mechanism for residents and businesses to opt out of the automatic registration process.

R2. By December 31, 2025, the Board of Supervisors should complete the implementation of the plan to modify CWS so that it automatically registers all available contact data for all county residents and businesses into CWS and provides a mechanism for residents and businesses to opt out of the automatic registration process.

R3. By December 31, 2024, the Board of Supervisors should approve a modification to HMINP giving residents the option to receive awareness messaging from CWS for Level One incidents that can be observed or sensed by the public off site.

R4. By December 31, 2024, the Board of Supervisors should consider approval of the request from Contra Costa Health Services to establish the job classification of Supervising Hazardous Materials Specialist.

R5. By December 31, 2024, the Board of Supervisors should consider approval of the request from Contra Costa Health Services to add three Supervising Hazardous Materials Specialists to the staff at HazMat.

R6. By December 31, 2024, the Board of Supervisor should consider approval of the retention on retainer of a toxicologist by Contra Costa Health Services.

R7. By December 31, 2024, the Board of Supervisor should consider approval of the new CUPA permit fee schedule proposed by Contra Costa Health Services

REQUEST FOR RESPONSES

Pursuant to California Penal Code § 933(b) et seq. and California Penal Code § 933.05, the 2023-2024 Contra Costa County Civil Grand Jury requests responses from the following governing bodies:

Responding Agency	Findings	Recommendations
Board of Supervisors	F3, F4, F5, F6	R3, R4, R5, R6
Office of the Sheriff	F1, F2	R1, R2

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to ctadmin@contracosta.courts.ca.gov and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091

APPENDIX ONE

Facility	Flaring	Fire	Spills & Releases	Other
Marathon	31	4	12	3
Phillips 66	35	0	0	0
MRC	49	3	21	0
Chevron	45	0	8	1

APPENDIX TWO

CONTRA COSTA HEALTH
cchealth.org

Summary of Survey Results

- 86.7% of respondents indicated they would like to receive information regarding CWS Level 1 incidents – Question 8.
- 72.5% of respondent would be interested in receiving text messages; 33.9% would be interested in receiving emails – Question 9.
- 79.5% of respondents indicated they would like the ability to select how they are notified for each type of incidents (e.g., fires, chemical spills, smoke, leaks, odors, and flaring) – Question 10.
- 75.1% of respondents indicated they would like the ability to select how they are notified for each level of incident – Question 11.
- Opportunities exist for increasing public awareness and education as it pertains to the CWS.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1771 **Agenda Date:** 6/25/2024 **Agenda #:** C.53.

To: Board of Supervisors

From: Thomas L. Geiger, County Counsel

Report Title: Contract with Everlaw, Inc. for e-Discovery

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the County Counsel, or designee, to execute a contract with Everlaw, Inc. in an amount not to exceed $40,000 for the period from June 25, 2024, through June 24, 2026.

FISCAL IMPACT:
Approval of this action will result in expenditures of up to $40,000 and will be funded by the Risk Management Liability Trust Fund.

BACKGROUND:
The County Counsel's Office reviews and manages voluminous documents. Everlaw as an eDiscovery tool used to review, redact, and produce documents in response to discovery requests while representing and advising the County and its various departments. Approval of this contract will allow the County Counsel's Office to retain Everlaw on a case-by-case basis for large scale document review (*e.g.* 2,500 documents or more). Everlaw will increase productivity, shorten response times to facilitate the review of critical documents necessary for case resolution.

This action constitutes authorization to contract with Everlaw on a case-by-case basis. Each instance or case will be governed by the Everlaw contract with the County. The contract limits Everlaw's liability under the agreement to the amount of fees paid or payable by the county during the 12 months preceding the date the liability first arises. The contract obligates the County to indemnify Everlaw for claims arising out of County's failure to perform its obligations under the contract, the use of any case materials in the service, and any litigation matter in which County is engaged.

CONSEQUENCE OF NEGATIVE ACTION:
Without authorizing the ad hoc retention of Everlaw, County Counsel's office will be required to devote extensive staff time to large scale document review, when other time-sensitive matters are also pressing. County Counsel will, therefore, not be able to continue to provide the same level of support to County departments, especially when representing the County in litigation.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1772 **Agenda Date:** 6/25/2024 **Agenda #:** C.54.

To: Board of Supervisors

From: Thomas L. Geiger, County Counsel

Report Title: Public report of litigation settlement agreements that became final during the period May 1, 2024, through May 31, 2024.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

RECEIVE public report of litigation settlement agreements that became final during the period May 1, 2024, through May 31, 2024.

FISCAL IMPACT:

Settlement amounts are listed below.

BACKGROUND:

One agreement to settle pending litigation, as defined in Government Code section 54956.9, became final during the period May 1, 2024, through May 31, 2024.

Lynn Soloway v. County of Contra Costa, Contra Costa Superior Court, Case No. MSC22-00023: On April 9, 2024, the Board of Supervisors approved a settlement in this employment case arising out of plaintiff's termination. The Board approved the settlement for $250,000 in closed session by a 5-0 vote. The settlement agreement was fully executed on May 2, 2024. The funding source is the Risk Management Liability Internal Service Fund.

CONSEQUENCE OF NEGATIVE ACTION:

The report would not be accepted.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-225 **Agenda Date:** 6/25/2024 **Agenda #:** C.55.

To: Board of Supervisors

From: Diana Becton, District Attorney

Report Title: 2024-2027 Organized Automobile Fraud Activity Interdiction Program Grant Application

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Resolution No. XXXX/XXX authorizing the District Attorney, or designee, to apply for and accept grant funding in the amount of $1,883,543 from the Organized Automobile Fraud Activity Interdiction Program and to execute a grant award agreement, and any extensions or amendments thereof, pursuant to State guidelines, with the California Department of Insurance for the period July 1, 2024 through June 30, 2027.

FISCAL IMPACT:
The funding will be 100% state funds with no match required. The total grant amount of $1,883,543 will fund salaries and benefits for 0.7 FTE Deputy District Attorney, 1.0 FTE Senior Inspector and 0.5 FTE Legal Assistant. Supplantation is prohibited. Budgeted funding is approximately $597,476 for FY 2024/2025, $627,350 for FY 2025/2026 and $658,717 for FY 2026/2027.

BACKGROUND:
The State Legislature has determined that one of the significant factors driving up the cost of automobile insurance is fraud. The Organized Automobile Fraud Activity Interdiction Program award is allocated from funds received per Insurance Code 1874.8, whereby each insurer doing business in California pays an annual fee of $0.50 for each vehicle insured under an insurance policy it issues in this state. A portion of the assessment amount is earmarked for distribution to District Attorneys for enhanced investigation and prosecution of organized automobile insurance fraud.

CONSEQUENCE OF NEGATIVE ACTION:
The District Attorney's Office will not be able to apply for and accept the grant.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Funding for the District Attorney Organized Automobile Fraud Activity Interdiction Program Grant Fiscal Years 2024-2027.

WHEREAS, the Board of Supervisors, Contra Costa County, desires to undertake a certain project designated as the Organized Automobile Fraud Activity Interdiction Program to be funded in part from funds made available under the authority of California Insurance Code Section 1874.8, and administered by the California Department of Insurance.

NOW, THEREFORE, BE IT RESOLVED that the District Attorney of the County of Contra Costa, or designee, is authorized, on its behalf, to submit the attached proposal to the California Department of Insurance and is authorized to execute on behalf of the Board of Supervisors the attached Grant Award Agreement including any extensions or amendments thereof.

IT IS AGREED that any liability arising out of the performance of the Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and the California Department of Insurance disclaim responsibility for any such liability. BE IT FURTHER RESOLVED that the grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1843 **Agenda Date:** 6/25/2024 **Agenda #:** C.56.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: 20-543-0 Purchase Order with Constant Contact, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Director, a Purchase Order and related agreement with Constant Contact, Inc. to procure Premium Contacts, in an amount not to exceed $16,830, for the period March 15, 2024 through March 14, 2027.

FISCAL IMPACT:

$16,830 (59% Federal; 35% State; 6% County) all of which is budgeted in FY 23/24.

BACKGROUND:

The Employment and Human Services Department (EHSD), Information Technology Unit (IT), needs to renew services with Constant Contact, Inc. that will enable EHSD staff to send out mass e-mailing. This will allow staff to do effective e-mail marketing that will inform clients of EHSD's programs and services in an easy-to-read format as well as organizing contacts for targeting appropriate clients for services. This purchase order includes a service agreement that includes mutual indemnification by the County and Constant Contact, Inc., that has been approved by County Counsel.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will be restricted in its ability to mass email and inform clients of the department's services.

CHILDREN'S IMPACT STATEMENT:

This agreement supports all five of Contra Costa County's community outcomes of the Children's Report Card, (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood";(3)"Families that are Economically Self-Sufficient"; (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."

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1844 **Agenda Date:** 6/25/2024 **Agenda #:** C.57.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: 20-547-0 TrackIT Renewal with BMC Software, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Director a Purchase Order and related agreement with BMC Software, Inc., subject to BMC's terms and conditions, in an amount not to exceed $25,466 for the purchase of TrackIT, a management software system, for the period March 1, 2024 through February 28, 2026.

FISCAL IMPACT:

$25,466 (59% Federal, 35% State, 6% County General Fund) All budgeted in FY23/24.

BACKGROUND:

The Employment and Human Services Department (EHSD), seeks to renew BMC TrackIT, which enables accessibility in a centralized platform for managing staff personnel requests. BMC's End User License Agreement includes a limitation of Liability provision that limits its liability to the amount paid for the license. This vendor was selected per procurement requirements as outlined in Administrative Bulletin 600.3.

CONSEQUENCE OF NEGATIVE ACTION:

The County will be restricted in the ability to track and provide prompt personnel services.

CHILDREN'S IMPACT STATEMENT:

This agreement/contract supports all five of the community outcomes established in the Children's Report Card: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood";(3) "Families that are Economically Self-Sufficient"; (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," by supporting staff working directly with families and children.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1845 **Agenda Date:** 6/25/2024 **Agenda #:** C.58.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Purchase Order for Panoramic PAPro Application Software

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Director, a purchase order and related agreement with Panoramic Software Corporation in an amount not to exceed $72,000 for the purchase of PAPro application software, subject to the terms and conditions of Panoramic's Software License Agreement and Software Maintenance Agreement, for the period July 1, 2024, through June 30, 2027.

FISCAL IMPACT:

$72,000 (59% Federal, 35% State, 6% County), $24,000 of which is budgeted in FY24/25, $24,000 of which will be budgeted FY 25/26 and $24,000 of which will be budgeted in FY 26/27.

BACKGROUND:

The Employment and Human Services Department (EHSD) seeks to renew services with Panoramic Software Corporation that will enable EHSD staff to reasonably locate next of kin and track clients, case status, creditors, court dates, events, assets, beneficiaries, inventory, and clients' financial transactions (receipts, payments, and journals). Panoramic Software Corporation's PAPro application software allows users to document that a diligent search was conducted. This purchase order includes a service agreement that includes an indemnification clause.

CHILDREN'S IMPACT STATEMENT:

This purchase order supports all five of the community outcomes established in the Children's Report Card: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (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," by supporting staff working directly with families and children.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will be restricted in its

ability to act with due diligence by reasonably attempting to locate next of kin.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1846 **Agenda Date:** 6/25/2024 **Agenda #:** C.59.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: 20-556-0 (ADMIN) Allied Network Solutions, Inc. Purchase Order

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Department, a purchase order with re-seller Allied Network Solutions, Inc. for the purchase of maintenance from F5 Networks for use of the F5 network security appliance used by the County, subject to the terms and conditions of F5's End User License Agreement in an amount not to exceed $83,144, for the period July 12, 2024 through July 11, 2027.

FISCAL IMPACT:

$83,144: 59% Federal, 35% State, 6% County Funded; $27,714.67 of which is budgeted in FY 24/25, $27,714.67 of which will be budgeted in FY 25/26, and $27,714.66 of which will be budgeted in FY 26/27.

BACKGROUND:

The Employment and Human Services Department (EHSD) seeks to renew its F5 appliance which is used as a Webserver load balancer and security device. Primary use is for the Online Court Reporting system. This purchase enables EHSD to renew maintenance on our F5 Big IP Traffic Manager. EHSD will utilize this system to improve application level security posture. This will help the county have a more secure environment. The End User License Agreement includes an indemnification clause and limitation of liability, which has been approved by County Counsel. This vendor was selected per procurement requirements outlined in Administrative Bulletin 600.3.

CONSEQUENCE OF NEGATIVE ACTION:

The County will be losing safety features currently employed to maintain a secure data environment.

CHILDREN'S IMPACT STATEMENT:

This agreement/contract supports all five of the community outcomes established in the Children's Report Card: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood";(3)"Families that are Economically Self-Sufficient"; (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," by supporting staff working directly with families and children.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1847 **Agenda Date:** 6/25/2024 **Agenda #:** C.60.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: 20-560-0 (Admin) Purchase Order for Conga Licenses

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Department, a purchase order with re-seller Carahsoft Technology Corp. for the purchase of Conga licenses, subject to the terms of the Conga Master Subscription Agreement, in an amount not to exceed $3,635 for the period July 10, 2024, through June 30, 2025.

FISCAL IMPACT:

$3,635 (59% Federal, 35% State, 6% County), all of which will be budgeted in FY 24-25.

BACKGROUND:

The Employment and Human Services Department (EHSD), Children and Family Services (CFS) bureau seeks to renew Conga licenses to operate with the Salesforce Customer Relationship Management System (CRM). This purchase enables CFS to manage all touch points and communications with vendors that supply services for County clients. This will help CFS better meet the needs of the clients they serve and provide efficient and effective communications with vendors contained in the CRM. The Main Subscription Agreement includes an indemnification clause from the County to Conga, as well as a limitation of liability on behalf of Conga in the amount paid for the licenses in the prior 12 months. This vendor was selected per procurement requirements outlined in Administrative Bulletin 600.3.

CHILDREN'S IMPACT STATEMENT:

This agreement/contract supports all five of Contra Costa County’s community outcomes of the Children's Report Card: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood";(3)"Families that are Economically Self-Sufficient"; (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,” by supporting staff working directly with families and children.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will be limited in effectively communicating with vendors to provide services for their clients.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1848 **Agenda Date:** 6/25/2024 **Agenda #:** C.61.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: 20-559-0 (Admin) Purchase Order for Salesforce Licenses

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Employment and Human Services Department, a purchase order and related agreement with Carahsoft Technology Corp. for the purchase of Salesforce licenses in an amount not to exceed $44,029 for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:

$44,029 (59% Federal, 35% State, 6% County), all of which will be budgeted FY 24-25

BACKGROUND:

The Employment and Human Services Department (EHSD), Children and Family services (CFS) bureau, seeks to renew Salesforce licenses to operate with the Salesforce Customer Relationship Management System (CRM). This purchase enables CFS to manage all touch points and communications with vendors that supply services for County clients. This will help CFS better meet the needs of the clients they serve and provide efficient and effective communications with vendors contained in the CRM. The Main Services Agreement includes an indemnification clause. This vendor was selected per procurement requirements outlined in Administrative Bulletin 600.3.

CHILDREN'S IMPACT STATEMENT:

This agreement/contract supports all five of Conta Costa County's community outcomes of the Children's Report Card: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood";(3) "Families that are Economically Self-Sufficient"; (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," by supporting staff working directly with families and children.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will be limited in

effectively communicating with vendors to provide services for their clients.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1849 **Agenda Date:** 6/25/2024 **Agenda #:** C.62.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 19-826-6 (CFS) Renewal with California State University, Fresno Foundation

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with California State University, Fresno Foundation, a Non-Profit Corporation, in an amount not to exceed $994,240 to provide Title IV-E training, Consultant Facilitator Services for Families First Prevention Services Act and Grievance Hearing Officer Services for Children and Family Services for the period July 1, 2024 through June 30, 2027.

FISCAL IMPACT:

$994,240: Funded by 56% Federal, 38% State, 6% County Fund; $329,335.90 of which will be budgeted in FY24-25, $331,402.80 of which will be budgeted in FY25-26, and $333,500.66 of which will be budgeted in FY26-27.

BACKGROUND:

Foster Care Title IV-E provides funds to assist with the cost of foster care maintenance for eligible children; administrative costs to manage the program; and training for public agency staff, foster parents, and certain private agency staff. The Employment and Human Services Department is contracting with the California State University, Fresno Foundation, a Non-Profit Corporation, to provide staff training. This program will enhance professional skills and knowledge; increase cultural awareness and responsiveness of staff; increase staff's knowledge on the application of new laws and regulations in child welfare.

In January of 2023, Employment and Human Services Department amended contract 19-826-4 with the California State University, Fresno Foundation, to provide Consultant Facilitator Services to evaluate, facilitate and coordinate the development and implementation of EHSD CFS process and system(s) changes necessary to assure that all required elements of the FFPSA Program and other best practices as identified by the EHSD CFS Director or designee are established and implemented.

In addition, to meet the requirements set by the California Department of Social Services (CDSS) in response to a settlement decision reached in the Gomez v. Saenz lawsuit, all California Counties are required as of May 1,

2008, to provide for grievance hearings in Child Welfare Services.

On June 22, 2021 (C.102) BOS approved an agreement with the California State University Fresno Foundation, to deliver services between the period July 1, 2021 through June 30, 2024. On June 13, 2023 (C.129) BOS approved a contract amendment to increase the payment limit with no other changes. The contract provides grievance hearing officer services for Child Abuse Central Index (CACI) hearings. There are modifications to the Indemnification and Conflict of Interest provisions.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not be in compliance with Child Welfare program mandates and initiatives.

CHILDREN'S IMPACT STATEMENT:

This contract supports all five of the community outcomes established in the Children's Report Card: 1) "Children Ready for and Succeeding in School"; 2) "Children and Youth Healthy and Preparing for Productive Adulthood"; 3) "Families that are Economically Self Sufficient"; 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" by providing training to CFS staff to support these outcomes.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1850 **Agenda Date:** 6/25/2024 **Agenda #:** C.63.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 40-495-1 (AAS) Senior Nutrition Infrastructure Agreement with Meals on Wheels Diablo Region

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Meals on Wheels Diablo Region, a nonprofit agency, in an amount not to exceed $336,431 for the purchase and use of infrastructure equipment and supplies pursuant to the Home and Community Based Services Senior Nutrition Infrastructure Grant Program for the period May 1, 2024, through September 30, 2024.

FISCAL IMPACT:

$336,431: 100% State; of which $168,215.50 is budgeted in FY 23-24 and $168,215.50 will be budgeted in FY 24-25.

BACKGROUND:

On May 16, 2023, the Board approved item C.22 authorizing a contract with Meals on Wheels Diablo Region (MOWDR) in an amount not to exceed $250,629 for Senior Nutrition Infrastructure projects for the period of May 17, 2023, to December 31, 2023.

On September 22, 2022, Contra Costa County received Senior Nutrition Infrastructure (SNI) funding from the California Department of Aging (CDA) for the period October 1, 2022, through December 31, 2023. A Program Memo was issued by the CDA in July 2023 to extend the contract period to a new end date of September 30, 2024. With the extended date to expend funding for SNI issued by CDA, the County is renewing the MOWDR contract for the period May 1, 2024, through September 30, 2024, for a new payment limit not to exceed $336,431. Through this agreement, MOWDR will reduce hunger, food insecurity and malnutrition.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, MOWDR will not be able to increase much

needed Senior Nutrition services for older adults in Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

This contract supports the fourth of Contra Costa County's community outcomes of the Children's Report Card, "Families that are Safe, Stable and Nurturing."

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1944 **Agenda Date:** 6/25/2024 **Agenda #:** C.64.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 18-489-0 (WDB) Department of Labor Building Pathways to Infrastructure Jobs Grant

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Department Director, or designee, on behalf of the Workforce Development Board, to apply for and accept a grant of up to $5,000,000 from the Department of Labor Building Pathways to Infrastructure Jobs Grant to develop strong sector partnerships to design training and employment programs responsive to local and regional infrastructure sector demands in the proposed grant service area.

FISCAL IMPACT:

The Department of Labor (DOL) requires applicants to contribute 15 percent of the total requested funds to support the grant with matching funds, approximately $750,000. Such funds may be in the form of cash or in-kind contributions. Any resources contributed to the project will come from the Workforce Innovation and Opportunity Act (WIOA) program funding. No county match.

BACKGROUND:

The purpose of the Department of Labor (DOL) Building Pathways to Infrastructure Jobs Grant Program is to fund public-private partnerships to develop, strengthen, and scale promising and evidence-based training models in H-1B industries and occupations critical to meeting the goals of the Bipartisan Infrastructure Law (BIL) and to maximize the impact of these investments. Contra Costa County will need a skilled and capable workforce to fill the good-paying jobs and this grant program will train job seekers in advanced manufacturing; information technology; and professional, scientific, and technical services occupations that support renewable energy, transportation, and broadband infrastructure sectors. The DOL Building Pathways to Infrastructure Jobs Grant Program represents a down payment for the future skilled workforce needs that are being developed through the BIL investments by investing in the development and expansion of the workforce partnerships that will be needed to build equitable pathways to good infrastructure jobs. The period of performance is 60 months with an anticipated start date of October 1, 2024.

The Workforce Development Board (WDB) recommends the Board approve the submittal of this application. The purpose of the WDB is to promote and support workforce development initiatives that meet the needs of

employers and job seekers within the local and regional economy. The proposal will aim to develop robust sector partnerships to design training and employment programs that meet the local and regional infrastructure sector demands in the proposed grant service area. As job growth and workforce needs fluctuate due to social, economic, and technological changes within the evolving infrastructure sector, applicants are expected to use relevant labor market information (LMI) continuously and responsively. This will enable them to understand current and upcoming workforce needs for in-demand occupations, skills, and credentials.

CHILDREN'S IMPACT STATEMENT:

This grant award would support all five of Contra Costa County's community outcomes: (1) "Children Ready for and Succeeding School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (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" by providing training and employment opportunities for in-school and out-of-school youth.

CONSEQUENCE OF NEGATIVE ACTION:

The Workforce Development Board of Contra Costa County will be unable to establish sector partnerships to address local economic hiring needs and create training opportunities that equip individuals with the skills and competencies required for emerging occupations, enabling them to secure quality jobs and earn living wages.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1851 **Agenda Date:** 6/25/2024 **Agenda #:** C.65.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Authorize contract with Wayfinder Family Services for Kinship Support Services

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute on behalf of the County, a contract with Wayfinder Family Services, in an amount not to exceed $1,042,090, to provide Kinship Support Services to relative caregivers in East Contra Costa County for the period July 1, 2024 through June 30, 2026.

FISCAL IMPACT:
$1,042,090: Funded by 100% State 2011 Realignment revenues; $521,045 of which is budgeted in FY 24-25 and $521,045 of which will be budgeted in FY 25-26.

BACKGROUND:

In November 2023, in alignment with County policy, EHSD issued Request For Proposal (RFP) #1203 for the Kinship Support Services Program (KSSP) of which Wayfinder Family Services was one of two providers awarded from state 2011 realignment revenue.

KSSP provides community-based family support services to relative caregivers and the dependent children placed in their homes by the juvenile court, as well as for those who are at risk of dependency or delinquency, which includes providing post-permanency services to relative caregivers who have become the legal guardian or adoptive parent of formerly dependent children. Wayfinder Family Services provides multiple support services for relative and non-relative caregivers including enhanced post guardianship services, site-based mentoring, case management, support groups, enhanced academic achievement programs, recreational/group activities, respite, emergency assistance and educational forums. The goal of the kinship program is to support positive outcomes and reduce the risk of dependency and delinquency for children in a relative's care.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will not be able to provide services to help support relative caregivers in successfully raising their kin, increase positive outcomes for at-risk youth, and prevent the removal of children from an extended family when the biological parents are unable to provide care.

CHILDREN'S IMPACT STATEMENT:

This contract supports all five of Contra Costa County's community outcomes of the Children's Report Card, (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (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" by providing family supports, stability, and safety of relative children, thereby preventing out-of-home placement.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1852 **Agenda Date:** 6/25/2024 **Agenda #:** C.66.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 20-488-1 Paradise Adolescent Homes, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Paradise Adolescent Homes, Inc., in an amount not to exceed $1,192,436 to provide residential placement and supportive services for Contra Costa County dependent foster youth for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:

$1,192,436: 70% State Realignment Funds, 30% County General Fund, all of which is budgeted in FY 24-25.

BACKGROUND:

In August 2022, in alignment with County policy, EHSD Children and Family Services issued Request for Interest (RFI) #746 for High Acuity Needs Youth Residential Placement of which Paradise Adolescent Homes, Inc. (Paradise) was awarded a contract. On May 16, 2023, the Board approved item (C.23) authorizing a contract with Paradise for a term of July 1, 2023 to June 30, 2024. Approval of this action will renew the prior approved contract for a term of July 1, 2024 to June 30, 2025 to provide residential placement and supportive services for Contra Costa County dependent foster youth.

Paradise provides Enhanced Short-Term Residential Therapeutic Program (ESTRTP) housing and supportive services for youth who cannot live safely in a family home, do not qualify to be placed in a Regional Center facility and/or are denied entry into lower-level placements due to acute, complex, emotional, and behavioral needs. Paradise offers alternatives to repeated placement disruptions and provides additional staffing, supports and services to house, stabilize, provide treatment, and to ultimately transition youth to less restrictive placements, including with family, resource family homes, or lower-level care licensed facilities as part of each youth's long-term permanency plan.

CHILDREN'S IMPACT STATEMENT:

This contract supports all five of Contra Costa County's community outcomes of the Children's Report Card, (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for

Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (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" by providing residential placement services to youth who have been denied placement and/or cannot live safely in lower level care.

CONSEQUENCE OF NEGATIVE ACTION:

County will not be able to meet the placement and treatment needs of our high acuity, complex care dependent foster youth, and reduce safety risk and additional trauma for this most vulnerable population with severe emotional and behavioral needs.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1853 **Agenda Date:** 6/25/2024 **Agenda #:** C.67.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 20-269-5 Star View Behavioral Health, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Star View Behavioral Health, Inc., in an amount not to exceed $327,480 to provide residential placement services for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:

$327,480: 70% State Realignment Funds, 30% County General Fund, all of which is budgeted in FY 24-25.

BACKGROUND:

Star View Behavioral Health, Inc. (Star View) provides residential placement services for youth who cannot live safely in family homes or lower-level group care because of the nature and severity of their emotional and behavioral needs. Star View's locked Psychiatric Health Facility (PHF) and Community Treatment Facility (CTF) offer alternatives to repeated psychiatric hospitalization and placement failures. Star View stabilizes, provides treatment, and then transitions youth to less restrictive placements, including with family, foster families, or lower-level group homes as part of each youth's long-term permanency plan.

Previous agreements for these services with Star View were authorized by the Board of Supervisors on May 16, 2023 (C.35) for FY23/24, May 24, 2022 (C.39) for FY22/23, June 8, 2021 (C.78) for FY21/22 and Oct 13, 2020 (C. 11) for FY 20/21.

CHILDREN'S IMPACT STATEMENT:

This contract supports all of Contra Costa County's community outcomes of the Children's Report Card", (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (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".

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, dependent youth in need of residential placement with integrated treatment services due to the nature and severity of their emotional and behavioral needs will not receive the services needed to effectively manage the behavior(s) symptoms that are a barrier to achieving and/or maintaining a residence in less restrictive environments, such as with a resource family.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1854 **Agenda Date:** 6/25/2024 **Agenda #:** C.68.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract #19-523-20 with Delta Personnel Services, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Employment and Human Services Department Director, or designee, to execute a contract with Delta Personnel Services, Inc., dba Guardian Security Agency in an amount not to exceed $911,350 to provide security services for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:
$911,350: $550,000 will be covered by Federal 59%, State 35%, and County 6%, and $361,350 100% funded by CSB revenue. All budgeted for FY 24-25.

BACKGROUND:
County Public Service Officers (PSOs) provide security services at various Employment and Human Services Department (EHSD) locations. EHSD, through a contract with Delta Personnel Services, dba Guardian Security Agency, provides security personnel services at various EHSD locations when county Public Services Officers (PSOs) are unavailable due to vacation schedules, illness, alternative work schedules, or for night and special occasion events.

Security for Employment and Human Services Department Community Services Bureau (CSB) Head Start site locations are contingent upon grant funds awarded from the Office of Head Start and Community Services Division (CSD) for Program Year 2024-2025. If CSB Head Start is not awarded funds, County will amend this Contract and revise provisions requiring coverage.

This contract has a Sole Source Justification memo approved by Public Works.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, the department will not have supplemental security services through this Contractor.

CHILDREN'S IMPACT STATEMENT:
This contract supports two of the five Contra Costa County's community outcomes: (4) Families that are Safe, Stable, and Nurturing; and (5) Communities that are Safe and Provide High Quality of Life for children and Families.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1855 **Agenda Date:** 6/25/2024 **Agenda #:** C.69.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Amendment to contract #40-459-3 with Contra Costa Legal Services (AAS)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Contra Costa Senior Legal Services to increase the payment limit by $33,042 to a new payment limit not to exceed $213,139 for legal services with no change to contract term July 1, 2023 through June 30, 2024.

FISCAL IMPACT:
$213,139: Funded 100% by federal funds California Department of Aging for Older Americans Act all of which is budgeted in FY 23-24.

BACKGROUND:
A contract with Contra Costa Senior Legal Services was executed on July 17, 2023. The contract did not require a staff report. On December 19, 2023, Contra Costa County received Area Plan contract amendment from the California Department of Aging (CDA). The amendment provided additional funding for Legal Assistance and Elder Abuse Prevention through the Older American's Act which is being passed through to contractors. This additional funding to the Contractor will bring the payment limit to $213,138.11 which requires a staff report.

CONSEQUENCE OF NEGATIVE ACTION:
Department would be unable to enhance Legal Assistance and Elder Abuse Prevention Services through Older Americans Act funding.

CHILDREN'S IMPACT STATEMENT:

This contract supports the fourth of Contra Costa County's community outcomes of the Children's Report Card, "Families that are Safe, Stable and Nurturing."

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1856 **Agenda Date:** 6/25/2024 **Agenda #:** C.70.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: WDB Agreement # 18-468-3 Mt. Diablo Unified School District for Workforce Development Services for Youth

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an agreement with Mount Diablo Unified School District in an amount not to exceed $476,511 to provide Workforce Innovation and Opportunity Act year-round youth workforce development services in Central County for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:

$476,511: 100% Federal Funds, all of which will be budgeted in FY 24-25 (CFDA #17.259)

BACKGROUND:

This interagency agreement was awarded through Request for Proposal (RFP) #1174 for the provision of comprehensive Workforce Innovation and Opportunity Act (WIOA) youth development services to eligible youth ages 16-24 in Contra Costa County. This is the third renewal from the RFP Award.

WIOA defines the nation's job training systems and provides guidance for local workforce development systems designed to increase employment, retention, and earnings of participants, and to increase occupational skill attainment by participants. The goals of these efforts are to improve the quality of the workforce, reduce welfare dependency, and enhance productivity and competitiveness of the nation's workforce.

Agency will provide eligible in-school and out-of-school youth with a broad range of coordinated services. This includes assistance in academic and occupational learning; development of leadership skills; preparation for further education, additional training, and eventual employment.

The previous agreement for these services with the Agency was authorized by the Board of Supervisors on April 18, 2023 (C.65).

CHILDREN'S IMPACT STATEMENT:

The services provided under this contract support all five of Contra Costa County's community outcomes of the "Children's Report Card": (1) Children Ready for and Succeeding in School; (2) Children Youth Healthy and Preparing for Productive Adulthood; (3) Families that are Economically Self-Sufficient; (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.

CONSEQUENCE OF NEGATIVE ACTION:

Without this agreement, in-school and out-of-school youth in Central Contra Costa County will not receive assistance in overcoming barriers to employment, job readiness, educational programs and career building.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1857 **Agenda Date:** 6/25/2024 **Agenda #:** C.71.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract 40-519-1 (AAA) Measure X Agreement with Mobility Matters

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Mobility Matters, in the amount not to exceed $336,760 to deliver transportation services for seniors and other eligible participants for the period July, 2024 through June 30, 2026.

FISCAL IMPACT:

Approval of this contract will result in expenditures up to $336,760: 100% funded by County Measure X Funds, $168,380 of which is budgeted in FY 24-25, and $168,380 of which will be budgeted for FY 25-26.

BACKGROUND:

Mobility Matters (MM) provides mobility management services throughout Contra Costa County by matching riders to transportation providers that meet their individual needs. MM operates volunteer driver programs that provide free, one-on-one, door-through-door, escorted rides for persons aged 60 years and older, persons with disabilities aged 18 years and older, unpaid family members or care support who cannot access other forms of transportation. This vendor was selected per procurement requirements outlined in Administrative Bulletin 600.3.

These services are provided through a Measure X allocation authorized on November 16, 2021, item D.5, for Master Plan for Aging/Local Community Based Aging Services.

CONSEQUENCE OF NEGATIVE ACTION:

Without this Agreement, older adults aged 60 years and older, persons with disabilities aged 18 years and older, and disabled veterans cannot access Mobility Matter's assisted transportation services through Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

This contract supports the fourth community outcome of Contra Costa County's Children's Report Card: Families that are Safe, Stable and Nurturing.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1858 **Agenda Date:** 6/25/2024 **Agenda #:** C.72.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 20-416-1 Seneca Family of Agencies

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Seneca Family of Agencies in an amount not to exceed $691,628 to provide comprehensive visitation services through the East Bay Visitation Center for the period July 1, 2024, to June 30, 2026.

FISCAL IMPACT:

$691,628: 70% State and 30% County funded; $345,814 of which will be budgeted in FY 24-25 and $345,814 of which will be budgeted in FY 25-26.

BACKGROUND:

On May 24, 2022, the Board approved item C.66 executing a contract with Seneca Family of Agencies for a term of two years from July 1, 2022, to June 30, 2024, to provide comprehensive visitation services through the East Bay Visitation Center (EBVC). The EBVC is a collaborative model including Seneca, the City and County of San Francisco, and Contra Costa County. This renewal will allow the Employment and Human Services Department, Children and Family Services Bureau (CFS), to follow visitation orders and mandates, utilize visitation as an opportunity to build parental capacity and strengthen family relations, and increase successful reunification and permanency outcomes for youth in foster care.

CHILDREN'S IMPACT STATEMENT:

This contract supports all five of the community outcomes of the Children's Report Card: 1) "Children Ready for and Succeeding in School"; 2) "Children and Youth Health and Preparing for Productive Adulthood"; 3) "Families that are Economically Self Sufficient"; 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" by promoting sustainable and successful family reunification to build and support strong family relationships.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, foster youth would be at risk of experiencing disruptions to receiving high-quality, regular visitation with family.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1859 **Agenda Date:** 6/25/2024 **Agenda #:** C.73.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: CFS Contract # 20-512-49 Child Abuse Prevention Council

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Child Abuse Prevention Council, in an amount not to exceed $1,533,732 to provide child abuse prevention services for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:

$1,533,732: 62% State Realignment, 26% County General Fund, 12% Federal American Rescue Plan Act CBCAP, all of which is budged in FY 24-25.

BACKGROUND:

On May 21, 2019 (C.73) the Board of Supervisors approved a contract with Child Abuse Prevention Council in an amount not to exceed $1,308,694 to provide child abuse prevention services for the period July l, 2019 through June 30, 2020. Subsequent renewals were approved on June 23, 2020 (C.56), June 22, 2021 (C. 87), June 22, 2022 (C. 87), and May 23, 2023 (C.32).

The FY24-25 contract was expanded to include services funded by federal Family First Prevention Service funds. These services include educational services and assistance to families through the provision of concrete supports.

CHILDREN'S IMPACT STATEMENT:

This contract supports all of Contra Costa County's community outcomes of the Children's Report Card", (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (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".

CONSEQUENCE OF NEGATIVE ACTION:

County will not provide valuable services to prevent child abuse.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1860 **Agenda Date:** 6/25/2024 **Agenda #:** C.74.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 40-520-1 (Aging and Adult Services) with Meals on Wheels Diablo Region

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Employment and Human Services Director or designee, to execute a contract with Meals on Wheels Diablo Region, a non-profit corporation, in an amount not to exceed $210,172, to provide case management services for County residents aged sixty or older, or persons with disabilities aged eighteen and older for the period July 1, 2024, through June 30, 2026.

FISCAL IMPACT:
Approval of this contract will result in expenditures of up to $210,172: 100% County Measure X Funding, of which 50% ($105,086) is budgeted in FY 24-25 and 50% ($105,086) will be budgeted in FY 25-26.

BACKGROUND:
Employment and Human Services Department (EHSD), Aging and Adult Services Bureau, has contracted with Meals on Wheels Diablo Region for the provision of case management services for County residents aged sixty or older, or persons with disabilities aged eighteen and older since July 1, 2023.

Services include, but are not limited to needs assessment, care plan development, and authorizing and coordinating services among providers to assist in meeting the needs of the county participants in the Aging and Adult Services Program. The original Contract was awarded in 2023 through Request for Proposal #1191 for FY 2023-24. The renewal of this Contract will allow Contractor to continue providing services through June 30, 2026.

CHILDREN'S IMPACT STATEMENT:
This contract supports item number (4) of Contra Costa County's community outcomes of the Children's Report Card: "Families that are Safe, Stable and Nurturing."

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract action is not approved, participants in this program will not receive these essential services from this Contractor, which may delay services to population being served.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1861 **Agenda Date:** 6/25/2024 **Agenda #:** C.75.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: CFS Contract # 20-099-9 Aspiranet

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Aspiranet, effective June 1, 2024, to increase the payment limit by $2,830,000 to a new payment limit not to exceed $5,160,000, for additional emergency shelter receiving center services for children taken into protective custody or transitioning through foster placements for a new period of July 1, 2023 through June 30, 2025.

FISCAL IMPACT:

$2,830,000: Funded with 70% 2011 State Realignment and 30% County General funds, of which $114,031 has been budgeted in FY23-24 and $2,715,969 which is budgeted in FY 24-25.

BACKGROUND:
On May 16, 2023, the Board approved item C.40 authorizing executing a contract to provide emergency shelter receiving center services with Aspiranet for a term July 1, 2023 through June 30, 2024 and a total payment limit not to exceed $2,330,000. This amendment will increase the total payment limit by $2,830,000 with a new total not to exceed $5,160,000 and extend the contract term from July 1, 2023 through June 30, 2024 to July 1, 2023 to June 30, 2025. This amendment will provide additional staffing adjustments to support the needs of higher acuity children staying at the centers and incorporate a cost-of-living adjustment to the FY 24-25 extension.

The Receiving Centers serve as the hub of the Employment and Human Services Department (EHSD) Children and Family Services (CFS) emergency shelter system. Aspiranet provides temporary care at the Receiving Centers to children who have been taken into protective custody and children and youth who are transitioning into resource family (foster) placements. The Receiving Centers offer a homelike setting and are designed to promote stability in placement, focus on the needs of the individual child, minimize move, and support permanence at the early stages of EHSD intervention.

CHILDREN'S IMPACT STATEMENT:

This contract supports all five community outcomes established in the Children's Report Card: 1) "Children Ready for and Succeeding in School"; 2) "Children and Youth Healthy and Preparing for Productive

Adulthood"; 3) "Families that are Economically Self Sufficient"; 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," by providing a homelike environment for children entering the Child Welfare System.

CONSEQUENCE OF NEGATIVE ACTION:
County will not have emergency temporary shelter locations with sufficient, qualified staffing nor availability to temporarily care for children taken into protective custody.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1862 **Agenda Date:** 6/25/2024 **Agenda #:** C.76.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract #40-470-2 (AAA) Contra Costa Senior Legal Services American Rescue Plan Act Amendment

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Contra Costa Senior Legal Services to increase the payment limit by $320,000 to a new total payment limit of $450,376 and to extend the term end date of June 30, 2024, to a new term end date of September 30, 2024, for additional Legal Assistance and Elder Abuse Prevention services.

FISCAL IMPACT:

$450,376: 100% Federal funds, all of which will be budgeted in FY 24-25.

BACKGROUND:

Contractor was awarded a contract in the amount of $130,376) to provide legal assistance including legal advice, counseling and/or representation for the period July 1, 2023, through June 30, 2024, from the California Department of Aging's American Rescue Plan Act (ARPA) award to the Employment and Human Services Department (EHSD).

Approval of this amendment will allow the contractor to provide additional Legal Assistance and Elder Abuse Prevention services through September 30, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will not be able to provide additional Legal Assistance and Elder Abuse Prevention services through the Older Americans Act funding.

CHILDREN'S IMPACT STATEMENT:

This contract supports the fourth of Contra Costa County's community outcomes of the Children's Report Card, "Families that are Safe, Stable and Nurturing."

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1863 **Agenda Date:** 6/25/2024 **Agenda #:** C.77.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: CFS Contract # 20-500-1 Wayfinder Family Services for Child Welfare Family Finding and Engagement and Resource Family Pre-Approval

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract renewal with Wayfinder Family Services, in an amount not to exceed $884,000 to provide family finding, engagement and resource family pre-approval supportive services for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:

Approval of this contract will result in expenditures of up to $884,000: 87% State, 13% Federal funds, all of which will be budgeted in FY 2024-25.

BACKGROUND:

On August 1, 2023, the Board approved item C.50 authorizing executing a contract with Wayfinder Family Services for a term of July 1, 2023 to June 30, 2024. This contract will renew the prior approved contract for a term of July 1, 2024 to June 30, 2025 to provide family finding, engagement and resource family pre-approval supportive services for foster youth.

The Employment and Human Services Department (EHSD), Children and Family Services (CFS) Bureau selected Wayfinder (Contractor) from the competitive procurement, Request for Proposal (RFP) #1197 in May 2023.

The purpose of family findings & engagement and resource family pre-approval supportive services is to provide permanency focused outreach, engagement, family finding, resource family pre-approval assessments and associated activities to secure supports, lifelong connections and ideally permanent placement for foster youth.

CHILDREN'S IMPACT STATEMENT:

This contract supports all of Contra Costa County's community outcomes of the Children's Report Card", (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (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".

CONSEQUENCE OF NEGATIVE ACTION:

The County will not provide Contra Costa County foster youth with supportive services to identify, approve and transition into appropriate stable permanent placements.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1864 **Agenda Date:** 6/25/2024 **Agenda #:** C.78.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: CFS Contract # 20-437-2 Mt. Diablo Unified School District

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Family and Children's Trust (FACT) Committee, to execute an interagency Agreement with the Mount Diablo Unified School District in an amount not to exceed $80,000 for the Crossroads High School Project serving pregnant and parenting youth for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:

$80,000: 75% Federal Community Based Child Abuse Prevention Funds; 25% Ann Adler Children and Family Trust Donations, all of which is budgeted in the FY 24-25 budget.

BACKGROUND:

Mount Diablo Unified School District was selected through the competitive bid process, Request For Proposal (RFP) 1181 for the FY22-23 Agreement. Agreement renewal for these services with the agency was authorized by the Board of Supervisors on July 26, 2022 (C.81) for FY22/23 and June 27, 2023 (C.101) for FY23/24.

The FACT Committee performed a Site Visit on March 27, 2024 and as a result is recommending renewing the Agreement and funding the Crossroads High School Project (Project) for FY24-25. This Agreement contains a mutual indemnification provision.

CHILDREN'S IMPACT STATEMENT:

This Agreement will support three of the five community outcomes established in the Children's Report Card: 3) "Families that are Economically Self Sufficient"; 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" by providing education and building self-esteem for pregnant and parenting youth and their families.

CONSEQUENCE OF NEGATIVE ACTION:

County will not be able to support the Family and Children's Trust Committee (FACT), Crossroads High

School Project, supporting pregnant and parenting youth in the Mount Diablo Unified School District thereby eliminating program support by FACT dollars, which in turn puts Federal Community Based Child Abuse Prevention funding (CBCAP) at risk for future allocation.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1865 **Agenda Date:** 6/25/2024 **Agenda #:** C.79.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: AAA Contract # 40-429-7 Empowered Aging

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Empowered Aging, effective May 1, 2024, to increase the payment limit by $33,100 to a new payment limit not to exceed $552,280 for the continued Long-Term Care Ombudsman services pursuant to the Older Americans Act with no change to term.

FISCAL IMPACT:

$552,280: 81% State; 19% Federal, (CFDA #93.042. 93.044) all of which is budgeted in FY 23-24.

BACKGROUND:

Contractor was selected through County procurement process, deriving from Request for Proposal (RFP) 1171. On June 13, 2023, the Board approved item C.111 authorizing a renewal contract with Empowered Aging in an amount not to exceed $519,180 for Long-Term Care Ombudsman Services for the period July 1, 2023 to June 30, 2024. This amendment will provide additional funds of $33,100 to a new payment limit not to exceed $552,280.

Empowered Aging provides Long-Term Care Ombudsman Services in Contra Costa County. The services include responding to reports of abuse of residents of long-term care facilities and Residential Care Facilities for the Elderly (RCFEs) and representing residents with issues related to day to day care, health, safety and personal preferences.

CHILDREN'S IMPACT STATEMENT:

This contract supports the fourth of Contra Costa County's community outcomes of the Children's Report Card, "Families that are Safe, Stable and Nurturing."

CONSEQUENCE OF NEGATIVE ACTION:

Seniors in Contra Costa County will not receive Long-Term Care Ombudsman Services.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1866 **Agenda Date:** 6/25/2024 **Agenda #:** C.80.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 40-518-1 Meals on Wheels Diablo Region

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Meals on Wheels Diablo Region, in an amount not to exceed $399,950 to provide outreach services for the period July 1, 2024 through June 30, 2026.

FISCAL IMPACT:

$399,950: Funded by 100% Measure X Funds; of which $199,975 is budgeted in FY 24-25 and $199,975 will be budgeted in FY 25-26.

BACKGROUND:

The Employment and Human Services Department (EHSD) seeks to renew its Contract with Meals on Wheels Diablo Region (MOWDR) for countywide outreach services with special attention to addressing priority populations, as defined in the Older Americans Act (OAA). This Contractor was selected through Contra Costa County's procurement process, RFP#1911. Approximately 95% of older adult clients provided with outreach services will be low-income, persons of color, and/or monolingual Spanish-speaking and reside in traditionally underserved areas of Richmond, San Pablo, Concord, Antioch, Pittsburg, Oakley, Bethel Island and Bay Point. MOWDR will continue identifying potential clients and encouraging their use of existing services and benefits.

These services are provided through a Measure X allocation authorized on November 16, 2021, item D.5, for Master Plan for Aging/Local Community Based Aging Services.

CHILDREN'S IMPACT STATEMENT:

This contract supports one of Contra Costa County's community outcomes of the Children's Report Card: (4)"Families that are Safe, Stable and Nurturing."

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, Contra Costa County will not be able to reach as many older adults who may benefit from services.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1867 **Agenda Date:** 6/25/2024 **Agenda #:** C.81.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract #18-486-0 with American Response West for paramedic training (WDB)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, on behalf of the Workforce Development Board (WDB), to execute a contract with American Medical Response West in the amount not to exceed $400,200 to administer the Paramedic Apprenticeship Program for the period of June 1, 2024 through October 31, 2025.

FISCAL IMPACT:

$400,200: 100% Employment Training Panel Core (ETP-Core) state training funds all of which is budgeted in FY 24-25.

BACKGROUND:

American Medical Response West (AMR) holds the exclusive distinction of being the only ambulance employer in the local area that registered a Paramedic Apprenticeship program with the California Division of Apprenticeship Standards, with sponsorship from the WDB.

On February 27, 2024 (C. 57), the board approved the Employment Training Panel Core (ETP-Core) state training funds. These funds will be utilized to offset the training costs for emergency medical technicians employed with AMR, enabling them to pursue certification as Paramedics. This contract plays a pivotal role in WDB's Healthcare Initiative, aiming to ensure that Contra Costa Emergency and Medical personnel better represent the diverse communities they serve.

This contract was procured via the Sole Source procurement requirements outlined in Administrative Bulletin 600.3 and was approved by Public Works on April 24, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

Failure by the WDB to subcontract this task to a Community-Based Organization (CBO) would result in the inability to fulfill our obligations within the grant partnership. This could lead to the rescission of the grant award, jeopardizing the services provided under the partnership, as well as compliance with grant performance

and requirements.

CHILDREN'S IMPACT STATEMENT:

The services provided under this contract support three of the five of Contra Costa County's community outcomes: (3) "Families that are Economically Self-Sufficient"; (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" by providing career support services for families of adult and dislocated workers.

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CONTRA COSTA COUNTY

Staff Report

File #: 24-1868 **Agenda Date:** 6/25/2024 **Agenda #:** C.82.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 40-525-1 (AAA) Choice in Aging - Measure X Funding - Case Management

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Choice in Aging, in an amount not to exceed $389,828 to provide Case Management services for the period July 1, 2024 through June 30, 2026.

FISCAL IMPACT:

Approval of this contract will result in expenditures of up to $389,828: Funded by 100% Measure X Funds; of which $194,914 is budgeted in FY 24-25 and $194,914 will be budgeted in FY 25-26.

BACKGROUND:

The Employment and Human Services Department (EHSD) seeks to renew its Contract with Choice in Aging for countywide case management services with special attention to addressing priority populations, as defined in the Older Americans Act (OAA). This Contractor was selected through Contra Costa County's procurement process, RFP#1911, for Case Management, Outreach and Transportation to provide services for older persons aged 60 and above and dependent adults 18 years and over residing in Contra Costa County.

These services are provided through a Measure X allocation authorized on November 16, 2021, item D.5, for Master Plan for Aging/Local Community Based Aging Services.

CHILDREN'S IMPACT STATEMENT:

This contract supports one of Contra Costa County's community outcomes of the Children's Report Card: (4) "Families that are Safe, Stable and Nurturing."

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, County will provide less case

management services for older adults 60 years and over, and dependent adults 18 years and over.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1869 **Agenda Date:** 6/25/2024 **Agenda #:** C.83.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Approve contract amendment with Family Caregiver Alliance, #40-539-1 (AAS)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Family Caregiver Alliance to increase the payment limit by $39,319, for Title III-E Family Caregiver Support Program, to an amount not to exceed $329,119 with no change to the term.

FISCAL IMPACT:
$39,319: Funded 62% Federal funds, 38% State funds, all of which is budgeted in FY 23-24.

BACKGROUND:

On February 6, 2024, the Board approved item C.46. authorizing the execution of a contract with Family Caregiver Alliance for a term of July 1, 2023, to June 30, 2024. This amendment is to apply one-time-only funds from the California Department of Aging for the Title III-E Family Caregiver Support Program. This contract was procured via Request for Proposal (RFP) 1198 which followed the protocol outlined in Administrative Bulletin 600.3.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will not be able to provide family caregivers with the additional support they need to continue to provide caregiving for the older adults.

CHILDREN'S IMPACT STATEMENT:

This contract supports one of Contra Costa County's community outcomes of the Children's Report Card": (4) "Families that are Safe, Stable and Nurturing".

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1870 **Agenda Date:** 6/25/2024 **Agenda #:** C.84.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Approve contract amendment with Jewish Family and Community Services East Bay, # 40-537-1 (AAS)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Jewish Family and Community Services East Bay to increase the payment limit by $20,063 to an amount not to exceed $200,823, for Title III-E Caregiver Support Program services, with no change to the term July 1, 2023 through June 30, 2024.

FISCAL IMPACT:
$20,063: Funded 76% Federal funds, 24% State funds, all of which is budgeted in FY 23-24.

BACKGROUND:

The Department executed a contract with Jewish Family and Community Services East Bay for a term July 1, 2023 through June 30, 2024 for the Older Americans Act, Title III-E Family Caregiver Support Program. The contract was procured via Request for Proposal (RFP) 1198 which followed the protocol outlined in Administrative Bulletin 600.3. This amendment is to apply one-time-only funds from the California Department of Aging for additional services.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will not be able to provide family caregivers with the additional support they need to continue to provide caregiving for the older adults they care for.

CHILDREN'S IMPACT STATEMENT:

This contract supports one of Contra Costa County's community outcomes of the Children's Report Card": (4) "Families that are Safe, Stable and Nurturing".

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1871 **Agenda Date:** 6/25/2024 **Agenda #:** C.85.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract 29-518-0 (AAA) California Department of Aging, Older Americans Act Funding

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a Memorandum of Understanding with the California Department of Aging in the amount of $6,938,582 for the period of July 1, 2024 through June 30, 2029 for the Health Insurance Counseling and Advocacy Program and the Medicare Improvement for Patients and Providers Act, and to accept all subsequent amendments, subject to County Counsel approval.

FISCAL IMPACT:

Funding is 71% Federal $4,927,630 and 29% State $2,010,952. A match of $624,472 is required, $199,831 will be met by the County through net county cost and $424,641 is met by subcontractors, all of which is budgeted in FY 2024-25.

BACKGROUND:

The Employment and Human Services Department, (EHSD) Area Agency on Aging (AAA), provides services to residents 60 years and older, adults with disabilities, and family caregivers in Contra Costa County, as defined in the Older Americans Act (OAA) Title IIIB, Title IIID, Title IIIE, and Title VII programs. The AAA is mandated by the OAA to submit an Area Plan to the CDA, which is updated annually, that delineates the service levels, goals, and objectives of the AAA and its Advisory Council on Aging and contracted providers for the fiscal year to serve the client populations. Services include, but are not limited to, supportive services, ombudsman services, congregate meals, home delivered meals, disease prevention, family caregiver services, legal services, and elder abuse prevention services. Memorandum of Understanding (MOU) Number AAA-2425-07 with CDA provides funding to enable the AAA to deliver the services and fulfill the goals and objectives set forth in its Area Plan Update for fiscal year 2024-25. Additionally, per section 8.A.iii, the MOU allows for execution of the original MOU and all subsequent amendments through the period of July 1, 2024 through June 30, 2029. Subsequent allocations by CDA through June 30, 2029 will not require an additional

signed MOU. Additional amendments will be budgeted in the fiscal year referenced.

CONSEQUENCE OF NEGATIVE ACTION:

Without funding, services for older adults, family caregivers, and persons with disabilities in Contra Costa County would be reduced.

CHILDREN'S IMPACT STATEMENT:

This MOU supports the fourth community outcome of Contra Costa County's Children's Report Card: "Families that are Safe, Stable and Nurturing."

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1872 **Agenda Date:** 6/25/2024 **Agenda #:** C.86.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract #20-568-0 with STAND! For Families Free of Violence

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with STAND! For Families Free of Violence, in an amount not to exceed $1,101,375 for the provision of Comprehensive Domestic Violence Prevention and Intervention services to California Work Opportunity and Responsibility to Kids and Welfare-to-Work recipients for the period July 1, 2024 through June 30, 2027.

FISCAL IMPACT:
$1,101,375: 100% (Federal) California Work Opportunity and Responsibility to Kids (CalWORKS), of which $367,125 is budgeted in FY 2024-2025, $367,125 will be budgeted in FY 25-26, and $367,125 will be budgeted in FY 26-27.

BACKGROUND:
Employment and Human Services Department (EHSD) provides comprehensive domestic violence and support services throughout the County as an integral part of the CalWORKs and Welfare to Work Programs. Domestic violence services are designed to identify County recipients and applicants who are past or present victims of domestic violence and provide assistance to address the effects of domestic violence in the family with the final goal of obtaining employment and becoming self-sufficient. EHSD awarded Contractor new Contract #20-568 as a result of Contractor's submittal for services in response to EHSD's Request for Proposal #1208 as conducted through County Procurement Department with an effective date of July 1, 2024 through June 30, 2027.

CHILDREN'S IMPACT STATEMENT: This contract supports all of Contra Costa County's community outcomes of the Children's Report Card, they are as follows: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (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."

CONSEQUENCE OF NEGATIVE ACTION:
If this Contract is not approved, participants in this program will not receive these essential services from this Contractor, and participant's needs may not be fulfilled.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1873 **Agenda Date:** 6/25/2024 **Agenda #:** C.87.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 40-494-0 (AAA) Title IIIC Senior Nutrition Program with West Contra Costa County Meals on Wheels

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with West Contra Costa County Meals on Wheels to increase the payment limit by $138,578 to a new payment limit not to exceed $496,512 to deliver the Older Americans Act Title IIIC-2 Senior Nutrition Home Delivered Meals Program with no change to the term July 1, 2023, through June 30, 2024.

FISCAL IMPACT:

Approval of this amendment will result in additional expenditures of up to $138,578: 60% Federal, 40% State, all of which is budgeted in FY 23-24

BACKGROUND:

On May 16, 2023, the Board approved item C.25 to execute a contract with West Contra Costa County Meals on Wheels in an amount not to exceed $357,934 for the Older Americans Act Title IIIC-2 Senior Nutrition Home Delivered Meals Program for the period of July 1, 2023, to June 30, 2024. This amendment will provide additional funds of $138,578 to a new payment limit not to exceed $496,512 for the period July 1, 2023, through June 30, 2024.

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, West Contra Costa County Meals on Wheels will be unable to increase Senior Nutrition services for older adults in West Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

This contract supports the fourth of Contra Costa County's community outcomes of the Children's Report Card, "Families that are Safe, Stable and Nurturing."

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1874 **Agenda Date:** 6/25/2024 **Agenda #:** C.88.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 40-493-1 (AAS) Title IIIC Senior Nutrition Program with Meals on Wheels Diablo Region

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an amendment with Meals on Wheels Diablo Region, a nonprofit agency, to increase the payment limit by $627,423 to a new payment limit not to exceed $2,387,449 to increase Older Americans Act Title IIIC Senior Nutrition Program services with no change to the term through June 30, 2024.

FISCAL IMPACT:

Approval of this amendment will result in expenditures not to exceed $2,387,449: 71% Federal, 29% State; all of which is budgeted in FY 23-24.

BACKGROUND:

On June 13, 2023, the Board approved item C.176 authorizing a contract with Meals on Wheels Diablo Region in an amount not to exceed $1,760,025 for the Older Americans Act Title IIIC Senior Nutrition Program for the period of July 1, 2023, to June 30, 2024. This amendment will provide additional funds for the provision of Title IIIC Senior Nutrition Program services for Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

This contract supports the fourth of Contra Costa County's community outcomes of the Children's Report Card, "Families that are Safe, Stable and Nurturing."

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, Meals on Wheels Diablo Region will not be able to increase much needed Senior Nutrition services for older adults in Contra Costa County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1947 **Agenda Date:** 6/25/2024 **Agenda #:** C.89.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 40-489-1 Senior Nutrition Infrastructure Agreement with City of Walnut Creek

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an amendment to the interagency agreement with City of Walnut Creek, a government agency, for an increase of $45,231 to a new payment limit not to exceed $291,008 for the purchase and use of additional infrastructure equipment and supplies pursuant to the Home and Community Based Services Senior Nutrition Infrastructure Grant Program for the period February 1, 2024 through September 30, 2024.

FISCAL IMPACT:

$291,008: 100% State funded; $245,777 budgeted in FY23-24 and $45,231 budgeted in FY24-25.

BACKGROUND:

On March 15, 2022, California Department of Aging released PM 22-04 which invited Area Agencies on Aging (AAA) to submit a consolidated Request for Applications (RFA) for older adult senior nutrition infrastructure projects. The AAA surveyed all Congregate Senior Nutrition Programs for responses to the funding opportunity.

On February 6, 2024, the Board approved item C.127 authorizing an interagency agreement with the City of Walnut Creek in an amount not to exceed $245,777 for Senior Nutrition Infrastructure projects for the period of February 1, 2024, to September 30, 2024.

An additional $45,231 is available because of unexpended funds from the California Department of Aging Home and Community Based Services grant approved by the Board of Supervisors on October 18, 2022, item C.21. The City of Walnut Creek will purchase additional equipment, including refrigerators, a walk in freezer, and other items, to improve service for seniors participating in the congregate meals program.

CHILDREN'S IMPACT STATEMENT:

This agreement supports the fourth of Contra Costa County's community outcomes of the Children's Report Card, "Families that are Safe, Stable and Nurturing."

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the City of Walnut Creek will not be able to increase much needed Senior Nutrition services for older adults in Contra Costa County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1875 **Agenda Date:** 6/25/2024 **Agenda #:** C.90.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: 18-420-7 (WDB) Oakland Private Industry Council

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the Oakland Private Industry Council, Inc., to provide administrative and operational support to the East Bay Regional Planning Unit, to increase the payment limit by $94,919 to a new payment limit not to exceed $822,927 and to extend the contract term from July 1, 2022 through June 30, 2024 to July 1, 2022 through December 31, 2025.

FISCAL IMPACT:

$94,918.62: 100% Federal WIOA funds, $94,918.62 which is budgeted in FY24/25. CFDA# 17.258, 17.259, 17.278.

BACKGROUND:

Contractor employs, supervises and provides employer of record services for EASTBAY Works (EBW), who will provide direct coordination and system building services to the East Bay Regional Planning Unit (EBRPU)/EBW: provides contracting and payment for staff travel, communications, supplies, phone, and resource development as determined necessary by the WDBCCC; maintains EBW Job Seeker 800 phone number; provides and maintains technology support for EBW website; and provides administrative and operational support to EBRPU/EBW. Costs are split amongst the four (4) Regional Planning Unit members: the Workforce Development Boards of Contra Costa County, Alameda County, City of Oakland and City of Richmond.

Oakland Private Industry Council was selected through a cooperative agreement with Alameda County's Request for Proposal # 2021, which closed January 21, 2022. The Board approved the initial contract on

September 12, 2017 (C.108) and renewal contracts on July 10, 2018 (C.64), June 11, 2019 (C.116) June 22, 2021 (C.100) and May 9, 2023 (C.36)

CONSEQUENCE OF NEGATIVE ACTION:

The County, through EHSD's Workforce Development Board, will not meet the requirements of the WIOA legislation, nor will they benefit from economies of scale and resource leveraging to carry out responsibilities on behalf of the EBRPU.

CHILDREN'S IMPACT STATEMENT:

This contract support all five of community outcomes established in the Children's Report Card: (1) "Children Ready for and Succeeding in School"; (2) "Children and Youth Healthy and Preparing for Productive Adulthood"; (3) "Families that are Economically Self-Sufficient"; (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."

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1876 **Agenda Date:** 6/25/2024 **Agenda #:** C.91.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract #38-057-3 (CSB) Young Men's Christian Association of the East Bay

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with the Young Men's Christian Association of the East Bay to increase the payment limit by $1,282,782, to a new payment limit not to exceed $3,704,718, to provide delegate Head Start services for an additional 6-months, from December 31, 2023, to June 30, 2024; and RESCIND Board Action of March 5, 2024 (C.27) authorizing an amendment with the Young Men's Christian Association of the East Bay that extended the contract term 6-months, to June 30, 2024, with no change to the payment limit of the contract.

FISCAL IMPACT:

$3,704,718: 100% Federal; all of which is budgeted in FY 23-24. There are no County costs. CFDA No. 93.600

BACKGROUND:

On January 21, 2022, Contra Costa County Employment and Human Services Department (EHSD) issued a Request for Proposal (RFP) #1184 to select a contractor to serve as a Delegate agency. Young Men's Christian Association (YMCA) was selected through the RFP on April 13, 2022, to provide services in East County. The Board of Supervisors approved Young Men's Christian Association (YMCA) to continue the partnership with EHSD.

This staff report will rescind Board action of March 5, 2024 (C.27) authorizing an amendment with Young Men's Christian Association (YMCA) of the East Bay to extend the contract term through June 30, 2024 to provide Head Start, Early Head Start and Early Head Start-Childcare Partnership services, with no changes to the budget. This board action did not include consideration for additional funds as they were not yet available to Contra Costa County.

With Board approval, this contract amendment will increase YMCA's total payment limit to an amount not to exceed $3,704,718. The increase in budget will allow YMCA to utilize Head Start Delegate program funding for the term January 1, 2023, through June 30, 2024.

CHILDREN'S IMPACT STATEMENT:

This contract supports three of Contra Costa County's community outcomes of 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." These outcomes are achieved by offering comprehensive services, including high-quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, fewer eligible families will be served by the County's Head Start Delegate program.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1877 **Agenda Date:** 6/25/2024 **Agenda #:** C.92.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract 18-471-2 (WDB) Rubicon Programs Incorporated - WIOA's America's Job Center of California & Adult/Dislocated Workers Career Services

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract with Rubicon Programs Incorporated in an amount not to exceed $1,859,000 to operate and manage Contra Costa County's America's Job Center of California locations and provide Adult and Dislocated Worker Career Services under the Workforce Innovation and Opportunity Act to County residents, for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:

Approval of this contract will result in expenditures of up to $1,859,000: Funded with 79% Federal Workforce Innovation and Opportunity Act (WIOA) revenues, and 21% State revenues, including Displaced Oil and Gas Worker Fund (DOGWF) revenues, all of which is budgeted in FY 2024-25.

BACKGROUND:

Rubicon Programs Incorporated (Contractor) was selected via Request for Proposals (RFP) #1180 for the provision of Workforce Innovation and Opportunity Act (WIOA) America's Job Center of California (AJCC) and Adult and Dislocated Worker (A/DW) Career Services. On September 15, 2021, the Workforce Development Board (WDB) Executive Committee approved the development and release of an RFP to procure AJCC operations and management and delivery of A/DW Career Services under WIOA. Since 2000, the WDB has provided these services under the administrative entity of Contra Costa County Employment and Human Services Department (EHSD).

The previous contract for these services with the contractor was authorized by the Board of Supervisors on April 24, 2023, C.31.

CONSEQUENCE OF NEGATIVE ACTION:

The County will be hampered in providing adequate career services to adult and dislocated workers.

CHILDREN'S IMPACT STATEMENT:

The services provided under this contract support three of the five of Contra Costa County's community outcomes: (3) "Families that are Economically Self-Sufficient"; (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" by providing career support services for families of adult and dislocated workers.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1878 **Agenda Date:** 6/25/2024 **Agenda #:** C.93.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract # 38-364-6 (CSB) One Solution Technology, Inc. Amendment

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with One Solution Technology, Inc. to increase the payment limit by $605,400 to a new payment limit not to exceed $2,254,400 and to extend the termination date to June 30, 2025, to provide Child Location Observation Utilization Data System software for managing the child and family data management at the County's childcare centers.

FISCAL IMPACT:

$605,400 in additional expenditures: 42% Federal and 58% State; all of which is budgeted in FY 24-25.

BACKGROUND:

On April 9, 2024, the Board approved item C.45 authorizing a contract amendment with One Solution Technology, Inc. to increase the payment limit by $65,000 to a new payment limit not to exceed $1,649,000 for additional voice message services and short message services with no change to the period July 1, 2021, through June 30, 2024. This contract amendment will provide a one (1) year extension of the term to a new period from July 1, 2021, through June 30, 2025, with additional funds of $605,400 to a new payment limit not to exceed $2,254,400.

CHILDREN'S IMPACT STATEMENT:

This contract supports three of Contra Costa County's community outcomes of 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".

CONSEQUENCE OF NEGATIVE ACTION:

Should the proposed action not be approved by the Board of Supervisors, the County will not have access to the CLOUDS database system and will no longer have access to provide child monitoring for Childcare programs.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1879 **Agenda Date:** 6/25/2024 **Agenda #:** C.94.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Contract amendment #40-487-2 with Meals on Wheels Diablo Region (AAS)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute a contract amendment with Meals on Wheels Diablo Region, to increase the payment limit by $99,812 to a new amount not to exceed $286,928, to provide Supplemental Nutrition Assistance Program - Education (SNAP-Ed) nutrition services, with no change to term October 15, 2023 through September 30, 2024.

FISCAL IMPACT:

Approval of this amendment will result in additional expenditures of up to $99,812: Funded 100% by Federal funds, $28,080 of which is budgeted in FY 23-24, and $71,732 of which is budgeted in FY 24-25, through an agreement with the California Department of Aging (CDA).

BACKGROUND:

On November 1, 2022, the Board of Supervisors accepted Resolution No. 2022/367 (C.24) to accept funding from the California Department of Aging to implement CalFresh Healthy Living Supplemental Nutrition Assistance Program (SNAP-Ed). The department executed a contract with Meals on Wheels Diablo Region (MOWDR) for SNAP-Ed in the amount of $187,116 for period October 1, 2023 through September 30, 2024. With additional funding for SNAP-Ed issued by CDA, the County is amending the MOWDR contract for the period October 1, 2023 through September 30, 2024 with additional funds of $98,812 to a new payment limit of $286,928. Through this agreement, MOWDR will provide evidence-based SNAP-Ed nutrition education and obesity prevention services in Contra Costa County with special attention to addressing priority populations, including racial minorities, persons with disabilities, rural residents, and Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) individuals. This contract conforms to procurement guidelines outlined in Administrative Bulletin 600.3.

CONSEQUENCE OF NEGATIVE ACTION:

Without the additional funding, MOWDR will not be able to provide increased SNAP-Ed nutrition services in Contra Costa County.

CHILDREN'S IMPACT STATEMENT:

This contract supports the fourth community outcome of Contra Costa County's Children's Report Card: Families that are Safe, Stable and Nurturing.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1880 **Agenda Date:** 6/25/2024 **Agenda #:** C.95.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Acceptance of the 2024-2028 Area Agency on Aging Area Plan

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the submittal of the Contra Costa County Area Aging on Aging 2024-2028 Area Plan on Aging for services under the Older Americans Act (OAA) and other State funded programs to the California Department on Aging (CDA) and AUTHORIZE the Board of Supervisors Chair to sign the Letter of Transmittal.

FISCAL IMPACT:
There is no fiscal impact.

BACKGROUND:
The Area Agency on Aging (AAA), a division of the Employment and Human Services Department of the Aging & Adult Services Bureau, is responsible for providing services to older adults, persons with disabilities, and family caregivers through OAA and other funding sources administered by the CDA. As mandated by the OAA, every four years, the AAA is required to conduct an assessment of needs of its client population and submit a four-year plan outlining its strategies to address these needs. The AAA's previous four-year 2020-2024 Area Plan was approved by the Board on August 4, 2020, item C.39, and annual updates have been provided in the subsequent three years.

The 2024-2028 plan incorporates feedback from 13 focus groups, consumer surveys, key information interviews, and goals and objectives developed in partnership with the Advisory Council on Aging. The 2024-2028 Area Plan was presented to the public via a Public Hearing and approved by the Advisory Council on Aging on March 20, 2024.

CONSEQUENCE OF NEGATIVE ACTION:
Should the proposed action not be approved by the Board of Supervisors, the CDA will not approve the AAA's Area Plan, budget and payments.

CHILDREN'S IMPACT STATEMENT:

This item supports the fourth of Contra Costa County's community outcomes of the Children's Report Card, "Families that are Safe, Stable and Nurturing."

Contra Costa County

Area Plan

July 1, 2024 to June 30, 2028

Employment & Human Services Department

Area Agency on Aging

400 Ellinwood Way, Pleasant Hill, CA 94523

925-229-8434

https://ehsd.org/elderly-disabled/area-agency-on-aging/

CONTRA COSTA COUNTY

EMPLOYMENT & HUMAN SERVICES

Building Brighter Futures Together

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2024-2028 4-YEAR AREA PLAN REQUIRED COMPONENTS CHECKLIST

To ensure all required components are included, "X" mark the far-right column boxes. Enclose a copy of the checklist with your Area Plan; *submit this form with the Area Plan due 5-1-24 only*

Section	Four-Year Area Plan Components	4-Year Plan
TL	Transmittal Letter – *Can be electronically signed and verified, email signed letter or pdf copy of original signed letter can be sent to areaplan@aging.ca.gov*	☒
1	Mission Statement	☒
2	Description of the Planning and Service Area (PSA)	☒
3	Description of the Area Agency on Aging (AAA)	☒
4	Planning Process & Establishing Priorities & Identification of Priorities	☒
5	Needs Assessment & Targeting	☒
6	Priority Services & Public Hearings	☒
7	Area Plan Narrative Goals and Objectives:	☒
7	Title IIIB Funded Program Development (PD) Objectives	☒
7	Title IIIB Funded Coordination (C) Objectives	☒
7	System-Building and Administrative Goals & Objectives	☒
8	Service Unit Plan (SUP) and Long-Term Care Ombudsman Outcomes	☒
9	Senior Centers and Focal Points	☒
10	Title III E Family Caregiver Support Program	☒
11	Legal Assistance	☒
12	Disaster Preparedness	☒
13	Notice of Intent to Provide Direct Services	☒
14	Request for Approval to Provide Direct Services	☒
15	Governing Board	☒
16	Advisory Council	☒
17	Multipurpose Senior Center Acquisition or Construction Compliance Review	☒
18	Organization Chart	☒
19	Assurances	☒

PSA 7

AREA PLAN UPDATE (APU) CHECKLIST

Check one: ☐ **FY25-26** ☐ **FY 26-27** ☐ **FY 27-28**

Use for APUs only

AP Guidance Section	APU Components (Update/Submit A through G) ANNUALLY:	Check if Included
n/a	**A) Transmittal Letter-** *(submit by email with electronic or scanned original signatures)*	☐
n/a	**B) APU-** *(submit entire APU electronically only)*	☐
2, 3, or 4	**C)** Estimate- of the number of lower income minority older individuals in the PSA for the coming year	☐
6	**D)** Priority Services and Public Hearings	☐
n/a	**E)** Annual Budget, should match Org. Chart	☐
8	**F)** Service Unit Plan (SUP) and LTC Ombudsman Program Outcomes	☐
11	**G)** Legal Assistance	☐

AP Guidance Section	APU Components (To be attached to the APU) ➢ ***Update/Submit the following only if there has been a CHANGE to the section that was not included in the 2024-2028 Area Plan:***	Mark C for Changed	Mark N/C for Not Changed
1	Mission Statement	☐	☐
5	Needs Assessment/Targeting	☐	☐
7	AP Narrative Objectives:	☐	☐
7	• System-Building and Administration	☐	☐
7	• Title IIIB-Funded Programs	☐	☐
7	• Title IIIB-Program Development/Coordination (PD or C)	☐	☐
7	• Title IIIC-1 or Title IIIC-2	☐	☐
7	• Title IIID-Evidence Based	☐	☐
7	• HICAP Program	☐	☐
9	Senior Centers and Focal Points	☐	☐
10	Title IIIE-Family Caregiver Support Program	☐	☐
12	Disaster Preparedness	☐	☐
13	Notice of Intent to Provide Direct Services	☐	☐
14	Request for Approval to Provide Direct Services	☐	☐
15	Governing Board	☐	☐
16	Advisory Council	☐	☐
17	Multipurpose Senior Center Acquisition or Construction	☐	☐
18	Organizational Chart(s) (Must match Budget)	☐	☐
19	Assurances	☐	☐

TRANSMITTAL LETTER
2024-2028 Four Year Area Plan/ Annual Update
Check one: ☒ **FY 24-25** ☐ **FY 25-26** ☐ **FY 26-27** ☐ **FY 27-28**

AAA Name: Contra Costa County **PSA 7**

This Area Plan is hereby submitted to the California Department of Aging for approval. The Governing Board and the Advisory Council have each had the opportunity to participate in the planning process and to review and comment on the Area Plan. The Governing Board, Advisory Council, and Area Agency Director actively support the planning and development of community-based systems of care and will ensure compliance with the assurances set forth in this Area Plan. The undersigned recognize the responsibility within each community to establish systems in order to address the care needs of older individuals and their family caregivers in this planning and service area.

1. _____ _____
Federal Glover — Date
Chair, Board of Supervisors

2. _____ _____
Jill Kleiner — Date
President, Advisory Council on Aging

3. _____ _____
Tracy Murray — Date
Director, Aging & Adult Services

SECTION 1. MISSION STATEMENT

The mission of the Contra Costa County Area Agency on Aging (AAA) is to provide leadership in addressing issues that relate to older and disabled Californians; to develop community-based systems of care that provide services that support independence within California's interdependent society and protect the quality of life of older persons and persons with functional impairments; and to promote citizen involvement in the planning and delivery of services.

The AAA accomplishes its mission by:

- Building coalitions and working collaboratively with partners to develop a comprehensive system of services and support for older persons, adults with disabilities, and family and informal caregivers.

- Developing, funding, and implementing programs and services in coordination with community-based providers.

- Assessing the needs of the client population and ensuring services are accessible, available, affordable, equitable, and reliable.

- Responding to the unique and changing needs of a diverse client population by planning and developing new programs, educating the public about resources, and delivering services that are equitable and inclusive.

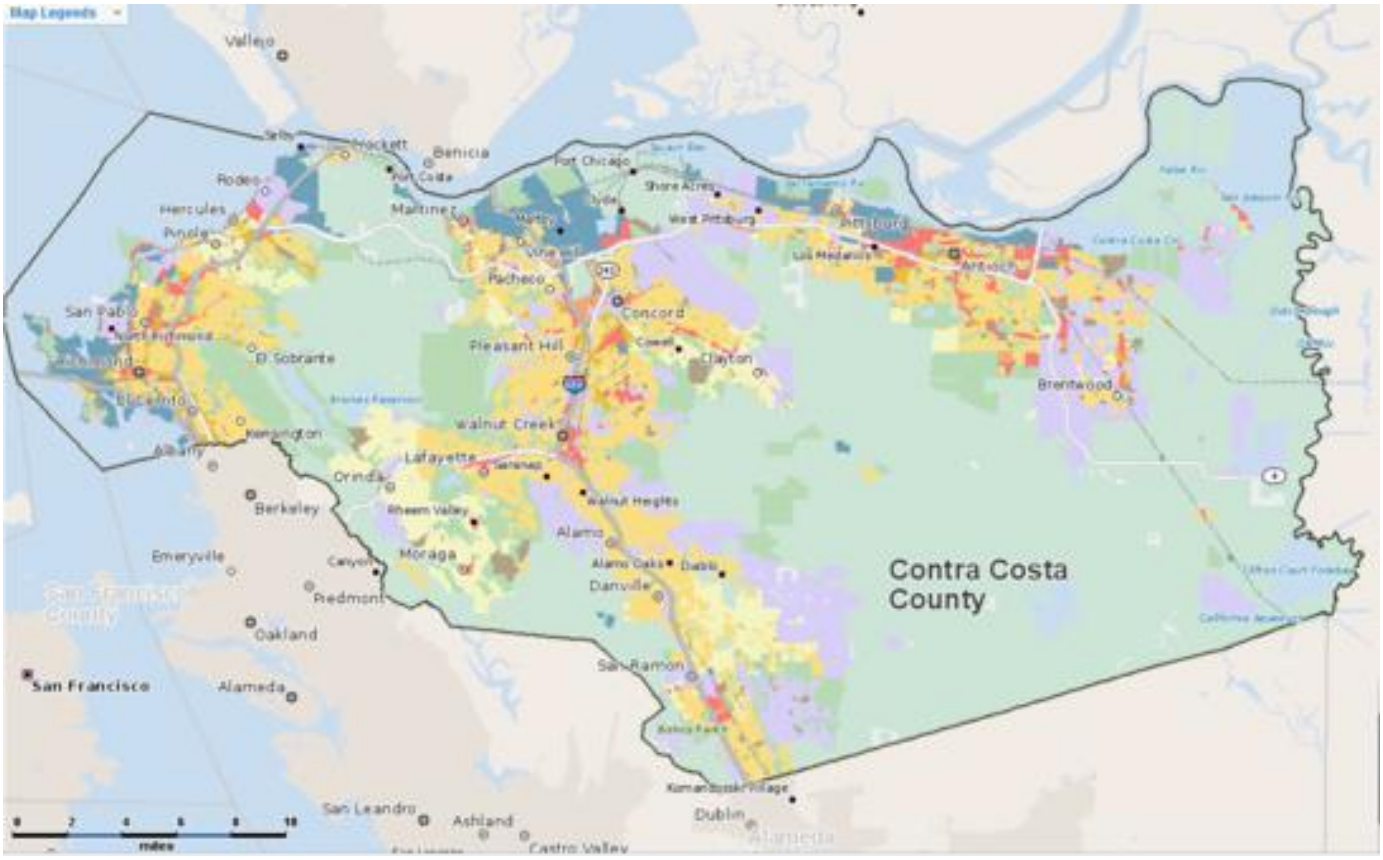
- Advocating for policy changes to create meaningful improvements in the lives of individuals as they age and facilitating their ability to live independently and thrive in later life.

- Providing direct services that include the involvement of older adult volunteers.

- Facilitating an "Age Friendly" partnership, policy development, and community and capacity building efforts to strengthen the service system that supports older adults, persons with disabilities, and family caregivers.

SECTION 2. DESCRIPTION OF THE PLANNING AND SERVICE AREA (PSA)

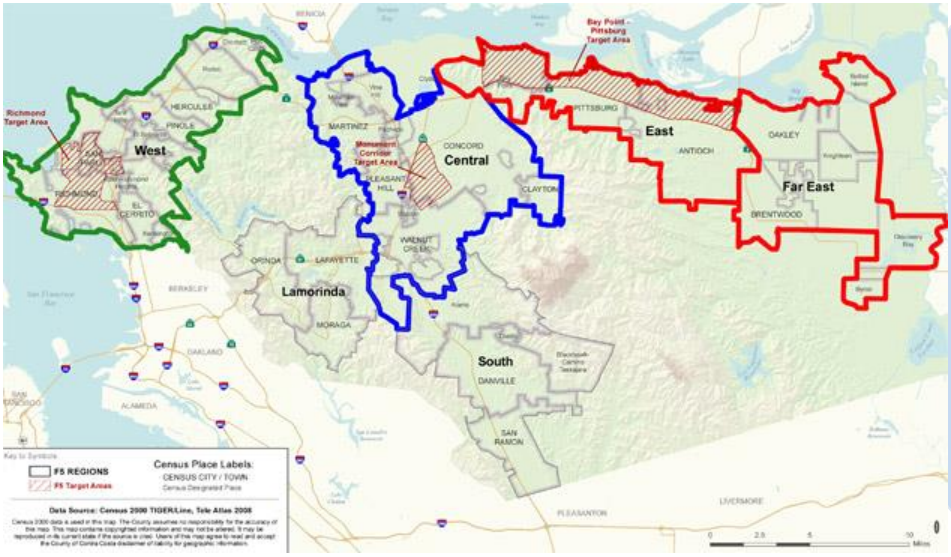
The State of California designated Contra Costa County, in its entirety, as Planning and Service Area #7 (PSA 7). It has a land area of 716.9 square miles, ranking it the 51st largest out of 58 counties in California by total area, according to the United States Census Bureau.[1] Contra Costa is one of the nine Bay Area counties, which include Alameda, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma. It is the third most populous and third largest county among these Bay Area counties. Contra Costa has 19 incorporated cities and is bordered by the San Francisco Bay to the West, San Pablo Bay and the Sacramento River Delta to the North, San Joaquin County to the East, and Alameda County to the South. Areas of the county that border water are where the heaviest industries are located, including several oil refineries and chemical plants along the Bay and Delta areas. The most inland areas are the remaining rural portions of the county, which have been greatly reduced to make way for suburban development.



[1] U.S. Census Bureau. https://data.census.gov/profile/Contra_Costa_County,_California?g=050XX00US06013

Contra Costa is the 9th most populous county in the state with an estimated population of 1,165,927 as of the 2020 Census.[2] This represents an 11% increase from the 2010 decennial count of 1,049,025 residents. As of July 1, 2022, the county's estimated population shows a slight decline of -0.8% from its 2020 base year.[3] Residents of the county are diverse and has become more so in the last decade, registering a diversity index of 73% in 2020, which measures the probability that two people chosen at random will be from different racial and ethnic groups. Contra Costa's diversity ranking moved up from eighth place out of 58 counties in California in 2010 to fourth place in 2020. From a five-year average (2018-2022), there are 408,537 estimated households in the county, of which 36.3% have residents aged 5 years and older who speak a language other than English at home.[4] During this period, more than one out of every four (27.0%) residents identify as Hispanic/Latinx and 31.4% are Black, American Indian and Alaskan Native, Asian, or Native Hawaiian and other Pacific Islander.[5]

Hills delineate Contra Costa into three distinct regions that span urban, suburban, and rural geography: East, West, and Central County. Variability in socioeconomic, infrastructure, and demographic characteristics define each region, as shown in Table 1.



CONTRA COSTA COUNTY REGIONS:

EAST COUNTY: Cities of Antioch, Bay Point, Brentwood, Oakley, Pittsburg, and unincorporated areas of Bethel Island, Byron, Discovery Bay, and Knightsen

CENTRAL COUNTY: Cities of Concord, Danville, Lafayette, Martinez, Moraga, Orinda, Pleasant Hill, San Ramon, Walnut Creek, and unincorporated areas of Alamo, Clayton, Clyde and Rheem

WEST COUNTY: Cities of El Cerrito, Hercules Pinole, Richmond, San Pablo, and the unincorporated areas of Crockett, El Sobrante, Kensington, Port Costa, and Rodeo

West County is the most urbanized section of the county with Richmond as its largest city. The region has an estimated population of 270,382 residents, approximately 22% of which are persons aged 60 years and older. The median age of 39.2 years is younger than that of the county's 40.5 years.[6] West County is the most diverse region in Contra Costa. Almost 38% of its population is

[2] U.S. Census Bureau. Population 60 Years and Over in the United States. American Community Survey, ACS 5-Year Estimates Subject Tables, Table S0102, 2022, https://data.census.gov/table/ACSST5Y2022.S0102?q=California Populations and People&t=Older Population&g=040XX00US06,06$0500000

[3] U.S. Census Bureau. Quick Facts, Contra Costa County, CA. https://www.census.gov/quickfacts/fact/table/contracostacentrecdpcalifornia,contracostacountycalifornia/PST045223

[4] Ibid.

[5] Ibid

[6] U.S. Census Bureau. Profile West Contra Costa CCD, Contra Costa County, California. https://data.census.gov/profile/West_Contra_Costa_CCD,_Contra_Costa_County,_California?g=060XX00US0601393620

of Hispanic/ Latinx descent, compared to 27% countywide.[7] West region's median household income of $95,970 is the lowest in Contra Costa, compared to the county's median household income of $120,061.[8]

Table 1. Population by Age and Sex by Region (2020), Contra Costa County, CA[9]

	WEST			CENTRAL			EAST			CONTRA COSTA COUNTY		
Age in Years	**Male**	**Female**	**Total**	**Male**	**Female**	**Total**	**Male**	**Female**	**Total**	**Male**	**Female**	**Total**
85 and Over	1,485	3,270	4,755	5,223	8,044	13,267	1,018	986	2,004	8,804	14,454	23,258
80 to 84	2,007	2,363	4,370	4,705	6,980	11,685	824	1,168	1,992	9,281	12,720	22,001
75 to 79	3,176	4,011	7,187	7,772	9,874	17,646	1,816	2,455	4,271	14,551	19,076	33,627
70 to 74	4,855	6,068	10,923	11,473	12,978	24,451	2,880	3,437	6,317	23,603	27,106	50,709
65 to 69	7,050	8,544	15,594	13,010	15,077	28,087	2,773	3,039	5,812	28,064	32,648	60,712
60 to 64	7,779	8,698	16,477	15,730	16,494	32,224	4,439	4,706	9,145	35,266	37,402	72,668
55 to 59	8,025	8,602	16,627	19,175	18,245	37,420	4,996	5,046	10,042	40,071	40,357	80,428
50 to 54	8,486	8,872	17,358	17,799	17,578	35,377	5,395	5,477	10,872	40,361	40,385	80,746
45 to 49	8,752	9,033	17,785	17,130	17,759	34,889	4,886	4,843	9,729	39,336	39,931	79,267
40 to 44	9,845	10,071	19,916	16,588	16,560	33,148	4,588	5,065	9,653	39,157	40,659	79,816
35 to 39	9,675	9,953	19,628	18,463	16,803	35,266	4,970	4,434	9,404	40,944	40,226	81,170
30 to 34	10,388	10,556	20,944	15,112	14,794	29,906	3,685	4,520	8,205	37,315	37,182	74,497
25 to 29	8,991	8,718	17,709	14,312	12,960	27,272	4,007	4,402	8,409	35,439	34,147	69,586
20 to 24	8,478	7,806	16,284	12,530	13,270	25,800	4,717	4,345	9,062	34,647	33,337	67,984
15 to 19	8,799	7,523	16,322	15,664	14,769	30,433	6,008	5,979	11,987	39,108	36,891	75,999
10 to 14	8,621	8,252	16,873	16,590	14,140	30,730	5,454	6,139	11,593	39,544	37,941	77,485
5 to 9	8,195	8,184	16,379	15,010	13,731	28,741	4,908	4,619	9,527	35,579	34,287	69,866
Under 5	6,783	6,745	13,528	14,124	13,130	27,254	4,137	3,414	7,551	32,004	30,825	62,829
Total	**131,390**	**137,269**	**268,659**	**250,410**	**253,186**	**503,596**	**71,501**	**74,074**	**145,575**	**573,074**	**589,574**	**1,162,648**
Total Population*	270,382			507,758			144,793			1,165,927		
Median Age	39.2			42.5			38.5			40.5		
Median Household Income	$95,970			$141,560			$128,843			$120,061		
Bachelor's Degree or Higher	36.4%			57.9%			32.3%			45.1%		
Employment Rate	62.0%			61.5%			60.4%			61.2%		
Total Housing Units	95,813			201,852			48,184			423,342		
No Health Care Coverage	6.7%			3.2%			3.3%			4.4%		
Hispanic/Latino Pop Any Race	102,038			84,268			42,477			314,900		
Hispanic/Latino % of Pop	37.7%			16.6%			29.3%			27.0%		

**Discrepancies due to margin of error*

Central County is considered the most affluent region of Contra Costa and is sometimes further delineated by "South County" to cover the communities of Danville, San Ramon and Alamo and Lamorinda (Lafayette, Moraga, Orinda) to the west. Central County is the frontrunner in almost all indicators (Table 1), including median age (42.5 years vs 40.5 years for the county), median income ($141,560 vs $120,061 for the county), and residents with a bachelor's degree or higher (58% vs 45% for the county). The area, however, is not as diverse as the other regions, with only 17% of its residents identifying as Hispanic/Latinx, compared to 27% for the county.[10] One out of every four residents (25%) in the Central region are persons aged 60 years and older, the highest in the county.[11] Areas along major freeways are hubs for business parks and commercial centers.

[7] Ibid.
[8] Ibid.
[9] U.S. Census Bureau. Census Bureau Profiles. https://data.census.gov/profile/Contra_Costa_County,_California?g=050XX00US06013
[10] Ibid.
[11] Ibid.

East County has the lowest population in Contra Costa, yet it is home to some of the fastest growing jurisdictions in the county and the Bay Area. The Association of Bay Area Governments (ABAG) ranked Brentwood, Oakley, and Pittsburg as the 4th, 5th, and 10th fastest growing municipalities in the Bay Area, respectively, and the only cities in Contra Costa County on ABAG's top 10 list.[12] Its population is estimated at 144,793 with a median age of 38.5 years old (40.5 years in the county), the youngest in Contra Costa.[13] Twenty-two percent of East County residents are 60 years and older, slightly lower than the county's 23%, while 29.3% of the region's population are Hispanic/Latinx of any age (27% in the county).[14] The median household income in East County is $128,843, compared to Contra Costa's median income of $120,061. The relative affordability of housing in East County has contributed to the region's rapid growth, yet the region's infrastructure has not kept pace with this development, including transit services, resulting in some of the county's working-age adults driving long distances to get to their jobs.

Persons Aged 60 Years and Older in Contra Costa County

Community-based services for older adults throughout the United States are primarily funded through the Older Americans Act (OAA). The OAA is a federal law passed by Congress in 1965 to respond to the lack of community social services for older individuals and to improve the status of older Americans nationwide. State Units on Aging administer and oversee the implementation of the OAA. In California, the California Department of Aging (CDA) fulfills this role and works with the AAAs to implement OAA programs and services at the local level. CDA passes down OAA funding to the AAAs using an Intrastate Funding Formula (IFF), which factors population size, low-income status, racial minority background, geographically isolated (rural residence), etc. of residents aged 60 and older in the PSA. Based on CDA's 2023 release of the Population Demographic Projections by County and by PSA for the Intrastate Funding Formula report, persons aged 60 years and older in Contra Costa County have the following attributes:

- Projected population aged 60 and older: 296,731
- Minority population aged 60 and older: 128,463 (43%)
- Low-Income aged 60 and older: 21,910 (7%)
- Medi-Cal Eligible aged 60 and older: 45,120 (15%)
- Geographically Isolated aged 60 and older: 1,769 (0.6%)
- Lives alone aged 60 and older: 49,350 (17%)
- Non-English speaking aged 60 and older: 6,000 (2%)

An exploration of CalSAWS data[15] provides further understanding of the geographic and demographic spread of lower-income Contra Costa residents. CalSAWS is a state online platform that supports the administration of welfare programs in California, including Medi-Cal, CalFresh, CalWorks, General Assistance/General Relief, Foster Care, and Case Management. CalSAWS data shows 51,502 individuals aged 60 and over who are currently active in Medi-Cal or CalFresh

[12] Association of Bay Area Governments. (June 5, 2018). The Bay Area's Fastest Growing Cities and Towns. https://abag.ca.gov/news/bay-areas-fastest-growing-cities-and-towns
[13] U.S. Census Bureau. Profile East Contra Costa CCD, Contra Costa County, California. https://data.census.gov/profile/East_Contra_Costa_CCD,_Contra_Costa_County,_California?g=060XX00US0601390780
[14] Ibid.
[15] CalSAWS PERS and PERS_RACE tables. Data pulled 2.21.2024.

(or both programs) in Contra Costa County. Medi-Cal and CalFresh recipient data was used as a proxy to determine low-income individuals in the county because crosstabs are not available in the U.S. Census data for the age 60+ population in poverty by race and ethnicity. It is important to note that both Medi-Cal and CalFresh eligibility rules may allow specific individuals age 60+ to qualify for these programs even if their income exceeds 100% of the Federal Poverty Level. The table below shows the number of unduplicated Medi-Cal and CalFresh recipients aged 60+ in Contra Costa County broken down by primary race and ethnicity categories.

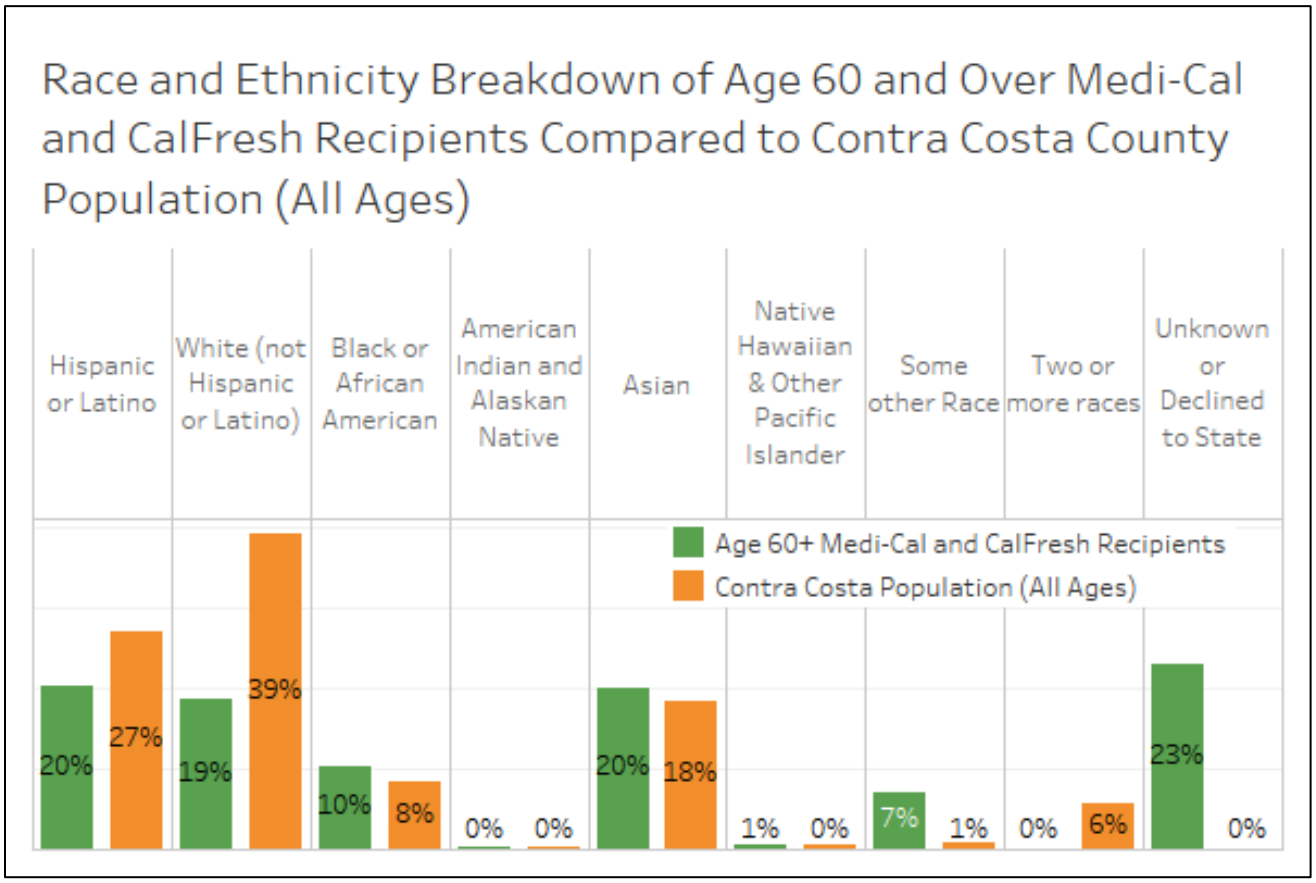
Race and Ethnicity of Age 60 and Over Medi-Cal and CalFresh Recipients in Contra Costa County

	Count	% of Total
Hispanic or Latino	10,435	20%
White (not Hispanic or Latino)	9,622	19%
Black or African American	5,299	10%
American Indian and Alaskan Native	107	0%
Asian	10,224	20%
Native Hawaiian & Other Pacific Islander	333	1%
Some other Race	3,672	7%
Two or more races	0	0%
Unknown or Declined to State	11,810	23%
Grand Total	51,502	100%

Source: CalSAWS

The following chart compares the race/ethnicity percentage breakdown for the 60+ Medi-Cal and CalFresh recipients with the rest of the County population[16]. The chart shows that Asian and Black/African American adults aged 60+ receive CalFresh and Medi-Cal at rates higher than the proportion of their population for all ages in the county. While 18% of the county's population are Asian of all ages, 20% of CalFresh and/or Medi-Cal recipients are Asian aged 60 years and above. Black/African Americans of all ages make up 8% of the population in Contra Costa, while 10% of of this racial group aged 60+ receive CalFresh and Medi-Cal.

[16] Census 2020 Redistricting Data, Table PL 94-171: Census - Table Results

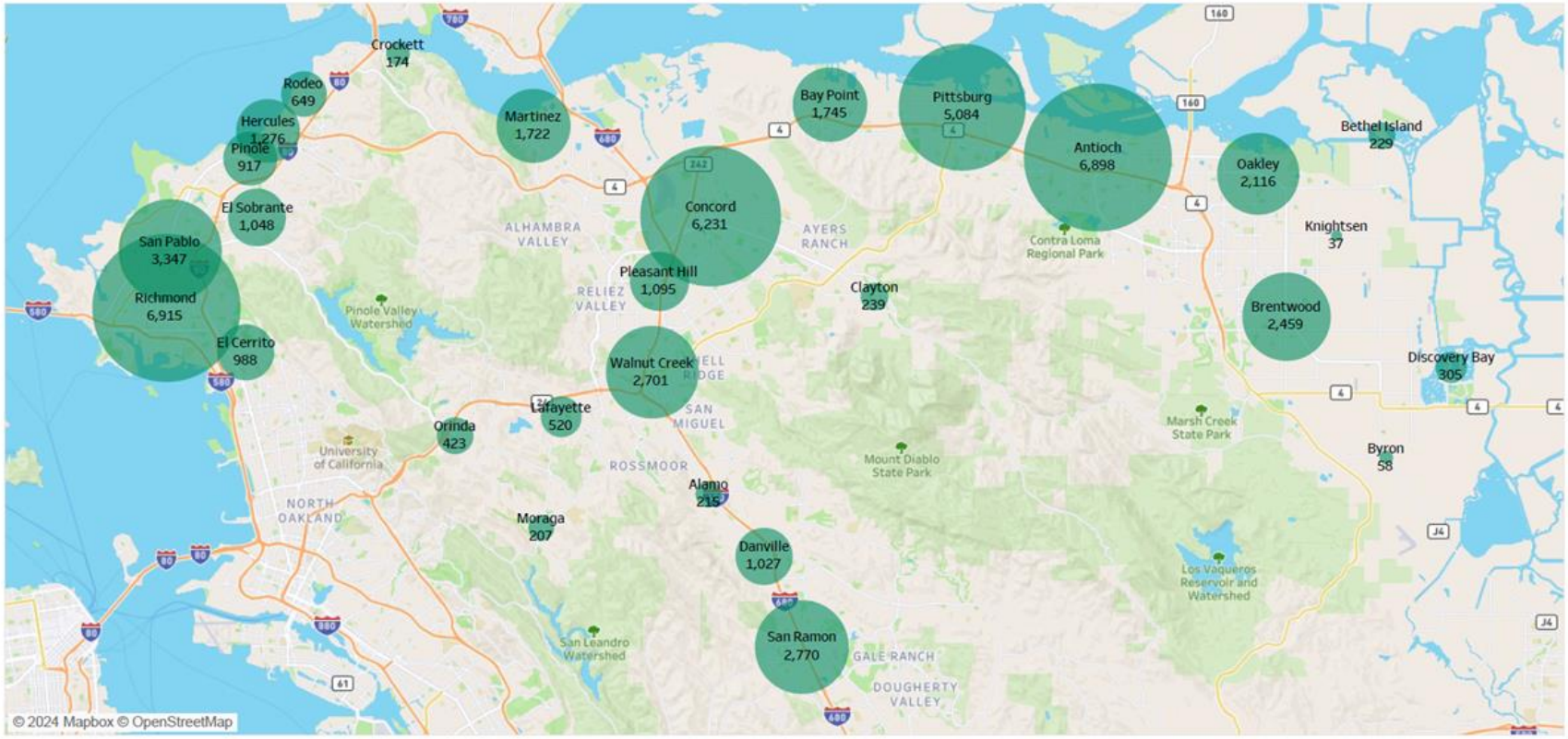


According to the U.S. Census[17], there are approximately 19,362 individuals in Contra Costa age 60 and over (+/- 1,236 margin of error) who are "below the poverty level." There are currently 51,502 individuals age 60+ presently enrolled in Medi-Cal and CalFresh in Contra Costa, compared to the estimated 19,362 individuals age 60+ "below the poverty level" based on Census estimates. The map below plots the location of the age 60+ Medi-Cal and CalFresh individuals across the county based on CalSAWS data.[18] This map view suggests that Richmond, Antioch, Concord, and Pittsburg have the highest counts of individuals in this category.

[17] U.S. Census Bureau. 2022 American Community Survey 5-Year Estimates, Poverty Status in the Past 12 Months, Table S1701: Census - Table Results

[18] CalSAWS PERS and PERS_RACE tables. Data pulled 2.21.2024.

Map of Age 60 and Over Medi-Cal Recipients in Contra Costa County



Note: Excluded from this view are: 1) Individuals who listed home addresses in cities and unincorporated areas NOT within Contra Costa County and 2) cities and unincorporated areas where there are 20 or less individuals.

SECTION 3. DESCRIPTION OF THE AREA AGENCY ON AGING (AAA)

On May 20, 1975, the Board of Supervisors was designated as the governing body for the Area Agency on Aging (AAA) for Contra Costa County. By September of that year, the California Department of Aging (CDA) granted the County its first contract to deliver Older Americans Act (OAA) programs for Planning and Service Area 7 (PSA 7). During this first agreement with CDA, the Board of Supervisors established the Advisory Council on Aging (ACOA) and appointed the County's Employment and Human Services Department (EHSD) to institute and administer the AAA within its department.

Contra Costa County Advisory Council on Aging

The ACOA's membership is composed of 40 seats: 19 seats represented by City jurisdictions, 20 seats reserved for members at large, and one seat assigned for the Nutrition Council. All seats are approved and appointed by the County Board of Supervisors. The ACOA is the advisory body to the Board of Supervisors representing older adults, persons with disabilities, and family caregivers in Contra Costa. The ACOA supports the AAA in ensuring that Contra Costa has a well-coordinated and robust service system to enable its residents to age successfully in the community. The ACOA provides leadership and advocacy on behalf of older persons and serves as a channel of communication and information on aging issues. Three ACOA members currently serve on the California Senior Legislature to help author and advocate for bills affecting older adults and the disabled across the State. The ACOA follows the guidelines set forth in the Brown Act.

The ACOA has many ways for the community to be involved and all committees and workgroups are open to the public, with public comment time set aside on all agendas. Its committees consist of the Executive Committee, Planning Committee, and Membership Committee. The Planning Committee provides input in assessing the needs of the community and establishing goals, objectives, and priorities for the Area Plan.

The ACOA also has the following workgroups (open membership):

- Health
- Housing
- Legislative
- Technology
- Transportation

Contra Costa County Area Agency on Aging

The AAA is one of the divisions within EHSD's Aging and Adult Services (AAS) Bureau. AAS is a major branch within EHSD, which also oversees Adult Protective Services, General Assistance, In-Home Support Services, Public Administrator Office, Public Authority, and a division supporting the Enhanced Care Management program with Contra Costa County Health Services Agency. The AAA serves as the county's hub for coordinating and funding programs and services that enhance the lives of older adults, persons with disabilities, and unpaid family caregivers in Contra Costa by supporting their ability to age in the community with dignity and purpose for as long as possible. As the administrator of Older Americans Act, Older Californians Act, and other state and federal

programs, the AAA supports these populations through direct service delivery and contracts with community-based agencies. Working together with the ACOA, the AAA has the overall responsibility of developing and implementing a comprehensive and integrated community-based service system in the county. It is in this capacity that the Board of Supervisors entrusted EHSD, via the AAA, to lead the planning and development of Contra Costa's Master Plan for Aging (MPA) Local Playbook and coordinate the implementation of its goals and strategies.

SECTION 4. PLANNING PROCESS & ESTABLISHING PRIORITIES

Master Plan for Aging Local Playbook

PSA 7's Area Plan for 2024-2028 priorities were informed by the development of Contra Costa's Master Plan for Aging (MPA) Local Playbook. The MPA is an unprecedented undertaking initiated by Governor Gavin Newsom to prioritize older individuals and persons with disabilities in California. The Governor's passage of Executive Order N-14-19 in June 2019 prompted a statewide planning process that brought together subject-matter experts, government agencies, policymakers, service providers, and persons with lived experience. The result is California's MPA, a 10-year blueprint to prepare the state for its rapidly aging population and to maintain its leadership in aging, disability, and equity through five bold goals:

- Housing for all ages and stages
- Health reimagined
- Equity and inclusion, not isolation
- Caregiving that works
- Affording aging

On June 24, 2021, the MPA was introduced in Contra Costa at a forum that drew more than 150 stakeholders representing public, private, nonprofit, and elected office. Fifteen local priorities in support of the MPA's five bold goals were identified by stakeholders. Key themes that emerged from the identified priorities are as follows:

- **Address affordability, availability, and accessibility** of housing, supportive services, food and nutrition, transportation, and other resources for older adults, persons with disabilities, and family caregivers.
- **Develop the workforce** by providing equitable living wage for paid caregivers, developing geriatric training, and creating certificate programs for professionals.
- **Expand choices and options** for various housing types, alternative living arrangements, in-home/out-of-home homecare, end-of-life care, and community development/city planning, permitting and building.
- **Reframe attitudes, beliefs, and behaviors** through anti-ageism, anti-ableism, and caregiver awareness campaigns that also examine intersecting issues.
- **Prioritize at-risk and hidden populations** including low to very- low-income seniors, persons with disabilities, and middle-income individuals who do not qualify for public programs yet cannot afford to pay out-of-pocket for services.
- **Develop data infrastructure and systems** to cross-share information among providers working with clients and consumers.

The following year, Contra Costa held its second countywide summit on the MPA, with 150 people in attendance onsite and 255 livestream viewers. Participants developed vision statements and actionable recommendations on 20+ topic areas that include the Aging and Disability Resource Connection, Age-Friendly Contra Costa, geriatric care expansion, healthcare and homecare services, housing, nursing home innovation, protection from poverty and hunger, workforce, and volunteer engagement.

Contra Costa is in a unique position to successfully implement the MPA locally. On November 16, 2022, the Board of Supervisors adopted the Measure X policy and funding allocation expenditure plan, which includes $1.25 million in the first year for services and a one-time planning grant to develop an MPA Local Playbook. Starting in year two, $2 million in Measure X funding was allocated annually for services and program priorities for older adults. Measure X is a half-cent sales tax approved by Contra Costa County voters in November 2020 to generate a revenue stream for essential services and to support vulnerable populations in the county for the next 20 years.

The County retained the services of Collaborative Consulting to help develop the Contra Costa MPA Local Playbook, a collective impact, actionable plan with short (1-3 years), medium (4-5 years), and long-term (6+ years) strategies to promote healthy and equitable aging for residents of all stages and abilities in Contra Costa County. Collaborative Consulting worked closely with the Implementing the MPA in Contra Costa Together (IMPACCT) Steering Committee, comprised of leaders and decision makers from various County departments, community-based agencies, elected offices, and advocacy groups. The AAA Director and Aging and Adult Services Director helped set the IMPACCT Steering Committee meeting agendas, provided subject matter expertise, tracked the project's progress, and guided the project's direction, priorities, and strategic focus. Contra Costa's Local Playbook is planned to be presented at the Board of Supervisors' Family and Human Services Committee in May 2024, followed by a presentation to the full Board for adoption with a tentative timeframe of June 2024.

A variety of methods were applied to develop Contra Costa's Local Playbook priorities. The process was data driven, equity focused, and collaborative. The following secondary data sources were reviewed and analyzed: Statewide Community Assessment Survey for Older Adults (CASOA), AAA focus groups, Health System Community Health Needs Assessments, and Contra Costa County Consortium Needs Assessment. The perspectives of 37 stakeholders living in and/or serving Contra Costa County that represent community-based organizations, County departments, coalitions, and consumers were also captured. Major insights from the data review and stakeholder engagements were synthesized into themes that formed the basis for the Local Playbook's strategies (Attachment A). The list of strategies was presented to the IMPACCT Steering Committee for review, deliberation, and prioritization.

AAA Focus Group Meetings

To ensure the voices of consumers are centered in the planning process and priority setting in PSA 7's Area Plan 2024-2028, the AAA and ACOA worked closely together to organize and conduct focus group meetings in the community. Meetings were held in each region of the county with special attention to East County and West County where persons of color, low-income households, and geographically isolated populations are disproportionately represented. This needs assessment method through direct conversation with the client population was coordinated with the Local Playbook data mining work already underway to avoid duplication of efforts and maximize information gathering approach. The AAA and ACOA conducted focus groups at the following sites and with specific populations:

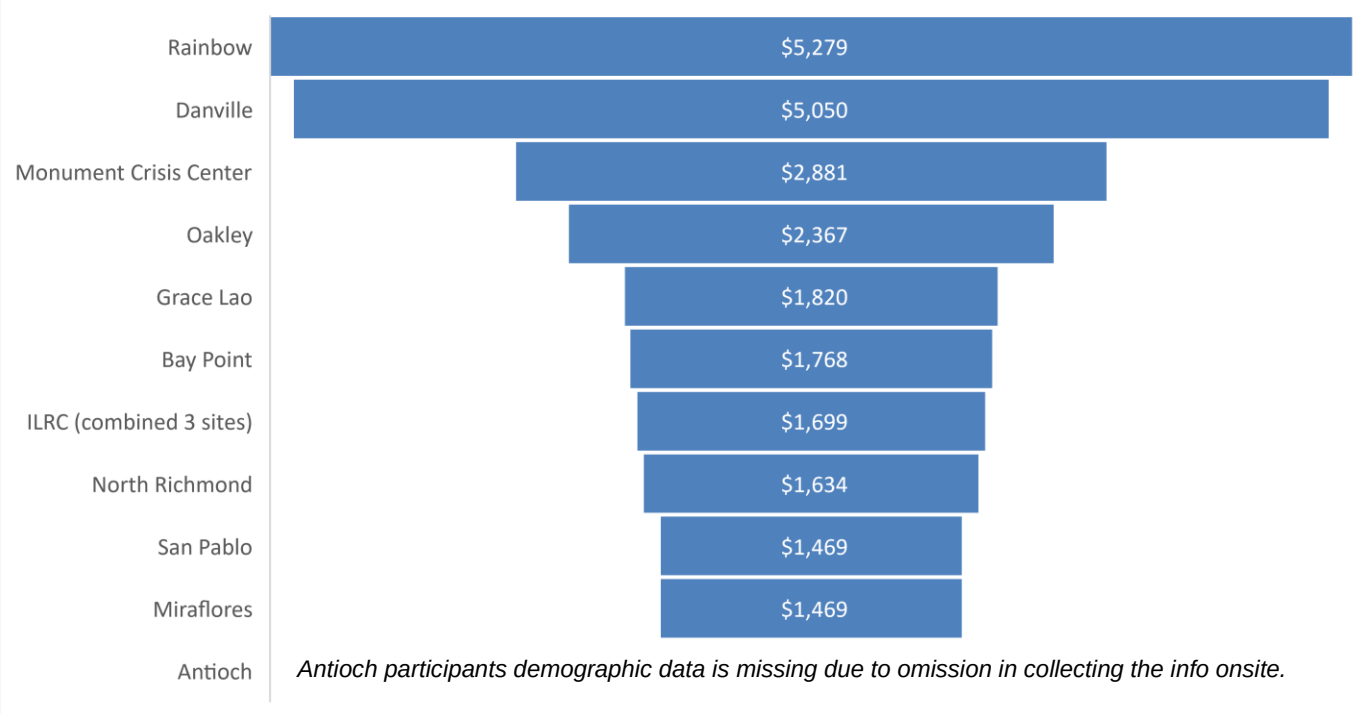
- Antioch Senior Center
- Ambrose/Bay Point Community Center
- Corrine Sain Community Center (North Richmond)
- Danville Senior Center

- Oakley Senior Center
- San Pablo Senior Center
- Hispanic/Latinx: Monument Crisis Center
- LGBTQ+: Rainbow Community Center
- Lower-income seniors: Miraflores Senior Apartments
- Persons with disabilities
    - Contra Costa County office – Pleasant Hill
    - Contra Costa County office – Richmond
    - Contra Costa County office – Antioch
- Southeast Asian/Laotian: Grace Lao Lutheran Church

While a set of semi-structured interview questions were prepared for the focus groups, facilitators were instructed to be reflexive to allow for an open discussion and build rapport and trust with participants. Training was provided to focus group facilitators to give them the tools and confidence to successfully lead group discussions. Focus groups were co-facilitated by the AAA director and an ACOA member or representative from the community where the meeting was held.

A total of 178 individuals participated in the focus group meetings. A majority of participants were from communities of color, broken down by race/ethnicity as follows: 37% White, 20% Black, 17% Hispanic/Latinx, 17% Asian, 1% Native American, and the rest is unknown. Participants' marital status was 40% married, 23% single, 19% widow/widower, and 9% divorced. The average monthly income of participants, by site, is shown in Table 2. Focus group participants' highest average income of $5,279 per month or $63,348 per year falls well below the county's median household income of $120,061 annually.

Table 2. Focus Group Participants' Average Monthly Income by Site, Contra Costa, CA



Antioch participants demographic data is missing due to omission in collecting the info onsite.

SECTION 5. NEEDS ASSESSMENT & TARGETING

The AAA establishes priorities to serve older adults, persons with disabilities, and family caregivers in the PSA through data driven, equity focused, and participatory processes and strategies. Input from these groups who participated in the AAA's focus group meetings (Attachment B) provided insights into the need for services, the support systems that sustain individuals as they age, and the conditions necessary to enable Contra Costa residents to live independently and purposefully in later life. Contra Costa has a wide array of services available through the AAA and its community-based partners to support residents to age in place, but there is a general lack of awareness about these programs. Prior to the COVID pandemic, service providers frequented senior centers and community groups to conduct outreach, present information about programs, provide mobile services (including libraries and health clinics), and promote wellness and other prevention activities. These efforts ceased during the pandemic and have not resumed to pre-COVID levels. Community members that have come to rely on these services and programs would like a return to normalcy and welcome providers to come back.

Understanding eligibility requirements and navigating the enrollment process for safety net programs run by the County can be daunting. There is confusion about eligibility and share of cost for programs, such as In-Home Support Services, and beneficiaries of CalFresh expressed frustration over the dramatic reduction in benefits after the COVID emergency was lifted. Hands-on help to apply for subsidized housing, transportation, and health and social services are needed. People with limited English-speaking abilities are especially impacted by the complexity of navigating the service system in Contra Costa. Focus group participants who speak Spanish, Mandarin, and Lao dialects expressed language access as a barrier to getting services. In many cases, community resource materials and program information are not available in languages other than English, contributing to the lack of awareness about available services by consumers.

Affordability is also an impediment to accessing and securing the means necessary to sustain independent living. There is a great need for free, low-cost, or subsidized support for programs and services, including food, housing, health and dental care, transportation, and utilities. The availability of emergency funds during COVID was a lifeline for persons with disabilities. Continuing this support is critical to prevent homelessness among persons with disabilities.

Transportation is key to maintaining quality of life and independence for older and disabled Contra Costa residents. Even with the best resources available, they offer little help if people cannot get to them. Transportation needs vary by community. Paratransit, subsidized Lyft/Uber, volunteer-run transportation, and City-run shuttle services are available in some communities but not in others. Centers frequented by seniors do not always have a bus stop nearby or transit services have discontinued the route. Aging Lao residents in West County/Richmond area, where there is a paucity of services, are feeling more isolated as they become more frail and increasingly reliant on their adult children and grandchildren for rides to doctor's appointments, grocery stores, churches, visit friends, etc. Lao focus group participants expressed mental health as an issue in this community. The need for culturally appropriate mental health services delivered by practitioners in the languages spoken by the patient, not by family members acting as interpreters, are critical for Lao older adults, as for other limited English-speaking individuals.

Safety is a major concern for older Contra Costa residents. Falling at home and in the neighborhood as they age was a fear of several focus group participants and projected as an

impetus for institutionalization and loss of independence. Uneven sidewalks, poorly lit streets, and neighborhood crimes were safety concerns that prevent older people from taking walks in their communities. Participants were aware of seniors' vulnerability to assaults, scams, and fraud, including cybercrime. Interventions and approaches to protect the health, safety, and welfare of seniors are sorely needed.

The loss of partners and loved ones contributes to the experience of loneliness, isolation, and grief. Lesbian, gay, bisexual, and queer (LGBTQ) and HIV+ individuals found refuge at the Rainbow Center where they feel welcomed and connected. Activities and resources offered by Rainbow keep LGBTQ persons supported as they age.

Likewise, senior centers and community centers provide plenty of opportunities for people to participate in classes, congregate dining, exercise programs, etc. to alleviate social isolation. During COVID, seniors learned how to use tablets and mobile devices to participate in programs and obtain care through telehealth. Seniors are willing and eager to learn how to use technology to find out about services, enroll in programs, set-up automatic shipment for medication subscription, and shop online.

Places, spaces, and mediums familiar and frequented by seniors, persons with disabilities, and caregivers should be used as information hubs, including community centers, libraries, newspapers, places of worship, and pharmacies. Overall, for services and programs to reach consumers and effectively serve their needs, they should be accessible, affordable, available, equitable, reliable, seamless, and visible. They should also be in languages they understand. The need for the following services received the most mentions from focus group participants:

- Caregiver support
- Dental services
- Exercise classes and senior center activities
- Grief counseling
- Handyman services
- Health screenings
- Health services
- Healthy foods
- Homecare
- Housing
- Mental health support
- Nutrition education
- Transportation, especially Accessible Transportation
- Tech literacy trainings
- Vetted contractors for solar installation

Apart from the 13 focus group meetings conducted by the AAA and ACOA, the ACOA's Planning Committee reviewed the CASOA survey report for Contra Costa, provided feedback, and considered the survey results in its prioritization and goal-setting deliberations. Report from Local Playbook development's data analysis, which included the results from the CASOA survey and stakeholder engagement interviews, were reviewed by AAA staff and the ACOA Planning Committee to develop the current Area Plan.

The Contra Costa MPA Local Playbook emerged from an extensive year-long planning process

involving a cross-sectoral collaboration with key leaders representing County departments (Health Services, Employment and Human Services, Transportation Authority, Office of Equity), community-based service providers, and Advisory Council on Aging. In additional to the five bold goals of the California MPA, Contra Costa added a sixth bold goal – Transportation – to highlight the importance of this issue in addressing access to services and to demonstrate a real commitment to identify solutions to the problem. Themes that emerged from the Local Playbook effort include the following. Several of these findings are consistent with and are in agreement with the voices of the consumers in the AAA's focus groups:

1. Income insecurity is a concern, especially for older adults and people with disabilities on a fixed income, and those just above the cut-off for receiving public assistance.

2. Rising housing costs, limited affordable housing, and lack of access to supportive services are aggravating housing instability among older adults and people with disabilities.

3. Some older adults and people with disabilities, particularly those on Medi-Cal, are experiencing challenges accessing timely healthcare services that meet their needs.

4. Limited transportation options in Contra Costa County create a barrier to older adults and people with disabilities accessing other services.

5. Contra Costa County has a shortage of paid, unpaid, and informal caregivers.

6. A growing number of older adults and people with disabilities lack family ties, a support system, and a connection to their community; this isolation compounds challenges in areas such as housing, transportation, and health.

7. There is a growing unmet need for culturally responsive services.

8. Older adults and people with disabilities need more support to learn about available services, including (but not limited to) education and support to access online services safely.

9. Limited coordination and collaboration within and across the public, non-profit, and for-profit sectors negatively impact the ability of older adults and people with disabilities to access and benefit from services.

Through a mixed methodology of quantitative and qualitative information gathering from the Local Playbook process and the AAA's focus groups meetings, PSA 7's Area Plan for 2024-2028 is well informed and represents the voices of older adults, persons with disabilities, and family caregivers in Contra Costa County. The strategies established in the Local Playbook were integrated in the prioritization process and goal setting for PSA 7's Area Plan for 2024-2028. Local Playbook strategies and direct input from focus group participants point to the need for specific services, but more importantly, having the ability to access these resources by addressing availability, affordability, equity, and visibility of these programs. Transportation is key to accessing services, as is having information available in multiple languages and providing hands-on help to navigate the service system. Building the capacity of organizations that serve the client population ensures that programs are stable and robust. These services, programs, and system capacity needs are reflected in PSA 7's Area Plan 2024-2028 goal areas and will be accomplished by setting measurable objectives in the next four years.

SECTION 6. PRIORITY SERVICES & PUBLIC HEARINGS

2024-2028 Four-Year Planning Cycle
Funding for Access, In-Home Services, and Legal Assistance

The CCR, Article 3, Section 7312, requires the AAA to allocate an "adequate proportion" of federal funds to provide Access, In-Home Services, and Legal Assistance in the PSA. The annual minimum allocation is determined by the AAA through the planning process. The minimum percentages of applicable Title III B funds[2] listed below have been identified for annual expenditure throughout the four-year planning period. These percentages are based on needs assessment findings, resources available within the PSA, and discussions at public hearings on the Area Plan.

Category of Service and the Percentage of Title III B Funds expended in/or to be expended in FY 2024-25 through FY 2027-2028

Access:

Transportation, Assisted Transportation, Case Management, Information and Assistance, Outreach, Comprehensive Assessment, Health, Mental Health, and Public Information

2024-25 20 % 25-26 _____ % 26-27 _____ % 27-28 _____ %

In-Home Services:

Personal Care, Homemaker, Chore, Adult Day / Health Care, Alzheimer's Day Care Services, Residential Repairs/Modifications

2024-25 8 % 25-26 _____ % 26-27 _____ % 27-28 _____ %

Legal Assistance Required Activities:[3]

Legal Advice, Representation, Assistance to the Ombudsman Program and Involvement in the Private Bar

2024-25 11 % 25-26 _____ % 26-27 _____ % 27-28 _____ %

Explain how allocations are justified and how they are determined to be sufficient to meet the need for the service within the PSA.

[2] Minimum percentages of applicable funds are calculated on the annual Title IIIB baseline allocation, minus Title IIIB administration and minus Ombudsman. At least one percent of the final Title IIIB calculation must be allocated for each "Priority Service" category or a waiver must be requested for the Priority Service category(s) that the AAA does not intend to fund.

[3] Legal Assistance must include all the following activities: Legal Advice, Representation, Assistance to the Ombudsman Program and Involvement in the Private Bar.

PUBLIC HEARING: At least one public hearing must be held each year of the four-year planning cycle. CCR Title 22, Article 3, Section 7302(a)(10) and Section 7308, Older Americans Act Reauthorization Act of 2020, Section 314(c)(1).

Fiscal Year	Date	Location	Number of Attendees	Presented in languages other than English?[4] Yes or No	Was hearing held at a Long-Term Care Facility?[5] Yes or No
2024-2025	March 20, 2024	500 Ellinwood Way, Pleasant Hill, CA 94523	62	No	No
2025-2026					
2026-2027					
2027-2028					

The following must be discussed at each Public Hearing conducted during the planning cycle:

1. Summarize the outreach efforts used in seeking input into the Area Plan from institutionalized, homebound, and/or disabled older individuals.

2. Were proposed expenditures for Program Development (PD) or Coordination (C) discussed?

   ☒ Yes. Go to question #3

   ☐ Not applicable, PD and/or C funds are not used. Go to question #4

3. Summarize the comments received concerning proposed expenditures for PD and/or C
   There were no comments received related to PD & A Expenditures.

4. Attendees were provided the opportunity to testify regarding setting minimum percentages of Title III B program funds to meet the adequate proportion of funding for Priority Services

   ☒ Yes. Go to question #5

   ☐ No, Explain:

5. Summarize the comments received concerning minimum percentages of Title IIIB funds to meet the adequate proportion of funding for priority services.

   There were no comments received concerning minimum percentages of Title IIIB funds.

6. List any other issues discussed or raised at the public hearing.
   The Area Plan was well received by the public with appreciation expressed for its thoroughness and incorporation of focus groups and community input. Additional comments included recommendations to focus on all areas of the county and specifically the Southeast

Asian population in West County, the need for computer and technology training, and the importance of disaster response and training. Community members also had questions about if priority needs were ranked, and how rates for providers are established.

7. Note any changes to the Area Plan that were a result of input by attendees.
   No changes occurred as a result of input and the plan was adopted as presented.

4 A translator is not required unless the AAA determines a significant number of attendees require translation services.

5 AAAs are encouraged to include individuals in LTC facilities in the planning process, but hearings are not required to be held in LTC facilities.

SECTION 7. AREA PLAN NARRATIVE GOALS & OBJECTIVES

Goal # 1

Goal:
The AAA will support the implementation of the Master Plan for Aging for Contra Costa County by advocating for the availability of resources necessary to successfully and effectively execute the goals, priorities, and strategies established in the Local Playbook.

Rationale:
The AAA has been designated to coordinate the implementation of Contra Costa's Master Plan for Aging Local Playbook. This requires the AAA to partner with the Advisory Council on Aging, the aging and disabilities provider network, and other community stakeholders to successfully and meaningfully implement the Local Playbook's strategies, initiatives, and activities.

List Objective Number(s)_____and Objective(s) [Refer to CCR Article 3, Section 7300 (c)] (Priority Service if applicable)	Projected Start and End Dates	Type of Activity and Funding Source[6]	Update Status[7]
1.1 The AAA and ACOA will support the MPA Local Playbook strategy of addressing social isolation and connection by identifying funding source(s) to implement this priority.	7/1/2024-6/30/2025	IIIB Coordination	New
1.2 The ACOA Housing Workgroup will support the MPA Local Playbook strategy of promoting awareness of issues facing affordable housing by developing and updating, at least annually, the infographic "No Place to Call Home," which highlights the county's senior housing issues.	7/1/2024-6/30/2025	Admin	New
1.3 The ACOA Health Workgroup will support the implementation of the MPA Local Playbook to educate seniors about healthcare resources available in the community through distribution of collateral materials.	7/1/2024-6/30/2025	Admin	New
1.4 The ACOA Transportation Workgroup will support the implementation of the MPA Local Playbook strategy for establishing a county wide approach to accessible transportation.	7/1/2024-6/30/2025	Admin	New

Goal #___2_____

Goal:
The AAA will promote the development of age- and disability-friendly communities by advocating for an infrastructure that fully and meaningfully prioritizes the needs of older and disabled adults and those who care for them.

Rationale:
The continued growth of the older adult population, especially with the oldest of the baby boomers reaching advanced age of 85 years starting in 2031, calls attention to the need to prioritize and promote age- and disability-friendly Contra Costa communities. A strong infrastructure that includes diverse and reliable funding sources for programs and services and the inclusion and prioritization of older adults, persons with disabilities, and family caregivers in planning, building, and delivering services promote the development of age- and disability-friendly communities. Promoting neighborhood safety, improving the walkability of streets, protecting seniors from falling victims to scams and crime, and keeping essential services, such as housing, transportation, food, medical/dental care, etc., were among the needs mentioned by focus group participants to make communities age- and disability-friendly.

List Objective Number(s)_____and Objective(s) [Refer to CCR Article 3, Section 7300 (c)] (Priority Service if applicable)	**Projected Start and End Dates**	**Type of Activity and Funding Source[6]**	**Update Status[7]**
2.1 The ACOA will establish a Senior Nutrition Program taskforce to develop strategies to address the nutritional health of older adults and persons with disabilities in Contra Costa County.	7/1/2024-6/30/2025	IIIB Program Development	New
2.2 The ACOA Transportation Workgroup will advocate for older and disabled adults' transportation infrastructure needs by providing at least four informational presentations a year to the community and service providers.	7/1/2024-6/30/2025	Admin	New
2.3 The ACOA Health Workgroup will work with the AAA to produce and distribute a resource brochure for "Aging in Place" to be distributed to senior populations prioritized in the Older Americans Act.	7/1/2024-6/30/2025	IIIB Program Development	New

Goal #___3_____

Goal:
The AAA will improve access to information, assistance, and resources to promote equity and visibility of services among older adults, persons with disabilities, and family caregivers.

Rationale:
Knowledge, awareness, and ability to obtain the services and resources one needs are critical to supporting residents' ability to safely age in place and thrive in Contra Costa. Focus group participants established that for services to be accessible and effective, they must be affordable, available, coordinated, equitable, reliable, seamless, and visible. Hands-on support is also needed to navigate the service system and enroll in programs.

List Objective Number(s)_____and Objective(s) [Refer to CCR Article 3, Section 7300 (c)] (Priority Service if applicable)	**Projected Start and End Dates**	**Type of Activity and Funding Source[6]**	**Update Status[7]**
3.1 The ACOA and Planning Committee will assist the AAA's Information & Assistance Program in sponsoring and coordinating at least four events to reach populations prioritized in the Older Americans Act to inform older and disabled individuals and caregivers of available programs and services.	7/1/2024-6/30/2025	IIIB Coordination	New
3.2 The ACOA Planning Committee will work with the AAA's Information and Assistance Program in translating the County Senior Resource Directory into Simplified Chinese and helping in its distribution in the community.	7/1/2024-6/30/2025	IIIB Coordination	New
3.3 The AAA and ACOA Planning Committee will increase access to information about services by creating QR codes for the Senior Resource Directory and the County Guides to expand promotion and reach of these resources in the community.	7/1/2024-6/30/2025	IIIB Program Development	New
3.4 The ACOA Health Workgroup will schedule a minimum of four presentations at monthly meetings delivered by subject matter experts/professionals on topics specific to the MPA's "Health	7/1/2024-6/30/2025	Admin	New

Reimagined" goal to increase awareness about community resources and supports for older adults.			
3.5 The ACOA Housing Workgroup will schedule a minimum of eight presentations by non-profit, government, and private organizations to foster partnerships and learn about housing related programs and policies.	7/1/2024-6/30/2025	Admin	New
3.6 The ACOA Housing Workgroup will develop outreach materials, including a Power Point presentation, to inform the community about current housing challenges older adults face in Contra Costa County and resources available to help address their needs. The workgroup will conduct at least two educational presentations a year to seniors, service providers, and/or policy makers.	7/1/2024-6/30/2025	Admin	New
3.7 The ACOA Technology Workgroup will schedule a minimum of four presentations at monthly meetings from County programs, including Public Health, Emergency Services, and Information & Assistance on topics specific to technology in order to increase awareness of community resources.	7/1/2024-6/30/2025	Admin	New
3.8 The ACOA Technology Workgroup will produce at least two infographic documents describing important technology subjects including "Protecting Against Online Scams" and "Artificial Intelligence and Older Adults" and will leverage scheduled AAA outreach events to distribute the information.	7/1/2024-6/30/2025	Admin	New

3.9 The ACOA Legislative Workgroup will track and report at least twice annually to the ACOA and advocate on relevant legislative proposals as they pertain to older adults.	7/1/2024-6/30/2025	Admin	New
3.10 The AAA and ACOA Health Workgroup will facilitate at least four health related informational presentations including mental health at Contra Costa Senior/ Community Centers.	7/1/2024-6/30/2025	Admin	New

Goal #___4_____

Goal:
The AAA will review and update Programs and regulatory requirements to align with the changes in the Older Californians Act and the reauthorized Older Americans Act.

Rationale:
The AAA must prepare for and respond to changes resulting from the reauthorization of the Older Americans Act (OAA) and the modernization of the Older Californians Act (OCA). Program goals, objectives, and operational activities shall align and comply with the resultant changes in legislation and policy guidelines from the California Department of Aging.

List Objective Number(s)_____and Objective(s) [Refer to CCR Article 3, Section 7300 (c)] (Priority Service if applicable)	**Projected Start and End Dates**	**Type of Activity and Funding Source[6]**	**Update Status[7]**
4.1 The ACOA and the Planning Committee will assist the AAA, as requested, in their monitoring process of service providers.	7/1/2024-6/30/2025	Admin	New
4.2 The ACOA Planning Committee will assist the AAA in reviewing amendments to the OAA, OCA, and other state requirements and support the AAA in ensuring that program policies and procedures are reflective of the changes and implemented by contractors.	7/1/2024-6/30/2025	Admin	New

[6] Indicate if the objective is Administration (Admin,) Program Development (PD) or Coordination (C). If a PD objective is not completed in the timeline required and is continuing in the following year, provide an update with additional tasks. For program specific goals and objectives please identify service category where applicable.

[7] Use for the Area Plan Updates to indicate if the objective is New, Continued, Revised, Completed, or Delete

SECTION 8. SERVICE UNIT PLAN (SUP)

TITLE III/VII SERVICE UNIT PLAN
CCR Article 3, Section 7300(d)

The Service Unit Plan (SUP) uses the Older Americans Act Performance System (OAAPS) Categories and units of service, defined in the OAAPS State Program Report (SPR).

For services not defined in OAAPS, refer to the Service Categories and Data Dictionary.

1. Report the units of service to be provided with **ALL regular AP funding sources**. Related funding is reported in the annual Area Plan Budget (CDA 122) for Titles IIIB, IIIC-1, IIIC-2, IIID, and VII. Only report services provided; others may be deleted.

Personal Care (In-Home) Unit of Service = 1 hour

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Homemaker (In-Home) Unit of Service = 1 hour

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Chore (In-Home) Unit of Service = 1 hour

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Adult Day Care/ Adult Day Health (In-Home) Unit of Service = 1 hour

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	3,099	3	
2025-2026			
2026-2027			
2027-2028			

Case Management (Access) Unit of Service = 1 hour

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Assisted Transportation (Access) Unit of Service = 1 one-way trip

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	1,706	1, 2	1.4, 2.2
2025-2026			
2026-2027			
2027-2028			

Transportation (Access) Unit of Service = 1 one-way trip

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Information and Assistance (Access) Unit of Service = 1 contact

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	20,000	3	3.1, 3.2, 3.3
2025-2026			
2026-2027			
2027-2028			

Outreach (Access) Unit of Service = 1 contact

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Legal Assistance Unit of Service = 1 hour

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	3,329	3	
2025-2026			
2026-2027			
2027-2028			

Congregate Meals Unit of Service = 1 meal

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	90,000	2	2.1
2025-2026			
2026-2027			
2027-2028			

Home-Delivered Meals Unit of Service = 1 meal

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	445,000	2	2.1
2025-2026			
2026-2027			
2027-2028			

Nutrition Counseling Unit of Service = 1 hour

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Nutrition Education Unit of Service = 1 session

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (if applicable)
2024-2025	19,000	2	2.1
2025-2026			
2026-2027			
2027-2028			

2. OAAPS Service Category – "Other" Title III Services

- Each **Title IIIB** "Other" service must be an approved OAAPS Program service listed on the "Schedule of Supportive Services (III B)" page of the Area Plan Budget (CDA 122) and the CDA Service Categories and Data Dictionary.

- Identify **Title IIIB** services to be funded that were <u>not</u> reported in OAAPS categories. (Identify the specific activity under the Other Supportive Service Category on the "Units of Service" line when applicable.)

Title IIIB, Other Priority and Non-Priority Supportive Services

For all Title IIIB "Other" Supportive Services, use the appropriate Service Category name and Unit of Service (Unit Measure) listed in the CDA Service Categories and Data Dictionary.

- Other **Priority Supportive Services include**: Alzheimer's Day Care, Comprehensive Assessment, Health, Mental Health, Public Information, Residential Repairs/Modifications, Respite Care, Telephone Reassurance, and Visiting

- Other **Non-Priority Supportive Services include**: Cash/Material Aid, Community Education, Disaster Preparedness Materials, Emergency Preparedness, Employment, Housing, Interpretation/Translation, Mobility Management, Peer Counseling, Personal Affairs Assistance, Personal/Home Device, Registry, Senior Center Activities, and Senior Center Staffing

All "Other" services must be listed separately. Duplicate the table below as needed.

Telephone Reassurance — Unit of Service = 1 contact

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (If applicable)
2024-2025	2,100	3	
2025-2026			
2026-2027			
2027-2028			

Visiting — Unit of Service = 1 hour

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (If applicable)
2024-2025	3,300	3	
2025-2026			
2026-2027			
2027-2028			

3. Title IIID/Health Promotion—Evidence-Based

- Provide the specific name of each proposed evidence-based program.

Evidence-Based Program Name(s): On the Move, Matter of Balance

Add additional lines if needed.

Unit of Service = 1 contact

Fiscal Year	**Proposed** Units of Service	Goal Numbers	Objective Numbers (If applicable)
2024-2025	2,000	3	
2025-2026			
2026-2027			
2027-2028			

TITLE IIIB and TITLE VII: LONG-TERM CARE (LTC) OMBUDSMAN PROGRAM OUTCOMES

2024-2028 Four-Year Planning Cycle

As mandated by the Older Americans Act Reauthorization Act of 2020, the mission of the LTC Ombudsman Program is to seek resolution of problems and advocate for the rights of residents of LTC facilities with the goal of ensuring their dignity, quality of life, and quality of care.

Each year during the four-year cycle, analysts from the Office of the State Long-Term Care Ombudsman (OSLTCO) will forward baseline numbers to the AAA from the prior fiscal year National Ombudsman Reporting System (NORS) data as entered into the Statewide Ombudsman Program database by the local LTC Ombudsman Program and reported by the OSTLCO in the State Annual Report to the Administration on Aging (AoA).

The AAA will establish targets each year in consultation with the local LTC Ombudsman Program Coordinator. Use the yearly baseline data as the benchmark for determining yearly targets. Refer to your local LTC Ombudsman Program's last three years of AoA data for historical trends. Targets should be reasonable and attainable based on current program resources.

Complete all Measures and Targets for Outcomes 1-3.

Outcome 1.
The problems and concerns of long-term care residents are solved through complaint resolution and other services of the Ombudsman Program. Older Americans Act Reauthorization Act of 2020, Section 712(a)(3), (5)]

Measures and Targets:

A. Complaint Resolution Rate (NORS Element CD-08) (Complaint Disposition). The average California complaint resolution rate for FY 2021-2022 was 57%.

Fiscal Year Baseline Resolution Rate	# of partially resolved or fully resolved complaints	Divided by the total number of Complaints	= Baseline Resolution Rate	Fiscal Year Target Resolution Rate
2022-2023	1,527	1,573	97%	73 % 2024-2025
2023-2024				_____ % 2025-2026
2024-2025				_____ % 2026-2027
2026-2027				_____ % 2027-2028

Program Goals and Objective Numbers: 3

B. Work with Resident Councils (NORS Elements S-64 and S-65)

1. FY 2022-2023 Baseline: Number of Resident Council meetings attended 11 FY 2024-2025 Target: 15
2. FY 2023-2024 Baseline: Number of Resident Council meetings attended _____ FY 2025-2026 Target: _____
3. FY 2024-2025 Baseline: Number of Resident Council meetings attended _____ FY 2026-2027 Target: _____
4. FY 2025-2026 Baseline: Number of Resident Council meetings attended _____ FY 2027-2028 Target: _____
Program Goals and Objective Numbers: 3

C. Work with Family Councils (NORS Elements S-66 and S-67)

1. FY 2022-2023 Baseline: Number of Family Council meetings attended 5 FY 2024-2025 Target: 4
2. FY 2023-2024 Baseline: Number of Family Council meetings attended _____ FY 2025-2026 Target: _____
3. FY 2024-2025 Baseline: Number of Family Council meetings attended _____ FY 2026-2027 Target: _____
4. FY 2025-2026 Baseline: Number of Family Council meetings attended _____ FY 2027-2028 Target: _____
Program Goals and Objective Numbers: 3

D. Information and Assistance to Facility Staff (NORS Elements S-53 and S-54) Count of instances of Ombudsman representatives' interactions with facility staff for the purpose of providing general information and assistance unrelated to a complaint. Information and Assistance may be accomplished by telephone, letter, email, fax, or in-person.

1. FY 2022-2023 Baseline: Number of Instances 1,734 FY 2024-2025 Target: 2,000
2. FY 2023-2024 Baseline: Number of Instances _____ FY 2025-2026 Target: _____
3. FY 2024-2025 Baseline: Number of Instances _____ FY 2026-2027 Target: _____
4. FY 2025-2026 Baseline: Number of Instances _____ FY 2027-2028 Target: _____
Program Goals and Objective Numbers: 3

E. Information and Assistance to Individuals (NORS Element S-55) Count of instances of Ombudsman representatives' interactions with residents, family members, friends, and others in the community for the purpose of providing general information and assistance unrelated to a complaint. Information and Assistance may be accomplished by telephone, letter, email, fax, or in person.

1. FY 2022-2023 Baseline: Number of Instances 4,639 FY 2024-2025 Target: 4,639
2. FY 2023-2024 Baseline: Number of Instances _____ FY 2025-2026 Target: _____
3. FY 2024-2025 Baseline: Number of Instances _____ FY 2026-2027 Target: _____
4. FY 2025-2026 Baseline: Number of Instances _____ FY 2027-2028 Target: _____
Program Goals and Objective Numbers: 3

F. Community Education (NORS Element S-68) LTC Ombudsman Program participation in public events planned to provide information or instruction to community members about the LTC Ombudsman Program or LTC issues. The number of sessions refers to the number of events, not the number of participants. This cannot include sessions that are counted as Public Education Sessions under the Elder Abuse Prevention Program.

1. FY 2022-2023 Baseline: Number of Sessions 3 FY 2024-2025 Target: 5
2. FY 2023-2024 Baseline: Number of Sessions _____ FY 2025-2026 Target: _____
3. FY 2024-2025 Baseline: Number of Sessions _____ FY 2026-2027 Target: _____
4. FY 2025-2026 Baseline: Number of Sessions _____ FY 2027-2028 Target: _____
Program Goals and Objective Numbers: 3

G. Systems Advocacy (NORS Elements S-07, S-07.1)

One or more new systems advocacy efforts must be provided for each fiscal year Area Plan Update. In the relevant box below for the current Area Plan year, in narrative format, please provide at least one new priority systems advocacy effort the local LTC Ombudsman Program will engage in during the fiscal year. The systems advocacy effort may be a multi-year initiative, but for each year, describe the results of the efforts made during the previous year and what specific new steps the local LTC Ombudsman program will be taking during the upcoming year. Progress and goals must be separately entered each year of the four-year cycle in the appropriate box below.

Systems Advocacy can include efforts to improve conditions in one LTC facility or can be county-wide, state-wide, or even national in scope. (Examples: Work with LTC facilities to improve pain relief or increase access to oral health care, work with law enforcement entities to improve response and investigation of abuse complaints, collaboration with other agencies to improve LTC residents' quality of care and quality of life, participation in disaster preparedness planning, participation in legislative advocacy efforts related to LTC issues, etc.) Be specific about the actions planned by the local LTC Ombudsman Program.

Enter information in the relevant box below.

FY 2024-2025

FY 2024-2025 Systems Advocacy Effort(s): (Provide one or more new systems advocacy efforts)

1. Ombudsman in Contra Costa County (Empowered Aging) will focus its efforts on ensuring that investigation of an abuse complaint is not delayed by long-term care facility staff, hospitals, or mandated reporters. The Ombudsman staff and volunteers will educate long-term care employees and mandated reporters on new mandated reporting requirements in AB 1417. Ombudsman will reach out to law enforcement and first responders to educate them on mandated reporting requirements and the role and collaboration of the local Ombudsman program with community partners. Ombudsman continues to provide elder abuse training to the Healthcare Career Pathway Certified Nursing assistants (CNA).

2. Ombudsman in Contra Costa County will focus on preventing illegal evictions in long-term care facilities. Ombudsman will work with community partners and other local agencies that can assist with placing residents in safe settings that will meet their care needs. Ombudsman in Contra Costa have noticed an increase in “resident dumping,” especially from skilled nursing facilities that have changed ownership. Ombudsman will work alongside agencies to advocate for residents and track trends that negatively affect residents’ quality of care and life in a facility.

FY 2025-2026

Outcome of FY 2024-2025 Efforts:

FY 2025-2026 Systems Advocacy Effort(s): (Provide one or more new systems advocacy efforts)

FY 2026-2027

Outcome of FY 2025-2026 Efforts:

FY 2026-2027 Systems Advocacy Effort(s): (Provide one or more new systems advocacy efforts)

FY 2027-2028

Outcome of 2026-2027 Efforts:

FY 2027-2028 Systems Advocacy Effort(s): (Provide one or more new systems advocacy efforts)

Outcome 2.

Residents have regular access to an Ombudsman. [(Older Americans Act Reauthorization Act of 2020), Section 712(a)(3)(D), (5)(B)(ii)]

Measures and Targets:

A. Routine Access: Nursing Facilities (NORS Element S-58) Percentage of nursing facilities within the PSA that were visited by an Ombudsman representative at least once each quarter not in response to a complaint. The percentage is determined by dividing the number of nursing facilities in the PSA that were visited at least once each quarter not in response to a complaint by the total number of nursing facilities in the PSA. NOTE: This is not a count of visits but a count of facilities. In determining the number of facilities visited for this measure, no nursing facility can be counted more than once.

1. FY 2022-2023 Baseline: Number of Nursing Facilities visited at least once a quarter not in response to the complaint 27 divided by the total number of Nursing Facilities 29 = Baseline 93% FY 2024-2025 Target: 93%
2. FY 2023-2024 Baseline: Number of Nursing Facilities visited at least once a quarter not in response to a complaint_____ divided by the total number of Nursing Facilities ____ = Baseline _____% FY 2025-2026 Target: _____
3. FY 2024-2025 Baseline: Number of Nursing Facilities visited at least once a quarter not in response to a complaint_____ divided by the total number of Nursing Facilities ____ = Baseline _____% FY 2026-2027 Target: _____
4. FY 2025-2026 Baseline: Number of Nursing Facilities visited at least once a quarter not in response to a complaint_____ divided by the total number of Nursing Facilities ____ = Baseline _____% FY 2027-2028 Target: _____
Program Goals and Objective Numbers: 3

B. Routine access: Residential Care Communities (NORS Element S-61) Percentage of RCFEs within the PSA that were visited by an Ombudsman representative at least once each quarter during the fiscal year not in response to a complaint. The percentage is determined by dividing the number of RCFEs in the PSA that were visited at least once each quarter not in response to a complaint by the total number of RCFEs in the PSA. NOTE: This is not a count of visits but a count of facilities. In determining the number of facilities visited for this measure, no RCFE can be counted more than once.

1. FY 2022-2023 Baseline: Number of RCFEs visited at least once a quarter not in response to a complaint_46_ divided by the total number of RCFEs_409_ = Baseline 11%

   FY 2024-2025 Target:_25%

2. FY 2023-2024 Baseline: Number of RCFEs visited at least once a quarter not in response to a complaint_____ divided by the total number of RCFEs____ = Baseline _____%

   FY 2025-2026 Target:_____

3. FY 2024-2025 Baseline: Number of RCFEs visited at least once a quarter not in response to a complaint_____ divided by the total number of RCFEs____= Baseline _____%

   FY 2026-2027 Target:_____

4. FY 2025-2026 Baseline: Number of RCFEs visited at least once a quarter not in response to a complaint_____ divided by the total number of RCFEs____ = Baseline _____%

   FY 2027-2028 Target:_____

Program Goals and Objective Numbers: 3

C. Number of Full-Time Equivalent (FTE) Staff (NORS Element S-23) This number may only include staff time legitimately charged to the LTC Ombudsman Program. Time spent working for or in other programs may not be included in this number. For example, in a local LTC Ombudsman Program that considers full-time employment to be 40 hour per week, the FTE for a staff member who works in the Ombudsman Program 20 hours a week should be 0.5, even if the staff member works an additional 20 hours in another program.

1. FY 2022-2023 Baseline: 5.5 FTEs

   FY 2024-2025 Target: 5.0 FTEs

2. FY 2023-2024 Baseline: _____FTEs
   FY 2025-2026 Target: _____FTEs

3. FY 2024-2025 Baseline:_____FTEs
   FY 2026-2027 Target: _____FTEs

4. FY 2025-2026 Baseline: _____FTEs
   FY 2027-2028 Target: _____FTEs

Program Goals and Objective Numbers: 3

D. Number of Certified LTC Ombudsman Volunteers (NORS Element S-24)

1. FY 2022-2023 Baseline: Number of certified LTC Ombudsman volunteers 1 FY 2024-2025 Projected Number of certified LTC Ombudsman volunteers 3
2. FY 2023-2024 Baseline: Number of certified LTC Ombudsman volunteers _____ FY 2025-2026 Projected Number of certified LTC Ombudsman volunteers _____
3. FY 2024-2025 Baseline: Number of certified LTC Ombudsman volunteers _____ FY 2026-2027 Projected Number of certified LTC Ombudsman volunteers _____
4. FY 2025-2026 Baseline: Number of certified LTC Ombudsman volunteers _____ FY 2027-2028 Projected Number of certified LTC Ombudsman volunteers _____
Program Goals and Objective Numbers: 3

Outcome 3.
Ombudsman representatives accurately and consistently report data about their complaints and other program activities in a timely manner. [Older Americans Act Reauthorization Act of 2020, Section 712(c)]

Measures and Targets:
In narrative format, describe one or more specific efforts your program will undertake in the upcoming year to increase the accuracy, consistency, and timeliness of your National Ombudsman Reporting System (NORS) data reporting.

Some examples could include:

- Hiring additional staff to enter data.
- Updating computer equipment to make data entry easier.
- Initiating a case review process to ensure case entry is completed in a timely manner.

Fiscal Year 2024-25

- Onboard additional volunteers and MSW interns to assist with visiting RCFEs once per quarter. Work with resident council presidents and family councils to establish regular presence during council meetings.
- Continue to provide community education on elder abuse and mandated reporting to community partners, such as but not limited to law enforcement and first responders, facility operators, hospital staff, etc.
- Include more educational materials for Spanish-speaking residents in long-term care facilities on their rights and elder abuse
- Provide more mandated reporting training to staff members in long-term care facilities on new 2024 mandated reporting requirements
- Hiring non-certified Ombudsman to assist with data entry, documenting complaints, and screening discharge/transfer notices

Fiscal Year 2025-26
Fiscal Year 2026-27
Fiscal Year 2027-28

TITLE VII ELDER ABUSE PREVENTION SERVICE UNIT PLAN

The program conducting the Title VII Elder Abuse Prevention work is:

☐	Ombudsman Program
☒	Legal Services Provider
☐	Adult Protective Services
☐	Other (explain/list)

Units of Service: AAA must complete at least one category from the Units of Service below.

Units of Service categories include public education sessions, training sessions for professionals, training sessions for caregivers served by a Title IIIE Family Caregiver Support Program, educational materials distributed, and hours of activity spent developing a coordinated system which addresses elder abuse prevention, investigation, and prosecution.

When developing targets for each fiscal year, refer to data reported on the Elder Abuse Prevention Quarterly Activity Reports. Set realistic goals based upon the prior year's numbers and the resources available. Activities reported for the Title VII Elder Abuse Prevention Program must be distinct from activities reported for the LTC Ombudsman Program. No activity can be reported for both programs.

AAAs must provide one or more of the service categories below.
NOTE: The number of sessions refers to the number of presentations and not the number of attendees

- **Public Education Sessions** –Indicate the total number of projected education sessions for the general public on the identification, prevention, and treatment of elder abuse, neglect, and exploitation.

- **Training Sessions for Professionals** –Indicate the total number of projected training

sessions for professionals (service providers, nurses, social workers) on the identification, prevention, and treatment of elder abuse, neglect, and exploitation.

- **Training Sessions for Caregivers Served by Title IIIE** –Indicate the total number of projected training sessions for unpaid family caregivers who are receiving services under Title IIIE of the Older Americans Act (OAA) on the identification, prevention, and treatment of elder abuse, neglect, and exploitation. Older Americans Act Reauthorization Act of 2020, Section 302(3) 'Family caregiver' means an adult family member, or another individual, who is an informal provider of in-home and community care to an older individual or to an individual with Alzheimer's disease or a related disorder with neurological and organic brain dysfunction.

- **Hours Spent Developing a Coordinated System to Respond to Elder Abuse** –Indicate the number of hours to be spent developing a coordinated system to respond to elder abuse. This category includes time spent coordinating services provided by the AAA or its contracted service provider with services provided by Adult Protective Services, local law enforcement agencies, legal services providers, and other agencies involved in the protection of elder and dependent adults from abuse, neglect, and exploitation.

- **Educational Materials Distributed** –Indicate the type and number of educational materials to be distributed to the general public, professionals, and caregivers (this may include materials that have been developed by others) to help in the identification, prevention, and treatment of elder abuse, neglect, and exploitation.

- **Number of Individuals Served** –Indicate the total number of individuals expected to be reached by any of the above activities of this program.

TITLE VII ELDER ABUSE PREVENTION SERVICE UNIT PLAN

The agency receiving Title VII Elder Abuse Prevention funding is:

Contra Costa Senior Legal Services

Total # of	2024-2025	2025-2026	2026-2027	2027-2028
Individuals Served	950			
Public Education Sessions	10			
Training Sessions for Professionals	5			
Training Sessions for Caregivers served by Title IIIE	N/A			
Hours Spent Developing a Coordinated System	N/A			

Fiscal Year	Total # of Copies of Educational Materials to be Distributed	Description of Educational Materials
2024-2025	600	Elder abuse, consumer fraud, eviction issues, housing rights, advance care planning
2025-2026		
2026-2027		
2027-2028		

TITLE IIIE SERVICE UNIT PLAN

CCR Article 3, Section 7300(d)

2024-2028 Four-Year Planning Period

This Service Unit Plan (SUP) uses the five federally mandated service categories that encompass 16 subcategories. Refer to the CDA Service Categories and Data Dictionary for eligible activities and service unit measures. Specify proposed audience size or units of **service for ALL** budgeted funds.

Providing a goal with associated objectives is mandatory for services provided. The goal states the big picture and the objectives are the road map (specific and measurable activities) for achieving the big picture goal.

For example: **Goal 3**: Provide services to family caregivers that will support them in their caregiving role, thereby allowing the care receiver to maintain a healthy, safe lifestyle in the home setting.

- Objective 3.1: Contract for the delivery of virtual self-paced caregiver training modules. Review data monthly to strategize how to increase caregiver engagement in these modules.
- Objective 3.2: Facilitate a monthly in person support group for caregivers where they can share success stories and challenges, share information regarding experiences with HCBS. Respite day care will be available for their loved one if needed.
- Objective 3.3: Do caregiver assessments every 6 months to stay connected to the caregiver and knowledgeable about their needs.

Direct and/or Contracted IIIE Services

CATEGORIES (16 total)	1	2	3
Family Caregivers - Caregivers of Older Adults and Adults who are caring for an individual of any age with Alzheimer's disease or a related disorder with neurological and organic brain dysfunction.	***Proposed*** **Units of Service**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
Caregiver Access Case Management	**Total hours**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	200	2, 3	
2025-2026			
2026-2027			
2027-2028			

Caregiver Access Information & Assistance	Total Contacts	*Required* Goal #(s)	*Required* Objective #(s)
2024-2025	707	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Information Services	**# Of activities and Total est. audience (contacts) for above:**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	**# Of activities 41 and Total est. audience (contacts) for above: 381**	2, 3	
2025-2026	**# Of activities and Total est. audience (contacts) for above:**		
2026-2027	**# Of activities and Total est. audience (contacts) for above:**		
2027-2028	**# Of activities and Total est. audience (contacts) for above:**		
Caregiver Respite In-Home	**Total hours**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	476	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Respite Other	**Total hours**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	1,451	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Respite Out-of-Home Day Care	**Total hours**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Caregiver Respite Out-of-Home Overnight Care	**Total hours**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Supplemental Services Assistive Technologies	**Total Occurrences**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	60	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Supplemental Services Caregiver Assessment	**Total hours**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	659	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Supplemental Services Caregiver Registry	**Total Occurrences**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Supplemental Services Consumable Supplies	**Total occurrences**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Caregiver Supplemental Services Home Modifications	**Total occurrences**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	140	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Supplemental Services Legal Consultation	**Total contacts**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Support Groups	**Total sessions**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	2,223	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Support Training	**Total hours**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	732	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Support Counseling	**Total hours**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	436	2, 3	
2025-2026			
2026-2027			
2027-2028			

Direct and/or Contracted IIIE Services- Older Relative Caregivers

CATEGORIES (16 total)	1	2	3
Older Relative Caregivers	***Proposed*** **Units of Service**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
Caregiver Access Case Management	**Total hours**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	371	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Access Information & Assistance	**Total hours**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	600	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Information Services	**# Of activities and Total est. audience (contacts) for above**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	**# Of activities: Total est. audience for above:**		
2025-2026	**# Of activities: Total est. audience for above:**		
2026-2027	**# Of activities: Total est. audience for above:**		
2027-2028	**# Of activities: Total est. audience for above:**		
Caregiver Respite In-Home	**Total hours**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Caregiver Respite Other	**Total hours**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Respite Out-of-Home Day Care	**Total hours**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	400	2, 3	
2025-2026			
2026-2027			
2027-2028			
Caregiver Respite Out-of-Home Overnight Care	**Total hours**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Supplemental Services Assistive Technologies	**Total Occurrences**	***Required* Goal #(s)**	***Required* Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Supplemental Services Caregiver Assessment	**Total hours**	**Required Goal #(s)**	**Required Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

Caregiver Supplemental Services Caregiver Registry	**Total Occurrences**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Supplemental Services Consumable Supplies	**Total occurrences**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Supplemental Services Home Modifications	**Total occurrences**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Supplemental Services Legal Consultation	**Total contacts**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Support Groups	**Total sessions**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	200	2, 3	
2025-2026			
2026-2027			
2027-2028			

Caregiver Support Training	**Total hours**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			
Caregiver Support Counseling	**Total hours**	***Required*** **Goal #(s)**	***Required*** **Objective #(s)**
2024-2025	N/A	N/A	
2025-2026			
2026-2027			
2027-2028			

HEALTH INSURANCE COUNSELING AND ADVOCACY PROGRAM (HICAP)
SERVICE UNIT PLAN
CCR Article 3, Section 7300(d)
WIC § 9535(b)

MULTIPLE PLANNING AND SERVICE AREA HICAPs (multi-PSA HICAP): Area Agencies on Aging (AAA) that are represented by a multi-PSA, HICAPs must coordinate with their "Managing" AAA to complete their respective PSA's HICAP Service Unit Plan.

CDA contracts with 26 AAAs to locally manage and provide HICAP services in all 58 counties. Four AAAs are contracted to provide HICAP services in multiple Planning and Service Areas (PSAs). The "Managing" AAA is responsible for providing HICAP services in a way that is equitable among the covered service areas.

HICAP PAID LEGAL SERVICES: Complete this section if HICAP Legal Services are included in the approved HICAP budget.

STATE & FEDERAL PERFORMANCE TARGETS: The HICAP is assessed based on State and Federal Performance Measures. AAAs should set targets in the service unit plan that meet or improve on each PM displayed on the *HICAP State and Federal Performance Measures* tool located online at:

https://www.aging.ca.gov/Providers_and_Partners/Area_Agencies_on_Aging/Planning/

HICAP PMs are calculated from county-level data for all 33 PSAs. HICAP State and Federal PMs, include:

- PM 1.1 Clients Counseled: Number of finalized Intakes for clients/ beneficiaries that received HICAP services
- PM 1.2 Public and Media Events (PAM): Number of completed PAM forms categorized as "interactive" events
- PM 2.1 Client Contacts: Percentage of one-on-one interactions with any Medicare beneficiaries
- PM 2.2 PAM Outreach Contacts: Percentage of persons reached through events categorized as "interactive"
- PM 2.3 Medicare Beneficiaries Under 65: Percentage of one-on-one interactions with Medicare beneficiaries under the age of 65
- PM 2.4 Hard-to-Reach Contacts: Percentage of one-on-one interactions with "hard-to-reach" Medicare beneficiaries designated as,
  - PM 2.4a Low-income (LIS)
  - PM 2.4b Rural
  - PM 2.4c English Second Language (ESL)
- PM 2.5 Enrollment Contacts: Percentage of contacts with one or more qualifying enrollment topics discussed

HICAP service-level data are reported in CDA's Statewide HICAP Automated Reporting Program (SHARP) system per reporting requirements.

SECTION 1: STATE PERFORMANCE MEASURES

HICAP Fiscal Year (FY)	PM 1.1 Clients Counseled (Estimated)	Goal Numbers
2024-2025	4,000	3
2025-2026		
2026-2027		
2027-2028		
HICAP Fiscal Year (FY)	**PM 1.2 Public and Media Events (PAM) (Estimated)**	**Goal Numbers**
2024-2025	100	3
2025-2026		
2026-2027		
2027-2028		

SECTION 2: FEDERAL PERFORMANCE MEASURES

HICAP Fiscal Year (FY)	PM 2.1 Client Contacts (Interactive)	Goal Numbers
2024-2025	6,000	3
2025-2026		
2026-2027		
2027-2028		
HICAP Fiscal Year (FY)	**PM 2.2 PAM Outreach (Interactive)**	**Goal Numbers**
2024-2025	4,000	3
2025-2026		
2026-2027		
2027-2028		

HICAP Fiscal Year (FY)	PM 2.3 Medicare Beneficiaries Under 65	Goal Numbers
2024-2025	800	3
2025-2026		
2026-2027		
2027-2028		

HICAP Fiscal Year (FY)	PM 2.4 Hard to Reach (Total)	PM 2.4a LIS	PM 2.4b Rural	PM 2.4c ESL	Goal Numbers
2024-2025	2,703	2,145	0	558	5,406
2025-2026					
2026-2027					
2027-2028					

HICAP Fiscal Year (FY)	PM 2.5 Enrollment Contacts (Qualifying)	Goal Numbers
2024-2025	7,964	3
2025-2026		
2026-2027		
2027-2028		

SECTION 3: HICAP LEGAL SERVICES UNITS OF SERVICE (IF APPLICABLE)[26]

HICAP Fiscal Year (FY)	PM 3.1 Estimated Number of Clients Represented Per FY (Unit of Service)	Goal Numbers
2024-2025	10	3
2025-2026		
2026-2027		
2027-2028		
HICAP Fiscal Year (FY)	**PM 3.2 Estimated Number of Legal Representation Hours Per FY (Unit of Service)**	**Goal Numbers**
2024-2025	35	3
2025-2026		
2026-2027		
2027-2028		
HICAP Fiscal Year (FY)	**PM 3.3 Estimated Number of Program Consultation Hours Per FY (Unit of Service)**	**Goal Numbers**
2024-2025	9	3
2025-2026		
2026-2027		
2027-2028		

[8] Requires a contract for using HICAP funds to pay for HICAP Legal Services.

SECTION 9. SENIOR CENTERS AND FOCAL POINTS

COMMUNITY SENIOR CENTERS AND FOCAL POINTS LIST

CCR Title 22, Article 3, Section 7302(a)(14), 45 CFR Section 1321.53(c), Older Americans Act Reauthorization Act of 2020, Section 306(a) and 102(21)(36)

In the form below, provide the current list of designated community senior centers and focal points with addresses. This information must match the total number of senior centers and focal points reported in the Older Americans Act Performance System (OAAPS) State Performance Report (SPR) module of the California Aging Reporting System.

Designated Community Focal Point	Address
Alcosta Senior Center	9300 Alcosta Boulevard, San Ramon 94582
Antioch Senior Center	415 W 2nd Street, Antioch, CA 94509
Brentwood Senior Center	193 Griffith Lane, Brentwood 94513
Concord Senior Center	2727 Parkside Circle, Concord 94518
Danville Senior Center	115 E. Prospect Avenue, Danville 94526
Hercules Senior Center	111 Civic Drive, Hercules, CA 94547
Lafayette Senior Services	500 St. Mary's Road, Lafayette 94549
Martinez Senior Center	818 Green Street, Martinez, CA 94553
Oakley Senior Center	215 Second Street, Oakley 94561
Open House Senior Center	6500 Stockton Avenue, El Cerrito 94530
Pinole Senior Center	2500 Charles Street, Pinole 94564
Pittsburg Senior Center	300 Presidio Lane, Pittsburg, CA 94565
Pleasant Hill Senior Center	233 Gregory Lane, Pleasant Hill, CA 94523
Richmond Annex Senior Center	5801 Huntington Avenue, Richmond
Richmond Senior Citizens Center	2525 Macdonald Avenue, Richmond, CA 94804
San Pablo Senior Center	1943 Church Lane, San Pablo, CA 94806
Walnut Creek Senior Center	1375 Civic Drive, Walnut Creek

Senior Center	Address
Alcosta Senior Center	9300 Alcosta Boulevard, San Ramon 94582
Antioch Senior Center	415 W 2nd Street, Antioch, CA 94509
Bay Point/Ambrose Center	3105 Willow Pass Road, Bay Point 94565
Brentwood Senior Center	193 Griffith Lane, Brentwood 94513
Concord Senior Center	2727 Parkside Circle, Concord 94518

Danville Senior Center	115 E. Prospect Avenue, Danville 94526
El Cerrito Senior Center	7007 Moeser Lane, El Cerrito 94530
Hercules Senior Center	111 Civic Drive, Hercules, CA 94547
Lafayette Senior Services	500 St. Mary's Road, Lafayette 94549
Martinez Senior Center	818 Green Street, Martinez, CA 94553
North Richmond Senior Center	515 Silver Avenue, Richmond 94801
Oakley Senior Center	215 Second Street, Oakley 94561
Open House Senior Center	6500 Stockton Avenue, El Cerrito 94530
Pinole Senior Center	2500 Charles Street, Pinole 94564
Pittsburg Senior Center	300 Presidio Lane, Pittsburg, CA 94565
Pleasant Hill Senior Center	233 Gregory Lane, Pleasant Hill, CA 94523
Richmond Annex Senior Center	5801 Huntington Avenue, Richmond
Richmond Senior Citizens Center	2525 Macdonald Avenue, Richmond, CA 94804
Rodeo Senior Center	189 Parker Avenue, Rodeo 94547
San Pablo Senior Center	1943 Church Lane, San Pablo, CA 94806
Walnut Creek Senior Center	1375 Civic Drive, Walnut Creek

SECTION 10. FAMILY CAREGIVER SUPPORT PROGRAM

Notice of Intent for Non-Provision of FCSP Multifaceted Systems of Support Services
Older Americans Act Reauthorization Act of 2020, Section 373(a) and (b)
2024-2028 Four-Year Planning Cycle

Based on the AAA's needs assessment and subsequent review of current support needs and services for **family caregivers**, indicate what services the AAA **intends** to provide using Title IIIE and/or matching FCSP funds for both.

Check YES or NO for each of the services* identified below and indicate if the service will be provided directly or contracted. **If the AAA will not provide at least one service subcategory for each of the five main categories, a justification for services not provided is required in the space below.**

Family Caregiver Services

Category	2024-2025	2025-2026	2026-2027	2027-2028
Caregiver Access ☒ Case Management ☒ Information and Assistance	☐ Yes Direct ☒ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No
Caregiver Information Services ☒ Information Services	☐ Yes Direct ☒ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No
Caregiver Support ☒ Training ☒ Support Groups ☒ Counseling	☐ Yes Direct ☒ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No
Caregiver Respite ☒ In Home ☐ Out of Home (Day) ☐ Out of Home (Overnight) ☐ Other: Personal Care, Homemaker	☐ Yes Direct ☒ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No
Caregiver Supplemental ☐ Legal Consultation ☐ Consumable Supplies ☐ Home Modifications ☒ Assistive Technology ☒ Other (Assessment) ☐ Other (Registry)	☐ Yes Direct ☒ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No

Older Relative Caregiver Services

Category	2024-2025	2025-2026	2026-2027	2027-2028
Caregiver Access ☒ Case Management ☒ Information and Assistance	☐ Yes Direct ☒ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No
Caregiver Information Services ☐ Information Services	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No
Caregiver Support ☐ Training ☒ Support Groups ☐ Counseling	☐ Yes Direct ☒ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No
Caregiver Respite ☐ In Home ☒ Out of Home (Day) ☐ Out of Home (Overnight) ☐ Other:	☐ Yes Direct ☒ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No
Caregiver Supplemental ☐ Legal Consultation ☐ Consumable Supplies ☐ Home Modifications ☐ Assistive Technology ☐ Other (Assessment) ☐ Other (Registry)	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No	☐ Yes Direct ☐ Yes Contract ☐ No

Justification: If any of the five main categories are **NOT** being provided please explain how the need is already being met in the PSA. If the justification information is the same, multiple service categories can be grouped in the justification statement. The justification must include the following:

1. **Provider name and address.**
2. **Description of the service(s) they provide (services should match those in the CDA Service Category and Data Dictionary**
3. **Where is the service provided (entire PSA, certain counties)?**
4. **How does the AAA ensure that the service continues to be provided in the PSA without the use of Title IIIE funds**

Note: The AAA is responsible for ensuring that the information listed for these organizations is up to date. Please include any updates in the Area Plan Update process.

Example of Justification:

1. Provider name and address:
   ABC Aging Services
   1234 Helping Hand Drive
   City, CA Zip
2. Description of the service(s) they provide (services should match those in the CDA Service Category and Data Dictionary):
   This agency offers Supplemental Services/Home Modifications and Supplemental Services/Assistive Technologies. We can refer family caregivers in need of things such as shower grab bars, shower entry ramp, medication organizer/dispenser, iPad for virtual medical visits, etc.

3. Where are the service is provided (entire PSA, certain counties, etc.)? *Entire PSA*
4. How does the AAA ensures that the service continues to be provided in the PSA without the use of Title IIIE funds?
   This agency is listed in our Information and Assistance Resource File as a non OAA community-based organization. The AAA updates the I&A resource file annually. During this process, the AAA calls the agency to confirm information is still accurate & up-to-date.

JUSTIFICATION

PSA 7 offers services in all five categories of Family Caregiver Services and provides services in three of the five categories of Older Relative Caregiver Services. For the categories of Caregiver Information and Caregiver Supplemental Services, the AAA subcontracts with the community-based providers listed below to ensure that services are available for older relative caregivers. Older relative caregivers will be referred to these agencies should need services.

Information Services: the following agencies will provide Community Education and will serve caregivers throughout the PSA.

1. Alzheimer's Association
   2290 N. 1st Street, Suite 10
   San Jose, CA 95131

2. Family Caregiver Alliance
   101 Montgomery Street, Suite 2150
   San Francisco, CA 94104

Caregiver Supplemental Services: the following agencies will provide services under this category. All providers listed below will serve caregivers throughout the PSA.

1. Home Modification and Assistive Technology
   Meals on Wheels Diablo Region
   1300 Civic Drive
   Walnut Creek, CA 9596

2. Caregiver Assessment

   Alzheimer's Association
   2290 N. 1st Street, Suite 10
   San Jose, CA 95131

   Family Caregiver Alliance
   101 Montgomery Street, Suite 2150
   San Francisco, CA 94104

   Jewish Family & Community Services
   2484 Shattuck Avenue, Suite 210
   Berkeley, CA 94704

SECTION 11. LEGAL ASSISTANCE

2024-2028 Four-Year Area Planning Cycle

This section must be completed and submitted annually. The Older Americans Act Reauthorization Act of 2020 designates legal assistance as a priority service under Title III B [42 USC §3026(a)(2)][12]. CDA developed *California Statewide Guidelines for Legal Assistance* (Guidelines), which are to be used as best practices by CDA, AAAs and LSPs in the contracting and monitoring processes for legal services, and located at: https://aging.ca.gov/Providers_and_Partners/Legal_Services/#pp-gg

1. Based on your local needs assessment, what percentage of Title IIIB funding is allocated to Legal Services? **Discuss:**

Seventeen percent of PSA 7's IIIB funding is allocated to Legal Services. This allocation is based on the proposal received from PSA 7's most recently issued RFP (2021) for Title IIIB.

2. How have your local needs changed in the past year(s)? Please identify any changes (include whether the change affected the level of funding and the difference in funding levels in the past four years). **Discuss:**

Demand for services has remained high, concentrated most heavily on housing issues. Forty-nine percent of cases have been housing related, almost all related to eviction prevention. Rents continue to rise, and the percentage of the population experiencing homelessness aged 60 years or older is now at 34%. Legal Service Provider (LSP) is making every effort to bring services closer to the population it serves by coordinating clinics in the community, which increases costs to provide services. LSP expects to double these clinics in the coming year.

The need to deliver services in languages other than English has increased. Recruiting bilingual staff has been a challenge. Legal Service Provider is exploring using volunteers to address this language gap.

3. How does the AAA's contract/agreement with the Legal Services Provider(s) (LSPs) specify and ensure that the LSPs are expected to use the California Statewide Guidelines in the provision of OAA legal services? **Discuss:**

The agreement with the LSP includes expectations to use the California Statewide Guidelines in the provision of OAA legal services.

4. How does the AAA collaborate with the Legal Services Provider(s) to jointly establish specific priority issues for legal services? What are the top four (4) priority legal issues in your PSA? **Discuss:**

- Housing Preservation
- Prevention of Elder Abuse
- Access to Benefits, esp. Health care
- Fraud and scams prevention

5. How does the AAA collaborate with the Legal Services Provider(s) to jointly identify the target population? What is the targeted senior population and mechanism for reaching targeted groups in your PSA? **Discuss:**

The AAA collaborates with the LSP, Contra Costa Senior Legal Services (CCSLS), to identify the target population. The target population is older adults with the greatest social and economic need. The mechanism for reaching them is through outreach and education at senior centers, nutrition sites, senior housing complexes, community events, and gathering places with diverse racial/ethnic populations, such as San Pablo and Bay Point. CCSLS distributes brochures about its services in English, Spanish, and several Asian languages. CCSLS employs Spanish-speaking staff and provides outreach at immigration fairs. Website can be accessed in many different languages (via Google translate) and use of a language line for other languages (recently Farsi and Hindi). The CCSLS recently conducted a study identifying zip codes with the highest proportion of indigent elders and are targeting partners and facilities in those areas for services. Additionally, CCSLS collaborates with Ombudsman Services (Empowered Aging) to reach long-term care facility residents.

6. How many legal assistance service providers are in your PSA? **Complete table below.**

Fiscal Year	# of Legal Assistance Services Providers	Did the number of service providers change? If so please explain
2024-2025	1	No
2025-2026		
2026-2027		
2027-2028		

7. What methods of outreach are Legal Services Providers using? **Discuss:**

The LSP conducts outreach through an accessible website, which includes a video describing its services. The LSP also has a blog. The LSP relies on frequent in-person and virtual outreach (over 50 events in the last year), ongoing Google Ads campaigns, flyer distribution at senior centers, food bank pantry sites, and Home-Delivered Meal clients. In addition, referrals are received from Adult Protective Services, Family Justice Centers, Empowered Aging (LTC ombudsman Services), Contra Costa Bar Association, senior centers, Information & Assistance, etc.

[12] For Information related to Legal Services, contact Jeremy A. Avila at 916 419-7500 or Jeremy.Avila@aging.ca.gov

8. What geographic regions are covered by each provider? **Complete table below:**

Fiscal Year	Name of Provider	Geographic Region covered
2024-2025	a. Contra Costa Senior Legal Services b. c.	a. Contra Costa County b. c.
2025-2026	a. b. c.	a. b. c.
2026-2027	a. b. c.	a. b. c.
2027-2028	a. b. c.	a. b. c.

9. Discuss how older adults access Legal Services in your PSA and whether they can receive assistance remotely (e.g., virtual legal clinics, phone, U.S. Mail, etc.). **Discuss:**

Older adults in PSA 7 can access Legal Services at senior centers LSP's office in person or by telephone. LSP also conducts virtual and in-person clinics at senior housing sites, assisted living facilities, and at client's home if they are homebound and in need of immediate help.

10. Identify the major types of legal issues that are handled by the Title IIIB legal provider(s) in your PSA (please include new legal problem trends in your area). **Discuss:**

The following are legal issues handled by the Title IIIB LSP in PSA 7:

- Eviction and other housing issues: assists seniors with problems relating to housing, including assistance with publicly subsidized housing, eviction defense, improving housing conditions, lockouts and utility shut offs.
- Elder abuse: assists victims of abuse to enforce their rights against their abusers. Services include advising seniors about financial elder abuse, fraud and senior scams, assistance with obtaining Elder Abuse Restraining Orders, and advising and assisting clients victimized by identity theft or fraud.
- Consumer and individual rights: advises debtors about their rights, assists with debt collector lawsuits, and finds resolution for some contract disputes.
- Public Benefits: assists with waivers and reconsiderations in SSI overpayment matters.
- Planning for incapacity: engages in planning for incapacity by drafting durable power of attorney and Advance Health Care Directives.

11. What are the barriers to accessing legal assistance in your PSA? Include proposed strategies for overcoming such barriers. **Discuss:**

The LSP is small and has a limited ability to conduct outreach in languages other than Spanish and English. As a result of a survey about access to its services, the LSP has increased the accessibility of services remotely and also increased its presence in localities far removed from the physical office. Volunteers can help surmount both geographical and linguistic barriers and increased efforts are being made to recruit more volunteers. Seniors also have difficulty with transportation. While services are available by telephone, many legal issues require review of documents or in-person assessment of capacity. The LSP is collaborating with other agencies, such as the Family Justice Center, to provide services in the county's western and eastern regions.

12. What other organizations or groups does your legal service provider coordinate services with? **Discuss:**

The Legal Service Provider coordinates services with Adult Protective Services, Family Justice Centers, Ombudsman Services (Empowered Aging), Contra Costa Bar Association, senior centers, Information & Assistance, Meals on Wheels Diablo Region, etc. In addition, it collaborates with partner agencies on many projects, including the Elder Abuse Prevention Project and the Abuse in Later Life Program, East County Senior Resource Initiative, East Contra Costa County Alliance, etc.

SECTION 12. DISASTER PREPAREDNESS

Disaster Preparation Planning Conducted for the 2024-2028 Planning Cycle Older Americans Act Reauthorization Act of 2020, Section 306(a)(17); 310, CCR Title 22, Sections 7529 (a)(4) and 7547, W&I Code Division 8.5, Sections 9625 and 9716, CDA Standard Agreement, Exhibit E, Article 1, 22-25, Program Memo 10-29(P)

1. Describe how the AAA coordinates its disaster preparedness plans, policies, and procedures for emergency preparedness and response as required in OAA, Title III, Section 310 with:
   - local emergency response agencies,
   - relief organizations,
   - state and local governments, and
   - other organizations responsible

2. Identify each of the local Office of Emergency Services (OES) contact person(s) within the PSA that the AAA will coordinate with in the event of a disaster (add additional information as needed for each OES within the PSA):

Name	Title	Telephone	E-Mail
Rick Kovar	OES Manager	**Office:** 925-655-0123 **Cell:**	rkovar@so.cccounty.us
Julie Cavallero	Senior Emergency Planning Coordinator	**Office:** 925-655-0116 **Cell:**	Jcava001@so.cccounty.us

3. Identify the Disaster Response Coordinator within the AAA:

Name	Title	Telephone	E-Mail
Frank Latcham	Senior Staff Assistant	**Office:** 925-655-4384 **Cell:**	flatcham@ehsd.cccounty.us

4. List critical services the AAA will continue to provide to the participants after a disaster and describe how these services will be delivered (i.e., Wellness Checks, Information, Nutrition programs):

Critical Services	How Delivered?
A Home-Delivered Meal Program	**A** AAA staff will help deliver meals.
B Ombudsman Services	**B** AAA to ensure that contractor continues to provide services to facility residents during a disaster. AAA to provide support to contractor.
C Congregate Meal Program (if safe to open)	**C** AAA staff will help serve meals.

D Information & Assistance	**D** Services will continue after a disaster. The program's platform is online and can be accessed remotely by Social Workers (call center staff). Clients can continue to call the central intake phone number, and staff can pick-up the call from any location.

5. List critical services the AAA will provide to its operations after a disaster and describe how these services will be delivered (i.e., Cyber Attack, Fire at your building, Evacuation of site, Employee needs)

Critical Services	How Delivered?
A Emergency shelters	**A** County employees will staff shelters.
B Information & Assistance	**B** Services will continue after a disaster. The program's platform is online and can be accessed remotely by Social Workers (call center staff). Clients can continue to call the central intake phone number, and staff can pick-up the call from any location.
C Home-Delivered Meal Program	**C** Service is subcontracted to community-based agencies. AAA monitors providers' disaster/ continuity of operations plan, retains a copy of agency plans, and ensures the plan is followed during and after a disaster. AAA will remain accessible through its I&A line.
D Ombudsman Services	**D** Service is subcontracted to a community-based agency. AAA monitors provider's disaster/ continuity of operations plan, retains a copy of agency plan, and ensures the plan is followed during and after a disaster. AAA will remain accessible through its I&A line.

6. List critical resources the AAA needs to continue operations.
   - Communication – telephone, e-mail, cell
   - Funding – access to emergency funds as needed to continue operations and to ensure subcontractors/providers have funds needed to continue operations.
   - Alternative site – if location is not accessible or safe to occupy, alternative site should be available to continue operations.

7. List any agencies or private/non-government organizations with which the AAA has formal or nonformal emergency preparation or response agreements. (contractual or MOU)

   The AAA is part of the Contra Costa County Employment and Human Services Department (EHSD), which is responsible for care and shelter in the event of a major disaster. EHSD has formal agreements with the American Red Cross, Contra Costa County Office of Emergency Services, Contra Costa County Health Department, and Contra Costa Sherriff's Department.

8. Describe how the AAA will:
   - Identify vulnerable populations:
   - Identify possible needs of the participants before a disaster event (PSPS, Flood, Earthquake, ETC)
   - Follow up with vulnerable populations after a disaster event.

   Identify vulnerable populations - The AAA utilizes information obtained from the In-Home Support Services program, GetCare home-delivered meal client data, and the aging network in Contra Costa County to identify vulnerable at-risk individuals. The aging network consists of a collaboration of Ombudsman Services, AAA contractors, and non-profit organizations whose purposes is to serve and advocate for older adults.

   Follow-up with these vulnerable populations after a disaster event - Protocols are in place to identify at risk populations and arrange for shelter care for those with special needs. AAA works with the Ombudsman Program to ensure skilled nursing facilities, assisted living facilities, and residential care homes provide for their clients, residents, and patients during and after a disaster.

9. How is disaster preparedness training provided?
   - AAA to participants and caregivers
   - To staff and subcontractors

   The AAA ensures the preparedness of its organization and staff to meet the challenges of a disaster. The main responsibility of the AAA is to support the emergency management community to ensure that the disaster-related needs of older adults and persons with disabilities receive access to overall community disaster planning services. The AAA is part of the Contra Costa County structure and therefore conforms to the County's overall plan for disaster response and preparedness. One element of the County's plan enforces the requirement of County staff, including AAA staff, to serve as official disaster preparedness workers in accordance with Section 3100 of the California Government Code.

SECTION 13. NOTICE OF INTENT TO PROVIDE DIRECT SERVICES

CCR Article 3, Section 7320 (a)(b) and 42 USC Section 3027(a)(8)(C)

If a AAA plans to directly provide any of the following services, it is required to provide a description of the methods that will be used to assure that target populations throughout the PSA will be served.

☐ Check if not providing any of the below-listed direct services.

Check applicable direct services	Check **each applicable Fiscal Year**			
Title IIIB	**24-25**	**25-26**	**26-27**	**27-28**
☒ Information and Assistance	☒	☐	☐	☐
☐ Case Management	☐	☐	☐	☐
☒ Outreach	☒`	☐	☐	☐
☒ Program Development	☒	☐	☐	☐
☒ Coordination	☒	☐	☐	☐
☐ Long Term Care Ombudsman	☐	☐	☐	☐
Title IIID	**24-25**	**25-26**	**26-27**	**27-28**
☐ Health Promotion – Evidence-Based	☐	☐	☐	☐
Title IIIE[9]	**24-25**	**25-26**	**26-27**	**27-28**
☐ Information Services	☐	☐	☐	☐
☐ Access Assistance	☐	☐	☐	☐
☐ Support Services	☐	☐	☐	☐
☐ Respite Services	☐	☐	☐	☐
☐ Supplemental Services	☐	☐	☐	☐
Title VII	**24-25**	**25-26**	**26-27**	**27-28**
☐ Long Term Care Ombudsman	☐	☐	☐	☐
Title VII	**24-25**	**25-26**	**26-27**	**27-28**
☐ Prevention of Elder Abuse, Neglect, and Exploitation.	☐	☐	☐	☐

Describe methods to be used to ensure target populations will be served throughout the PSA.

The AAA will ensure that subcontractors have an outreach plan that includes activities that focus on reaching target populations. During the monitoring of subcontractors, AAA staff will review services provided to target populations via records of the demographic profile of clients served. Additionally, in setting contract agreements with providers, the AAA requires that service plans include a measurable objective specific to reaching the target populations.

[8] Refer to CDA Service Categories and Data Dictionary.

SECTION 14. REQUEST FOR APPROVAL TO PROVIDE DIRECT SERVICES

Complete and submit for CDA approval each direct service not specified previously. The request for approval may include multiple funding sources for a specific service.

☐ Check box if not requesting approval to provide any direct services.

Identify Service Category: Title IIIC-1 Congregate Meal Program and HICAP

Check applicable funding source:[9]

☐ IIIIB

☒ IIIC-1

☐ IIIC-2

☐ IIIE

☐ VII

☒ HICAP

Request for Approval Justification:

☒ Necessary to Assure an Adequate Supply of Service OR
☐ More cost effective if provided by the AAA than if purchased from a comparable service provider.

Check all fiscal year(s) the AAA intends to provide service during this Area Plan cycle.

☒ **FY 24-25** ☐ **FY 25-26** ☐ **FY 26-27** ☐ **FY 27-28**

Provide: documentation below that substantiates this request for direct delivery of the above stated service[10]: _____

9 Section 15 does not apply to Title V (SCSEP).

10 For a HICAP direct services waiver, the managing AAA of HICAP services must document that all affected AAAs agree.

SECTION 15. GOVERNING BOARD

GOVERNING BOARD MEMBERSHIP
2024-2028 Four-Year Area Plan Cycle

CCR Article 3, Section 7302(a)(11)

Total Number of Board Members:

Name and Title of Officers:	Office Term Expires:
Federal Glover, District V - Chair	December 2025
Candace Anderson, District II – Vice-Chair	December 2025

Names and Titles of All Members:	Board Term Expires:
John Gioia, District I	December 2027
Candace Anderson, District II	December 2025
Diane Burgis, District III	December 2025
Ken Carlson, District IV	December 2027
Federal Glover, District V	December 2025

Explain any expiring terms – have they been replaced, renewed, or other?

SECTION 16. ADVISORY COUNCIL

ADVISORY COUNCIL MEMBERSHIP
2024-2028 Four-Year Planning Cycle

Older Americans Act Reauthorization Act of 2020 Section 306(a)(6)(D)
45 CFR, Section 1321.57 CCR Article 3, Section 7302(a)(12)

Total Council Membership (include vacancies) 40

Number and Percent of Council Members over age 60 20 80 % Council 60+

Race/Ethnic Composition	% Of PSA's 60+Population	% on Advisory
White	61%	80%
Hispanic	13%	0%
Black	8%	12%
Asian/Pacific Islander	0.5%	8%
Native American/Alaskan Native	0.2%	0%
Other	17.3%	4%

Name and Title of Officers:	Office Term Expires:
Jill Kleiner, Member-At-Large #19, President	September 30, 2025
James Donnelly, Town of Danville Representative, Vice-President	September 30, 2025
Candace Evans, Secretary/Treasurer	September 30, 2025

Name and Title of other members:	Office Term Expires:
Michelle Berman, City of Clayton Representative	September 30, 2025
Logan Robertson, Member-At-Large #15	September 30, 2024
Cate Burkhart, City of Richmond Representative	September 30, 2024
Deborah Card, Member-At-Large #5	September 30, 2024
Kevin Donovan, Member-At-Large #17	September 30, 2024
Jennifer Doran, City of Hercules Representative	September 30, 2024
Rudy Fernandez, City of Antioch Representative	September 30, 2024
Jody Iorns, City of Martinez Representative	September 30, 2025
Carol Kehoe, City of El Cerrito Representative	September 30, 2024
Shirley Krohn, Member-At-Large #2	September 30, 2024
George Lee, Member-At-Large #8	September 30, 2024
Steve Lipson, Member-At-Large #6	September 30, 2024

Antonio Shelly, Member-At-Large #12	September 30, 2024
Brian O'Toole, Member-At-Large #16	September 30, 2025
Thomas Lang, Member-At-Large #1	September 30, 2024
Roger Boaz, Member-At-Large #13	September 30, 2024
Michael Rigsby, City of Oakley Representative	September 30, 2025
Sam Sakai-Miller, Member-At-Large #20	September 30, 2024
Sara Shafiabady, Member-At-Large #4	September 30, 2024
Terri Tobey, Member-At-Large #10	September 30, 2024
Lorna Van Ackeren, City of Pleasant Hill Representative	September 30, 2025
Michael Wener, Member-At-Large #18	September 30, 2024
Dennis Yee, Member-At-Large #14	September 30, 2024
Mike Awadalla, Member-At-Large # 7	September 30, 2024
Francisco Benavides, City of Moraga Representative	September 30, 2025
Eric Britz, City of Brentwood Representative	September 30, 2025
Marilyn Fowler, City of Concord Representative	September 30, 2025
Michelle Hayes, Member-At-Large #3	September 30, 2025
Denis Kalm, City of Walnut Creek Representative	September 30, 2025
Lori Magistrado, City of Pinole Representative	September 30, 2024
Richard Morisky, City of Lafayette Representative	September 30, 2025
Julie Ortega, Member-At-Large #9	September 30, 2025
Carol Shaefer, Member-At-Large #11	September 30, 2025
ALTERNATE(S):	
Michael Castillo, Alternate #1	September 30, 2025

Indicate which member(s) represent each of the "Other Representation" categories listed below.

Yes No

☒ ☐ Representative with Low Income
☒ ☐ Representative with a Disability
☒ ☐ Supportive Services Provider
☒ ☐ Health Care Provider
☒ ☐ Local Elected Officials
☒ ☐ Persons with Leadership Experience in Private and Voluntary Sectors

Yes No Additional Other (Optional)

☒ ☐ Family Caregiver, including older relative caregiver
☐ ☒ Tribal Representative
☐ ☒ LQBTQ Identification
☒ ☐ Veteran Status
☐ ☐ Other_____

Explain any "No" answer(s):

Explain what happens when term expires, for example, are the members permitted to remain in their positions until reappointments are secured? Have they been replaced, renewed or other?

Membership on the Advisory Council on Aging is not term limited. When a member's term expires, they have an opportunity to reapply for reappointment. When a member's seat becomes vacant, it remains unoccupied until an appointment is secured.

Briefly describe the local governing board's process to appoint Advisory Council members:

The County Board of Supervisors is the AAA's governing board. The AAA is under the County Employment and Human Services Department (EHSD). Nominations on the Advisory Council on Aging are vetted by the EHSD Director and presented to the Board's Family and Human Services (FHS) Committee for approval. Once approved by the FHS, nominations are presented to the Board for approval of the appointment.

SECTION 17. MULTIPURPOSE SENIOR CENTER ACQUISITION OR CONSTRUCTION COMPLIANCE REVIEW[11]

CCR Title 22, Article 3, Section 7302(a)(15)
20-year tracking requirement

☒ No. Title IIIB funds not used for Acquisition or Construction.

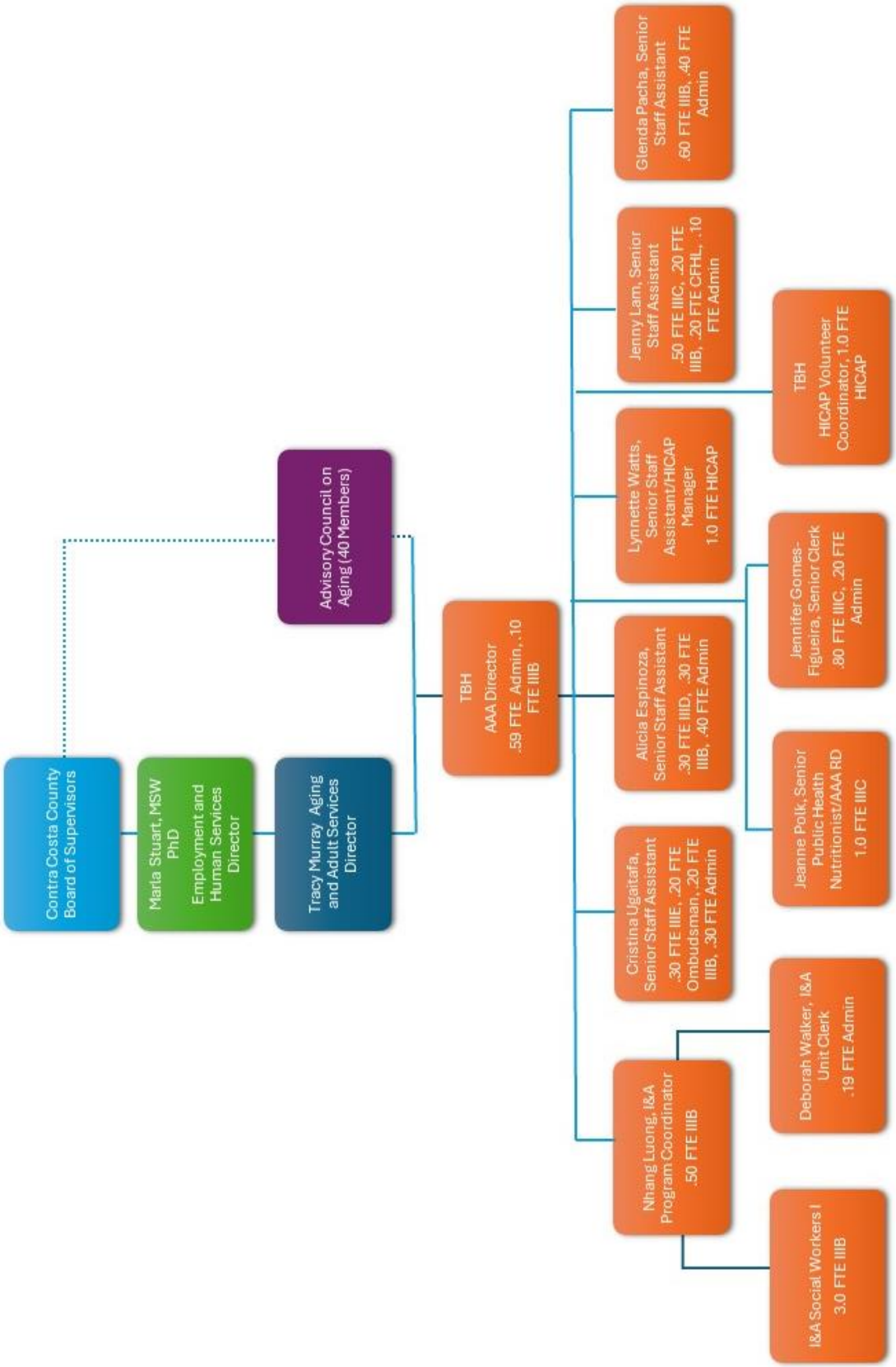
☐ Yes. Title IIIB funds used for Acquisition or Construction.

Title III Grantee and/or Senior Center (complete the chart below):

Title III Grantee and/or Senior Center	Type Acq/Const	IIIB Funds Awarded	% Total Cost	Recapture Period Begin	Recapture Period End	Compliance Verification State Use Only
Name: Address:						
Name: Address:						
Name: Address:						
Name: Address:						

[11] Acquisition is defined as obtaining ownership of an existing facility (in fee simple or by lease for 10 years or more) for use as a Multipurpose Senior Center.

SECTION 18. ORGANIZATIONAL CHART



SECTION 19. ASSURANCES

Pursuant to the Older Americans Act Reauthorization Act of 2020, (OAA), the Area Agency on Aging assures that it will:

A. Assurances

1. OAA 306(a)(2)

   Provide an adequate proportion, as required under Older Americans Act Reauthorization Act of 2020 Section 307(a)(2), of the amount allotted for part B to the planning and service area will be expended for the delivery of each of the following categories of services—

   (A) services associated with access to services (transportation, health services (including mental and behavioral health services) outreach, information and assistance, (which may include information and assistance to consumers on availability of services under part B and how to receive benefits under and participate in publicly supported programs for which the consumer may be eligible) and case management services);

   (B) in-home services, including supportive services for families of older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction; and

   (C) legal assistance; and assurances that the area agency on aging will report annually to the State agency in detail the amount of funds expended for each such category during the fiscal year most recently concluded;

2. OAA 306(a)(4)(A)(i)(I-II)

   (I) provide assurances that the area agency on aging will -

   (aa) set specific objectives, consistent with State policy, for providing services to older individuals with greatest economic need, older individuals with greatest social need, and older individuals at risk for institutional placement;

   (bb) include specific objectives for providing services to low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas; and;

   (II) include proposed methods to achieve the objectives described in (aa) and (bb) of subclause (I);

3. OAA 306(a)(4)(A)(ii)

   Include in each agreement made with a provider of any service under this title, a requirement that such provider will—

   (I) specify how the provider intends to satisfy the service needs of low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas in the area served by the provider;

   (II) to the maximum extent feasible, provide services to low-income minority individuals, older individuals with limited English proficiency, and older individuals residing in rural areas in accordance with their need for such services; and

   (III) meet specific objectives established by the area agency on aging, for providing services to low-income minority individuals, older individuals with limited English

proficiency, and older individuals residing in rural areas within the planning and service area.

4. OAA 306(a)(4)(A)(iii)

With respect to the fiscal year preceding the fiscal year for which such plan is prepared—

(I) identify the number of low-income minority older individuals in the planning and service area.

(II) describe the methods used to satisfy the service needs of such minority older individuals; and

(III) provide information on the extent to which the area agency on aging met the objectives described in assurance number 2.

5. OAA 306(a)(4)(B)

Use outreach efforts that —

(i) identify individuals eligible for assistance under this Act, with special emphasis on—

(I) older individuals residing in rural areas.

(II) older individuals with greatest economic need (with particular attention to low-income minority individuals and older individuals residing in rural areas);

(III) older individuals with greatest social need (with particular attention to low-income minority individuals and older individuals residing in rural areas);

(IV) older individuals with severe disabilities.

(V) older individuals with limited English proficiency.

(VI) older individuals with Alzheimer's disease and related disorders with neurological and organic brain dysfunction (and the caretakers of such individuals); and

(VII) older individuals at risk for institutional placement, specifically including survivors of the Holocaust; and

(ii) inform the older individuals referred to in sub-clauses (I) through (VII) of clause (i), and the caretakers of such individuals, of the availability of such assistance;

6. OAA 306(a)(4)(C)

Contain an assurance that the Area Agency on Aging will ensure that each activity undertaken by the agency, including planning, advocacy, and systems development, will include a focus on the needs of low-income minority older individuals and older individuals residing in rural areas;

7. OAA 306(a)(5)

Provide assurances that the Area Agency on Aging will coordinate planning, identification, assessment of needs, and provision of services for older individuals with disabilities, with particular attention to individuals with severe disabilities, and individuals at risk for institutional placement with agencies that develop or provide services for individuals with disabilities;

8. OAA 306(a)(6)(I)

Describe the mechanism(s) for assuring that each Area Plan will include information detailing how the Area Agency will, to the extent feasible, coordinate with the State agency to disseminate information about the State assistive technology entity and access to assistive

technology options for serving older individuals.

9. OAA 306(a)(9)(A)-(B)

(A) Provide assurances that the Area Agency on Aging, in carrying out the State Long-Term Care Ombudsman program under 307(a)(9), will expend not less than the total amount of funds appropriated under this Act and expended by the agency in fiscal year 2019 in carrying out such a program under this title;

(B) funds made available to the Area Agency on Aging pursuant to section 712 shall be used to supplement and not supplant other Federal, State, and local funds expended to support activities described in section 712;

10. OAA 306(a)(11)

Provide information and assurances concerning services to older individuals who are Native Americans (referred to in this paragraph as ''older Native Americans''), including—

(A) information concerning whether there is a significant population of older Native Americans in the planning and service area and if so, an assurance that the area agency on aging will pursue activities, including outreach, to increase access of those older Native Americans to programs and benefits provided under this title;

(B) An assurance that the Area Agency on Aging will to the maximum extent practicable, coordinate the services the agency provides under this title with services provided under title VI; and

(C) An assurance that the Area Agency on Aging will make services under the area plan available, to the same extent as such services are available to older individuals within the planning and service area, to older Native Americans.

11. OAA 306(a)(13)(A-E)

(A) maintain the integrity and public purpose of services provided, and service providers, under this title in all contractual and commercial relationships;

(B) disclose to the Assistant Secretary and the State agency—

(i) the identity of each nongovernmental entity with which such agency has a contract or commercial relationship relating to providing any service to older individuals; and

(ii) the nature of such contract or such relationship.

(C) demonstrate that a loss or diminution in the quantity or quality of the services provided, or to be provided, under this title by such agency has not resulted and will not result from such contract or such relationship;

(D) demonstrate that the quantity or quality of the services to be provided under this title by such agency will be enhanced as a result of such contract or such relationship; and

(E) on the request of the Assistant Secretary or the State, for the purpose of monitoring compliance with this Act (including conducting an audit), disclose all sources and expenditures of funds such agency receives or expends to provide services to older individuals;

12. 306(a)(14)

Provide assurances that preference in receiving services under this Title will not be given by the Area Agency on Aging to particular older individuals as a result of a contract or

commercial relationship that is not carried out to implement this title;

13. 306(a)(15)

Provide assurances that funds received under this title will be used—

(A) to provide benefits and services to older individuals, giving priority to older individuals identified in Section 306(a)(4)(A)(i); and

(B) in compliance with the assurances specified in Section 306(a)(13) and the limitations specified in Section 212;

14. OAA 305(c)(5)

In the case of a State specified in subsection (b)(5), the State agency shall provide assurance, determined adequate by the State agency, that the Area Agency on Aging will have the ability to develop an area plan and to carry out, directly or through contractual or other arrangements, a program in accordance with the plan within the planning and service area.

15. OAA 307(a)(7)(B)

i. no individual (appointed or otherwise) involved in the designation of the State agency or an Area Agency on Aging, or in the designation of the head of any subdivision of the State agency or of an Area Agency on Aging, is subject to a conflict of interest prohibited under this Act;

ii. no officer, employee, or other representative of the State agency or an Area Agency on Aging is subject to a conflict of interest prohibited under this Act; and

iii. mechanisms are in place to identify and remove conflicts of interest prohibited under this Act.

16. OAA 307(a)(11)(A)

i. enter into contracts with providers of legal assistance, which can demonstrate the experience or capacity to deliver legal assistance;

ii. include in any such contract provisions to assure that any recipient of funds under division (i) will be subject to specific restrictions and regulations promulgated under the Legal Services Corporation Act (other than restrictions and regulations governing eligibility for legal assistance under such Act and governing membership of local governing boards) as determined appropriate by the Assistant Secretary; and

iii. attempt to involve the private bar in legal assistance activities authorized under this title, including groups within the private bar furnishing services to older individuals on a pro bono and reduced fee basis.

17. OAA 307(a)(11)(B)

That no legal assistance will be furnished unless the grantee administers a program designed to provide legal assistance to older individuals with social or economic need and has agreed, if the grantee is not a Legal Services Corporation project grantee, to coordinate its services with existing Legal Services Corporation projects in the planning and service area in order to concentrate the use of funds provided under this title on individuals with the greatest such need; and the Area Agency on Aging makes a finding, after assessment, pursuant to standards for service promulgated by the Assistant Secretary, that any grantee selected is the entity best able to provide the particular services.

18. OAA 307(a)(11)(D)

To the extent practicable, that legal assistance furnished under the plan will be in addition to any legal assistance for older individuals being furnished with funds from sources other than this Act and that reasonable efforts will be made to maintain existing levels of legal assistance for older individuals; and

19. OAA 307(a)(11)(E)

Give priority to legal assistance related to income, health care, long-term care, nutrition, housing, utilities, protective services, defense of guardianship, abuse, neglect, and age discrimination.

20. OAA 307(a)(12)(A)

Any Area Agency on Aging, in carrying out such services will conduct a program consistent with relevant State law and coordinated with existing State adult protective service activities for -

i. public education to identify and prevent abuse of older individuals.
ii. receipt of reports of abuse of older individuals.
iii. active participation of older individuals participating in programs under this Act through outreach, conferences, and referral of such individuals to other social service agencies or sources of assistance where appropriate and consented to by the parties to be referred; and
iv. referral of complaints to law enforcement or public protective service agencies where appropriate.

21. OAA 307(a)(15)

If a substantial number of the older individuals residing in any planning and service area in the State are of limited English-speaking ability, then the State will require the Area Agency on Aging for each such planning and service area -

(A) To utilize in the delivery of outreach services under Section 306(a)(2)(A), the services of workers who are fluent in the language spoken by a predominant number of such older individuals who are of limited English-speaking ability.

(B) To designate an individual employed by the Area Agency on Aging, or available to such Area Agency on Aging on a full-time basis, whose responsibilities will include:

i. taking such action as may be appropriate to assure that counseling assistance is made available to such older individuals who are of limited English-speaking ability in order to assist such older individuals in participating in programs and receiving assistance under this Act; and
ii. providing guidance to individuals engaged in the delivery of supportive services under the area plan involved to enable such individuals to be aware of cultural sensitivities and to take into account effective linguistic and cultural differences.

22. OAA 307(a)(18)

Conduct efforts to facilitate the coordination of community-based, long-term care services, pursuant to Section 306(a)(7), for older individuals who -

(A) reside at home and are at risk of institutionalization because of limitations on their ability to function independently;
(B) are patients in hospitals and are at risk of prolonged institutionalization; or
(C) are patients in long-term care facilities, but who can return to their

homes if community-based services are provided to them.

23. OAA 307(a)(26)
Area Agencies on Aging will provide, to the extent feasible, for the furnishing of services under this Act, consistent with self-directed care.

B. Code of Federal Regulations (CFR), Title 45 Requirements:

24. CFR [1321.53(a)(b)]
(a) The Older Americans Act intends that the area agency on aging shall be the leader relative to all aging issues on behalf of all older persons in the planning and service area. This means that the area agency shall proactively carry out, under the leadership and direction of the State agency, a wide range of functions related to advocacy, planning, coordination, inter-agency linkages, information sharing, brokering, monitoring and evaluation, designed to lead to the development or enhancement of comprehensive and coordinated community-based systems in, or serving, each community in the Planning and Service Area. These systems shall be designed to assist older persons in leading independent, meaningful and dignified lives in their own homes and communities as long as possible.
(b) A comprehensive and coordinated community-based system described in paragraph (a) of this section shall:
(1) Have a visible focal point of contact where anyone can go or call for help, information or referral on any aging issue;
(2) Provide a range of options:
(3) Assure that these options are readily accessible to all older persons: The independent, semi-dependent and totally dependent, no matter what their income;
(4) Include a commitment of public, private, voluntary and personal resources committed to supporting the system;
(5) Involve collaborative decision-making among public, private, voluntary, religious and fraternal organizations and older people in the community;
(6) Offer special help or targeted resources for the most vulnerable older persons, those in danger of losing their independence;
(7) Provide effective referral from agency to agency to assure that information or assistance is received, no matter how or where contact is made in the community;
(8) Evidence sufficient flexibility to respond with appropriate individualized assistance, especially for the vulnerable older person;
(9) Have a unique character which is tailored to the specific nature of the community;
(10) Be directed by leaders in the community who have the respect, capacity and authority necessary to convene all interested persons, assess needs, design solutions, track overall success, stimulate change and plan community responses for the present and for the future.

25. CFR [1321.53(c)]
The resources made available to the Area Agency on Aging under the Older Americans Act are to be used to finance those activities necessary to achieve elements of a community-based system set forth in paragraph (b) of this section.

26. CFR [1321.53(c)]
Work with elected community officials in the planning and service area to designate one or more focal points on aging in each community, as appropriate.

27. CFR [1321.53(c)]
Assure that services financed under the Older Americans Act in, or on behalf of, the community will be either based at, linked to or coordinated with the focal points designated.

28. CFR [1321.53(c)]
Assure access from designated focal points to services financed under the Older Americans Act.

29. CFR [1321.53(c)]

Work with, or work to assure that community leadership works with, other applicable agencies and institutions in the community to achieve maximum collocation at, coordination with or access to other services and opportunities for the elderly from the designated community focal points.

30. CFR [1321.61(b)(4)]
Consult with and support the State's long-term care ombudsman program.

31. CFR [1321.61(d)]
No requirement in this section shall be deemed to supersede a prohibition contained in the Federal appropriation on the use of Federal funds to lobby the Congress; or the lobbying provision applicable to private nonprofit agencies and organizations contained in OMB Circular A-122.

32. CFR [1321.69(a)]
Persons age 60 and older who are frail, homebound by reason of illness or incapacitating disability, or otherwise isolated, shall be given priority in the delivery of services under this part.

TRANSMITTAL LETTER

2024-2028 Four Year Area Plan/ Annual Update

Check one: ☒**FY 24-25** **FY 25-26** ☐**FY 26-27** ☐**FY 27-28**

AAA Name: Contra Costa County **PSA** 7

This Area Plan is hereby submitted to the California Department of Aging for approval. The Governing Board and the Advisory Council have each had the opportunity to participate in the planning process and to review and comment on the Area Plan. The Governing Board, Advisory Council, and Area Agency Director actively support the planning and development of community-based systems of care and will ensure compliance with the assurances set forth in this Area Plan. The undersigned recognize the responsibility within each community to establish systems in order to address the care needs of older individuals and their family caregivers in this planning and service area.

1. _____ _____
Federal Glover
Chair, Board of Supervisors
Date

2. Jill Kleiner 4-27-24
Jill Kleiner
President, Advisory Council on Aging
Date

3. Tracy Murray 5/1/24
Tracy Murray
Director, Aging & Adult Services
Date

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1881 **Agenda Date:** 6/25/2024 **Agenda #:** C.96.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Mid-Year Appropriation - FY 23/24 & Measure X Budget Rollover

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE Budget Amendment No. BDA-24-00216 authorizing an adjustment to Employment and Human Services Department (EHSD), Children and Family Services Bureau (0502) and Workforce Services Bureau (0504) expenditure and revenue budgets as part of the EHSD's FY 2023/24 Budget Rebalance (Mid-Year Adjustment) of $20,846,859, and to appropriate rollover funds from FY 22/23 for Measure X of $139,501.00, with no additional net county cost.

FISCAL IMPACT:
This action is to adjust the expenditure and revenue budgets to more accurately reflect budgetary requirements for the Children and Family Services Bureau (0502), and Workforce Services Bureau (0504) for FY 2023/24. The increases are due to increased caseload and higher cost per case than previously budgeted. There is an increase in both the expenditure and revenue budgets of $20,846,859. Approval of this action will also appropriate rollover budgeted Measure X funds from FY 22/23 in the amount of $139,501. There is no additional net county cost.

BACKGROUND:
The Employment and Human Services Department, as part of the FY 2023/24 budget rebalancing, has identified the need for corrections to the FY 2023/24 budget to better align the expenditure and revenue expectations for FY 2023/24. The Department has also identified the need to rollover budgeted Measure X funds from FY 22/23 that were not included in the initial Measure X rollover for FY 23/24.

CONSEQUENCE OF NEGATIVE ACTION:
Appropriations, rollovers and estimated revenues will not be properly reflected in the FY 23/24 budget.

CHILDREN'S IMPACT STATEMENT:
The Employment and Human Services Department Children and Family Services Bureau (CFS) and Workforce Services Bureau (WFS) Department support five (5) of Contra Costa County's community outcomes - Outcome 1: "Children Ready for and Succeeding in School," Outcome 2: "Children and Youth Healthy and Preparing

for Productive Adulthood," Outcome 3: "Families that are Economically Self-sufficient," and Outcome 4: "Families that are Safe, Stable, and Nurturing," Outcome 5: "Communities that are Safe and Provide a High Quality of Life for Children and Families." These outcomes are achieved by offering comprehensive services, including high quality early childhood education, nutrition, and health services to low-income children throughout Contra Costa County.

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 03/26/2024 : BDA-24-00216

Company	Contra Costa County
Budget Template	Operating Budget : FY2023-24 Operating Budget
Budget	FY2023-24 Operating Budget
Organizing Dimension Type	
Amendment ID	BDA-24-00216
Amendment Date	03/26/2024
Description	Mid-Year Appropriation
Amendment Type	Appropriation / Estimated Revenue Adjustment
Balanced Amendment	Yes
Entry Type	Mid-Year Adjustments
Status	In Progress

Budget Amendment Entries

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2023-24 Year (FY2023-24 Operating Budget)	3314:STATE AID	5101 ADMINISTRATION (Home Org)	5422 WFRC DEV REFUGEE ASSIST	100300 GENERAL	$49,950.00	$0.00	STATE AID	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3311:FEDERAL AID	5101 ADMINISTRATION (Home Org)	5422 WFRC DEV REFUGEE ASSIST	100300 GENERAL	$505,050.00	$0.00	FEDERAL AID	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3321:AB85 STATE MAP AID	5101 ADMINISTRATION (Home Org)	5421 TANF CASH ASSISTANCE	100300 GENERAL	$4,385,681.00	$0.00	AB85 STATE MAP AID	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3314:STATE AID	5101 ADMINISTRATION (Home Org)	5421 TANF CASH ASSISTANCE	100300 GENERAL	$1,980,630.00	$0.00	STATE AID	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3313:COUNTY AID BASIC	5101 ADMINISTRATION (Home Org)	5421 TANF CASH ASSISTANCE	100300 GENERAL	$141,474.00	$0.00	COUNTY AID BASIC	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3312:STATE AID, 2011 REALIGN	5101 ADMINISTRATION (Home Org)	5421 TANF CASH ASSISTANCE	100300 GENERAL	$5,800,417.00	$0.00	STATE AID, 2011 REALIGN	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2023-24 Year (FY2023-24 Operating Budget)	3311:FEDERAL AID	5101 ADMINISTRATION (Home Org)	5421 TANF CASH ASSISTANCE	100300 GENERAL	$1,839,156.00	$0.00	FEDERAL AID	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3313:COUNTY AID BASIC	5101 ADMINISTRATION (Home Org)	5285 ADLT SVCS OTHER GRANTS	100300 GENERAL	$139,501.00	$0.00	COUNTY AID BASIC	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3313:COUNTY AID BASIC	5101 ADMINISTRATION (Home Org)	5255 CFS GA FC PAYMENTS	100300 GENERAL	$53,000.00	$0.00	COUNTY AID BASIC	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3314:STATE AID	5101 ADMINISTRATION (Home Org)	5254 CFS EA FOSTER CARE PMTS	100300 GENERAL	$24,410.00	$0.00	STATE AID	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3313:COUNTY AID BASIC	5101 ADMINISTRATION (Home Org)	5254 CFS EA FOSTER CARE PMTS	100300 GENERAL	$30,360.00	$0.00	COUNTY AID BASIC	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9046:SALES TAX MEASURE X	5101 ADMINISTRATION (Home Org)	5285 ADLT SVCS OTHER GRANTS	100300 GENERAL	$0.00	$139,501.00	SALES TAX MEASURE X	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3311:FEDERAL AID	5101 ADMINISTRATION (Home Org)	5254 CFS EA FOSTER CARE PMTS	100300 GENERAL	$63,230.00	$0.00	FEDERAL AID	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9471:FED AID FAMILY INC MTCE	5101 ADMINISTRATION (Home Org)	5421 TANF CASH ASSISTANCE	100300 GENERAL	$0.00	$1,839,156.00	FED AID FAMILY INC MTCE	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9261:STATE AID FAMILY INC MTCE	5101 ADMINISTRATION (Home Org)	5421 TANF CASH ASSISTANCE	100300 GENERAL	$0.00	$6,366,311.00	STATE AID FAMILY INC MTCE	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2023-24 Year (FY2023-24 Operating Budget)	9474:FED AID REFUGEES	5101 ADMINISTRATION (Home Org)	5422 WFRC DEV REFUGEE ASSIST	100300 GENERAL	$0.00	$505,050.00	FED AID REFUGEES	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9266:ST AID REFUGEES	5101 ADMINISTRATION (Home Org)	5422 WFRC DEV REFUGEE ASSIST	100300 GENERAL	$0.00	$49,950.00	ST AID REFUGEES	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9951:REIMBURSEMENTS - GOV/GOV	5101 ADMINISTRATION (Home Org)	5421 TANF CASH ASSISTANCE	100300 GENERAL	$0.00	$5,941,891.00	REIMBURSEMENTS - GOV/GOV	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9975:MISC NON-TAXABLE REVENUE	5101 ADMINISTRATION (Home Org)	5255 CFS GA FC PAYMENTS	100300 GENERAL	$0.00	$53,000.00	MISC NON-TAXABLE REVENUE	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9258:ADMIN STATE-OTHER	5101 ADMINISTRATION (Home Org)	5452 CALWKS/WTW/CL/CCC ELIG	100300 GENERAL	$0.00	$5,834,000.00	ADMIN STATE-OTHER	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9263:ST AID RELGNMT-SALES TAX	5101 ADMINISTRATION (Home Org)	5254 CFS EA FOSTER CARE PMTS	100300 GENERAL	$0.00	$54,770.00	ST AID RELGNMT--VLF	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9475:FED AID ADOPTIONS	5101 ADMINISTRATION (Home Org)	5254 CFS EA FOSTER CARE PMTS	100300 GENERAL	$0.00	$63,230.00	FED AID ADOPTIONS	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3316:SERVICE CONNECTED AID	5101 ADMINISTRATION (Home Org)	5452 CALWKS/WTW/CL/CCC ELIG	100300 GENERAL	$338,900.00	$0.00	SERVICE CONNECTED AID	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3318:CHILD DAY CARE AID	5101 ADMINISTRATION (Home Org)	5452 CALWKS/WTW/CL/CCC ELIG	100300 GENERAL	$5,495,100.00	$0.00	CHILD DAY CARE AID	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org

Budget Appropriation - Assistance.xlsx

File Name Budget Appropriation - Assistance.xlsx

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 03/26/2024 : BDA-24-00216

Content Type application/vnd.openxmlformats-officedocument.spreadsheetml.sheet
Updated By Christopher Dunn
Upload Date 03/26/2024 10:11:01 AM
Comment Mid-Year Appropriation

Process History

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Budget Amendment Event	Step Completed	03/26/2024 10:11:03 AM	03/27/2024	Christopher Dunn	1	
Budget Amendment Event	Review Budget Amendment	Not Required		03/27/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	04/16/2024 04:01:37 PM		Zhongzhou Zhu (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Approval by Budget Specialist (Auditor Office)	Sent Back	04/17/2024 02:42:52 PM		Yesenia Campos (Budget Specialist (Auditor Office))	1	Send Back Reason from Yesenia Campos: Return for dept to update Debits and Credits and update sub-acct. Thank you
Budget Amendment Event	Budget Amendment Event	Submitted	04/17/2024 03:11:26 PM	03/27/2024	Christopher Dunn	1	
Budget Amendment Event	Review Budget Amendment	Not Required		03/27/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Sent Back	04/22/2024 12:54:07 PM		Zhongzhou Zhu (Department Approver – Budget Amendment)	1	Send Back Reason from Zhongzhou Zhu: Please see Yesenia's comments
Budget Amendment Event	Budget Amendment Event	Submitted	04/23/2024 04:46:17 PM	03/27/2024	Christopher Dunn	1	
Budget Amendment Event	Review Budget Amendment	Not Required		03/27/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	04/24/2024 08:21:33 AM		Zhongzhou Zhu (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Approval by Budget Specialist (Auditor Office)	Awaiting Action			Analiza Pinlac (Budget Specialist (Auditor Office))	3	
					Xia Zhang (Budget Specialist (Auditor Office))		
					Yesenia Campos (Budget Specialist (Auditor Office))		

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-232 **Agenda Date:** 6/25/2024 **Agenda #:** C.97.

To: **Board of Supervisors**

From: Marla Stuart, Employment and Human Services Director

Report Title: Approve execution of revenue agreement amendment with California Department of Aging, CF-2223-07, 29-492-2 (AAS)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Employment and Human Services Director, or designee, to execute an agreement amendment with the California Department of Aging, to increase the payment limit by $225,302 for a new total not to exceed $827,046, to implement the CalFresh Healthy Living Supplemental Nutrition Assistance Program - Education in Contra Costa County with no change to term.

FISCAL IMPACT:
$225,302: $112, 651 of which is budgeted in FY 23/24 and $112, 651 of which will be budgeted in FY 24/25. (100% Federal / AL #10.561)

BACKGROUND:
Supplemental Nutrition Assistance Program - Education (SNAP-Ed) is part of the CalFresh Healthy Living program in California funded by the U.S. Department of Agriculture to improve the health of low-income persons aged 60 and older by providing evidence-based nutrition education and obesity prevention services. Resolution No. 2022/367 approved by the Board of Supervisors on November 1, 2022 (C.24) authorized the department director to sign Agreement No. CF-2223-07 with CDA and accept a revenue award of $585,201 for the term October 1, 2022 through September 30, 2025. Additional revenue of $16,543 was accepted by the Board on June 13, 2023 (C.94). This action is to approve a second amendment to receive additional funding in the amount of $225,302 with no change to the term of October 1, 2022 through September 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:
Additional funding will not be received by the department to support nutritional health and obesity prevention education services for low-income older adults.

CHILDREN'S IMPACT STATEMENT:
This agreement supports the fourth community outcome of Contra Costa County's Children's Report Card: Families that are Safe, Stable and Nurturing.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Agreement Number CF-2223-07-A2 between the California Department of Aging and Contra Costa County

WHEREAS, the federal Supplemental Nutrition Assistance Program (SNAP), known as CalFresh Healthy Living in California, includes SNAP-Ed to deliver evidence-based projects and interventions to assist lower-income individuals on a limited budget access healthy foods, live healthier lives, and move towards self-sufficiency, and

WHEREAS, on November 1, 2022, the Board of Supervisors accepted Resolution No. 2022-367 authorizing the Employment and Human Services Department Director to sign Agreement CF-2223-07 with the California Department of Aging to deliver SNAP-Ed services in Contra Costa County and provide residents aged 60 years and over an opportunity to participate in evidence-based nutrition education and obesity prevention programs, and

WHEREAS, the Area Agency on Aging division in the Employment and Human Services Department administers SNAP-Ed in Contra Costa County by subcontracting the program to a local agency to deliver services directly to eligible persons in the community, and

WHEREAS, through Agreement Number CF-2223-07-A1, the County's SNAP-Ed contract with the California Department of Aging was amended on June 13, 2023 to include additional funding of $16,543 for the October 1, 2022 to September 30, 2025 period of the agreement, and

WHEREAS, through Agreement Number CF-2223-07-A2, the County's SNAP-Ed contract with the California Department of Aging is amended to include an additional funding of $225,302 for the October 1, 2022 to September 30, 2025 period of the agreement, and

NOW, THEREFORE, BE IT RESOLVED the Contra Costa County Board of Supervisors approve and authorize the Employment and Human Services Director, or designee, to sign Agreement Number CF-2223-07-A2 amending County's contract with the California Department of Aging for SNAP-Ed and accept the additional funding of $225,302 for a new agreement total not to exceed $827,046.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1773 **Agenda Date:** 6/25/2024 **Agenda #:** C.98.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Contract with Constant Contact, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief or designee to execute a contract with Constant Contact, Inc, including mutual indemnification, with an initial annual amount of $10,000 for hosted email marketing software subscription services, valid from June 25, 2024 to June 30, 2025. The agreement also includes the possibility of annual automatic renewals in accordance with the software service agreement.

FISCAL IMPACT:
Budgeted. 100% CCCFPD General Operating Fund.

BACKGROUND:
Constant Contact, Inc. is a reputable online marketing company that specializes in providing a comprehensive mass email communication solution. It will allow the District to effectively share information and educational content with the community through newsletters and information releases. These publications will feature District updates, fire and emergency medical services educational information, community events, and incident information.

The Constant Contact, Inc. platform will also be utilized by the District for internal communications, enabling creative, meaningful, and direct communication with all employees.

By leveraging Constant Contact's services, the District can enhance its outreach efforts and ensure that important information reaches a wider audience.

This agreement includes a provision for mutual indemnification between Constant Contact Inc. and the District. It starts with an annual value of $10,000 and automatically renews annually, incorporating automatic escalators as delineated in the software service agreement.

CONSEQUENCE OF NEGATIVE ACTION:
If this Agreement is not approved, the District will not reap the benefits of a mass email communication platform, which may delay the sharing of vital information with the community.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1774 **Agenda Date:** 6/25/2024 **Agenda #:** C.99.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Contract with Grasshopper Group, LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board for the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee to execute a contract with a limitation of liability with Grasshopper Group, LLC with an initial annual amount of $1,500 to provide a virtual phone messaging service to connect on -call operations with the media for an initial term of June 25, 2024 through June 30, 2025 with automatic annual renewals.

FISCAL IMPACT:
Budgeted. 100% CCCFPD General Operating Fund.

BACKGROUND:

Grasshopper is a professional virtual phone system application used by the Fire District's on-call public information officers to connect with the media in the event of a critical emergency. The application works with existing phone services to receive phone calls, voicemails, and text messages to multiple cellular phones simultaneously. The software also facilitates seamless information handoff between users. During periods of limited or no cellular service, the application enables VoIP and Wi-Fi calls.

The Fire District's ability to communicate with the media is vital to providing timely incident related information to keep the public informed.

This agreement includes a provision for a limitation of liability for Grasshopper with an initial contract cost of $1,500 that will renew automatically with annual escalators as outlined in the software service agreement.

CONSEQUENCE OF NEGATIVE ACTION:
If this Agreement is not approved, the District will not have the necessary tools to assist our public information officers in providing timely incident related information to the media.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1775 **Agenda Date:** 6/25/2024 **Agenda #:** C.100.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Contract with Stryker Sales, LLC for Maintenance of Defibrillation and Chest Compression Equipment

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract with Stryker Sales, LLC, in an amount not to exceed $143,000, for maintenance of defibrillation and chest compression equipment, for the period July 1, 2024 through June 30, 2028.

FISCAL IMPACT:
Contractual expenditures of up to $143,000 are fully budgeted in the CCCFPD EMS Transport Fund.

BACKGROUND:
The Contra Costa County Fire Protection District (District) uses highly technical emergency medical equipment to provide care on the scene of medical emergencies. LifePak defibrillators are utilized by Emergency Medical Technician's (EMT's) and Paramedics to analyze the heart's rhythm and, if necessary, deliver an electrical shock (defibrillation) to help the heart re-establish an effective rhythm. They can also be used as a pacing device and conduct 12-lead electrocardiograms. Maintenance of this equipment is provided by the manufacturer.

The service plan obligates the District to hold Stryker harmless from and indemnify Stryker for any third party claims or losses or injuries or death arising from the District's actions in performance under the service agreement.

CONSEQUENCE OF NEGATIVE ACTION:
Without this service contract, the EMS equipment will not be properly maintained. The maintenance of this emergency medical equipment is essential to provide proper emergency medical care.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1776 **Agenda Date:** 6/25/2024 **Agenda #:** C.101.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Agreement with the State of California Department of Forestry and Fire Protection (CAL FIRE) to become a Cooperator with the Federal Excess Personal Property (FEPP) Program

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a cooperative agreement with the State of California Department of Forestry and Fire Protection (CAL FIRE) to become a Cooperator with the Federal Excess Personal Property (FEPP) Program for the term June 26, 2024 through June 26, 2029 for the purpose of screening and borrowing federal excess property for primary use in activities directly related to wildland and rural community fire protection.

FISCAL IMPACT:

The execution of this agreement does not have a fiscal impact. Should the District choose to acquire equipment under this agreement there may be costs associated with that particular procurement, which will need to be evaluated and budgeted for at a future date. In some cases, the acquisition of equipment will be at no cost to the District.

BACKGROUND:

The State of California Department of Forestry and Fire Protection (CAL FIRE) is an approved agent of the United States Department of Agriculture (USDA) Forest Service for administering Federal Excess Personal Property (FEPP) as part of the Cooperative Fire Protection Program, which allows the Cooperators to take custody and use FEPP property for wildland and rural community fire protection services.

Participation in this program will allow Contra Costa County Fire Protection District (District) to access excess federal property at little to no cost to the District, providing significant cost savings. This program is particularly valuable for the District when equipment that is used infrequently but comes with a high investment is needed, including equipment used in support of the wildland firefighting mission.

In the past, this program made the Grade-All forklift currently in use at the District training campus, towable emergency generators, logistics trailers, and a skid steer used in the heavy equipment program available to us at no cost. Other items the District may seek to acquire could include additional forklifts and logistics equipment, ten-wheel dump trucks for use during floods and debris removal activities, helicopters for the aviation program, equipment trailers, heavy equipment for fire trail maintenance, and related equipment for the Urban Search and Rescue Program.

CONSEQUENCE OF NEGATIVE ACTION:

The District will not be able to enter into a cooperative agreement with CAL FIRE and will not be able to acquire federal excess property through the Federal Excess Personal Property (FEPP) Program. This would lead to increased costs of procurement for equipment which could be acquired through the FEPP as an alternative.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1777 **Agenda Date:** 6/25/2024 **Agenda #:** C.102.

To: Board of Supervisors

From: Lewis Broschard, Chief, Contra Costa County Fire Protection District

Report Title: Lease with Seecon Commerical, LLC for Communications Center and Administrative Staff Office Space

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

Acting as the governing board of the Contra Costa County Fire Protection District, APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a lease with Seecon Commercial, LLC with an initial annual rent of $76,460, and annual increases thereafter, for office space located at 4005 Port Chicago Highway, Suite 110, Concord, which consists of approximately 2,435 square feet of office space, for the temporary relocation of communications center staff and future expansion of the Fire District's administrative offices. The initial term of the lease is three years and four months, with the option to renew annually.

FISCAL IMPACT:

Approval of this lease will result in additional facility operation costs, with an initial annual impact of $76,460, which will be fully funded by the Contra Costa County Fire Protection District EMS Transport Fund. The lease agreement includes annual rent increases.

BACKGROUND:

The Contra Costa Regional Communications Center (CCRFCC) located at 2900 Dorothy Drive in Pleasant Hill will soon undergo a comprehensive remodeling project that will require the temporary relocation of staff who work at that location for the project's duration. The project will take approximately 20-24 months. The new suite, which is in the same building as the Fire District's administrative offices, will accommodate CCRFCC staff until the remodeling project is complete. Once the project is complete, CCRFCC staff will return to the remodeled CCRFCC location.

Due to increasing administration staffing in the 2024-25 fiscal year, the additional square footage will then be needed to accommodate new hires and staff assigned to the District's current administration office.

CONSEQUENCE OF NEGATIVE ACTION:

An alternative location would have to be identified for the temporary relocation of the CCRFCC staff and the

new positions starting in 2024-2025.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1778 **Agenda Date:** 6/25/2024 **Agenda #:** C.103.

To: **Board of Directors**

From: Blackhawk Geological Hazard Abatement District

Report Title: Blackhawk GHAD Resolution No. 2024/01 Adopting Annual Budget; and Acknowledging Notice of Minor Revision to Plan of Control.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Blackhawk GHAD Resolution No. 2024/01 approving the GHAD budget for 2024/2025 fiscal year with an update to the GHAD General Manager payment limit; and

ACKNOWLEDGE NOTICE of minor revision to Plan of Control (Fourth Amendment).

FISCAL IMPACT:
100% Blackhawk Geological Hazard Abatement District Funds

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

1. Fiscal Year 2024/2025 Annual Budget

The GHAD Board adopts a budget for the GHAD operations each fiscal year. The GHAD Board is being requested to adopt the fiscal year budget for 2024/2025 as prepared by the GHAD Manager which is attached to Resolution No. 2024/01. The proposed fiscal budget totals $4,196,280 (attached as Exhibit A).

In addition, the GHAD Board is being requested to update the GHAD Manager payment limit under the existing Consulting Services Agreement as required by that Agreement. The budget attached to Resolution No. 2024/01 identifies that limit at $695,000 for both general and operational manager services.

The GHAD Board authorized the GHAD Manager and Legal Counsel to work with Cal OES and FEMA to seek federal financial assistance for damage caused by the 2022/2023 winter storms (Resolution No. 2023/01, adopted March 7, 2023). The GHAD filed 10 claims and received funding for 1 claim in the amount of $183,327.43 for initial debris removal. This amount is reflected in the budget. The remaining nine claims are pending before FEMA to determine eligibility and if so, qualified damage amounts.

2. Notice of Minor Revision to Plan of Control

All GHADs are required by GHAD Law (Pub. Res. Code § 26500 et seq) to have a plan of control to govern GHAD activities. Since its inception, the GHAD has had a plan of control, and the latest version (Third Amendment) was adopted by the GHAD Board on June 7, 2022 pursuant to Resolution No. 2022/01 ("Plan of Control").

Section XI of the Plan of Control permits the General Manager to review the Plan periodically to determine if updates or revisions are needed. Minor updates and revisions can be made by the GHAD Manager without obtaining prior approval of the GHAD Board but notice of the changes must be provided to the Board.

GHAD Manager revised Section IX.B REIMBURSEMENT POLICIES and Section X RECONSIDERATION AND APPEAL POLICY to provide an expedited method in making decisions on a property owner request for reimbursement to improvements damaged or destroyed by a qualified geologic hazard. The revision also clarifies that the definition of a "property owner" includes a private landowner, homeowners association, and the Blackhawk County Club (combined Sections IX.B1 and 2, and added Section III DEFINITION of "property owner") and listed and listed the definitions in alphabetic order. The revisions are shown on the attached as a redline to the earlier version of the Plan of Control (Exhibit B.)

CONSEQUENCE OF NEGATIVE ACTION:

The GHAD will not be able to continue to operate starting July 1, 2024 if the budget is not approved.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Adopting 2024/2025 Annual Budget and Updating GHAD Manager Payment Limits under the Consulting Services Agreement

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

WHEREAS, the GHAD Board of Directors desires to adopt the budget for the fiscal year 2024/2025 prepared by the GHAD Manager, Sands Construction Company, Inc., attached hereto as Exhibit A.

WHEREAS, on June 13, 2023, pursuant to Resolution No. 2023/02, the GHAD Board approved and updated the consultant services agreement with Sands Construction Company, Inc. to act as Manager for the GHAD. That agreement, in section 3, requires the GHAD Board to determine by resolution each fiscal year the payment limits for GHAD Manager services. The budget attached in Exhibit A identifies this limit at $695,000 for both general and operation manager services.

WHEREAS, the GHAD General Manager recommends that the GHAD Board review and approve the fiscal year budget for 2024/2025.

NOW, THEREFORE, BE IT RESOLVED

1. The GHAD Board approves the GHAD budget for the 2024/2025 fiscal year of $4,196,280 attached as Exhibit A and incorporated herein by this reference.

2. The GHAD Board adopts the payment limit for the GHAD General Manager services at $695,000 for fiscal year 2024/2025 as set forth in Exhibit A and incorporates this payment limit into the consulting services agreement.

3. The recitals are incorporated herein by this reference.

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

Exhibit A

BLACKHAWK
GEOLOGIC HAZARD ABATEMENT DISTRICT

Program Budget

FISCAL YEAR 2024-2025

APRIL 2024

BLACKHAWK
GEOLOGIC HAZARD ABATEMENT DISTRICT

May 3, 2024

Blackhawk GHAD Board of Directors
c/o Supervisor Candice Andersen
309 Diablo Road
Danville, CA 94526

SUBJECT: Program Budget for Fiscal Year 2024-2025
Blackhawk Geologic Hazard Abatement District

Dear Board Members:

Attached please find the proposed program budget for the Blackhawk Geologic Hazard Abatement District ("Blackhawk GHAD", "GHAD" or "District") for fiscal year 2024-2025. The proposed fiscal year budget totals $4,196,280, which exceeds projected revenues and anticipates a $977,629 deficit and the need to draw a commensurate amount from the reserve fund. At the time of this publication, it is expected that the fund balance on June 30, 2024, will be approximately $10,483,882. A fund balance of $9,506,253 is projected for June 30, 2025.

There are four major annual budget categories; their respective budget expenses break down as follows:

Major Projects	67 percent
Preventive Maintenance and Operations	13 percent
Special Projects	6 percent
Administration, Legal, Accounting	14 percent

As a percentage of the annual budget, the Major Projects Program will utilize a large portion of the budget and require significant draws from the reserve fund. The severe storm events from the previous season produced over 295 debris flows, mudflows, and landslides causing significant community damage to infrastructure, with preliminary damage estimates totaling over $10,000,000. Following the initial events the Blackhawk GHAD immediately applied to the Federal Emergency Response Agency (FEMA), and the California Office of Emergency Services (CalOES) for federal and state disaster area funds. Damage and repair estimates include emergency response, cleanup, and protective measures, as well as engineering, construction, repair, and administrative costs. Repair and restoration efforts have been prioritized and will likely continue through the next several years. Highest priority sites have now received permanent stabilization measures and additional sites are being addressed on a priority bases as funding considerations allows. Following the 2022-2023 heavy rains, the National Oceanic and Atmospheric Administration (NOAA) predicted a significant likelihood of another "strong" to a possible "historic" El Nino event to follow in the winter of 2023-2024. Although that event did not manifest to the degree predicted, through the summer months of 2023 the GHAD prepared vulnerable and exposed sites by installing aggressive temporary containment measures to mitigate additional damage. In the coming fiscal year GHAD will continue to pursue FEMA and CalOES funding as well as addressing several priority sites from the 2022-2023 rains. In addition, the district continues to study two large landslide sites (Blackhawk Executive Center and Blackhawk Plaza). Project repair and mitigation plans have been developed for these sites and while site monitoring continues repair scheduling has commenced and will be pursued as the fiscal year 2024-2025 workflow has been confirmed.

Through a dynamic process of assigning and prioritizing risk through the year GHAD management may simultaneously contract or suspend other discretionary budget project work and studies within the various budget programs in favor of funding more urgent projects. This budget represents a process underway to assess and assign risk and priority as the storm related damage inventory is addressed.

The Preventive Maintenance Program will focus on continued efforts to monitor damaged areas and complete asset site restorations. This year's program will resume a more typical infrastructure and site instrument maintenance and monitoring protocol. Specifically, we will continue to target the following program elements – Concrete Interceptor Ditch Systems maintenance; the Horizontal Drains (Site Maintenance Program); the Piezometers (Site Maintenance Program), and the Soil Debris Bench impacted by the storm events of Dec-Mar. 2022-2023 (Maintenance Program).

Notwithstanding special site monitoring protocol described above, the Operations Program will continue its typical monitoring profile throughout this period. Any deferred study and maintenance programs will be reinstated and implemented as appropriate.

Within the Special Projects Program, Amendment 3 to the Plan of Control was ratified by the Blackhawk GHAD Board through Resolution 2022/-01, which clarifies the independent role of the GHAD and strengthens those areas of the plan that define the scope of the district's responsibilities and practices. It is anticipated that the GHAD may pursue additional studies in the areas of drainage infrastructure testing. The GHAD may host and facilitate a self-funded study conducted by the University of California, Berkeley Engineering Department in a full-scale testing operation. We anticipate that results of such a study may benefit The GHAD in its efforts to predict and address slope and drainage failures before incipient movement is detected. Approximately 6% of the annual budget has been dedicated to the Special Projects Program. We continue to work to preserve our open communication profile with district constituents and stakeholders within the Blackhawk community, by implementing a new user-friendly website that will allow constituents to post incidents or concerns directly to the website, therefore expediting a response to their concerns and informing the GHAD about the important particulars and characteristics of the incident particularly during heavy incident reporting events. The site will be launched in early fiscal year 2024-2025.

This budget anticipates continued strengthening and building efficiencies within the Administration Program, by developing and implementing an advanced Information Technology (IT) system; upgraded Geographic Information System (GIS), and Content Management System (CMS). As managers, we continually monitor and project significant short-term and long-term financial impacts on GHAD reserves and compare such impacts with our 40-year reserve study. General legal counsel will continue to be provided by the Blackhawk GHAD Board appointed attorney, Patricia Curtin of Fennemore, Rosen, LLP.

A summary of the expenses is shown of Table 1, pages 4 through 6. A summary of the planned projects and projected expenses are shown and followed by brief descriptions of each of the budget items on pages 7 through 16.

Respectfully yours,



Blackhawk Geologic Hazard Abatement District

Michael D. Sands
Sands Construction Company, Inc.
General Manager

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Upon Execution: The management will post approved Budget at www.blackhawkghad.com

Blackhawk Homeowners Association
4125 Blackhawk Plaza Circle, #105
Danville, CA 94506
Attn: Melissa Manzo

Hidden Oaks at Blackhawk
c/o Community Care Property Management
PO Box 269
Oakley, CA 94561

Tennis Villas at Blackhawk
c/o CMJ Associates, Inc.
PO Box 190
Pleasanton, CA 94566

Saddleback at Blackhawk
c/o Jean Bates & Associates
70 Railroad Avenue
Danville, CA 94506

Silver Oak Townhomes at Blackhawk
Canyons at Blackhawk
c/o Bridgeport Company
1 Annabel Lane #217
San Ramon, CA 94583
Attn: Bill Bavelas

Blackhawk Country Club
599 Blackhawk Club Drive
Danville, CA 94506
Attn: Kevin Sullivan

Blackhawk Geologic Hazard Abatement District
Program Budget
Fiscal Year 2024/2025

The following proposed line-item program budget (Table 1) summarizes the anticipated expenditures for fiscal year 2024-2025 for the Blackhawk Geologic Hazard Abatement District ("Blackhawk GHAD", "GHAD" or "District"). Through an ongoing assessment, the GHAD manager evaluates and addresses geologic risk through the implementation of an annual program budget consisting of four major categories. Preceding Table I, and directly below, please see general overview descriptions of the four major program elements within the budget.

Major Projects Program

The annual Major Projects Program includes landslide repair projects, drainage improvement projects and capital improvement projects necessary to either control, mitigate, or prevent landslide activity. Other large program responses necessary to implement the Plan of Control, including specific purpose studies and investigations may also be included in the Major Projects Program.

Generally, for consideration of inclusion into the Major Projects Program, a project or study would represent a level of complexity requiring plans, specifications, and comprehensive engineering analysis including modeling and research, or a project with a protracted scope such as those requiring multiple regulatory agency approvals. Most Major Projects have a projected cost that exceeds $75,000.

Historically, the Major Projects Program has been comprised of significant landslide repair projects and other responsive large projects; at other times, it has included programmatic studies and investigations useful in generating proactive responses. This diversity of projects demonstrates the importance of a flexible Major Projects Program structure that adapts between responsive and proactive needs and capabilities to manage the dynamic nature of larger scale geologic events.

Preventive Maintenance and Operations Program

The annual Preventive Maintenance and Operations Program includes all minor repairs, cleanup, maintenance, monitoring, and replacement of drainage structures and other assets that degrade over a serviceable life. The goal of preventive maintenance is to keep assets in operational condition and identify potential slope stability risks before they manifest, allowing measures to be taken to either prevent, or mitigate the impact of these hazards as defined in the Blackhawk GHAD Plan of Control.

Typical Blackhawk GHAD assets include concrete lined ditches, sub-drainage systems, groundwater measuring instrumentation, slope inclinometers and moisture gauges, and slope debris catchment features.

The Preventive Maintenance Program also includes preparations for emergency response, winterization measures including erosion protection and slope stabilization supplies, and instrument maintenance.

The Operations Program is primarily populated with scheduled instrument monitoring events. Data from these instruments are evaluated to establish risk and trends to avert landslide activity. In addition to the instruments monitoring program, the Operations Program contains the Incident Response and Community Relations Program, which incorporates comprehensive first response capabilities, and fosters community incident interaction.

Special Projects

The Blackhawk GHAD pursues ongoing and new activities identified as "Special Projects." Special Projects include activities requested by the Board such as the Communications Program, or projects and studies designed to improve the District's operational effectiveness and ensure financial solvency. Special Projects also include utilizing new technologies to increase the efficiencies of the day-to-day operations of the GHAD. Establishment, testing, improving, and placing into service a new Geographic Information System (GIS) has been one of many successful fruitions of the Special Projects Program.

Administration

Administrative expenses are required to operate the Blackhawk GHAD and implement projects and programs. Administrative expenses include personnel and consultants to manage the operations including the General Manager, Operations Manager, Administrative Manager, Construction Services Manager, certain clerical and accounting staff, consultants, and legal support.

General Manager Program Budget FY24/25	$320,000.00
Operations Manager Program Budget FY24/25	$375,000.00
	$695,000.00

The scope of services for the General Manager includes but is not limited to, managing the day-to-day operations through implementation of the necessary financial recordkeeping and reporting, updating and maintaining governing documents, such as the Plan of Control and managing and updating administrative tools such as the Reserve Study, Communications Plan, Work Program and Monthly Incident Log. The General Manager Consulting Services Agreement provides for certain administrative positions and costs, including but not limited to, a General Manager, Operations Manager, Administrative Manager, a Constructions Services Manager and a Network Administrator as well as overhead costs, such as office space rent, office supplies, and postage. The General Manager will retain the necessary professionals, including without limitation, engineers, accounting professionals and vendors to facilitate the operations of the GHAD. The

General Manager Consulting Services Agreement and associated budget allows for the conditional use of subcontractors such as administrative sub-consultants and engineering or construction sub-consultants, within the payment limits of the Consulting Services Agreement.

Within the General Management of the Blackhawk GHAD, the Operations Program scope of services includes implementing the Major Projects and Preventive Maintenance Programs through forecasting work schedules and priorities, preparing Requests for Proposals, and managing maintenance and repair operations within the Major Projects and Preventive Maintenance Programs. These services also include specific project management and construction oversite, preparing for and responding to emergency incidents, monitoring instrumentation and assets, and analyzing and processing collected data into established district programs for response distribution or future study programs. The Operations Program provides for certain operational positions including, but not limited to; Project Engineer, Construction Services Supervisor as well as certain overhead costs, such as, office supplies and rent, and electronic monitoring devices, testing apparatus, equipment rental and conditional use of subcontractors such as contractors, consultants, engineers, and special inspectors, within the payment limits of the Consulting Services Agreement.

A summary of the proposed Fiscal-Year 2024-2025 Budget is presented in Table 1 on the following pages.

Table 1 – Summary of Proposal Fiscal Year 2024/2025 Budget

Budget Item	Budget Amount	% of Total Budget
Major Projects		
Landslide Repair - Blackhawk Plaza - Phase 1	$ 310,000	
Landslide Repair - Blackhawk Executive Center	$ 1,500,000	
Rain Event 2022/023 - Damage Repairs (priority-based list)	$ 800,000	
Landscape Replacement (associated with GHAD repairs)	$ 180,000	
(limited to no greater than 10% of repair costs) *		
Study: Hole 8 (Lakes Course) Creekbank Failure	$ 45,000	
Total Major Projects	**$ 2,835,000**	**67.00%**

Preventive Maintenance/Operations		
Preventive Maintenance		
Drainage		
Storm Drain Facilities - possible test study	$ 25,000	
B-58 Concrete Lined Ditches		
Maintenance/Cleaning/Mapping	$ 60,000	
Repair and Replace	$ -	
Subdrain Systems		
Horizontal Drains	$ 50,000	
Subdrain Outlets/Pumps	$ 5,000	
Piezometers	$ 45,000	
Settlement Monitors	$ 10,000	
Retention Basins	$ 15,000	
Minor Repairs	$ 10,000	
Winterization	$ 80,000	
Emergency Response	$ 65,000	
Debris Benches	$ 45,000	
Subtotal	**$ 410,000**	

Operations		
Piezometer Monitoring	$ 14,000	
Horizontal Drain Monitoring	$ 14,000	
Subdrain Monitoring	$ 14,000	
Settlement Monitoring	$ 10,000	
Inventory Management	$ 30,000	
Incident Response/Community Relations	$ 45,000	
Subtotal	**$ 127,000**	
Total Preventive Maintenance/Operations	**$ 537,000**	**13%**

Special Projects			
Plan of Control	$	2,000	
Reserve Study	$	5,000	
Special Studies	$	10,000	
Information Technology/Content Management	$	40,000	
Geographic Information Systems	$	85,000	
Accounting Systems Upgrade	$	20,000	
Procedures Manual	$	2,000	
Communications Program	$	20,000	
CA Association of GHADs - Membership/Insurance	$	11,000	
FEMA	$	50,000	
Total Special Projects	**$**	**245,000**	**6%**

Administration			
Legal Fees	$	-	
General Counsel	$	50,000	
Special Counsel	$	-	
Litigation/Legal Concerns	$	-	
FEMA - Disaster 4683	$	80,000	
HOA	$	-	
Assessment Roll Update	$	2,500	
Administrative Support			
Staffing/Administrative Support	$	272,100	
Accounting/Financial Services	$	131,000	
Training/Education	$	2,000	
Office - Rent/Supplies/Equipment/Lease	$	41,680	
Total Administration	**$**	**579,280**	**14%**

TOTAL PROPOSED BUDGET FY2024/2025	**$**	**4,196,280**	**100%**

Available Funds		
Estimated Beginning Fund Balance - July 1, 2024**	$	10,483,882
Estimated Contributions from M-23 (M-23 Surplus)***	$	2,742,420
Estimated Interest on Investments/Change in Value	$	476,231
Other Income (FEMA - DR4683)	$	-
Total Available Funds	**$**	**13,702,533**
Use of Funds		
Major Projects	$	2,835,000
Preventive Maintenance	$	537,000
Special Projects	$	245,000
Administrative	$	579,280
Total Use of Funds	**$**	**4,196,280**
Estimated Reserve Available/Ending Fund Balance June 30, 2025	**$**	**9,506,253**

* Pursuant to the Blackhawk GHAD Plan of Control – Section IX B-1

** Includes estimated accrued true-up revenue payment (Sept 2024) of $134,371. Projected Fund Balance date of publication (pending CSA M-23 FY23/24 actual expenses).

*** Estimated BY24/25 Revenue has been represented anticipating revenues may be adjusted as a result of current economic conditions. If there exists a material change in revenue numbers since Contra Costa County Assessor's Office publishes CSA M-23 revenues for the period (expected in June 2024), this budget will be revised to represent such changes and the GHAD Board will be notified. Estimated Surplus Revenue after CSA M-23 FY24/25 Budget.

DESCRIPTION OF BUDGET ITEMS

Major Projects

Storm Events Damage Repairs

Beginning December 27, 2022, and continuing for successive months, Northern California and the Bay Area received an extraordinary number of atmospheric river[1] storms. The great number and intensity of storms in the Blackhawk community produced over 295 mudflows, debris flows and landslides. The GHAD responded immediately with field operations to address many of the sites and control debris, restore access to roads and community drainage systems. The Blackhawk Homeowners Association (HOA) as well as the Blackhawk Country Club (Club) worked together with the GHAD to provide and restore services to the community.

In the early days of the storms, the GHAD utilized Unmanned Aerial Vehicles (Drones) to locate, film and catalogue damaged sites. Sites were analyzed and preliminarily prioritized for additional responses. Changing site conditions with additional storms greatly limited response capabilities and prevented activating extensive repairs. The impacted and degraded protective measures necessitated frequent return responses to new and existing sites to maintain and control temporary stabilization with changing field conditions.

Once federal, State and local declarations of emergency were established the GHAD submitted applications to the Federal Emergency Management Administration[2] (FEMA) and the California Office of Emergency Services (Cal OES) to apply for financial relief through established grant programs. The application process through FEMA and CalOES has continued over the last sixteen months as we continue to work with these agencies to recover costs and funding to address the extraordinary damage sustained during last year's storms.

Districtwide damage site protection work was addressed through the summer of 2023 on a priority basis based on risk and district financial capabilities. Although restoration and repair work are likely to continue for several years, the GHAD completed a robust schedule of temporarily stabilizing damage sites in this the second year of recovery.

Estimated Budget for Selected Storm Related Sites $800,000

STUDIES: Studies, as they relate to field conditions, are essential and are designed to analyze specific sets of aggregated empirical data with the intent of assessing condition of infrastructure and efficacy of instrumentation data collection. Through this effort, specific studies inform management about how to tailor programs to capitalize on the most effective preemptive measures as the GHAD implements its Major Projects Program and Preventive Maintenance Program.

[1] Department of Energy (.gov) http//www.energy.gov > science > doa-explainsatmospheric-rivers#
[2] FEMA Disaster DR4683CA

Parking Lot Settlement – Landslide Investigation – Blackhawk Plaza

Study/Project: This study continues with additional site investigation focused on establishing causes for significant asphalt settlement in the west end parking lot area of the upper terrace at Blackhawk Plaza. Monitoring and site instrumentation has continued to be used to evaluate the existence and condition of a landslide. Repair and stabilization plans have been designed and approved. The GHAD intends to address a portion of this repair project (Phase 1), followed by a second phase likely in FY25/26.

Estimated Cost $310,000

Study/Project 3840 Blackhawk Road (Blackhawk Executive Center (BECA) – remedial Work Project

Study/Project: This study was initiated in FY2021-2022 and is ongoing relating to a slope adjacent to the subject property. Instrumentation installed at the site has shown small incremental downslope movement in the past. Mitigation designs have been evaluated, selected and completed. Subject to obtaining land use agreements from property owners the GHAD intends to pursue a landslide repair project in FY24/25.

Estimated Cost $1,300,000

Landscape Replacement

Typically, remedial landscaping is either included in the scope of work for major projects or eliminated completely from the repair scheme depending on impact from remedial efforts to restore slope stability. However, on occasion, and complying with Section (IX B-1) of the Plan of Control, the associated License Agreement executed in preparation of the work will address a reimbursement or allowance to the property owner for remedial landscaping installation.

Estimated Budget $240,000

Preventive Maintenance and Operations

Preventive Maintenance

Preventive maintenance generally consists of those measures taken to prevent an incident or landslide event including, asset maintenance, drainage structures, instrument sites and winterization measures. Operations include ongoing monitoring programs and responses to community requests. Details of the proposed budget for each of these categories are listed below.

The Preventive Maintenance Program will strengthen its profile through this fiscal year with those tasks that are essential to maintaining slope instrumentation sites and information; data collection procedures and postprocessing efficiencies that began in FY23/24 will continue. Other measures to ensure slope stability, and possible resumption of discretionary programs regarding instrument site maintenance and capital expenditures will be evaluated on a case-by-case basis.

Storm Drains/Facilities

Storm drains and drain inlets associated with B-58 drainage systems occasionally need repair or replacing. Assessments of above-ground structures are made during the annual cleaning events in early fall. Increased budgets for Storm Water Facilities have been anticipation of additional infrastructure damage because of the extraordinary rains experienced over recent winters and natural aging of concrete infrastructure over time. In addition to our annual above-ground facilities inspections the GHAD has begun designing an in-situ video monitoring and assessment program to begin tracking any degradation of only district maintained subterranean structures after approximately 50 years of operation. The expected serviceable life of this form of infrastructure is estimated to be between 75-100 years[1]. We will continue the program design in FY24/25 and then begin a scheduled inspection protocol in late FY24/25 or FY25/26.

Estimated Budget $25,000

B-58 Drain Systems

Maintenance – Allows for one major annual cleaning and mapping of the B-58 drain systems. In addition, District staff periodically walks the B-58 systems to get a first-hand account of the current conditions and project serviceable life. This information, along with other empirical data, is utilized in our Reserve study updates. This year we anticipate heavier than normal vegetation to be encountered and managed during our annual cleaning program.

Estimated Budget $60,000

Repair and Replacement – As a result of intensified efforts in recent years, a total of around 2300 lineal feet of B-58 have been replaced and several-thousand lineal feet of B-58 repaired. A priority has been established based on the degree of damage and associated risk to improved properties, and a percentage of these replacement projects will be budgeted throughout the upcoming years. This year's budget will be utilized on repairs to existing B-58s on a site-by-site basis. This program has been temporarily deferred in favor of programs with a higher degree of priority

Estimated Budget Deferred

Subdrain Systems

Outlet sites and pumping facilities for subdrain systems must be monitored and maintenance provided to ensure outlets have not been damaged or impeded. This budget will allow for an inspection and minor maintenance of these sites.

[1] ASCE – "Life-Cycle Design, Assessment, and Maintenance of Structures and Infrastructure Systems (2019)

Horizontal Drains

The District Manager has placed a high priority on verifying the condition and restoring as many existing horizontal drains throughout the development as possible. A definitive list of sites requiring maintenance has been determined and work continues restoring the sites and installing cleaning portals on each of the locations. Currently the horizontal drain cleaning program has been suspended until July 2024 in deference to higher priority projects. In early FY24/25 the site maintenance portals installation program will resume, and cleaning operations will follow.

Estimated Budget $50,000

Subdrain Outlets/Pumps

The Blackhawk GHAD conducts ongoing efforts to identify, locate, and make determinations about the effectiveness of the network of subdrains throughout the District. It is anticipated that on-site restoration work may be necessary at some sites. This additional work as well as the additional introduction of the subdrain systems into the District GIS system has been incorporated into this budget item.

The GHAD maintains a subdrain pumping facility located adjacent to Hole #1 of the Lakes Course Country Club. Periodic site checks for operation are required. In recent years the equipment, instrumentation and electronics have been updated. This year, maintenance will be performed at this site to ensure the continued reliability of this system and facility.

Estimated Budget $5,000

Piezometers

The District reads and maintains in excess of 100 piezometers measuring ground water elevations. A definitive list of sites requiring repairs have been determined and work continues restoring a number of sites and installing identification markers. The work this year will continue including a greater number of site restorations and inclusion of the sites into the GIS. Field operations will be modified as efforts are in place to fortify instrument location sites from damage and increase efficiencies in data collection and transmission by utilizing advancements in GPS locating of sites.

Estimated Budget $45,000

Settlement Monitors

Over time, a number of settlement monitors have been placed throughout the development. These monitors were, in large part, installed as part of new monitoring programs and exist in several areas of the District. Older, obsolete instrument sites will be evaluated, and if appropriate, decommissioned.

Estimated Budget $10,000

Retention Basins

There are seven retention basins within the District boundaries. Three basins are unimproved retention basins and are maintained exclusively by the Contra Costa County Flood Control District through CSA M-23. Blackhawk GHAD, as well as the property owners, perform certain periodic maintenance operations at the other four basin locations. In a collection agreement with the Homeowners Association, The Country Club (landowner), and the GHAD, de-siltation efforts have been periodically completed on two retention basins.

Initiated in FY 2017-2018 and ongoing, the GHAD management has continued to engage the Contra Costa County Public Works Department (Public Works) and the Blackhawk Homeowners Association in discussions to develop clarity as to the relative responsibilities for drainage maintenance within the GHAD. These trilateral discussions continue and have furthered an understanding when it comes to maintenance of drainage systems, creeks and retention basins through a trilateral maintenance agreement executed in 2016.

Estimated Budget $15,000

Minor Repairs

A budget is established annually for ongoing smaller projects or unanticipated minor projects within the Preventive Maintenance Program. Most current minor project sites have been incorporated into the Rain Event storms under the Major Projects program calendar. A modest allowance has been assigned for unknown sites that may emerge throughout the year.

Estimated Budget $10,000

Winterization

The District provides an annual budget for procuring and storing an inventory of winterization materials and to provide for the costs of site installation. To replenish and keep materials available, inventories are routinely taken, and materials procured. Because of last year's rain events, damage responses continued for several months exhausting inventory required to install protective measures. Additional site protection materials have been needed to reestablish and or monitor/maintain sites. This year's winterization materials needs are expected to exceed normal parameters for procurement and site maintenance expenses. Therefore, the budget has been increased from previous years.

Estimated Budget $80,000

Emergency Response

During the winter rainy season, the Blackhawk GHAD responds to a range of urgent, active and threatening landslides, as well as drainage issues where property damage is threatened. These incidents typically involve mud or debris flows, plugged storm drains at the base of slopes, or flooded properties due to the overflow of runoff from plugged or damaged facilities. In severe cases these responses can require the initiation of temporary slope stabilization measures in preparation for a major repair.

Estimated Budget $65,000

Debris Benches

Numerous earthen debris benches exist throughout the district. It is essential that these facilities be periodically inspected to ensure capacities and drainage have not been compromised. Annual inspections are made, and periodic debris removal plans are initiated. This years' budget allows for geotechnical evaluations and the periodic removal of accumulated debris from several of those benches identified during the study and routine monitoring events.

Estimated Budget $45,000

Operations

An inventory of onsite instrumentation including hundreds of piezometers, inclinometers, horizonal drains, subdrains, and settlement monuments are monitored periodically throughout the year as a preventive measure. Collected data from these sites is analyzed and aggregated into the GIS for further analysis to establish trends.

Monitoring sites can be established for a variety of uses. Completed repair sites often require monitoring protocol to confirm that the slope has been stabilized. Other sites have been utilized to indicate signs of unstable conditions developing and have been instrumental in determining slope conditions prior to the activation of a landslide.

Through the use of collected data such as groundwater depth, magnitude of slope movement, depth of movement, and ground surface movement, the District has been able to arrest slope movement in advance of an incipient failure. Archiving of historical data is ongoing integrating into the GHAD GIS as new features are designed and activated.

Throughout the year, the District receives incident response or assistance calls from property owners regarding slope stability or drainage issues. Community relations, including incident responses through the annual Operations Program, have been institutionalized as a role of Blackhawk GHAD management. All incidents are recorded within the GIS and move through the district response mechanisms as is appropriate and consistent with the Blackhawk GHAD Plan of Control. GHAD is currently working on an updated user-friendly website that will provide a portal for property owners and stakeholders to report incidents or inquire about the GHAD's operations.

The GHAD manager receives updates in long-range weather and oceanic temperature changes through the National Oceanic and Atmospheric Administration (NOAA) and other scientific and atmospheric agencies that track data and produce probabilistic assessments on the likelihood of seasonal heavy rain or seismic conditions.

Operations Program Estimated Budget $127,000

Special Projects

During fiscal year 2024/2025 the District will continue several special projects and studies. Brief descriptions of the special projects are presented in Table 1 and further described below:

Plan of Control Update

Amendment 3 to the Plan of Control (POC) was adopted by the GHAD Board in 2022 and put into use. Amendment 3 supersedes previous plans and addresses additional clarification and instruction with respect to the GHAD responsibilities and authorities. A modest allowance has been established for any activity that may involve the Plan of Control.

Estimated Budget $2,000

Reserve Study Update

The Blackhawk GHAD reserve fund study was originally completed in FY2002-2003. An extensive update to the plan was completed in fiscal year 2012-2013. The reserve study functions as a pro-forma (40 year) analysis of the financial needs of the Blackhawk GHAD. It serves as a tool to calculate the annual contribution required by the GHAD to build and maintain sufficient funds for emergencies and capital replacement programs based on past weather patterns, landslide repair costs, and general attrition. Historically, as a result of severe winters, draws have been necessary on the reserve fund. Work has been completed on an independent analysis of the fund health and methodologies. This analysis has been used in updating the pro-forma plan and provides instruction to GHAD management as to the necessary reserve demands over time.

Estimated Budget $5,000

Special Studies

The Blackhawk GHAD intends to continue targeted and site-specific studies in the areas of fiscal policy and geologic risk. The GHAD, as we anticipate our 39th year, has the unique opportunity to address many of the issues surrounding long-term viability and sustainability within changing environmental and financial conditions. Using empirical data, we can assess potentially increasing financial loads and geologic risks that may accompany the physical maturation process of this district, as well as identifying infrastructure serviceability and project capital replacement costs in advance. We are confident that these studies have produced and will continue to produce beneficial results. The Special studies program has been modified this year to analyze and account for projected costs to continue site specific studies currently underway.

Estimated Budget $10,000

Information Technology Systems (IT) Geographic Information Systems (GIS)

The Blackhawk GHAD completed an upgrade to its GIS to include all the GHAD's data collection and monitoring operations. The current system is run from internal servers, combined with secure and private "Cloud" storage. After independent input from several GIS experts, the GHAD has

selected a GIS designer, and contracts are currently in the process of evaluation and activation. It is expected that work may begin on a new GIS system with capabilities to plot, locate, extract, and analyze data in ways that we were unable to leverage with our current GIS system.

As a result of a recent independent evaluation of the Blackhawk GHAD's information systems conducted in 2024, the GHAD has embarked on a modernization of its current content management systems and data security. With recent rising international data risks, the GHAD has incorporated additional safeguards and efficiencies to protect data by exclusively utilizing cloud-based data storage systems. Work will continue to complete the process of content management, data migration, software updates and training and is scheduled to be fully implemented in July 2024.

Additionally, the GHAD website www.blackhawkghad.com has continued to provide a mechanism to disseminate information to our constituents. Both our ongoing IT system, the planned GIS system and the GHAD website continue to modernize as appropriate to provide security and user access in our efforts to communicate with our constituents.

In our continued efforts to work to enhance our open communication profile with district constituents and stakeholders within the Blackhawk community, we are implementing a new user-friendly website that will allow constituents to post incidents or concerns directly to the website, therefore expediting a response to their concerns and informing the GHAD about the important particulars and characteristics of the incident, whether as non-emergent issues, or quick-response needs during heavy incident reporting events. The site will be launched in early fiscal year 2024-2025.

Estimated Budget $125,000

Accounting System Upgrade

Periodic upgrades are necessary to enhance accounting system capabilities. The Blackhawk GHAD utilizes expense accounting software to assist in reporting and the day-to-day operation of the District. Ongoing accounting system enhancements are being implemented allowing more data entry streamlining, enhanced reporting, and quality control assurance procedures. The GHAD Treasurer and the General Manager work collaboratively to fortify the accounting systems, receivables and invoice processing procedures.

Estimated Budget $20,000

Procedures Manual

The Blackhawk GHAD continually upgrades procedures and modifies plans to incorporate new technologies that assist the GHAD in delivering the highest level of services. Procedures require certain modifications and enhancements as new methodologies are introduced and incorporated into the GHAD Standard Operation Procedures. Certain financial and operations procedures have been institutionalized within the program. Additional procedures will be incorporated to further define and standardize the following areas:

- Preventive Maintenance/Operations
- Standard Form Contracts (Evaluation)
- Administrative Procedures (Evaluation)
    - File Conventions

Estimated Budget $2,000

Communications Plan

The Blackhawk GHAD maintains a communications plan designed to keep constituents current on GHAD operations and developments. The plan addresses several venues and mediums in which to disseminate information within this district and to other concerned parties, and to establish clear and accessible channels for community interaction. The GHAD has now implemented a web page for public information and interaction and a multi-page informational brochure has been completed and distributed to interested Homeowner Associations (HOA) that describes the GHAD and its responsibilities and limitations. Additionally, when asked, the General Manager writes periodic articles for the HOA newsletter.

Estimated Budget $20,000

Outreach/Legislative Review
California Association of GHADs (CAGHADs) Membership/Insurance

The proliferation of new GHADs within California has resulted in new legislation and adopted procedures. The Blackhawk GHAD Manager, in association with others make up the CAGHAD Board of Directors and share information and knowledge through a consortium of GHAD managers. The CAGHAD has obtained General Liability policies for its member GHADs.

Additional GHAD onboarding and participation has reduced relative premiums. Coverage for the Blackhawk GHAD is approximately $9,000[1], plus administrative costs.

Additionally, the GHAD manager participates in the CAGHADs as the organization pursues other financial instruments that may provide the Blackhawk GHAD additional options for extraordinary event financial planning. In 2016, the CAGHAD Board adopted a new fee schedule reducing the annual GHAD fees for membership by 50%.

Estimated Budget $11,000

[1] 2023/2024 Premium referenced

FEMA Administration

An administrative budget has been established to allow GHAD management and consultants to continue to pursue Federal and State funds through grant programs offered by the Federal and State Emergency Response agencies. If funding is awarded, a portion of administrative costs are recoverable.

Estimated Budget $50,000

Administration

The administration of the Blackhawk GHAD includes all costs associated with legal support, office expenses, staffing, and accounting. Brief descriptions are presented below.

Legal

General Counsel – Blackhawk GHAD management must interact regularly with GHAD Counsel. The day-to-day operations of the GHAD present a myriad of issues and opportunities to work directly with GHAD counsel in the areas of contracts, agreements, new business, legislation, and property owner issues.
Estimated Budget 50,000

Special Counsel (FEMA) – Blackhawk GHAD management requires the services of special counsel from time to time in the areas of litigation and other legal concerns. Currently GHAD General legal counsel is assisted the General Manager with active FEMA and CalOES applications. After a very intense application process for the last 16 months, the GHAD application for funds have been suspended pending FEMA legal counsel to consider further GHAD eligibility.

Estimated Budget $80,000

Staffing/Administrative Support

The Blackhawk GHAD staff includes the General Manager, Operations Manager, Construction Services Manager, an Administration Manager and frequently other support staff and consulting professionals. The General Manager administers all GHAD day-to-day operations, including financial budgeting and communications regarding its activities. The Operations Manager and Construction Services Manager, among other tasks, administer the Major Projects and Preventive Maintenance Programs and associated work schedules, consulting and construction contracts, and documents. The administrative staff is responsible for accounting/bookkeeping, contract administration, clerical, and construction management support; Additional management staff costs are also applied to specific projects as appropriate. Authorized business expenses such as rent, office supplies and leases are included in Staffing.

Estimated Budget $403,100

Exhibit B

BLACKHAWK
GEOLOGIC HAZARD ABATEMENT DISTRICT

~~May 11, 2022~~ June 13, 2024

Blackhawk GHAD Board of Directors
c/o GHAD Board Member Candice Andersen
309 Diablo Road
Danville, California 94526

Subject: ~~**Third**~~ **Fourth Amendment to Plan of Control for the Blackhawk Geologic Hazard Abatement District**

Board members:

Please find attached the Fourth Amendment to the "Plan of Control" for the Blackhawk Geologic Hazard Abatement District (GHAD). Upon formation of the Blackhawk GHAD in 1986, a Plan of Control (POC) was implemented that expressly described its preliminary nature and that the POC would be subject to future revisions and modifications. The POC was subsequently updated in 2004[1] and modified to better describe the responsibilities and limitations of the GHAD. In 2006[2], the POC was modified again to include the annexation of a 48-acre parcel known as "The Canyons at Blackhawk". In 2022[3], the Plan of Control was amended for the third time to ~~Since the implementation of the updated 2006 POC, we have gained~~ reflect additional knowledge gained on ~~of~~ the geologic hazards within the GHAD and ~~have further~~ refine~~d~~ best practices for mitigating them as well as for managing the GHAD.

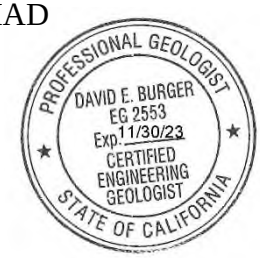
The POC is periodically reviewed for us to determine if any changes need to be made. In the latest review, we determined minor updates were necessary to provide an expediated method in making decisions on a property owner request for reimbursement to improvements damaged or destroyed by a qualified geologic hazard and clarify the definition of "property owner". These minor revisions were made by the GHAD Manager under Section XI. REVISION POLICY and are being brought to the attention of the Board of Directors. No action by the Board is required to accept these minor revisions. ~~As such, we now submit this Fourth Amendment POC to the Blackhawk GHAD Board of Directors for your information. These revisions are in compliance with Section XI of the Plan of Control.~~ This updated POC (Fourth Amendment) supersedes all previous versions and has been prepared in accordance with the requirements of the California Public Resources Code Division 17, Section 26500-26654 of the State of California.

Sincerely,

Blackhawk Geologic Hazard Abatement District

[1] Amendment 1 to Plan of Control dated February 27, 2004 and approved May 25, 2004
r[2] Amendment 2 to Plan of Control dated August 30, 2006 and approved October 17, 2006
[3] Amendment 3 to Plan of Control dated May 11, 2023 and approved on June 21, 2022.

Michael D. Sands
Sands Construction Company, Inc.
General Manager, Blackhawk GHAD



David Burger, P.G., C.E.G.
Cal Engineering & Geology, Inc.



Phillip Gregory, P.E., G.E.
Cal Engineering & Geology, Inc.

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BLACKHAWK
GEOLOGIC HAZARD ABATEMENT DISTRICT

BLACKHAWK GEOLOGIC HAZARD ABATEMENT DISTRICT

~~THIRD~~ FOURTH AMENDMENT TO PLAN OF CONTROL

~~MAY 11, 2022~~
JUNE 13, 2024

BLACKHAWK GEOLOGIC HAZARD ABATEMENT DISTRICT
PLAN OF CONTROL

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Figure 1 Blackhawk GHAD Boundary Site Plan

Appendix A Geologic Conditions
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I. INTRODUCTION

The Blackhawk community is an approximately 2,800-acre mixed-use development comprised of 2,707 residential parcels, two golf courses, multiple parks, a commercial center with several office buildings, a retail shopping center, a theater, a museum, an elementary school, and various other improvements and amenities. Blackhawk is in Contra Costa County Service Area ("CSA") M-23, and located east of the town of Danville, California, within an unincorporated area of Contra Costa County historically affected by geologic hazards. The boundaries of CSA M-23 were established on June 14, 1977 by Resolution 77/477 of the Contra Costa County Board of Supervisors ("Board of Supervisors"). On September 20, 1977 the Board of Supervisors passed Resolution 77/767 to provide funding for specified extended services (e.g., street lighting, landscape maintenance, drainage maintenance, etc.) within CSA M-23. On April 22, 1986, by Resolution 86/209, the Board of Supervisors added "geologic hazard abatement" to the list of services authorized to be performed within CSA M-23.

The Blackhawk Geologic Hazard Abatement District (“Blackhawk GHAD”, “GHAD” or “the GHAD”) was formed on April 22, 1986, by Resolution 86/210 of the Board of Supervisors under the authority of the California Public Resources Code (Section 26500 et seq.), which governs the formation and operation of geologic hazard abatement districts ("GHAD Law"). The Blackhawk GHAD was formed to address both known and potential landslide hazards within and adjacent to its boundaries.

Funding for the Blackhawk GHAD is provided through an agreement with Contra Costa County under which the County provides the GHAD with CSA M-23 surplus revenues (i.e., after deduction for other M-23 services such as drainage maintenance and flood control). CSA M-23 receives revenue from an ad valorem property tax collected on properties within its boundaries. Funding is currently transferred to the Blackhawk GHAD through an agreement entered into with the County via Resolution 2011/03 adopted on March 15, 2011.

The Board of Supervisors serves as the GHAD Board of Directors and a GHAD General Manager ("General Manager") manages the daily operations of the GHAD. The General Manager reports directly to the GHAD Board of Directors.

GHAD Law requires that a Plan of Control ("POC") be prepared that describes in detail the geologic hazard of concern, its location, and the area affected. A plan for the prevention, mitigation, abatement, or control of the hazard must also be included. The General Manager is tasked with implementing the POC. This POC, presented herein, includes a description of the geologic hazards present in the Blackhawk region (limited to threatening and actual landslides) and lays out both informational (e.g., document history, definitions, geologic conditions) and operational plans (including limitations and exclusions) for the prevention, mitigation, abatement, or control of the geologic hazards.

GHAD "Improvements" (as defined in GHAD Law) and all GHAD activities or projects undertaken in furtherance of, or in connection therewith, have been deemed by GHAD Law to be specific actions necessary to prevent or mitigate an emergency as described within Public Resources Code Section 21080(b)(4) (See, Pub. Res. Code Sections 26601 and 26505). Consistent therewith, all GHAD projects are exempt from review under the California Environmental Quality Act and are not subject to local permitting requirements.

II. HISTORY OF THE BLACKHAWK GHAD PLAN OF CONTROL

Upon formation of the Blackhawk GHAD in 1986, the original POC was adopted which outlined the type of geologic hazards (landslides) to be addressed by the GHAD. While GHAD Law broadly defines a "geologic hazard" that can be addressed by a geologic hazard abatement district, the Blackhawk GHAD was created to address only threatened or actual landslides[1]. However, only generalities for prevention, mitigation, abatement, and control of landslides were provided in the original POC due to a lack of knowledge about the extent of potential future landslides that the GHAD was formed to address. The original POC explicitly stated that the POC was a "[…] preliminary document" and that it "[…] will be subject to revisions and modifications, as new data and investigations warrant."

The GHAD benefits from being located in the San Francisco Bay Area where extensive expertise and constant innovation exist for addressing geologic hazards. Thus, it is important that the POC

[1] The original POC states "The proposed district […] is prone to new landslides and reactivation of existing landslide areas."

be updated periodically to ensure both consideration of the known history of the landslide hazards within the GHAD areas and to reflect currently available investigation and mitigation practices.

After nearly 20 years of operation under the original POC and with new insight gained on the response of the landscape and community to geologic hazards, the POC was amended in 2004 (First Amendment) and 2006 (Second Amendment)[2] to provide additional guidance for the GHAD's function and operation. Following another 15 years of operation, this Third Amendment further updates the functional and operational aspects of the GHAD by considering the latest available information on landslide hazards and integrating new practices and technologies for mitigating these hazards. This Third Amendment builds on the foundation laid out by the previous POCs, clarifies and further reinforces the intents of the original formation of the GHAD, and reflects the GHAD's current practice. This Third Amendment supersedes the First Amendment and Second Amendment to the POC.

III. DEFINITIONS

The following terms (whether capitalized or not in this POC) shall have the following meaning:

A. "Creek", as used herein, is equivalent to a "watercourse" as defined by the Contra Costa County Code Section 1010-6.028. A creek is thus defined as a natural or human-made channel for transporting water, including the stream bed and the banks, whether continuously flowing or intermittent. A channel is as defined by Contra Costa County Code Section 1010-6.004.

~~**A.**~~**B.** "Geologic hazard" as that term is used herein, means any actual (active or imminent) or threatened landslide.

C. "GHAD project" – The prevention, mitigation, abatement, or control of a geologic hazard as defined herein.

~~**B.**~~**D.** "Landslide" is defined as a mass comprised of rock, soil and other debris (e.g., water, vegetation) that has been displaced downslope by a sliding, flowing, or falling

[2] The Second Amendment was identical to the First Amendment to the POC except that it expanded the GHAD boundaries to annex The Canyons at Blackhawk Territory.

mechanism that results in an established and distinct surface of separation between moving and non-moving rock and/or soil.

E. "Lot" or a "parcel" is defined as any single private or public area of land with closed boundaries defined by a recorded survey.

F. "Property owner(s)" is defined as a private landowner or homeowners association that owns property in the GHAD boundaries and the Blackhawk Country Club.

G. "Site improvements" indicates buildings, roads, sidewalks, utilities, constructed trails, golf course amenities, swimming pools, tennis courts, gazebos, cabanas, geologic stabilization features, V-ditches, or similar items.

~~C.~~**H.** "Slopes" or "sloping ground" is defined as land that is inclined with a non-zero angle of inclination as measured from the horizontal. Slopes prone to landsliding are typically (but not limited to) those inclined more than 20 degrees.

~~D.~~**I.** "Soil creep" is defined as the slow (on the order of 0.4 inch per year[3]) downhill movement of near-surface (within the zone of seasonal changes of moisture and temperature) soil particles or weathered expansive bedrock materials resulting from the combined influences of gravity with wetting and drying cycles. Soil creep is distinguished from landsliding through the generally continuous motion and lack of distinct boundaries (both laterally and with depth) observed in soil creep.

~~E. "Site improvements" indicates buildings, roads, sidewalks, utilities, constructed trails, golf course amenities, swimming pools, tennis courts, gazebos, cabanas, geologic stabilization features, V-ditches, or similar items.~~

~~F.~~**A.** ~~"Lot" or a "parcel" is defined as any single private or public area of land with closed boundaries defined by a recorded survey.~~

~~G.~~**J.** ~~"Creek", as used herein, is equivalent to a "watercourse" as defined by the Contra Costa County Code Section 1010-6.028. A creek is thus defined as a natural or human-made channel for transporting water, including the stream bed and the banks, whether~~

[3] For example, see Fleming, R.W. and Johnson, A.M., 1975, Rates of seasonal creep of silty clay soil, Quaternary Journal of Engineering Geology, Vol. 8, pp. 1-29.

~~continuously flowing or intermittent~~. ~~A channel is as defined by Contra Costa County Code Section 1010-6.004.~~

~~H.~~K. "Structure setback area" indicates the portion of a lot situated between a creek and the "structure setback line" as defined by the Contra Costa County Flood Control District (see Contra Costa County Code Sections 1010-6.024, 914-14.012, and 914-14.014).

~~I.~~L. "Structure setback line" indicates the line separating the structure setback area from the remainder of the lot where a residential structure or any permanent site improvement (other than drainage structures) is situated, as defined by the Contra Costa County Flood Control District (see Contra Costa County Code Section 914-14.012).

~~"GHAD project" – The prevention, mitigation, abatement, or control of a geologic hazard as defined herein.~~

~~J. "Property owner" is defined as a private landowner or homeowners association that owns property in the GHAD boundaries and the Blackhawk Country Club.~~

IV. GEOLOGIC HAZARD DESCRIPTION

The Blackhawk GHAD is located south of Mount Diablo, along the southwestern slopes of Blackhawk Ridge, in Contra Costa County, California. Like many other parts of Contra Costa County and the San Francisco Bay area overall, the topography and geology of the Blackhawk region combine to form terrain that can be susceptible to landsliding (see Appendix A – Geologic Conditions). Considerable effort and resources (e.g., slope regrading, removal of identified existing landslides, and installation of drainage infrastructure) were invested to address the long-term stability of slopes during the development of the residences and infrastructure within the GHAD boundary. However, the underlying soils and rocks can still be intermittently prone to instability from a suite of triggering processes that include saturation or near-saturation of soils or bedrock due to rainfall or domestic water sources, and earthquake shaking. The type of landslides that have occurred in Blackhawk are typical for the San Francisco Bay region and generally occur due to intense or prolonged rainfall during the winter season. Upon the arrival of large storms, the soils can become nearly or fully saturated with resultant subsurface water pressures that may destabilize existing slopes. Landslides may be shallow (<5 feet deep) and involve surficial soils

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with potential to turn into highly mobile debris flows, or they may be deeper (>5 feet) and involve both soil and rock materials that move shorter distances. Both types of landslides may, in many cases, be prevented, mitigated, abated, or controlled by proactive and/or responsive activities; these activities are the purpose of the GHAD.

V. GHAD BOUNDARIES AND ANNEXATION POLICY

The boundary of the Blackhawk GHAD is shown in Figure 1 and is described by the Metes and Bounds Survey included in Appendix B. In 2006, the GHAD completed an annexation of approximately 48 acres known as The Canyons at Blackhawk Territory. The annexation was approved on October 17, 2006 by Resolution 2006/638 of the Board of Supervisors under the authority of the GHAD Law with a resultant change to the GHAD boundary. The annexed region is included in the survey included in Appendix B that defines the GHAD boundary in Figure 1.

As required by GHAD Law, the GHAD Board of Directors (in addition to the Board of Supervisors as the original sponsors of the GHAD's formation) must approve annexation of properties not currently within the GHAD boundaries.

VI. AUTHORIZED GHAD PROJECTS

The GHAD's operations are focused on the monitoring, maintenance, repair, and mitigation of threatened or actual landslides within the GHAD's boundaries. Typical GHAD projects fall into two categories: (1) major maintenance and monitoring activities of infrastructure and instrumentation meant to prevent instability of existing slopes and of which include, but are not limited to, cleaning, maintaining, replacing, and/or installing surface and subsurface drainage systems and monitoring instrumentation, and (2) major landslide repair projects requiring, but not limited to, site grading and installation of drainage or engineered earth retaining system infrastructure. The General Manager has sole discretion for defining GHAD project priorities (subject to the guidance provided in Section VII and Section VIII) and for the selection of repair and mitigation methods appropriate to a particular situation, within the constraints described in this and other sections of the POC.

A p~~P~~roperty owner~~s~~ within the GHAD, whether private landowners, ~~or~~ homeowners associations or the Blackhawk Country Club ("property owner~~s~~"), may contact the GHAD management to

either report a new geologic hazard incident or condition on their property or to inquire about an already-reported incident. When contacted, the General Manager shall respond to the inquiry and indicate whether or not the incident or inquiry falls within the responsibilities of the GHAD, and if so, what steps may be taken to address the incident. In cases where the property owner incurs their own expenses related to the prevention, mitigation, abatement, or control of a geologic hazard, as described herein, the reimbursement policies outlined in Section IX shall apply. In cases where the General Manager determines that an incident does not qualify for GHAD involvement and the property owner disagrees, the appeals policy outlined in Section X shall apply.

GHAD projects and situations in which the GHAD is authorized to prevent, mitigate, abate, or control geologic hazards are listed and described here in Sections VI(A) through VI(E):

A. Landslide Mitigation During and in Preparation for Emergencies

During emergency situations when a landslide presents an active or imminent threat to improved property, the GHAD may implement interim slope stabilization measures that can arrest or minimize further slope movement until long-term mitigation measures can be implemented. Interim slope stabilization measures include, but are not limited to, the temporary installation of slope coverings or drainage infrastructure to prevent further water infiltration or erosion, installation of structural elements to prevent or arrest movement of a landslide, or grading to unload or buttress unstable slopes. Emergency preparation measures may also be taken in advance of threatening landslides; these measures may include stockpiling slope stabilization materials and/or having resources in-place ready to respond rapidly.

B. Preventative Landslide Mitigation and Geotechnical Investigations

The GHAD may prevent, mitigate, abate, or control landslides that threaten improved property using various mitigation techniques. The selection of mitigation technique depends on the type and motion of landsliding, equipment accessibility, urgency, and other factors. Prevention of landslides can sometimes be achieved using surface and subsurface drains. Imminent landslides can be stabilized by the construction of retaining structures such as closely spaced cast-in-place drilled piers reinforced with steel beams, soldier beam and lagging wall(s), or an array of tie-back or soil nail anchors extending

beyond the slide plane (i.e., surface of separation between moving and non-moving soil and rock). Landslide-damaged slopes can be reconstructed and stabilized by removing the landslide debris and rebuilding the slope with properly compacted and drained, engineered fill. These or other appropriate techniques should be chosen based on the actual site conditions. The General Manager will make the final decision in determining the type of action that best fits the need of each GHAD project.

At the General Manager's sole discretion, a geotechnical investigation may be conducted for areas where unstable conditions or landslides exist or are believed to exist. The purposes of the geotechnical investigation are to determine the cause of the unstable slope conditions and to identify and define repair or stabilization options. Geotechnical monitoring, whether short-term, as part of an active landslide investigation, or long-term, to track changes in groundwater levels and/or surface and subsurface movement, are authorized activities of the GHAD as related to the prevention, mitigation, abatement, or control of landslides within the GHAD's boundaries.

C. Activities Related to Slope Stabilization Surface and Subsurface Drainage Facilities

The GHAD may maintain, repair and/or replace those portions of surface and subsurface drainage facilities such as concrete "V" ditches, storm sewer lateral pipes, catch basins, drainage inlets, utility access chambers, storm sewer inlets and outlets, horizontal drains, subdrain pipes, subdrain pipe inlets and outlets, etc. when they are directly related to the repair, prevention, or control of landslides. Maintenance, as described herein, may also include removal of sediment from ditches and at the base of slopes and hydro-cleaning of horizontal drains and subdrains.

D. Activities Related to Creeks and Detention Basins

As part of its duties to mitigate against actual or threatened landslides, the GHAD may perform the following GHAD projects in creek channels and detention basins:

1. Clearing and removal of debris and/or impediments in creek channels under emergency conditions to maintain open stream flow in order to mitigate a threatening landslide.

2. Removal of significant quantities of sediment deposits in creek channels and detention basins to maintain functionality and open stream flow in order to mitigate a threatening landslide.

E. Activities Related to Prevention and Mitigation Research

The GHAD has directly benefitted from supporting, performing, and implementing the results of research on the behavior of slopes, landslides, and engineering mitigation methods. To prepare for and reduce the risk of future landslides causing property damage, the GHAD may conduct ongoing research into the behavior of slopes, slope failure prevention, and slope failure mitigation. These efforts include maintaining and analyzing a record of all incident responses and monitoring events for the purposes of evaluating and mitigating future risk.

VII. LIMITATIONS TO GHAD INVOLVEMENT

The GHAD is authorized to prevent, mitigate, abate, or control geologic hazards and taking into consideration the following limitations and exclusions listed below in Sections VII(A) through VII(H):

A. Funding and Risk Limitations

The GHAD General Manager is required to approve or not approve the prevention, mitigation, abatement, or control of geologic hazards based on funding limitations, project priorities based on risk evaluation, weather-related risk, the limitations specified in this POC, or other funding or risk-related issues not specified herein. Funding from CSA M-23 surplus revenue (see Section I) is the sole source of revenue for the GHAD, including all operations. If the CSA M-23 revenue allocated for the GHAD is not available, the GHAD would be required to reduce and/or eliminate some or all GHAD services unless an alternative funding source (or sources) can be identified.

B. GHAD Services Only Areas within the GHAD Boundaries

The GHAD only has authority to provide its services to those properties located within the GHAD boundaries. Properties that are within the CSA M-23 boundaries that have not been annexed into the GHAD do not receive GHAD services.

The GHAD can only prevent, mitigate, abate, or control a geologic hazard on property outside the GHAD boundaries when the hazard has damaged or poses an imminent threat of damage to structures or site improvements located on properties within the GHAD boundaries. The GHAD can only prevent, mitigate, abate, or control the geologic hazard outside the GHAD boundaries provided said work is limited to that which is necessary to address the damage or imminent threat of damage to the structures or site improvements within the GHAD boundaries. Any work outside the GHAD boundary must be performed in coordination with the outside landowner under specific agreement.

C. Geologic Hazard Limited to a Single Property

The GHAD can only prevent, mitigate, abate, or control landslides that are contained within the limits of a single parcel of property if the single parcel is greater than one acre in size. Services may not be provided for geologic hazards within a single parcel that is less than one acre in size. This exclusion does not apply to geologic hazards existing on open-space areas owned by any homeowners association or golf course property.

D. Geologic Hazard Resulting from Negligence of Property Owner

The GHAD may decline to prevent, mitigate, abate, or control geologic hazards that occur due to, or resulting from, the negligence of the property owner and/or the property owner's contractors, agents or employees in developing, grading, constructing, maintaining, performing, or not performing, any work related to or that may have influenced the geologic hazard on the subject property including performing alterations to site drainage or to the overall existing stability of slopes.

E. Geologic Hazard which Requires Expenditure Amount Exceeding the Value of the Threatened or Damaged Improvement

The GHAD will not prevent, mitigate, abate, or control a geologic hazard where, as determined by the General Manager's sole discretion, the anticipated expenditure required to be funded by the GHAD to prevent, mitigate, abate, or control the geologic hazard will exceed the value of the structures and/or site improvements that are threatened with damage or loss.

F. Erosion Within Creek Structure Setback Areas

Creeks are dynamic landforms and are subject to natural changes from various forms of erosion. Erosion caused, for example, from water scouring of creek banks is a natural process and is to be expected within creek areas. The GHAD will not respond to or be responsible for these conditions even if they damage authorized structures or improvements (e.g., fencing, landscaping, or other non-permanent structures) within a creek or structure setback area. Note that permanent structures and improvements are not allowed within creeks or their structure setback area per Contra Costa County Code Section 914-14.014.

G. Damage Caused by Soil Creep

The GHAD will not prevent or repair property damage due to soil creep. Soil creep is a common phenomenon on almost all slopes throughout Blackhawk and is not included in the definition of a geological hazard as described herein (see Section III, subsections A, B, and D). The adverse effects of soil creep can include damages to shallow-founded improvements such as separations in concrete walkway and pool deck construction joints, tilting fences, separation of wooden deck elements, and generally very slow downhill movement of any structures constructed on or near the edge of slopes. Site-specific design and construction techniques can typically be implemented by property owners to reduce the impact of creep on their properties.

H. Damage Covered by Responsibilities of Others

The GHAD will not prevent, mitigate, abate, or control geologic hazards that are the responsibility of other districts, service areas, or entities operating within the GHAD boundaries. The GHAD will have the authority to monitor the specific district, service areas or entities to ascertain whether the work is being performed in a manner that does not interfere with nor impact the GHAD's responsibilities under the POC.

VIII. PRIORITY OF GHAD EXPENDITURES AND RESERVE FUND

A. Priority of GHAD Expenditures

The GHAD's sole source of funds is from a portion of an ad valorem property tax collected on properties within the GHAD boundaries. The amount of these funds varies annually. Actions by the GHAD, including but not limited to such items as emergency response and scheduled repair expenditures, will be prioritized by and at the sole discretion of the General Manager based on available funds and the approved operating budget. The GHAD Manager prepares, and the GHAD Board of Directors approves an operating budget each year. When available funds are not sufficient to undertake all of the remedial and preventative stabilization measures identified in the budget, the expenditures shall be prioritized by the General Manager as follows, in descending order of priority.

1. Prevention, mitigation, abatement, or control of geologic hazards that have either damaged or pose a significant threat of damage to residences, critical underground or overhead utilities, or roadways that provide emergency egress.

2. Prevention, mitigation, abatement, or control of geologic hazards which have either damaged or pose a significant threat of damage to commercial buildings, including but not limited to office buildings or clubhouses.

3. Prevention, mitigation, abatement, or control of geologic hazards which have either damaged or pose a significant threat of damage to ancillary structures, including but not limited to pool cabanas or restroom buildings.

4. Prevention, mitigation, abatement, or control of geologic hazards existing entirely on open-space or golf course property which have neither damaged nor pose a significant threat of damage to any structure or site improvements.

5. Prevention, mitigation, abatement, or control of geologic hazards that have either damaged or pose a significant threat of damage to landscaping or other similar non-essential amenities.

B. Establishment and Operation of a GHAD Reserve Fund

A reserve fund may be set up to allow funding projects whose cost exceeds the annual budget for major repair projects, and to provide for funds required periodically when major landslide events occur within the GHAD (e.g., winter periods with high precipitation and the potential for several major GHAD projects needing to occur simultaneously). The source of revenue for the reserve fund is the CSA M-23 revenue annually allocated to the GHAD (see Section I). The GHAD shall periodically conduct studies to determine the amount of funds that should be accumulated in reserve. These studies will be based on the most current experience with GHAD prevention and repair expenditures.

IX. REIMBURSEMENT POLICIES

A. Reimbursement of Expenses Incurred by Property Owner

1. Reimbursement of Expenses for Mitigation During Emergencies

At the General Manager's sole discretion and upon proof of payment through receipts, the GHAD may reimburse a property owner~~s~~ for expenses incurred for materials used for temporary mitigation of a geologic hazard~~s~~, which the GHAD Manager has determined in writing to be covered by the Plan of Control, during periods of emergency. Such materials are limited to sheet plastic placed over landslides, sandbags, silt fencing, and other typical temporary mitigation measures.

2. Reimbursement by Agreement

At the General Manager's sole discretion and upon proof of payment through receipts, the GHAD may reimburse a property owner for expenses incurred for the prevention, mitigation, abatement, or control of a geologic hazard based on a written agreement between the property owner and the GHAD to that effect. Such agreement must be executed prior to the property owner incurring said expenses, and following a geologic investigation conducted by the GHAD.

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B. Reimbursement for Damaged or Destroyed Structures and Site Improvements

1. Privately Owned Structures, Landscaping and Site Improvements

In the event a property owner's ~~private residence, commercial office building, or any other~~ structure, landscaping, or site improvement is damaged or destroyed due to, or as a result of, a geologic hazard, which the GHAD Manager has determined in writing ~~to be covered by the Plan of Control as defined herein~~, and pursuant to the other limitations and exclusions defined in this Plan of Control ~~section~~, the General Manager has sole discretion, ~~pursuant to Section VII,~~ to fund or reimburse (or not fund or ~~reminbrse~~reimburse) ~~the~~ property owner for the expenses necessary to repair or replace the damaged or destroyed structure, landscaping or site improvements. Any request for reimbursement must be submitted in writing to the General Manager within ~~180~~ 90 days of the date of the ~~damage~~ geologic hazard which caused the above-referenced damage or destruction, and shall include written substantiation for the expenses. The total dollar amount of the GHAD funding or reimbursement to all ~~the~~ property owners making a request may not exceed a maximum ten percent (10%) of the direct costs incurred by the GHAD in preventing, mitigating, abating, or controlling the geologic hazard responsible for the damage to all property owners. In the event the geologic hazard damaged or destroyed a structure, site improvement, or landscaping which violated any provisions of the County Building Code or County Ordinance Code at the time of its installation or improvement, the GHAD will not provide any funding or reimbursement to the property owner for repair or replacement of the damaged structure, landscaping, or site improvement.

~~2. HOA Owned Streets, Utilities, and Site Improvements~~

~~In the event street pavement, underground utilities, landscaping, or site improvements owned by a homeowners association are~~is damaged or destroyed due to, or as a result of, a geologic hazard, as defined herein, and such damage or destruction impedes the access for the residents in the GHAD to HOA property, and pursuant to the other limitations and exclusions in this Plan of Controol, defined

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~~in this section, the General Manager has sole discretion, pursuant to Section VII, to include in the scope of the landslide repair, the repair or replacement of the damaged or destroyed street pavement, above ground or underground utility structure, landscaping, or site improvement owned by the homeowners association. Any request for reimbursement must be submitted in writing to the General Manager within 180 90 days of the date of the damage and shall include written substantiation for the expenses.~~

X. RECONSIDERATION AND APPEAL POLICY

~~If a property owner directly affected by an operational action as set forth in this POC does not agree with the decision of the General Manager~~, ~~the property owner may request the GHAD Manager to provide its decision in writing.~~ If ~~the~~ a property owner ~~or HOA continues to~~ disagree~~s~~ with the decision of the General Manager (~~"~~"General Manager Decision~~"~~") regarding a request for funding or reimbursement as authorized in Sections IX (A)(1) and (B)(1) above, ~~that~~ the property owner may request the GHAD Manager ~~to~~ reconsider ~~that~~ the decision ~~("~~"~~General Manager Decision"~~")~~. The property owner shall, within fifteen (15) days from the date of the written General Manager Decision, file with the General Manager the grounds for reconsideration, and the requested relief, including the property owner's special interest and injury. Within fifteen (15) days of receipt of the property owner's written request for reconsideration, the General Manager shall issue a written decision on the request based on the evidence presented (~~"~~"General Manager Reconsideration Decision~~"~~"). The property owner may appeal the General Manager Reconsideration Decision to the GHAD Board of Directors. This appeal must be filed ~~General Manager~~ by submitting an Appeal Form with the GHAD Clerk ~~as a form~~ provided by the General Manager within fifteen (15) days from the date of the General Manager Reconsideration Decision and must include the payment of an appeal fee as noted on the Appeal Form. ~~of $5,000~~. The appeal must include the reasons for the appeal and the property owner's requested relief. The GHAD Board of Directors will make the final decision on the appeal. The General Manager will proceed based on the decision of the Board of Directors and is considered the final decision of the GHAD.

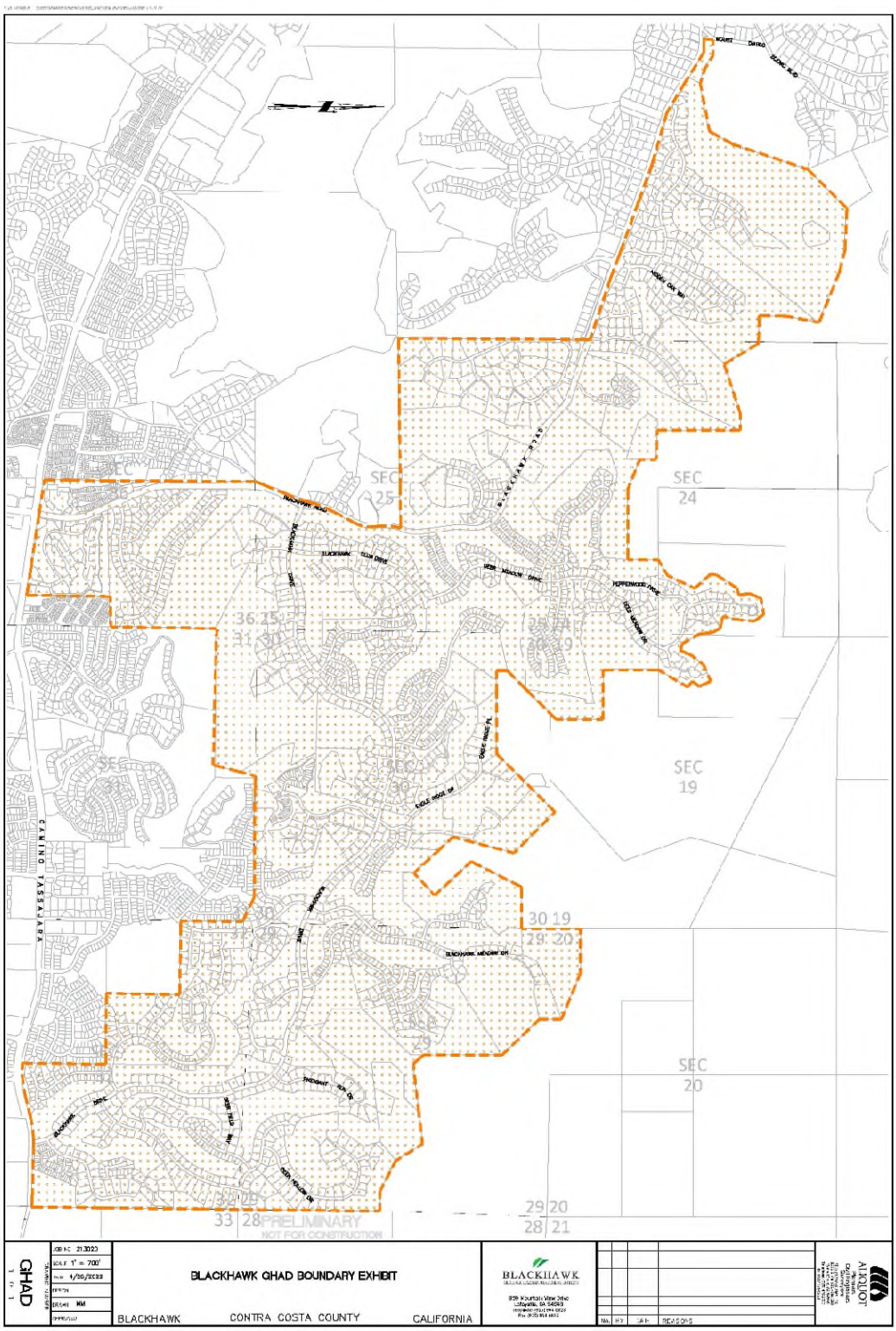
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All other determinations of the GHAD Manager not related to Sections IX (A)(1) and (B)(1) (i.e., a determination that the soil movement alleged to cause damage is not covered by the Plan of Control, or requiring access agreements, or other agreements or documents from the property owner to perform GHAD duties) ~~-~~are final and not subject to appeal to the GHAD Board of Directors unless the GHAD Manager, in his or her sole discretion, determines that a final decision ~~is~~ should be s~~ubject to the~~ made by the Board of Directors ~~reconsidered ation~~ or ~~appealled appealled and appeal provisions found in this Section X~~ due to the complexity or nature of the subject of the determination. In this event, the GHAD Manager shall, as soon as feasible, inform the property owner of the opportunity to appeal the determination to the Board of Directors. This appeal must be filed in accordance with the provisions for an appeal to the Board of Directors as explained above. ~~.~~

XI. REVISION POLICY

This POC is meant to address the current needs of the GHAD and may be updated or revised should conditions or information change that result in new and/or different approaches related to addressing geologic hazards as defined herein (Section III-A and B). The POC will periodically be revisited by the General Manager. If the General Manager identifies the need to make minor updates or revisions, the General Manager can make those updates or revisions without seeking approval of the GHAD Board of Directors but shall thereafter inform the Board that the updates or revisions were made. If the updates or revisions are major, the General Manager shall submit the revisions to the Board of Directors for its approval. A minor update or revision is a change that clarifies a component of the POC and does not significantly change the purpose and character of the POC.

FIGURE 1 – BLACKHAWK GHAD BOUNDARY SITE PLAN



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APPENDIX A - GEOLOGIC CONDITIONS

A. Topography and Geomorphology

The Blackhawk GHAD is located approximately five miles east of the town of Danville and four miles south of Mount Diablo in Contra Costa County, California. The area is situated on the slopes located between Sycamore Valley to the south and Fossil and Blackhawk Ridges to the north. Elevations within the GHAD boundaries range between approximately 600 ft in the south to 1400 ft in the north (USGS, 2018). The overall topography becomes steeper moving northward to the ridgelines. Drainage is to the south via several named creeks (East Branch of Green Valley Creek, Sycamore Creek, West Branch of Alamo Creek, Alamo Creek) and unnamed subsidiary drainages and creeks (USGS, 2018). The terrain consists of grass-covered ridges and hillslopes that drain to swales and small valleys that support modest tree and shrub growth. The overall geomorphology of the GHAD area is related to long-term fluvial and colluvial (landsliding) processes. The vast majority of development within the GHAD boundaries is located in the flatter valleys. However, some development has also occurred on hillslope benches or on excavated hilltops. Valleys grow narrower moving upslope and in many cases pinch out to more highly dissected terrain, in some areas consisting of a series of slope parallel ridges and hollows (narrow, steep sided valleys). Hillslopes can thus be convex, concave, or uniform depending on the position in relation to a ridge or hollow. Hollows form typical source areas for some types of landslides (debris flows).

B. Geology

The bedrock geology underlying the area within the GHAD boundaries consists of Tertiary-age (Pliocene and late Miocene)[1] sedimentary deposits that have been folded and faulted due to the greater tectonics of the San Andreas fault system and associated uplift of Mount Diablo. The majority of the area is underlain by non-marine sandstones of the Orinda Formation (Dibblee and Minch, 2005) which is locally called the Green Valley Formation (Graymer et al., 1994). These rocks consist of gray to greenish gray, interbedded pebble conglomerates, sandstones and claystones (Dibblee and Minch, 2005). To the northeast and higher up the slopes leading to Fossil

[1] Holocene refers to deposits that are less than 11,700 years old. Pleistocene refers to rocks that are 11,700 to 2.6 million years old. Pliocene refers to rocks that are 2.6 to 5.3 million years old. Miocene refers to rocks that are 5.3 to 23 million years old.

Ridge and Blackhawk Ridge, the slopes are underlain by the Neroly Sandstone unit of the marine Briones Formation (Graymer et al., 1994; Dibblee and Minch, 2005). This unit consists of a brown, massive sandstone (Graymer et al., 1994) with light gray, medium to fine-grained sandstone and shale interbeds that grade laterally west into finer siltstones and claystones (Dibblee and Minch, 2005). Flatter valley floors where much of the infrastructure in Blackhawk GHAD areas has been constructed consist of young (Holocene) alluvial fan and fluvial deposits (Helley and Graymer, 1997).

The bedrock structure consists of a series of nearly parallel, northwest-trending synclines and anticlines, some of which have been overturned by folding. Within most of the Blackhawk GHAD areas, structural mapping shows nearly ubiquitous steeply dipping (up to 80° to the southwest) and overturned (dipping to 57° to the northeast) sedimentary beds (Dibblee and Minch, 2005) with the exception of rocks associated with the northwest to east striking Tassajara Syncline (Dibblee, 1980). Southwest dipping sedimentary beds become shallower (to 32°) approaching the syncline from the northeast and are still shallower (15° to 25°) and northeast dipping on the southwest side of the syncline (Dibblee, 1980; Dibblee and Minch, 2005).

C. Tectonics and Seismic Sources

The location of the Blackhawk GHAD areas within the greater San Francisco Bay area of northern California places it in proximity to several potential sources of seismicity. Blackhawk is located within the eastern portion of the San Andreas Fault System, but is not located within a State of California designated Alquist-Priola Earthquake Fault Zone. The nearest State-zoned active faults are the Calaveras and Greenville faults located about five miles to the west and east, respectively. Both faults have expected earthquake moment magnitudes of M6.7+ (Field et al., 2015). An earthquake of these expected magnitudes could produce a ground acceleration of approximately 0.4g at Blackhawk according to attenuation relationships by Campbell and Bozorgnia (1994). Other sources for design-basis ground shaking near the Blackhawk area include smaller local faults that may produce lower magnitude earthquakes but potentially more intense ground shaking due to their closer proximity to the GHAD areas. These include the Mount Diablo blind thrust fault or potential subsidiary faults such as those mapped in the vicinity of the GHAD areas by Crane (1988) and Sawyer (2015). Various mapping efforts have placed the approximate location of the Mount Diablo thrust fault close to the southern boundary of the Blackhawk GHAD areas (Unruh and

Sundermann, 2006; Sawyer, 2015; Bryant, 2017) with some mapping indicating the presence of fault structures within the GHAD boundaries (Crane, 1988). Geomorphological studies indicate active deformation in the region as a result of late Holocene (modern) movement of the fault (Sawyer, 2015). The deformation is manifest as fault-propagation folds and include the nearby Tassajara and Doolan anticlines which, in turn, are related to splay faults from the Mount Diablo thrust (Sawyer, 2015).

The U.S. Geological Survey provides a plausible scenario for a M6.5 earthquake on the Mount Diablo thrust fault with estimated peak ground acceleration of 0.4 to 0.6g in the vicinity of Blackhawk (USGS, 2017). Earthquakes on blind thrust faults are not expected to cause surface ground rupture as might occur along a major strike slip fault such as the San Andreas, Hayward, or other nearby major faults; however, secondary seismic hazards such as landslides could be expected from such an event. More distant seismic ground shaking sources include the major known active faults of the San Francisco Bay Area; namely the San Andreas, Hayward, Rodgers Creek-Healdsburg, and the Concord–Green Valley faults. These sources are all at least five miles from Blackhawk but are known to be capable of producing moderate to large-scale (up to M7+) seismic events. Based on the current state of knowledge, it appears likely that secondary seismic hazards from an earthquake on any of the seismic sources discussed above would occur in regional areas of localized weak soils, such as on unstable slopes.

D. Surficial Deposits

The area within the GHAD boundaries is covered primarily by relatively shallow soils. The soil over the majority of the GHAD area is mapped as Diablo clay of Contra Costa County (NRCS, 2021). This soil typically forms on uplands, derived from sedimentary bedrock. Below the surficial dark gray clay, the soils generally become light gray or olive gray silty to sandy clay and extend to the undisturbed bedrock. Diablo clays generally have high expansion potential resulting in surficial cracking during the summer and swelling during the winter. Soils with high expansion potential are generally susceptible to downhill soil creep on hillslopes.

E. Engineered Fill Deposits

As part of the original development within the GHAD boundaries, significant excavations were made, followed by placement of engineered fill deposits. Fill deposits are typically compacted

during placement at controlled soil moisture levels to minimize overall settlement. Even still, fill deposits will in nearly all cases undergo some level of long-term settlement, and may undergo long-term movement depending on the overall level of soil moisture introduced. Because soil fills usually support infrastructure development, soil moisture levels may be increased (i.e., due to landscaping, etc.) compared to the background levels to which the soil fill material originated (i.e., as a hillslope subject only to infiltration during winter storms). As a result, areas of significant soil fill may be subject to potential long-term movement as the fill deposits adjust to their new configuration. Horizontal drains typically offer a means to control and limit the build-up of unfavorable soil moisture levels, and monitoring may provide a practical means of identifying potential instability issues.

F. Groundwater and Streamflow

Groundwater has been encountered at variable depths within the GHAD boundaries during drilling explorations by various geotechnical firms. Sandstone, siltstone, and gravelly bedrock units can be expected to contain variable amounts of groundwater depending on location and underlying geologic structure. Overall, groundwater can be expected to be 10 feet or more below the ground surface. However, areas of springs and seeps are common, and perched transient zones of groundwater may occur as a result of winter precipitation. When soils approach saturation, creeks and other drainages within the GHAD's boundaries that are normally dry during the majority of the year can discharge water as streamflow. In some cases, flooding is possible near creek crossings. Creekbank erosion may also be caused by these types of flows. Groundwater and streamflow regimes may be affected by development within or near the GHAD boundaries. Long-term changes to these conditions can result from landscape irrigation, the addition of impervious pavement or structures, surface runoff collection systems, and subsurface drainage facilities.

G. Geologic Hazards

The most common geologic hazard affecting the Blackhawk GHAD is landslides caused by a combination of high seasonal cumulative rainfall and intense storm precipitation acting to destabilize the weak soil and rocks encompassing the steep slopes of the region. Earthquakes are also a concern given the nearby proximity of the GHAD to several active faults, and landslides generated from seismic shaking are likely in the event of strong shaking. In particular, the number

and size of landslides may be greater if an earthquake occurs during the wettest months of the winter season when slopes are already weak due to rainfall infiltration.

Mapping in the region indicates that the Blackhawk GHAD areas (as well as many other areas in the Mount Diablo area and San Francisco Bay region in general) contain hundreds of existing landslides (Davenport, 1985) with slopes susceptible to movement and adjacent areas susceptible to inundation by landslide debris. Steep slopes may be subject to landsliding as a result of both natural (e.g., precipitation, earthquake) or human activities (e.g., lot grading, road construction, changes to site drainage, damage to water supply or waste water piping, etc.).

Landslides in the Mount Diablo region consist of both shallow and deeper movements. Shallow landslides generally occur as earth (fine-grained) or debris (coarse-grained) slides and flows (Varnes, 1978) within soil overlying bedrock. Deep-seated landslides can be translational or rotational and mobilize both soil and weathered bedrock. Most landslides in the Blackhawk GHAD consist of shallow debris flows and deep-seated rotational earth and debris slides. Debris flows (often called mudflows) tend to be less than 10 feet deep and can move rapidly (seconds to minutes) within a relatively linear, narrow path that follows the existing topography (i.e., along swales, drainage channels, or simply straight downhill). Debris flows may travel hundreds of feet before stopping. Deep-seated slides typically move relatively slowly taking hours to days to move en masse along a relatively deep (20 to 50 ft) curved slip plane with a defined headscarp(s) or crevasse at the top of the slide and defined lateral margins along the sides. Movement may not exceed the length of the landslide source area but may move much larger areas and volumes of terrain compared to debris flows. In both cases, the most common causes of landslides involve weak soil/rock materials, a change in slope configuration, or an increase in subsurface moisture content, with a subsequent loss of soil or rock strength.

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APPENDIX B - METES AND BOUNDS DESCRIPTION

THIS DESCRIPTION IS A COMPILATION OF THE VARIOUS ANNEXATIONS TO, DETACHMENTS FROM, AND CONSOLIDATIONS WITH THE BLACKHAWK GEOLOGIC HAZARD ABATMENT DISTRICT SINCE ITS FORMATION IN 1986, AND REPRESENTS THE CURRENT EXTERIOR LIMITS AS OF 2006.

REAL PROPERTY IN AN UNINCORPORATED AREA OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA; BEING A PORTION OF SECTIONS 14, 22, 23, 24. 25 AND 36. TOWNSHIP 1 SOUTH, RANGE 1 WEST. MOUNT DIABLO MERIDIAN AND A PORTION OF SECTIONS 19, 20, 29, 30, 31 AND 32 TOWNSHIP 1 SOUTH, RANGE 1 EAST, MOUNT DIABLO MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY TERMINUS OF THE COURSE LABELED "NORTH 89°52’59" WEST 288.40 FEET" ON THE NORTHERLY BOUNDARY OF PARCEL 'A' (PUBLIC PARK) AS SHOWN ON THE MAP OF SUBDIVISION 4878 FILED MARCH 21, 1977, IN BOOK 194 OF MAPS AT PAGE 1 (194 M 1); THENCE FROM SAID **POINT OF BEGINNING,** ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 4878 (194 M 1) SOUTH 89°52'59'1 EAST 288.40 FEET; THENCE SOUTH 58°13'44" EAST 280.00 FEET; THENCE SOUTH 73°08'44" EAST 275.00 FEET; THENCE NORTH 79°11·40" EAST 885.99 FEET; THENCE NORTH 28°42'12" EAST 495.62 FEET; THENCE NORTH 18°28'18" EAST 1422.89 FEET; THENCE NORTH 45°05’49 EAST 1003.57 FEET; THENCE SOUTH 87°08'44” EAST 750.00 FEET; THENCE SOUTH 76°08'44" EAST 400.00 FEET; THENCE SOUTH 68°08'44" EAST 1000.00 FEET TO THE NORTHEAST CORNER OF PARCEL 'B' AS SHOWN ON SAID SUBDIVISION 4878 (194 M 1), SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF PARCEL 'H' AS SHOWN ON THE MAP OF SUBDIVISION 4962 FILED MARCH 21, 1977, IN BOOK 194 OF MAPS AT PAGE 20; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 4962 (194 M 20). SOUTH 10°51'16" WEST 600.00 FEET; THENCE SOUTH 0°51’16” WEST 500.00 FEET THENCE SOUTH 89°08’44" EAST 500.00 FEET; THENCE SOUTH 31°08'44" EAST 730.00 FEET TO THE MOST EASTERLY CORNER OF SAID PARCEL 'H' (194 M 20), SAID POINT ALSO BEING AN ANGLE POINT ON THE NORTHERLY BOUNDARY OF PARCEL 'O' AS SHOWN ON THE MAP OF SUBDIVISION 4963 FILED MARCH 21, 1977. IN BOOK 194 OF MAPS AT PAGE 30; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 4963 (194 M 30), NORTH 71°51'16” EAST 950.00 FEET; THENCE SOUTH 89°08’44" EAST 300.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 'O' (194 M 30), SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF PARCEL 'B ' AS SHOWN ON THE MAP OF SUBDIVISION 5023 FILED JULY 12, 1978, IN BOOK 214 OF MAPS AT PAGE 1; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5023 (214 M 1) SOUTH 1,503.48 FEET; THENCE SOUTH 88°00'00" EAST 531.02 FEET; THENCE SOUTH 1°00'00" WEST 294.36 FEET TO THE MOST NORTHERLY CORNER OF PARCEL 'C' AS SHOWN ON THE MAP OF SUBDIVISION 5438 FILED AUGUST 14, 1979. IN BOOK 228 OF MAPS AT PAGE 11; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5438 (228 M 11), SOUTH 68°00'00" EAST 581.79 FEET; THENCE EAST 1277.80 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 'C' (228 M 11), SAID POINT ALSO BEING AN ANGLE POINT ON THE WESTERLY BOUNDARY OF PARCEL 'A' AS SHOWN ON THE MAP OF SUBDIVISION 5439 FILED AUGUST 29, 1979, IN BOOK 229 OF MAPS AT PAGE 1; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5439 (229 M 1), NORTH 550.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 'A' (229 M 1), SAID POINT ALSO BEING THE SOUTHWEST CORNER OF PARCEL "D” AS SHOWN ON THE MAP OF SUBDIVISION 7115 FILED AUGUST 11, 1992, IN BOOK 363 OF MAPS AT PAGE 15 (363 M 15); THENCE ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL “D” (363 M 15) THE FOLLOWING THIRTEEN (13) COURSES:
1) NORTH 58°53'28"EAST 336.68 FEET, 2) NORTH 25°35'28" EAST 538.50 FEET,

3) NORTH 42°01 '45" WEST 385.66 FEET, 4) NORTH 07°44'25" EAST 103.95 FEET,
5) NORTH 32°31 '53" EAST 438.86 FEET, 6) NORTH 71 °50'03" EAST 134.71 FEET,
7) NORTH 08°15'17" WEST 195.02 FEET, 8) NORTH 23°35'47" EAST 219.39 FEET,
9) NORTH 79°12' 12" EAST 293.37 FEET, 10) SOUTH 36°52' 12" EAST 205.00 FEET,
11) SOUTH 04°16'05" WEST 319.80 FEET, 12) SOUTH 12°50' 10" WEST 264.22 FEET AND
13) SOUTH 76°21' 11" EAST 222.31 FEET TO THE MOST EASTERLY CORNER OF PARCEL 'D' (363 M 15), SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF PARCEL 'C' AS SHOWN ON THE MAP OF SUBDIVISION 7115 FILED AUGUST 11, 1992, IN BOOK 363 OF MAPS AT PAGE 15, (363 M 15); THENCE CONTINUING ALONG THE NORTHERLY LINES OF SAID PARCEL 'C' AND OF PARCELS 'M', 'K' AND 'L' OF SAID SUBDIVISION 7115 (363 M 15) THE FOLLOWING ELEVEN (11) COURSES:
1) SOUTH 28°46'58" EAST 154.35 FEET, 2) SOUTH 06°34'36" EAST 234.39 FEET,
3) SOUTH 29°32'18" EAST 357.81 FEET , 4) SOUTH 75°13'49" EAST 125.85 FEET;
5) NORTH 25°17'09" EAST 215.57 FEET, 6) NORTH 37°40'36" EAST 273.06 FEET
7) NORTH 66°04'38" EAST 329.55 FEET, 8) SOUTH 24°39'07" EAST 230.16 FEET;
9) SOUTH 38°08'11" WEST 153.84 FEET, 10) SOUTH 49°10'14" EAST 136.12 FEET AND
11) SOUTH 30°20'14" WEST 611.11 FEET TO THE SOUTHEAST CORNER OF PARCEL 'L' (363 M 15) SAME POINT ALSO BEING THE NORTHEAST CORNER OF PARCEL "G" AS SHOWN ON THE MAP OF SUBDIVISION 5439 FILED AUGUST 29, 1979, IN BOOK 229 OF MAPS AT PAGE 1, (229 M 1); THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5439 (229 M 1), SOUTH 1000.00 FEET; THENCE EAST 900.00 FEET; THENCE SOUTH 850.00 FEET; THENCE SOUTH 45°00'00" WEST 777.91 FEET TO AN ANGLE POINT IN PARCEL 'G' AS SHOWN ON SAID MAP OF SUBDIVISION 5439 (229 M 1), SAID POINT ALSO BEING THE MOST EASTERLY CORNER OF PARCEL 'A' AS SHOWN ON THE MAP OF SUBDIVISION 5441 FILED JUNE 10, 1980, IN BOOK 240 OF MAPS AT PAGE 7; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5441. SOUTH 45°00'11" WEST 472.08 FEET; THENCE SOUTH 200.00 FEET; THENCE EAST 375.00 FEET TO THE MOST WESTERLY CORNER OF LOT 12 AS SHOWN ON THE MAP OF SUBDIVISION 6432 FILED DECEMBER 19, 1984, IN BOOK 288 OF MAPS AT PAGE 7; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 6432 (286 M 7) EAST 1125.00 FEET; THENCE NORTH 45°00'00" EAST 1500.00 FEET; THENCE SOUTH 45° 00'00" EAST 1051.08 FEET; THENCE SOUTH 14°39'08" WEST 1143.43 FEET THENCE SOUTH 42°47'57" EAST 350.00 FEET TO THE NORTHEAST CORNER OF PARCEL 'D' AS SHOWN ON SAID SUBDIVISION 6432 (286 M 7), SAID POINT LYING ON THE NORTHERLY LINE OF PARCEL 'L' AS SHOWN ON THE MAP OF SUBDIVISION 5645 FILED AUGUST 14, 1981, IN BOOK 255 OF MAPS AT PAGE 27; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5645 (255 M 27), SOUTH 42°47'57" EAST 611.60 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 'L' (255 M 27), SAID POINT BEING AN ANGLE POINT ON THE WESTERLY BOUNDARY OF PARCEL 'B' AS SHOWN ON THE MAP OF SUBDIVISION 6683 FILED APRIL 23, 1986, IN BOOK 300 OF MAPS AT PAGE 49 (300 M 49); THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 6883 (300 M 49), NORTH 47°12'03" EAST 550.00 FEET; THENCE NORTH 42°47'57", WEST 902.23 FEET THENCE NORTH 26°50'28" EAST 1021.00 FEET; THENCE EAST 760.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 'B' (300 M 49), SAID POINT ALSO BEING AN ANGLE POINT ON THE WESTERLY BOUNDARY OF LOT 86 AS SHOWN ON THE MAP OF SUBDIVISION 5743 FILED AUGUST 19, 1981 IN BOOK 256 OF MAPS AT PAGE 1 (256 M 1); THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5743 (256 M 1) NORTH 1070.00 FEET; THENCE EAST 800.00 FEET; THENCE SOUTH 67°40'17" EAST 908.09 FEET; THENCE SOUTH 400.00 FEET; THENCE SOUTH 43°47'32" EAST 939.25 FEET TO THE MOST EASTERLY CORNER OF PARCEL 'D' AS SHOWN ON SAID SUBDIVISION 5743 (256 M 1), SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF PARCEL 'A' AS SHOWN ON THE MAP OF SUBDIVISION 6705 FILED APRIL 23, 1986 IN BOOK 301 OF MAPS AT PAGE 1; THENCE ALONG THE EASTERLY BOUNDARY OF SAID PARCEL 'A' (301 M 1), SOUTH 1426.14 FEET; THENCE

LEAVING SAID EASTERLY BOUNDARY OF PARCEL 'A' (301 M 1). SOUTH 41°10'29" EAST 242.19 FEET; THENCE NORTH 83°27'44" EAST 845.80 FEET; THENCE NORTH 83°19'51" EAST 617.38 FEET; THENCE SOUTH 32°01'19" EAST 568.82 FEET TO AN ANGLE POINT ON THE NORTHERLY LINE OF PARCEL 'K' AS SHOWN ON THE MAP OF SUBDIVISION 6618 FILED APRIL 22, 1986, IN BOOK 300 OF MAPS AT PAGE 14; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 6618 (300 M 14), SOUTH 62°30'28" EAST 622.20 FEET; THENCE SOUTH 89°17'30" EAST 364.88 FEET; THENCE SOUTH 00° 42'30" WEST 3193.02 FEET TO THE SOUTHEAST CORNER OF LOT 96 AS SHOWN ON SAID SUBDIVISION 6618 (300 M 14), SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 148 AS SHOWN ON THE MAP OF SUBDIVISION 6585 FILED DECEMBER 23, 1985, IN BOOK 297 OF MAPS AT PAGE 16 (297 M 16); THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 6585 (297 M 16), SOUTH 0°42'30" WEST 1834.22 FEET; THENCE SOUTH 0°36'17" WEST 1282.22 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF CAMINO TASSAJARA; THENCE CONTINUING ALONG SAID EXTERIOR BOUNDARY OF SUBDIVISION 6585 (297 M 16) AND ALONG SAID NORTHERLY RIGHT OF WAY LINE OF CAMINO TASSAJARA WESTERLY ALONG THE ARC OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 2050.21 FEET THE CENTER OF WHICH BEARS SOUTH 6°32'16" WEST, THROUGH A CENTRAL ANGLE OF 5°13'17", A DISTANCE OF 186.84 FEET; THENCE TANGENT TO SAID CURVE, NORTH 88°41'01" WEST 920.24 FEET; THENCE SOUTH 89°22'23" WEST 149.71 FEET TO A POINT FROM WHICH A RADIAL LINE OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 2050.21 FEET BEARS SOUTH 02°43'00" EAST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°50'31" A DISTANCE OF 387.96 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 76°26'29" WEST 393.40 FEET; THENCE WESTERLY ALONG THE ARC OF A TANGENT CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 1950.21 FEET, THROUGH A CENTRAL ANGLE OF 17°29'33" A DISTANCE OF 595.40 FEET TO THE SOUTHWEST CORNER OF PARCEL 'A' AS SHOWN ON SAID SUBDIVISION 6585 (297 M 16); THENCE NON-TANGENT TO SAID CURVE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE OF CAMINO TASSAJARA, AND CONTINUING ALONG SAID EXTERIOR BOUNDARY OF SUBDIVISION 6585 (297 M 16), NORTH 0°48'15" EAST 1508.59 FEET TO THE SOUTHEAST CORNER OF PARCEL 'H' AS SHOWN ON THE MAP OF SUBDIVISION 6617 FILED FEBRUARY 27, 1986, IN BOOK 299 OF MAPS AT PAGE 8 (299 M 8); THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 6617 (299 M 8), NORTH 89°28'18° WEST 1285.61 FEET; THENCE NORTH 01° 05'38" EAST 1325.98 FEET TO AN ANGLE POINT IN SAID EXTERIOR BOUNDARY, SAID POINT ALSO BEING THE MOST EASTERLY CORNER OF LOT 102 AS SHOWN ON THE MAP OF SUBDIVISION 5645 FIRED AUGUST 19, 1981 IN BOOK 265 OF MAPS AT PAGE 27; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5645 (255 M 27), NORTH 88°53'38" WEST 1286.61 FEET TO AN ANGLE POINT IN PARCEL 'F' OF SAID SUBDIVISION 5645 (255 M 27); THENCE LEAVING THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5645 NORTH 87°17'11" WEST 48.47 FEET TO AN ANGLE POINT IN PARCEL 'F' OF SAID SUBDIVISION 5645 (255 M 27); THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5645 (255 M 27), NORTH 0°35'02" EAST 1111.07 FEET; THENCE NORTH 64°03'36" WEST 488.05 FEET; THENCE NORTH 89°33'44" WEST 1973.65 FEET TO THE SOUTHWEST CORNER OF LOT 140 OF SAID SUBDIVISION 5645 (255 M 27), SAID POINT ALSO BEING AN ANGLE POINT IN PARCEL 'A' AS SHOWN ON THE MAP OF SUBDIVISION 7086 FILED JULY 18,1988, IN BOOK 323 OF MAPS AT PAGE 28 (323 M 28); THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 7086 (323 M 28) NORTH 89°33'44" WEST 232.11 FEET; THENCE SOUTH 14°39'10" WEST 264.22 FEET TO THE MOST SOUTHERLY CORNER OF SAID SUBDIVISION 7086, SAID POINT ALSO BEING A POINT ON THE EASTERLY LINE OF PARCEL ' D' AS SHOWN ON THE MAP OF SUBDIVISION 5352 FILED FEBRUARY 14, 1979, IN BOOK 221 OF MAPS AT PAGE 25; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID PARCEL 'D' (221 M 25) SOUTH 14°39'09" WEST 522.37 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 'D';

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL 'D', NORTH 88°31'30" WEST 2475.19 FEET TO AN ANGLE POINT IN SAID SOUTHERLY BOUNDARY OF PARCEL 'D', SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARCEL 'B' AS SHOWN ON THE MAP OF SUBDIVISION 5435 FILED MARCH 7, 1979, IN BOOK 222 OF MAPS AT PAGE 37; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5435 (222 M 37), SOUTH 00°53'31" WEST 1916.06 FEET; THENCE SOUTH 88°42'23" WEST 549.81 FEET TO THE NORTHEAST CORNER OF SUBDIVISION 6586 FILED JULY 14, 1986, IN BOOK 304 OF MAPS AT PAGE 18 (304 M 18); THENCE ALONG THE EAST LINE OF SAID SUBDIVISION 6586 (304 M 18) SOUTH 00°53'03" WEST 1514.75 FEET TO THE SOUTHEAST CORNER OF PARCEL 'D' OF SAID SUBDIVISION 6586 (304 M 18), SAID POINT LYING ON THE NORTHERLY RIGHT OF WAY LINE OF CAMINO TASSAJARA; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, NORTH 81°12'00" WEST 506.45 FEET; THENCE WESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 2058.00 FEET, THROUGH A CENTRAL ANGLE OF 01°44'17", A DISTANCE OF 62.43 FEET; THENCE TANGENT TO SAID CURVE, NORTH 82°56'17" WEST 15.04 FEET; THENCE NORTH 81°14'16" WEST 818.50 FEET; THENCE LEAVING THE SAID NORTHERLY RIGHT OF WAY LINE OF CAMINO TASSAJARA AND ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 6586 (304 M 18) NORTH 81°14'16" WEST 179.99 FEET TO A POINT ON THE SOUTHERLY FINE OF PARCEL 'B' AS SHOWN ON THE MAP OF SUBDIVISION 6596 FILED AUGUST 22, 1985, IN BOOK 292 OF MAPS AT PAGE 32; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 'B', SAID LINE BEING ALSO THE NORTHERLY RIGHT OF WAY LINE OF CAMINO TASSAJARA, NORTH 81°14'16" WEST 532.79 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 'B'; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE OF CAMINO TASSAJARA, NORTH 00°36'48'· EAST 490.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 'B' (292 M 32), SAID POINT ALSO BEING THE SOUTHWEST CORNER OF PARCEL 'A' AS SHOWN ON THE MAP OF SUBDIVISION 6199 FILED OCTOBER 10, 1983, IN BOOK 273 OF MAPS AT PAGE 19 (273 M 19); THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 6199 (273 M 19), NORTH 00°36'48" EAST 655.96 FEET; THENCE NORTH 00°20'30" EAST 1172.01 FEET TO THE NORTHWEST CORNER OF PARCEL 'G' OF SAID SUBDIVISION 6199 (273 M 19), SAID POINT ALSO BEING THE NORTHWEST CORNER OF PARCEL 'H' AS SHOWN ON THE MAP OF SAID SUBDIVISION 5352 (221 M 25); THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF BLACKHAWK ROAD AS SHOWN ON SAID SUBDIVISION 5352 (221 M 25), NORTH 0°20'30" EAST 1509.94 FEET; THENCE NORTH 22°25'27" EAST 145.53 FEET; THENCE LEAVING SAID WESTERLY LINE OF BLACKHAWK ROAD, NORTH 22°25'27" EAST 491.68 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 3000.00 FEET, THROUGH A CENTRAL ANGLE OF 06°16'00" A DISTANCE OF 328.12 FEET; THENCE TANGENT TO SAID CURVE NORTH 16°09'27" EAST 126.88 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 2000.00 FEET, THROUGH A CENTRAL ANGLE OF 11°45'00", A DISTANCE OF 410.15 FEET; THENCE TANGENT TO SAID CURVE, NORTH 27°54'27" EAST 485.72 FEET; THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 34°31'15", A DISTANCE OF 301.25 FEET; THENCE TANGENT TO SAID CURVE NORTH 06°36'48" WEST 104.22 FEET; THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 1000.00 FEET, THROUGH A CENTRAL ANGLE OF 21°25'00" A DISTANCE OF 373.79 FEET; THENCE TANGENT TO SAID CURVE, NORTH 14°48'12" EAST 34.95 FEET; THENCE SOUTH 89°24'52" WEST 41.93 FEET TO THE SOUTHEAST CORNER OF PARCEL 'A' AS SHOWN ON THE MAP OF SUBDIVISION 5437 FILED JULY 26, 1979 IN BOOK 227 OF MAPS AT PAGE 1 (227 M 1); THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 'A' (227 M 1), SOUTH 89°24'52" WEST 757.48 FEET; THENCE SOUTH 89°24'19" WEST 1353.01 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 'A' SAID POINT ALSO BEING THE SOUTHEAST

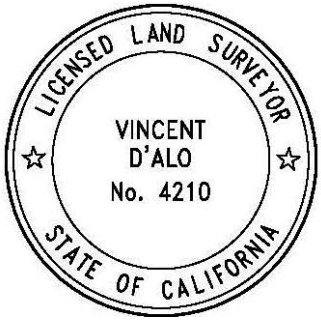
CORNER OF LOT 45 AS SHOWN ON THE MAP OF SUBDIVISION 5024 FILED JULY 12, 1978, IN BOOK 214 OF MAPS AT PAGE 8; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 5024 (214 M 8) SOUTH 89°24'19" WEST 1290.35 FEET; THENCE NORTH 00°26'21" EAST 2637.94 FEET; THENCE NORTH 00°15'58" EAST 763.58 FEET TO THE NORTHWESTERLY CORNER OF LOT 1 OF SAID SUBDIVISION 5024 (214 M 8); THENCE LEAVING SAID EXTERIOR BOUNDARY OF SUBDIVISION 5024, NORTH 09°43'58" EAST 60.74 FEET TO AN ANGLE POINT ON THE SOUTHERLY LINE OF THE AREA SHOWN AS "BLACKHAWK ROAD WIDENING" ON THE MAP OF SUBDIVISION 4963 FILED MARCH 21, 1977, IN BOOK 194 OF MAPS AT PAGE 30; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 4963 (194 M 30). NORTH 71°21'16" WEST 1153.00 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION 4963 (194 M 30), SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE AREA SHOWN AS "BLACKHAWK ROAD WIDENING" ON THE MAP OF SUBDIVISION 4878 TILED MARCH 21, 1977, IN BOOK 194 OF MAPS AT PAGE 1; THENCE ALONG THE EXTERIOR BOUNDARY OF SAID SUBDIVISION 4878 (194 M 1); NORTH 71°21'16" WEST 60.34 FEET; THENCE NORTH 69°14'36" WEST 400.45 FEET; THENCE NORTH 70°11'28" WEST 69.53 FEET; THENCE NORTH 70°11'57" WEST 988.66 FEET; THENCE NORTH 70°11'47" WEST 726.85 FEET: THENCE NORTH 73°58'43" WEST 958.37 FEET; THENCE NORTH 59°08'27" WEST 595.70 FEET; THENCE NORTH 58°14'10"WEST 682.10 FEET; THENCE NORTH 89°54'59" WEST 252.70 FEET; THENCE NORTH 07°12'53" EAST 166.82 FEET TO THE **POINT OF BEGINNING**.

THIS DESCRIPTION IS A COMPILATION OF THE VARIOUS ANNEXATIONS TO, DETACHMENTS FROM, AND CONSOLIDATIONS WITH THE BLACKHAWK GEOLOGIC HAZARD ABATMENT DISTRICT SINCE ITS FORMATION IN 1986, AND REPRESENTS THE CURRENT EXTERIOR LIMITS AS OF 2006.

FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

END OF DESCRIPTION

PREPARED BY:



VINCENT J. D'ALO
LS 4210

MAY 2, 2022
DATE

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1779 **Agenda Date:** 6/25/2024 **Agenda #:** C.104.

To: **Board of Directors**

From: California Tradewinds Geological Hazard Abatement District

Report Title: California Tradewinds GHAD Resolution No. 2024/01 (Annual Budget)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ADOPT California Tradewinds GHAD Resolution No. 2024/01 approving the GHAD budget for 2024/2025 fiscal year and updating GHAD General Manager payment limit under Consulting Services Agreement.

FISCAL IMPACT:

100% California Tradewinds Geological Hazard Abatement District Funds

BACKGROUND:

On June 1, 1997, the Contra Costa County Board of Supervisors adopted Resolution 97/297 approving the formation of the GHAD and appointed itself to serve as the GHAD Board of Directors.

The GHAD Board adopts a budget for the GHAD operations each fiscal year. The GHAD Board is being requested to adopt the fiscal year budget for 2024/2025 as prepared by the GHAD General Manager which is attached to Resolution No. 2024/01. The proposed fiscal year budget totals $25,030.

In addition, the GHAD Board is being requested to update the GHAD General Manager payment limits under the existing Consulting Services Agreement as required by that Agreement. The budget attached to Resolution No. 2024/01 identifies that limit at $11,930.

CONSEQUENCE OF NEGATIVE ACTION:

The GHAD will not be able to continue to operate starting July 1, 2024 if the budget is not approved.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF: Adopting 2024/2025 annual budget and updating GHAD General Manager payment limits under the existing consulting services agreement.

WHEREAS, on June 1, 1997, the Contra Costa County Board of Supervisors adopted Resolution 97/297 approving the formation of the California Tradewinds Geologic Hazard Abatement District ("GHAD") and appointed itself to serve as the GHAD Board of Directors.

WHEREAS, the GHAD Board of Directors desires to adopt the budget for the fiscal year 2023/2024 prepared by the GHAD Manager, Sands Construction Company, Inc., attached hereto as Exhibit A.

WHEREAS, on October 7, 2014, pursuant to Resolution No. 2014/02, the GHAD Board approved the consultant services agreement with Sands Construction Company, Inc. to act as General Manager for the GHAD. This agreement, in section 3, requires the GHAD Board to determine by resolution each fiscal year the payment limits for GHAD General Manager services. The budget attached in Exhibit A identifies this limit at $11,930.

WHEREAS, the GHAD Manager recommends that the GHAD Board review and approve the fiscal year budget for 2024/2025.

NOW, THEREFORE, BE IT RESOLVED

1. The GHAD Board approves the GHAD budget for the 2024/2025 fiscal year of $25,030 attached as Exhibit A and incorporated herein by this reference.

2. The GHAD Board adopts the payment limit for the GHAD General Manager services at $11,930 for fiscal year 2024/2025 as set forth in Exhibit A and incorporates this payment limit into the consulting services agreement.

3. The recitals are incorporated herein by this reference.

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

Exhibit A

CALIFORNIA TRADEWINDS
GEOLOGIC HAZARD ABATEMENT DISTRICT

Program Budget

FISCAL YEAR 2024-2025

APRIL 2024

May 3, 2024

CA Tradewinds GHAD Board of Directors
c/o Supervisor Federal D. Glover
190 E. 4th Street
Pittsburg, California 94565

SUBJECT: Program Budget for Fiscal Year 2024-2025
CA Tradewinds Geologic Hazard Abatement District

Dear Board Members:

Attached please find the proposed program budget for the California Tradewinds Geologic Hazard Abatement District ("CA Tradewinds GHAD", "GHAD" or "District") for fiscal year 2024-2025. The proposed fiscal year budget totals $25,030, which projects a $798 surplus. At the time of this publication, it is expected that the fund balance on June 30, 2024, will be approximately $19,410. A fund balance of $20,208 is projected for June 30, 2025.

There are four major budget categories, their respective budget expenses break down as follows:

Major Projects	0 percent
Preventive Maintenance and Operations	26 percent
Special Projects	12 percent
Administration, Legal, Accounting	62 percent

BACKGROUND:

On June 1, 1997, the Contra Costa Board County of Supervisors adopted Resolution 97/297 approving the formation of the California Tradewinds Geologic Hazard Abatement District (CA Tradewinds GHAD), located in the hills of Bay Point within the jurisdiction of Contra Costa County. The CA Tradewinds GHAD was formed pursuant to State Public Resources Code § 26500 et seq. The Board of Supervisors at that time appointed itself as the Board of Directors of the CA Tradewinds GHAD.

Resolutions 98/194 adopted on April 21, 1998, by the Board of Supervisors, acting as the CA Tradewinds GHAD Board, confirmed the assessments for the district and ordered the collection

of the amounts called for in the Assessment Report. The initial fiscal year for the CA Tradewinds GHAD was established as 1998-1999.

A 17-lot subdivision also completed in Bay Point known as Savana Seabreeze II was annexed in 2008 to the CA Tradewinds GHAD. The Final Map was filed in 2013. Assessments are currently assessed on all the planned 19 parcels. Pursuant to the Plan of Control provisions[1] maintenance responsibilities have been provided by the Savona developer. In late October of 2016 the developer, DeNova Homes, applied to begin the transfer process pursuant to the Plan of Control[2]. Transfer of maintenance responsibilities was completed on February 6, 2021.

As a percentage of the budget, this year the Major Projects Program is not anticipating a Major Project and therefore funds have not been allotted in advance of this program.

The Preventive Maintenance Program will focus on efforts to complete asset site restorations. The program will pursue analysis and upgrades to instrument and asset sites and the associated data collection to ensure all predictive features of these instrumentation sites are fully realized. Specifically, we will continue to address in-field data collection identifying and responding the following program elements - Concrete Interceptor Ditch Systems (Repair and Replace Program); and the Soil Debris Bench/Bio swale (Maintenance Program).

The Operations Program will continue its existing monitoring profile through this period, and we are currently beginning a study of accumulated empirical data from monitoring assets to further expose any notable trending that might occur over significant periods of time, thereby reducing risk exposure. Currently, the National Oceanic and Atmospheric Administration (NOAA) predicts La Niña neutral conditions in the Southern Oscillation; however, early probability forecasts have often changed throughout the summer months.

The Special Projects Program will be directed, in part, to analyzing the Plan of Control and other essential documents that establish and direct the CA Tradewinds GHAD. Preliminary review will be initiated to assess the need to conduct a formal Reserve Study, which would serve to test, identify weaknesses, and expose any necessary adjustments to the criteria or methodologies utilized in the program and anticipate revenue and reserve demands. Additional studies may include assessing the feasibility of integrating a Geographic Information System (GIS) into the CA Tradewinds program.

This budget anticipates continued strengthening and building efficiencies within the Administration Program. General legal counsel will continue to be provided by the CA Tradewinds GHAD Board appointed attorney, Patricia Curtin of Fennemore, Wendel, LLP.

As managers, we continually monitor and anticipate significant short-term and long-term financial impacts on GHAD reserves and compare such impacts with our ongoing 40-year

[1] First Amendment to California Tradewinds Geologic Hazard Abatement District – Dated 10/07/2007: Revised 8/08/2008 – Exhibit C (3)
[2] First Amendment to California Tradewinds Geologic Hazard Abatement District – Dated 10/07/2007: Revised 8/08/2008 – Exhibit C (5)

reserve study. Our ability to maintain reserves will provide assurance of our capability to continue services in the future.

A summary of the expenses is shown on Table 1, pages 4 through 6, followed by brief descriptions of each of the budget items on pages 7 through 12.

Respectfully yours,

CA Tradewinds Geologic Hazard Abatement District



Michael D. Sands
Sands Construction Company, Inc.
General Manager

Distribution list:

CA Tradewinds GHAD Board of Directors:

Supervisor John M. Gioia
11780 San Pablo Avenue, Suite D
El Cerrito, CA 94530

Supervisor Candace Andersen
309 Diablo Road
Danville, CA 94526

Supervisor Diane Burgis
3361 Walnut Boulevard, Suite 140
Brentwood, CA 94513

Supervisor Ken Carlson
2151 Salvio Street, Suite R
Concord, CA 94520

Supervisor Federal D. Glover (Board Chair)
190 E. 4th Street
Pittsburg, CA 94565

GHAD Attorney:

Patricia Curtin, Esq. (CA Tradewinds GHAD Attorney)
Fennemore, Wendel, LLP
1850 Mt. Diablo Boulevard Suite 340
Walnut Creek, CA 94596

GHAD Treasurer:

Laffer Tengler Investments
Nancy Tengler CEO
6710 N Scottsdale Rd., Suite 130
Scottsdale, AZ 85253

CA Tradewinds Geologic Hazard Abatement District
Program Budget
Fiscal Year 2024/2025

The following proposed line-item program budget (Table 1) summarizes the anticipated expenditures for fiscal year 2024-2025 for the CA Tradewinds Geologic Hazard Abatement District ("CA Tradewinds GHAD", "GHAD" or "District"). Through an ongoing assessment, the manager evaluates and addresses geologic risk through the implementation of an annual program budget consisting of four major categories. Preceding Table 1, and directly below, is a general overview description of the four major program elements within the budget.

Major Projects Program

The annual Major Projects Program includes, landslide repair projects, drainage improvement projects and capital improvement projects necessary to either control, mitigate, or prevent landslide activity. Other large program responses necessary to implement the Plan of Control, including specific purpose studies and investigations, may also be included in the Major Projects Program.

Generally, for consideration of inclusion into the Major Projects Program, a project or study would represent a level of complexity requiring plans, specifications, and comprehensive engineering analysis including modeling and research, or a project with a protracted scope such as those requiring multiple regulatory agency approvals. Most Major Projects have a projected cost that exceeds $10,000.

Historically, a Major Projects Program has been comprised of significant landslide repair projects and other responsive large projects; at other times, it has included programmatic studies and investigations useful in generating proactive responses. This diversity of projects demonstrates the importance of a flexible Major Projects Program structure that adapts between responsive and proactive needs and capabilities to manage the dynamic nature of larger scale geologic events.

Preventive Maintenance and Operations Program

The annual Preventive Maintenance and Operations Program includes all minor repairs, cleanup, maintenance, monitoring and replacement of drainage structures and other assets that degrade over a serviceable life. The goal of preventive maintenance is to keep assets in operational condition and identify potential slope stability risks before they manifest, allowing measures to be taken to either prevent, or mitigate the impact of these hazards as defined in the CA Tradewinds GHAD Plan of Control.

Typical CA Tradewinds GHAD assets include concrete lined ditches, subdrainage systems, groundwater measuring instrumentation, slope inclinometers and moisture gauges, and slope debris catchment features.

The Preventive Maintenance Program also includes preparations for emergency response, winterization measures including erosion protection and slope stabilization supplies, and instrument maintenance.

The Operations Program is primarily populated with scheduled instrument monitoring events. Data from these instruments are evaluated to establish risk and trends to avert landslide activity. In addition to the instrumentation monitoring program, the Operations Program contains the Incident Response and Community Relations Program, which incorporates comprehensive first response capabilities, and fosters community incident interaction.

Special Projects

The CA Tradewinds GHAD pursues ongoing and new activities identified as "Special Projects." Special Projects include activities requested by the Board such as the Communications Program, or projects and studies designed to improve the District's operational effectiveness and insure financial solvency. Special Projects also include utilizing new technologies to increase the efficiencies of the day-to-day operations.

Administration

Administrative expenses are required to operate the CA Tradewinds GHAD and implement projects. Administrative expenses include personnel and consultants to manage the operations including, the General Manager, Administrative Manager, Construction Services Manager, certain clerical and accounting staff, consultants, and legal support.

General Manager Program Budget FY24/25 $ 17,000.00

The scope of services for the General Manager includes, managing the day-to-day operations through implementation of the necessary financial recordkeeping and reporting; updating and maintaining governing documents, such as the Plan of Control; and managing and updating administrative tools such as the Reserve Study, Communications Plan, Work Program and Monthly Incident Log. The General Manager Consulting Services Agreement provides for certain administrative positions including, but not limited to; a General Manager, an Administrative Manager, a Construction Services Manager and a Network Administrator as well as overhead costs, such as office space rent, office supplies and postage.

With respect to the Operations of the CA Tradewinds GHAD, the scope of services for Operations includes, implementing the Major Projects and Preventive Maintenance Programs through forecasting work schedules and priorities, preparing Requests for Proposals, and managing maintenance and repair operations within the Major Projects and Preventive Maintenance Programs. These services include project management and construction management and preparing for and responding to emergency incidents.

The General Manager will retain the necessary professionals, including without limitation, engineers, accounting professionals, and vendors to facilitate the operations of the CA Tradewinds GHAD. The General Manager Consulting Services Agreement, and associated budget, allows for the conditional use of subcontractors such as administrative sub-consultants and engineering or construction sub-consultants, within the payment limits of the Consulting Services Agreement.

A summary of the proposed Fiscal Year 2024-2025 Budget is presented in Table 1 on the following pages.

Table 1 – Summary of Fiscal Year 2024/2025 Budget

Budget Item	Budget Amount	% of Total Budget
Major Projects		
	$ -	
No Scheduled Major Projects	$ -	
	$ -	
Total Major Projects	**$ -**	**0%**

Preventive Maintenance/Operations		
Preventive Maintenance		
Drainage	$ -	
Storm Drain Facilities	$ 1,000	
B-58 Concrete Lined Ditches	$ -	
Maintenance/Cleaning/Mapping	$ 2,000	
Repair and replace	$ -	
Subdrain Systems	$ -	
Horizontal Drains	$ -	
Subdrain Outlets/Pumps	$ -	
Piezometers	$ -	
Settlement Monitors	$ -	
Retention Basins	$ 1,000	
Minor Repairs	$ -	
Winterization	$ -	
Emergency Response	$ 1,500	
Debris Benches	$ -	
Subtotal	**$ 5,500**	
Operations		
Piezometer Monitoring	$ -	
Horizontal Drain Monitoring	$ -	
Subdrain Monitoring	$ 1,000	
Settlement Monitoring	$ -	
Incident Response/Community Relations	$ -	
Subtotal	**$ 1,000**	
Total Preventive Maintenance/Operations	**$ 6,500**	**26%**

Special Projects			
Plan of Control	$	800	
Reserve Study	$	500	
Special Studies	$	-	
Information Technology/Content Management	$	1,000	
Geographic Information Systems	$	-	
Accounting Systems Upgrade	$	-	
Procedures Manual	$	-	
Communications Program	$	-	
CA Association of GHADs - Membership/Insurance	$	800	
Total Special Projects	**$**	**3,100**	**12%**

Administration			
Legal Fees	$	-	
General Counsel	$	2,000	
Special Counsel	$	-	
Litigation/Legal Concerns	$	-	
Assessment Roll Update	$	1,500	
Administrative Support			
Staffing/Administrative Support	$	8,000	
Accounting/Financial Services	$	3,100	
Training/Education	$	-	
Office - Rent/Supplies/Equipment/Lease	$	830	
Total Administration	**$**	**15,430**	**62%**

TOTAL PROPOSED BUDGET FY2024/2025	**$**	**25,030**	**100%**

Available Funds		
Estimated Beginning Fund Balance - July 1, 2024*		$ 19,410
Estimated Property Owner Assessments		$ 25,828
CA Tradewinds	$320.87**	
Seabreeze II	$669.62**	
Estimated Interest on Investments/Change in Value		$ -
Other Income		$ -
Total Available Funds		**$ 45,238**
Use of Funds		
Major Projects		$ -
Preventive Maintenance		$ 6,500
Special Projects		$ 3,100
Administrative		$ 15,430
Total Use of Funds		**$ 25,030**
Estimated Reserve Available/Ending Fund Balance June 30, 2025		**$ 20,208**

*Including estimated true-up revenue payment (June 2024) of $1,244.13; Projected Fund Balance date of publication
**Estimates based on USBLS April 2024 CPI San Francisco, Oakland, Hayward Area

DESCRIPTION OF BUDGET ITEMS

Major Projects

No Anticipated Major Projects

Preventive Maintenance and Operations

Preventive Maintenance

Preventive maintenance generally consists of those measures taken to prevent an incident or landslide event including, asset maintenance, drainage structures, instrument sites and winterization measures. Operations include ongoing monitoring programs and responses to community requests. Details of the proposed budget for each of these categories are listed below.

Storm Drain Facilities (Major Repairs)

In addition to other drainage systems such as Concrete Interceptor Ditches, Subdrains, and other surface and subsurface drainage systems, the CA Tradewinds GHAD maintains an inventory of concrete drainage structures that from time to time need refurbishment or repairs. A budget has been established to inspect these facilities and make any necessary repairs, not covered within the established *"B-58 Drain Systems – Repair and Replacement Program*" scope. No planned work on this project.

Estimated Cost $1,000

B-58 Drain Systems/Bio-swales

Maintenance – Allows for one major annual cleaning and mapping. In addition, District staff periodically walks the B-58 systems and Bio-swales to get a first-hand account of the current conditions and project serviceable life. This information, along with other empirical data, is typically utilized in Reserve Study updates. With the extreme weather conditions last year and the related soil and vegetation load impacting the network of B-58 systems, we have anticipated and allowed for a greater effort to maintain proper drainage for these facilities over the fiscal year.

Estimated Cost $2,000

Repair and Replacement **–** A detailed assessment will be performed to establish the existing condition of the B-58 Concrete ditches throughout the district. This assessment will serve to establish a baseline for needed repairs and/or assessments as to the remaining serviceable life of these assets to be utilized in reserve study criteria. No planned work on this project.

Estimated Cost $0

Retention Basins

There is one retention basin within the district boundaries. This retention basin requires annual improvements and de-silting efforts. In FY17/18 improvements were made to the retention basin and limited cleaning and monitoring of performance is anticipated for FY23/24.

Estimated Cost $1,000

Subdrain Systems

Subdrain systems must be monitored, and maintenance provided to ensure the systems have not been damaged or impeded. No planned work on this project.

Estimated Cost $0

Horizontal Drains

There are no Horizontal Drains currently within the district.

Estimated Cost $0

Sub-drain Outlets

The CA Tradewinds GHAD is currently conducting efforts to identify, locate and make determinations about the effectiveness of the network of subdrains throughout the District. It is anticipated that on-site restoration work may be necessary at some sites. This additional work has been incorporated into this budget item.

Estimated Cost $0

Piezometers

There are no known piezometers currently within the district.

Estimated Cost $0

Settlement Monitors

There are no known inclinometers currently within the district.

Estimated Cost $0

Minor Repairs

No anticipated Minor Repairs

Estimated Cost $0

Winterization

The District provides an annual budget for procuring and storing an inventory of winterization materials and to provide for the costs of site installation. The district will procure materials as needed.

Estimated Cost $0

Emergency Response

During the winter rainy season, the CA Tradewinds GHAD prepares for and may respond to a range of urgent, active, or threatening landslides as well as drainage issues where property damage is threatened. These incidents typically involve mud or debris flows, plugged storm drains at the base of slopes or flooded properties due to the overflow of runoff from plugged or damaged facilities. In severe cases these responses can require the initiation of temporary slope stabilization measures in preparation for a major repair.

Estimated Cost $1,500

Debris Benches/Impact Walls/Bio-swales

Earthen debris benches exist throughout the district. It is essential that these facilities are inspected to ensure capacities and drainage have not been compromised. Annual inspections are made, and periodic debris removal plans are initiated. This year's budget allows for geotechnical evaluations and the periodic removal of accumulated debris from several of those benches identified during the study and routine monitoring events.

Estimated Cost $0

Operations

An inventory of on-site instrumentation including piezometers, inclinometers, horizontal drains, sub-drains and settlement monuments are monitored periodically throughout the year as a preventative measure.

Monitoring sites can be established for a variety of uses. Often completed repair sites require monitoring to confirm that the slope has been stabilized. Other sites have been utilized to indicate signs of unstable conditions developing and have been instrumental in determining slope conditions prior to the activation of a landslide.

Through the use of collected data such as groundwater depth, magnitude of slope movement, depth of movement and ground surface movement, the District has been able to arrest slope movement in advance of an incipient failure.

Throughout the year, the District receives incident response or assistance calls from property owners regarding slope stability or drainage issues. Community relations, including incident responses through the annual Operations Program has been institutionalized as a role of CA Tradewinds GHAD management. All incidents are recorded and move through the district response mechanisms as is appropriate and consistent with the CA Tradewinds GHAD Plan of Control.

The CA Tradewinds GHAD Manager receives updates in long-range weather and oceanic temperature changes through the National Oceanic and Atmospheric Administration (NOAA) and other scientific and atmospheric agencies that track data and produce probabilistic assessments on the likelihood of a recurrence of El Niño conditions.

Estimated Cost $1,000

Special Projects

During fiscal year 2024/2025, the District will continue with special projects. Brief descriptions of the special projects are presented in Table 1 and further described below:

Plan of Control

It is anticipated that an evaluation and assessment of the current Plan of Control for the CA Tradewinds GHAD will be pursued to confirm operational compliance. Project costs will be applied to General Administration.

Estimated Cost $800

Reserve Study Assessment

A reserve study functions as a pro-forma analysis of the financial needs of the CA Tradewinds GHAD. It serves as a tool to calculate the annual contribution required by the district to build and maintain sufficient funds for emergencies and capital replacement programs based on past weather patterns, landslide repair costs, and general attrition. As a result of severe winters, draws will likely be necessary in the future on the reserve fund. Work is planned to evaluate and complete an analysis of the fund health and methodologies. This analysis will be used in establishing a pro-forma plan and provide instruction to CA Tradewinds GHAD management as to the necessary reserve demands over time. Project analysis costs will be applied to General Administration.

Estimated Cost $500

Special Studies

The CA Tradewinds GHAD intends to continue targeted studies in the areas of fiscal policy and geologic risk. The CA Tradewinds GHAD, now in its 26th year, has the unique opportunity to address many of the issues surrounding long-term viability and sustainability, within changing environment and financial conditions. Using empirical data, we can assess potentially increasing financial loads and geologic risks that may accompany the maturation process of this district. We are confident that these studies have produced and will continue to produce beneficial results. No planned work on this project.

Estimated Cost $0

Information Systems and Technology

The CA Tradewinds GHAD will consider integrating a GIS system to include all of the GHAD's data collection and monitoring operations. The record and tool that this system offers facilitates the General Manager's ability to locate past repairs and assist in a variety of risk assessments within the District.

Estimated Cost $1,000

Accounting System Upgrade

Periodic upgrades are necessary to enhance accounting system capabilities. The CA Tradewinds GHAD utilizes expense accounting software to assist in reporting and the day-to-day operation of the District. Continued accounting systems enhancements will be implemented allowing more data entry streamlining, enhanced reporting, and quality control assurance procedures, augmenting the current systems. Project costs will be applied to General Administration. No planned work on this project.

Estimated Cost $0

Tax Assessment Calculation

Each year an assessment calculation is conducted to identify and determine all qualified parcels within the district to receive assessments for CA Tradewinds GHAD services. Typically, the GHAD Manager will contract these assessments to a firm that specializes in these services. Historically, the CA Tradewinds GHAD has provided this information through its contracted consultant to the County Assessor's Office as required.

Estimated Cost $1,500

Communications Plan

The CA Tradewinds GHAD maintains a communications plan designed to keep constituents current on CA Tradewinds GHAD operations and developments. The plan addresses several venues and mediums used to disseminate information within this district, and to other concerned parties, and to establish clear and accessible channels for community interaction. The CA Tradewinds GHAD intends to implement a web page for public information and a multi-page informational brochure to be available to interested Homeowner Associations (HOA) and stakeholders that describes the CA Tradewinds GHAD and its responsibilities and limitations. Additionally, the General Manager is available to write periodic articles for the HOA newsletter. No planned work on this project.

Estimated Cost $0

Outreach/Legislative Review
California Association of GHADs (CAGHADs) Membership/Insurance

The proliferation of new GHADs within California has resulted in new legislation and adopted procedures. The CA Tradewinds GHAD Manager, in association with others, shares information and knowledge through a consortium of GHAD managers known as the California Association of GHADs (CAGHADs). The CAGHAD has recently obtained General Liability policies for its member GHADs. Policy premium costs for the CA Tradewinds GHAD are approximately $500.[3]. Additionally, the CA Tradewinds GHAD manager participates in the

[3] A more comprehensive policy has been proposed but not approved to date with a modest premium increase.

CAGHADs as the organization pursues other financial instruments that may provide the CA Tradewinds GHAD additional options for extraordinary financial demand and planning. In 2016 the CAGHAD Board adopted a new fee schedule reducing the annual GHAD fees for membership by 50%.

Estimated Cost $800

Administration

The administration of the CA Tradewinds GHAD includes all costs associated with legal support, office expenses, staffing, and accounting. Brief descriptions are presented below.

Legal

General Counsel – CA Tradewinds GHAD management must interact regularly with CA Tradewinds GHAD Counsel. The day-to-day operations of the CA Tradewinds GHAD present myriad opportunities and issues to work directly with GHAD counsel, in the areas of contracts, agreements, issues or new business to present to the Board, legislation, property owner issues, etc.

Estimated Cost $2,000

Special Counsel – Typically Special Counsel consists of legal representation in the event of legal issues that might arise. Currently there are no legal issues involving litigation. No planned work on this project.

Estimated Cost $0

Staffing/Administrative Support

The CA Tradewinds GHAD staff includes the General Manager, an Operations Manager, an Administration Manager and frequently other support staff and consulting professionals. The General Manager administers all CA Tradewinds GHAD day-to-day operations, including financial budgeting and communications regarding its activities. The Operations Manager, among other tasks, administers the Major Projects and Preventive Maintenance Programs and associated work schedules, consulting and construction contracts, and documents. The administrative staff is responsible for accounting/bookkeeping, contract administration, clerical, and construction management support. Additional management staff costs are also applied to specific projects as appropriate. Authorized business expenses such as rent, office supplies and leases are included in Staffing.

Estimated Cost $11,930

File #: 24-1780 **Agenda Date:** 6/25/2024 **Agenda #:** C.105.

To: **Board of Directors**

From: Canyon Lakes Geological Hazard Abatement District

Report Title: Canyon Lakes GHAD Resolution No. 2024/01 Adopting Annual Budget; and Acknowledging Notice of Minor Revision to Plan of Control

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ADOPT Canyon Lakes GHAD Resolution No. 2024/01 approving the GHAD budget for 2024/2025 fiscal year with an update to the GHAD General Manager payment limit; and
ACKNOWLEDGE NOTICE of minor revision to Plan of Control (Third Amendment).

FISCAL IMPACT:

100% Canyon Lakes Geological Hazard Abatement District Funds

BACKGROUND:

On June 4, 1985, the Contra Costa County Board of Supervisors adopted Resolution 85/289 approving the formation of the GHAD and appointed itself to serve as the GHAD Board of Directors.

1. Fiscal Year 2024/2025 Annual Budget

The GHAD Board adopts a budget for the GHAD operations each fiscal year. The GHAD Board is being requested to adopt the fiscal year budget for 2024/2025 as prepared by the GHAD Manager which is attached to Resolution No. 2024/01. The proposed fiscal budget totals
$754,000 (attached as Exhibit A).

In addition, the GHAD Board is being requested to update the GHAD Manager payment limit under the existing Consulting Services Agreement as required by that Agreement. The budget attached to Resolution No. 2024/01 identifies that limit at $390,000 for both general and operational manager services.

2. Notice of Minor Revision to Plan of Control

All GHADs are required by GHAD Law (Pub. Res. Code § 26500 et seq) to have a plan of control to govern GHAD activities. Since its inception, the GHAD has had a plan of control, and the latest version (Second

Amendment) was adopted by the GHAD Board on June 21, 2022 pursuant to Resolution No. 2022/01 ("Plan of Control").

Section XI of the Plan of Control permits the General Manager to review the Plan periodically to determine if updates or revisions are needed. Minor updates and revisions can be made by the GHAD Manager without obtaining prior approval of the GHAD Board but notice of the changes must be provided to the Board.

GHAD Manager revised Section IX.B REIMBURSEMENT POLICIES and Section X RECONSIDERATION AND APPEAL POLICY to provide an expedited method in making decisions on a property owner request for reimbursement to improvements damaged or destroyed by a qualified geologic hazard. The revision also clarifies that the definition of a "property owner" includes a private landowner, homeowners association, and the Canyon Lakes Golf Course (combined Sections IX.B1 and 2, and added Section III DEFINITION of "property owner") and listed the definitions in alphabetic order. The revisions are shown on the attached as a redline to the earlier version of the Plan of Control (Exhibit B.)

CONSEQUENCE OF NEGATIVE ACTION:

The GHAD will not be able to continue to operate starting July 1, 2024 if the budget is not approved.

IN THE MATTER OF Adopting 2024/2025 Annual Budget and Updating GHAD Manager Payment Limits under the Consulting Services Agreement

WHEREAS, on June 4, 1985, the Contra Costa County Board of Supervisors adopted Resolution 85/289 approving the formation of the Canyon Lakes Geologic Hazard Abatement District ("GHAD") and appointed itself to serve as the GHAD Board of Directors (“GHAD Board”).

WHEREAS, the GHAD Board of Directors desires to adopt the budget for the fiscal year 2024/2025 prepared by the GHAD Manager, Sands Construction Company, Inc., attached hereto as Exhibit A.

WHEREAS, on June 13, 2023, pursuant to Resolution No. 2023/02, the GHAD Board approved and updated the consultant services agreement with Sands Construction Company, Inc. to act as Manager for the GHAD. That agreement, in section 3, requires the GHAD Board to determine by resolution each fiscal year the payment limits for GHAD Manager services. The budget attached in Exhibit A identifies this limit at $695,000 for both general and operation manager services.

WHEREAS, the GHAD General Manager recommends that the GHAD Board review and approve the fiscal year budget for 2024/2025.

NOW, THEREFORE, BE IT RESOLVED

1. The GHAD Board approves the GHAD budget for the 2024/2025 fiscal year of $754,000 attached as Attachment 1 and incorporated herein by this reference.

2. The GHAD Board adopts the payment limit for the GHAD General Manager services at $390,000 for fiscal year 2024/2025 as set forth in Exhibit A and incorporates this payment limit into the consulting services agreement.

3. The recitals are incorporated herein by this reference.

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

Exhibit A

CANYON LAKES
GEOLOGIC HAZARD ABATEMENT DISTRICT

Program Budget

FISCAL YEAR 2024-2025

APRIL 2024

CANYON LAKES
GEOLOGIC HAZARD ABATEMENT DISTRICT

May 3, 2024

Canyon Lakes GHAD Board of Directors
c/o Supervisor Candace Andersen
309 Diablo Road
Danville, California 94526

SUBJECT: Program Budget for Fiscal Year 2024-2025
Canyon Lakes Geologic Hazard Abatement District

Dear Board Members:

Attached please find the proposed program budget for the Canyon Lakes Geologic Hazard Abatement District ("Canyon Lakes GHAD", "GHAD" or "District") for fiscal year 2024-2025. The proposed fiscal year budget totals $754,000, which projects a $190,958 surplus and contribution to the reserve fund. At the time of this publication, it is expected that the fund balance on June 30, 2024, will be approximately $6,632,687. A fund balance of $6,823,645 is projected for June 30, 2025.

There are four major budget categories, their respective budget expenses breakdown as follows:

Major Repair	20 percent
Preventive Maintenance and Operations	33 percent
Special Projects	20 percent
Administration	27 percent

Following the extraordinary rains of 2022-2023 and completion of a scheduled district-wide Major Projects program to restore subsurface drainage systems throughout the district, GHAD increased instrument monitoring protocol and will proceed with a first phase of a robust targeted groundwater study. District site data collected during the rain events and subsequently will provide a greater understanding of groundwater regimes after extraordinary weather events. During FY23/24, a major program workflow was initiated to address other GHAD assets and instrumentation systems (i.e.: Piezometers, Inclinometers, Debris Benches, etc.). Data has shown that these analyses and site maintenance efforts assist in recognizing any associated risk and further a greater understanding of latent slope stability impacts due to elevated subsurface water regimes after extraordinary rain events.

The Preventive Maintenance Program will focus on continued efforts to maintain asset site restorations district wide. We will continue to upgrade and analyze these sites and the associated data collection to ensure all predictive features of these instrumentation and asset sites are fully

realized. Specifically, we will continue to target the following program elements - Concrete Interceptor Ditch Systems (Repair and Replace Program); the Horizontal Drains (Site Maintenance Program, and a District wide cleaning program); the Piezometers (Site Maintenance Program), and the Soil Debris Bench (Maintenance Program). The Operations Program will continue its existing monitoring profile through this period, with the exception of study areas where more frequent site data collection may be beneficial to the study.

Within the Special Projects Program, Amendment 2 to the Plan of Control was ratified by the Canyon Lakes Board through Resolution 2022/01, which clarifies the independent role of the GHAD and strengthens those areas of the plan that define the scope of the district's responsibilities and practices. It is anticipated that the GHAD will pursue additional studies in the areas of Fiscal Policy and geologic risk analyses. Approximately 19% of the annual budget has been established for the Special Projects Program. We continue to work to preserve our open communication profile with district constituents and stakeholders within the Canyon Lakes community, by implementing a new user-friendly website that will allow constituents to post incidents or concerns directly to the website, therefore expediting a response to their concerns and informing the GHAD about the important particulars and characteristics of the incident. The site will be launched in early fiscal year 2024-2025.

This budget anticipates continued strengthening and building efficiencies within the Administration Program, by developing and implementing an advanced Information Technology (IT) system; upgraded Geographic Information System (GIS), and Content Management System (CMS). As managers, we continually monitor and project significant short-term and long-term financial impacts on GHAD reserves and compare such impacts with our 40-year reserve study. General legal counsel will continue to be provided by the Canyon Lakes GHAD Board appointed attorney, Patricia Curtin of Fennemore, Rosen, LLP.

A summary of the expenses is shown on Table 1, pages 4 though 6, followed by brief descriptions of each of the budget items on pages 7 through 15.

Respectfully yours,

Canyon Lakes Geologic Hazard Abatement District

Michael D. Sands
Sands Construction Company, Inc.
General Manager

Distribution list:

Canyon Lakes GHAD Board of Directors:

Supervisor John M. Gioia
11780 San Pablo Avenue, Suite D
El Cerrito, CA 94530

Supervisor Candace Andersen
309 Diablo Road
Danville, CA 94526

Supervisor Diane Burgis
3361 Walnut Boulevard, Suite 140
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Supervisor Ken Carlson
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Concord, CA 94520

Supervisor Federal D. Glover (Board Chair)
190 E. 4th Street
Pittsburg, CA 94565

GHAD Attorney:

Patricia Curtin, Esq. (Canyon Lakes GHAD Attorney)
Fennemore, Wendel, LLP
1850 Mt. Diablo Boulevard, Suite 340
Walnut Creek, CA 94596

GHAD Treasurer:

Laffer Tengler Investments
Nancy Tengler, CEO
6710 N Scottsdale Rd., Suite 130
Scottsdale, AZ 85253

Upon Execution: The management will post approved Budget at www.canyonlakesghad.com

Canyon Crest Homeowners Association
c/o Association Management Company, Inc.
P.O. Box 503
Pleasanton, CA 94566
(925) 462-2138 ext. 102
Attention: Ms. Tani Cligny

Canyon Green Homeowners Association
Fleur DuMont Homeowners Association
Canyon View Homeowners Association
c/o Homeowner Association Services
2266 Camino Ramon
San Ramon, CA 94583
(925) 830-4848
Attention: Tom Bantz and Brian Ritter

Canyon Owners' Association
c/o Howe Association Management, Inc.
485 Hartz Avenue, Suite 100
Danville, CA 94526
(925) 837-2805 ext. 1#
Attention: Jackie Howe

Canyon Woods Homeowners Association
c/o Christison Company
3090 Independence Drive
Livermore, CA 94551-9469
(925) 371-5710
Attention: Elizabeth Ramirez

Echo Ridge Homeowners Association
The Lake at Canyon Lakes Homeowners Association
c/o Common Interest Management Services
315 Diablo Road, Suite 221
Danville, CA 94526
(925) 743-3080 ext. 235
Attention: Janice Schock and Melanie Malik

Golden View Elementary School
Nancy White, Principal
5025 Canyon Crest Drive
San Ramon, CA 94583
(925) 735-0555

San Ramon Regional Center
Gary Sloan, CEO
6001 Norris Canyon Road
San Ramon, CA 94583
(925) 275-9200

Vista Pointe Canyon Lakes Owners Assoc
c/o M & C Association Management
4305 Hacienda Drive, Suite 180
Pleasanton, CA 94588
Pleasanton, CA 94588
Attention: Adrian Breato

Canyon Lakes Geologic Hazard Abatement District
Program Budget
Fiscal Year 2024/2025

The following proposed line-item program budget (Table 1) summarizes the anticipated expenditures for fiscal year 2024/2025 for the Canyon Lakes Geologic Hazard Abatement District ("Canyon Lakes GHAD", "GHAD" or "District"). Through an ongoing assessment, the GHAD manager evaluates and addresses geologic risk through the implementation of an annual program budget consisting of four major categories. Preceding Table 1, and directly below, please see a general overview description of the four major program elements within the budget.

Major Projects Program

The annual Major Projects Program includes landslide repair projects, drainage improvement projects and capital improvement projects necessary to either control, mitigate, or prevent landslide activity. Other large program responses necessary to implement the Plan of Control, including specific purpose studies and investigations, may also be included in the Major Projects Program.

Generally, for consideration of inclusion into the Major Projects Program, a project or study would represent a level of complexity requiring plans, specifications, and comprehensive engineering analysis including modeling and research or a project with a protracted scope such as those requiring multiple regulatory agency approvals. Most Major Projects have a projected cost that exceeds $50,000.

Historically, the Major Projects Program has been comprised of significant landslide repair projects and other responsive large projects; at other times, it has included programmatic studies and investigations useful in generating proactive responses. This diversity of projects demonstrates the importance of a flexible Major Projects Program structure that adapts between responsive and proactive needs and capabilities to manage the dynamic nature of larger scale geologic events.

Preventive Maintenance and Operations

The annual Preventive Maintenance and Operations Program includes all minor repairs, cleanup, maintenance, monitoring, and replacement of drainage structures and other assets that degrade over a serviceable life. The goal of preventive maintenance is to keep the assets in operational condition and identify potential slope stability risks before they manifest, allowing measures to be taken to either prevent, or mitigate the impact of these hazards as defined in the Canyon Lakes GHAD Plan of Control.

Typical Canyon Lakes GHAD assets include, concrete lined ditches, subdrainage systems, groundwater measuring instrumentation, slope inclinometers and moisture gauges, and slope debris catchment facilities.

The Preventive Maintenance Program also includes preparations for emergency response, winterization measures including erosion protection, slope stabilization supplies, and instrument maintenance.

The Operations Program is primarily populated with scheduled instrument monitoring events. Data from these instruments are evaluated to establish risk and trends to avert landslide activity. In addition to the instrumentation monitoring program, the Operations Program contains the Incident Response and Community Relations Program, which incorporates comprehensive first response capabilities, and fosters community incident interaction.

Special Projects

The Canyon Lakes GHAD pursues ongoing and new activities identified as Special Projects. Special Projects include activities requested by the Board such as the Communications Program, or projects and studies designed to improve the District's operational effectiveness and ensure financial solvency. Special Projects also include utilizing new technologies to increase the efficiencies of the day-to-day operations of the GHAD. Establishment, testing, and placing into service a new Geographic Information System (GIS) has been one of many successful fruitions of the Special Projects Program.

Administration

Administrative expenses are required to operate the Canyon Lakes GHAD and implement projects and programs. Administrative expenses include personnel and consultants to manage the operations including the General Manager, Operations Manager, Administrative Manager, Construction Services Manager, certain clerical and accounting staff, consultants, and legal support.

General Manager Program Budget FY24/25	$ 230,000.00
Operations Manager Program Budget FY24/25	$ 160,000.00
	$ 390,000.00

The scope of services for the General Manager includes but is not limited to, managing the day-to-day operations through implementation of the necessary financial recordkeeping and reporting, updating and maintaining governing documents, such as the Plan of Control and managing and updating administrative tools such as the Reserve Study, Communications Plan, Work Program and Monthly Incident Log. The General Manager Consulting Services Agreement provides for certain administrative positions and costs, including but not limited to, a General Manager, Operations Manager, Administrative Manager, a Constructions Services Manager and a Network Administrator as well as overhead costs, such as office space rent, office supplies, and postage. The General Manager will retain the necessary professionals, including without limitation, engineers, accounting professionals and vendors to facilitate the operations of the GHAD. The General Manager Consulting Services Agreement and associated

budget allows for the conditional use of subcontractors such as administrative sub-consultants and engineering or construction sub-consultants, within the payment limits of the Consulting Services Agreement.

Within the General Management of the Canyon Lakes GHAD, the Operations Program scope of services includes implementing the Major Projects and Preventive Maintenance Programs through forecasting work schedules and priorities, preparing Requests for Proposals, and managing maintenance and repair operations within the Major Projects and Preventive Maintenance Programs. These services also include specific project management and construction oversite, preparing for and responding to emergency incidents, monitoring instrumentation and assets, and analyzing and processing collected data into established district programs for response distribution or future study programs. The Operations Program provides for certain operational positions including, but not limited to; Project Engineer, Construction Services Supervisor as well as certain overhead costs, such as, office supplies and rent, and electronic monitoring devices, testing apparatus, equipment rental and conditional use of subcontractors such as contractors, consultants, engineers, and special inspectors, within the payment limits of the Consulting Services Agreement.

A summary of the proposed Fiscal-Year 2024-2025 Budget is presented in Table 1 on the following pages.

Table 1 – Summary of Proposal Fiscal Year 2024/2025 Budget

Budget Item	Budget Amount	% of Total Budget
Major Projects		
Study: Groundwater Study: Multiple Regional Studies	$ 85,000	
Horizontal Drain Cleaning Program (Recurring Area)	$ 35,000	
Unanticipated Sites	$ 20,000	
Landscape Replacement (associated GHAD repairs)	$ 10,000	
Total Major Projects	**$ 150,000**	**20%**

Preventive Maintenace/Operations		
Preventive Maintenace		
Drainage		
Storm Drain Facilities	$ 20,000	
B-58 Concrete Lined Ditches		
Maintenance/Cleaning/Mapping	$ 35,000	
Repair and replace	$ 10,000	
Subdrain Systems	$ 15,000	
Horizontal Drains	$ 15,000	
Subdrain Outlets/Pumps	$ 10,000	
Piezometers	$ 30,000	
Settlement Monitors	$ 2,000	
Retention Basins	$ 4,000	
Minor Repairs	$ 5,000	
Winterization/Inventory	$ 40,000	
Emergency Response	$ 10,000	
Debris Benches	$ 20,000	
Subtotal	**$ 216,000**	
Operations		
Piezometer Monitoring	$ 8,000	
Horizontal Drain Monitoring	$ 8,000	
Subdrain Monitoring	$ 8,000	
Settlement Monitoring	$ 2,000	
Incident Response/Community Relations	$ 10,000	
Subtotal	**$ 36,000**	
Total Preventive Maintenance/Operations	**$ 252,000.00**	**33%**

Special Projects		
Plan of Control	$ 2,000	
Reserve Study	$ 15,000	
Special Studies	$ 10,000	
Information Technology/Content Management	$ 20,000	
Geographic Information Systems	$ 75,000	
Accounting Systems Upgrade	$ 10,000	
Procedures Manual	$ 2,500	
Communications Program	$ 2,500	
CA Association of GHADs - Membership/Insurance	$ 11,000	
Total Special Projects	**$ 148,000.00**	**20%**

Administration		
Legal Fees	$ -	
General Counsel	$ 10,000	
Special Counsel	$ -	
Litigation/Legal Concerns	$ 5,000	
HOA/CCCFCD	$ -	
Assessment Roll Update	$ 9,000	
Administrative Support		
Staffing/Administrative Support	$ 85,000	
Accounting/Financial Services	$ 75,000	
Training/Education	$ 2,000	
Office - Rent/Supplies/Equipment/Lease	$ 18,000	
Total Administration	**$ 204,000**	**27%**

TOTAL PROPOSED BUDGET FY2024/2025	**$ 754,000**	**100%**

Available Funds		
Estimated Beginning Fund Balance - July 1, 2024*		$ 6,632,687
Estimated Property Owner Assessment totals		$ 734,456
Single Family detached	$ 319.30/unit**	
Townhomes	$ 213.88/unit**	
Commercial (per building suare foot)	$0.157726/sqft**	
Estimated Interest on Investments/Change in Value		$ 210,502
Other Income		$ -
Total Available Funds		**$ 7,577,645**
Use of Funds		
Major Projects		$ 150,000
Preventive Maintenance		$ 252,000
Special Projects		$ 148,000
Administrative		$ 204,000
Total Use of Funds		**$ 754,000**
Estimated Reserve Available/Ending Fund Balance June 30, 2025		**$ 6,823,645**

*Including estimated true-up revenue payment (Sune 2024) of $35,0378.41; Projected Fund Balance date of publication
**Estamates based on USBLS April 2024 CPI San Francisco, Oakland, Hawarrd Area

DESCRIPTION OF BUDGET ITEMS

Major Projects

STUDIES: Studies, as they relate to field conditions, are essential and are designed to analyze specific sets of aggregated empirical data with the intent of assessing condition of infrastructure and efficacy of instrumentation data collection. Through this effort, specific studies inform management about tailoring programs targeted to capitalize on the most effective preemptive measures as the GHAD implements its Major Projects Program and Preventive Maintenance Program.

Groundwater Studies (Regional Sites)

Study: This study is projected to be conducted in multiple phases. It will analyze regional groundwater regimes where groundwater levels have risen over time. Data from piezometer histories will be the primary criterion used in collaboration with the Horizontal Drain Study results in the effectiveness of horizontal drains in lowering local groundwater levels. It is expected that recent rain events will significantly impact this study and the efficacy of drainage systems, and runoff regimes throughout the district.

Estimated Cost $85,000

Horizontal Drain Cleaning Program (Selected Phase 2 and 3 Locations)

Study: This study analyzes the results of our in-progress Horizontal Drain Cleaning Program (Phase 3) previously competed in FY23/24. Post-cleaning drain yields will be measured and analyzed compared to pre-cleaning yields. Impact on local groundwater levels will be analyzed and data will be additionally utilized in evaluating the efficacy of the Horizontal Drain Cleaning Program, as well as the impact on regional (District wide) groundwater levels. Data sets from historical above average rain events (2000 through 2024) will be accessed and utilized to further inform the Horizontal Drain Program.

Estimated Cost $35,000

Unanticipated Sites:

During heavy rain years unexpected repairs are necessary to avert or control landslides that may threaten property within the district. It is vital for the manager to retain the availability of funds within the Major Repair Program to address such an event.

It is also common to experience a change in the planned construction schedule to include additional sites. Known sites can rise in priority throughout the year and additional sites may emerge.

Estimated Cost $20,000

Landscape Replacement:

Typically, remedial landscaping is either included in the scope of work for major projects or eliminated completely from the repair scheme: however, on occasion the associated License Agreements executed in preparation of the work will address a reimbursement or allowance to the property owner for remedial landscaping installation. With as many sites and events that the Canyon Lakes GHAD must attend to over the next fiscal year, we have allowed for certain, unknown at this time, landscape/structure reimbursements.

Estimated Cost $10,000

Preventive Maintenance and Operations

Preventive Maintenance

Preventive maintenance generally consists of those measures taken to prevent an incident or landslide event including, asset maintenance, drainage structures, instrument sites and winterization measures. Operations include ongoing monitoring programs and responses to community requests. Details of the proposed budget for each of these categories are listed below.

The Preventive Maintenance Program will strengthen its profile through this fiscal year with those tasks that are essential to maintaining slope instrumentation sites and information; data collection procedures and postprocessing efficiencies that began in FY23/24 will continue. Other measures to ensure slope stability, and possible resumption of discretionary programs regarding instrument site maintenance and capital expenditures will be evaluated on a case-by-case basis.

Storm Drains/Facilities

Storm drains and drain inlets associated with B-58 drainage systems occasionally need repair or replacing. Assessments of above-ground structures are made during the annual cleaning events in early fall. Increased budgets for Storm Water Facilities have been anticipation of additional infrastructure damage because of the extraordinary rains experienced over recent winters and natural aging of concrete infrastructure over time. In addition to our annual above-ground facilities inspections the GHAD has begun designing an in-situ video monitoring and assessment program to begin tracking any degradation of only district maintained subterranean structures after approximately 50 years of operation. The expected serviceable life of this form of infrastructure is estimated to be between 75-100 years[1]. We will continue the program design in FY24/25 and then begin a scheduled inspection protocol in late FY24/25 or FY25/26.

Storm drains associated with B-58 drainage systems occasionally need repair or replacing. Assessments are made during the annual cleaning events in early fall.

Estimated Cost $20,000

[1] ASCE – "Life-Cycle Design, Assessment, and Maintenance of Structures and Infrastructure Systems (2019)

B-58 Drain Systems

Maintenance – Allows for one major annual cleaning and mapping. District staff periodically walks the B-58 systems to get a first-hand account of their current conditions and project their serviceable life. This information, along with other empirical data, is utilized in our Reserve Study updates.

Estimated Cost $35,000

Repair and Replacement – The GHAD has repaired or replaced all the listed lineal feet of severely damaged B-58 throughout the district. This year and in the future, a priority will be established based on the degree of damage and risk to improved properties, and a percentage of future replacement projects will be budgeted throughout the upcoming years. In recent years, minor repairs were accomplished involving approximately 1500 lineal feet of B-58 drainage systems. This year an additional several hundred lineal feet of minor repair (cracks and small spalls) has been budgeted for repair. The remaining budget will be utilized on repairs to existing B-58s on a site-by-site basis.

Estimated Cost $10,000

Subdrain Systems

Outlet sites for subdrain systems must be monitored and maintenance provided to ensure outlets have not been damaged or impeded. This budget will allow for an inspection and minor maintenance of these sites.

Estimated Cost $15,000

Horizontal Drains

In recent years, the District Manager has placed a high priority on verifying the condition and restoring as many existing horizontal drains throughout the development as possible. A definitive list of sites requiring maintenance has been determined and work continues restoring the sites and installing identification markers.

Estimated Cost $15,000

Subdrain Outlets/Pumps

The Canyon Lakes GHAD conducts ongoing efforts to identify, locate, and make determinations about the effectiveness of the network of subdrains throughout the Development. The district anticipates that on-site restoration work may be necessary at some sites. This additional work, as well as the introduction of the subdrain systems into the District GIS, has been incorporated into this budget item.

The district maintains three substation subdrain pumping facility sites located around the lake at Canyon Lakes. Periodic site checks for operation are required. In recent years the equipment, instrumentation, and electronics have been updated. A budget has been established to provide ongoing site maintenance and pump replacement.

Estimated Cost $10,000

Piezometers

The district reads and maintains in excess of 72 piezometers measuring ground water elevations. A definitive list of sites requiring repairs has been determined and restoration work has been completed on many of the sites, as well as the installation of identification markers and protective monuments at virtually all sites. The work this year has been expanded to include a greater number of sites and inclusion of the sites into the GIS.

Estimated Cost $30,000

Settlement Monitors

Over time, several settlement monitors have been placed throughout the development. These monitors were, in large part, installed as part of a specific study and therefore are not continually monitored. A modest budget has been established for site preservation and maintenance.

Estimated Cost $2,000

Retention Basins

Previously protracted drought and then heavy rain load conditions in northern California have resulted in significant variance of water level surfaces in many dual-purpose storm water retention facilities in the area, including the Canyon Lakes development. The GHAD manager has actively worked with local Homeowners Associations and jurisdictional agencies to further explore the potential risk ramifications to collectively plan for impacts.

Estimated Cost $4,000

Minor Repairs

A budget is established annually for anticipated, as well as unanticipated minor repair projects. There are not currently any anticipated minor projects within the Preventive Maintenance Program.

Estimated Cost $5,000

Winterization

The District provides an annual budget for procuring and storing an inventory of winterization materials and to provide for the costs of site installation. Winterization materials inventory have been fortified since significant depletion of materials during the last three season's responses. With efforts to continue replenishment of emergency response materials, this year's winterization measures should normalize once again. Inventory analyses, offsite storage, and procurement policies are planned for FY24/25.

Estimated Cost $40,000

Emergency Response

During the winter rainy season, the Canyon Lakes GHAD responds to a range of urgent active and threatening landslides and drainage issues where property damage is threatened. These incidents typically involve mud or debris flows, plugged storm drains at the base of slopes or

flooded properties due to the overflow of runoff from plugged or damaged facilities. In severe cases these responses can be the initiation of slope stabilization measures in preparation for a major repair.

Estimated Cost $10,000

Debris Benches

Numerous earthen debris benches exist throughout the District. It is essential that these facilities are inspected to ensure capacities and drainage have not been compromised. Annual inspections are made, and periodic debris removal plans are initiated. This year's budget allows for geotechnical evaluations and the periodic removal of accumulated debris from several of those benches identified during the study and routine monitoring events.

Estimated Cost 20,000

Operations

An inventory of on-site instrumentation including hundreds of piezometers, inclinometers, horizontal drains, subdrains and settlement monuments are monitored periodically throughout the year as a preventative measure. Collected data from these sites is analyzed and aggregated into the GIS for further analysis to establish trends.

Monitoring sites can be established for a variety of uses. Often completed repair sites require monitoring to confirm that the slope has been stabilized. Other sites have been utilized to indicate signs of unstable conditions developing and have been instrumental in determining slope conditions prior to the activation of a landslide.

Through the use of collected data such as water depth, magnitude of slope movement, depth of movement and ground surface movement, the District has been able to arrest slope movement in advance of an incipient failure. Archiving of historical data is currently being integrated into the GHAD GIS.

Throughout the year, the District receives incident response or assistance calls from property owners regarding slope stability or drainage issues. Community relations, including incident responses through the annual Operations Program has been institutionalized as a role of GHAD management. All incidents are recorded within the GIS and move through the District response mechanisms as is appropriate and consistent with the GHAD Plan of Control.

The GHAD manager receives updates in long-range weather and oceanic temperature changes through the National Oceanic and Atmospheric Administration (NOAA) and other scientific and atmospheric agencies that track data and produce probabilistic assessments on the likelihood of a recurrence of heavy rain conditions.

Estimated Cost $36,000

Special Projects

During fiscal year 2024/2025 the District will continue several special projects. Brief descriptions of the special projects are presented in Table 1 and further described below:

Plan of Control Update

Amendment 2 to the Plan of Control (POC) has been adopted by the GHAD Board and put into use. Amendment 2 supersedes previous plans and addresses additional clarification and instruction with respect to the GHAD responsibilities and authorities. A modest allowance has been established for any activity that may involve the Plan of Control.

Estimated Cost $2,000

Reserve Study

The Canyon Lakes GHAD reserve fund study has been completed. The Reserve Study functions as a pro-forma analysis of the financial needs of the GHAD. It serves as a tool to calculate the annual contribution requirements by the District to build and maintain sufficient funds for emergencies based on past weather patterns and slide repair costs. The Reserve Study projects annual contribution to the funds required over a forty-year period and is periodically updated to represent new conditions and impacts.

Estimated Cost $15,000

Special Studies

The Canyon Lakes GHAD intends to conduct targeted studies in the areas of fiscal policy and geologic risk. The recent research and study into the Plan of Control update and the Reserve analysis will be utilized to provide initial data to conduct these research projects. The Canyon Lakes GHAD, now in its 38th year, has the unique opportunity to address many of the issues surrounding long-term viability and sustainability, within changing environmental and financial conditions. Using empirical data, we can assess potentially increasing financial loads and geologic risks that may accompany the maturation process of this District. We are confident that these studies have produced, and will continue to produce, beneficial results.

Estimated Cost $10,000

Information Technology Systems (IT) I Geographic Information Systems (GIS)

In early 2024 GHAD issued Requests for Proposals (RFP) in a planned effort of upgrading its managed Information Technology (IT) systems to modernize data collection systems, storage, processing and expansion capabilities. In April Rooted Software, a Walnut Creek based firm, was selected and engaged to perform a scope of work to accomplish this project. Completion of the work is scheduled for late FY23/24 or during the first quarter of FY24/45. New safeguards are being implemented for data protection and increased data storage capacities, as well as file convention modernization and integration ability with a new planned Geographic Information System (GIS) upgrade.

Additionally, a new interactive GHAD website will be launched in early FY24/25 allowing constituents to learn more about the GHAD, its history, activities, and current documents are presented on the site, as well as opportunities to report incidents or ask questions about the GHAD and to assist property owners and disseminate information to our constituents and stakeholders. The www.canyonlakesghad.com website will remain as the address of the GHAD.

It is anticipated that work will commence with significant upgrades and enhancements to the GHAD GIS during FY24/25 and extending into FY25/26. The current GIS will serve in the interim until the launch of the new GIS program. The GHAD is currently working with consultants on features and compatibilities with components of the ongoing IT upgrades.

Estimated Cost for IT and GIS $95,000

Accounting System Upgrade

Periodic upgrades are necessary to enhance accounting system capabilities. The GHAD utilizes expense accounting software to assist in reporting and the day-to-day operation of the District. Continued accounting systems enhancements will be implemented allowing more data entry streamlining, enhanced reporting, and quality control assurance procedures. The GHAD Treasurer and the General Manager work collaboratively to fortify the accounting systems, receivables and invoice processing procedures.

Estimated Cost $10,000

Procedures Manual

GHAD continually upgrades procedures and modifies plans to incorporate new technologies that assist the GHAD in delivering the highest level of services. Procedures require certain modifications and enhancements as new methodologies are introduced and incorporated into the GHAD Standard Operation Procedures. Certain financial and operations procedures have been institutionalized within the program. Additional procedures will be incorporated to further define and standardize the following areas:

- Preventive Maintenance/Operations
- Contracts and Agreements
- Administrative Procedures

Estimated Cost $2,500

Communications Plan

The Canyon Lakes GHAD maintains a communications plan designed to keep constituents current on GHAD operations and developments. The plan addresses several venues and mediums in which to disseminate information within this District, and to other concerned parties, and to establish clear and accessible channels for community interaction. The GHAD has now implemented a web page for public information and a multi-page informational brochure has been completed and distributed to interested Homeowner Associations (HOA) that describes the GHAD and its responsibilities and limitations.

Estimated Cost $2,500

Outreach/Legislative Review
California Association of GHADs (CAGHADs) Membership/Insurance

The proliferation of new GHADs within California has resulted in new legislation and adopted procedures. The Canyon Lakes GHAD Manager, in association with others make up the CAGHAD Board of Directors and share information and knowledge through a consortium of GHAD managers. The CAGHAD has obtained General Liability policies for its member GHADs. Additional GHAD onboarding and participation has reduced relative premiums. Coverage for the Blackhawk GHAD is approximately $9,000[2], plus administrative costs.

Additionally, the GHAD manager participates in the CAGHADs as the organization pursues other financial instruments that may provide the Canyon Lakes GHAD additional options for extraordinary event financial planning. In 2016, the CAGHAD Board adopted a new fee schedule reducing the annual GHAD fees for membership by 50%.

Estimated Cost $11,000

Administration

The administration of the Canyon Lakes GHAD includes all costs associated with legal support, office expenses, staffing, and accounting. Brief descriptions are presented below.

Legal

General Counsel – GHAD management must interact regularly with GHAD Counsel. The day-to-day operations of the GHAD present a myriad of opportunities and issues to work directly with GHAD counsel, in the areas of contracts, agreements, issues or new business to present to the Board, legislation, property owner issues.

Estimated Cost $10,000

Special Counsel – GHAD management requires the services of special counsel from time to time in the areas of litigation and other legal concerns. GHAD continues to engage Canyon Lakes HOAs and Contra Costa County Flood Control District on community drainage responsibility clarity.

Estimated Cost $5,000

Assessment Roll Update

Annually, the District funds an effort to recalculate the final assessment roll for the District. This budget allows for a periodic analysis of the comprehensiveness of the roll in addition to calculating the properties status and rate modifications.

Estimated Cost $9,000

[2] 2023/2024 Premium referenced

Staffing/Administrative Support

The Canyon Lakes GHAD staff includes the General Manager, Operations Manager, Construction Services Manager, an Administration Manager and frequently other support staff and consulting professionals. The General Manager administers all GHAD day-to-day operations, including financial budgeting and communications regarding its activities. The Operations Manager and Construction Services Manager, among other tasks, administer the Major Projects and Preventive Maintenance Programs and associated work schedules, consulting and construction contracts, and documents. The administrative staff is responsible for accounting/bookkeeping, contract administration, clerical, and construction management support; Additional management staff costs are also applied to specific projects as appropriate. Authorized business expenses such as rent, office supplies and leases are included in Staffing.

Estimated Budget $180,000

Exhibit B

June 13 ~~May 11~~24, 2024

Canyon Lakes GHAD Board of Directors
c/o GHAD Board Member Candice Andersen
309 Diablo Road
Danville, California 94526

Subject: ~~**Second**~~ **Third Amendment to Plan of Control for the Canyon Lakes Geologic Hazard Abatement District**

Board members:

Please find attached the Third Amendment to the "Plan of Control" for the Canyon Lakes Geologic Hazard Abatement District (GHAD). Upon formation of the Canyon Lakes GHAD in 1985, a Plan of Control (POC) was implemented that expressly described its preliminary nature and that the POC would be subject to future revisions and modifications. The POC was subsequently updated in 1986[1] to better describe the responsibilities and limitations of the GHAD. ~~Since the implementation of the 1986 POC, we have gained~~ In 2002[2], the Plan of Control was amended for the second time to reflect additional knowledge of the geologic hazards within the GHAD and ~~have~~ further refine~~d~~ best practices for mitigating these hazards. ~~As such, we now submit this Third Amendment POC to the Canyon Lakes GHAD Board of Directors for your information. These revisions are consistent with Section XI of the Plan of Control.~~

The POC is periodically reviewed for us to determine if any changes need to be made. In the latest review, we determined minor updates were necessary to provide an expediated method in making decisions on a property owner request for reimbursement to improvements damaged or destroyed by a qualified geologic hazard and clarify the definition of "property owner". These minor revisions were made by the GHAD Manager under Section XI. REVISION POLICY and are being brought to the attention of the Board of Directors. No action by the Board is required to accept these minor revisions. This updated POC (Third Amendment) supersedes all previous versions and has been prepared in accordance with the requirements of the California Public Resources Code Division 17, Section 26500-26654 of the State of California.

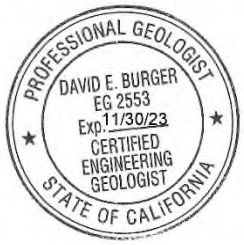
Sincerely,

Canyon Lakes Geologic Hazard Abatement District

Michael D. Sands
Sands Construction Company, Inc.
General Manager, Canyon Lakes GHAD

[1] Amendment 1 to Plan of Control dated July 29, 1986 and approved July 29, 1986
[2] Amendment 2 Plan of Control dated May 11, 2022 and approved on June 21, 2022

REGISTERED PROFESSIONAL ENGINEER
PHILLIP O. GREGORY
No. Geo GE 2193
No Civil C 40728
CIVIL-GEOTECHNICAL
STATE OF CALIFORNIA



David Burger, P.G., C.E.G
Cal Engineering & Geology, Inc.

Phillip Gregory, P.E., G.E.
Cal Engineering & Geology, Inc.

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CANYON LAKES GEOLOGIC HAZARD

ABATEMENT DISTRICT

~~SECOND~~ THIRD AMENDMENT TO PLAN OF CONTROL

~~June 13, May 11 24~~, 2024

CANYON LAKES GEOLOGIC HAZARD ABATEMENT DISTRICT
PLAN OF CONTROL
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FIGURE AND APPENDIX LIST

Figure 1 Canyon Lakes GHAD Boundary Site Plan

Appendix A Geologic Conditions
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I. INTRODUCTION

The Canyon Lakes community is an approximately 1,050-acre mixed-use development comprised of 2,477 assessed parcels including residences, a golf course, a hospital, a commercial center with several office buildings, a retail shopping center, one elementary school, two church campuses, East Bay Municipal Utilities District facilities and various other improvements and amenities. Canyon Lakes GHAD is located within and shares a boundary with Contra Costa County Drainage Area (CDA) DA-75A, within the City of San Ramon, California.

The open space property included within the Canyon Lakes GHAD is generally characterized by open, rolling, grass-covered hills with scattered trees, intersected by drainages. Within the graded areas within the GHAD boundaries, the terrain has been extensively altered to create building pads, streets, and other improvements. The named drainages within the GHAD include portions of South San Ramon Creek, and Coyote Creek. Primary roadways crossing the GHAD areas include portions of Bollinger Canyon Road and Crow Canyon Road; the GHAD areas are bounded to the west by Alcosta Boulevard.

Under the authority of the California Public Resources Code (Division 17, commencing with Section 26500), the Contra Costa Board of Supervisors on June 4, 1985, adopted Resolution 85/289 forming the Canyon Lakes Geologic Hazard Abatement District ("Canyon Lakes GHAD", “GHAD”, “the GHAD”). Funding for the Canyon Lakes GHAD is provided through an agreement with Contra Costa County under which the County collects property assessments which are annually updated by the GHAD.

The Canyon Lakes GHAD was formed to specifically address both known and potential landslide hazards within its boundaries. The Contra Costa County Board of Supervisors serves as the GHAD Board of Directors, and a General Manager manages the day-to-day operations of the GHAD. The General Manager reports directly to the GHAD Board of Directors.

GHAD Law requires that a Plan of Control (POC) be prepared that describes the geologic hazard of concern, its location, and the area affected. A plan for the prevention, mitigation, abatement, or control of the hazard must also be included. The General Manager is tasked with implementing

the POC. This POC presented herein includes a description of the geologic hazard present in the Canyon Lakes region (limited to threatening and actual landslides) and for which the GHAD was formed. It lays out both informational (e.g., document history, definitions, geologic conditions) and operational plans (including limitations and exclusions) for the prevention, mitigation, abatement, or control of the geologic hazard.

GHAD "Improvements" (as defined in in GHAD law) and all GHAD activities or projects undertaken in furtherance of, or in connection therewith, have been deemed by GHAD Law to be specific actions necessary to prevent or mitigate an emergency as described within Public Resources Code Section 21080(b)(4) (See, Pub. Res. Code Sections 26601 and 26505). Consistent therewith, all GHAD projects are exempt from review under the California Environmental Quality Act and are not subject to local permitting requirements.

II. HISTORY OF THE CANYON LAKES PLAN OF CONTROL

Upon formation of the Canyon Lakes GHAD in 1985, the original POC was adopted which outlined the type of geologic hazards (landslides) to be addressed by the GHAD. While GHAD Law broadly defines a "geologic hazard" that can be addressed by a geologic hazard abatement district, this GHAD was created to address only threatened or actual landslides[1]. However, only generalities for prevention, mitigation, abatement, or control of landslides were provided due to a lack of knowledge about the extent of potential future landslides that the GHAD was formed to address. The original (1985) POC explicitly stated that the POC was a "[…] preliminary document" and that it "[…] will be subject to revisions and modifications, as new data and investigations warrant."

The plan was amended in 1986 to provide additional guidance for the GHAD's function and operation. Now, after years of operation, this current (2022) POC further updates the functional and operational aspects of the GHAD by considering the latest available information on geologic hazards and integrating new practices and technologies for mitigating these hazards.

[1] The original POC states "The proposed district […] is prone to new landslides and reactivation of existing landslide areas."

The GHAD benefits from its location in the San Francisco Bay Area where extensive expertise and constant innovation exist for addressing geologic hazards. Thus, it is important that the POC be updated periodically to ensure consideration of the known history of the landslide hazards within the GHAD areas, to reflect currently available investigation and mitigation practices and to provide additional guidance for the GHAD's function and operation. This Second Amendment further updates the functional and operational aspects of the GHAD by considering the latest available information on landslide hazards and integrating new practices and technologies for mitigating these hazards. This Second Amendment builds on the foundation laid out by the previous POCs, clarifies and further reinforces the intents of the original formation of the GHAD, and reflects the GHAD's current practice. This Second Amendment supersedes the First Amendment to the POC.

III. DEFINITIONS

The following terms (whether capitalized or not in this POC) shall have the following meaning:

A. "Creek", as used herein, is equivalent to a "watercourse" as defined by the Contra Costa County Code Section 1010-6.028. A creek is thus defined as a natural or human-made channel for transporting water, including the stream bed and the banks, whether continuously flowing or intermittent. A channel is as defined by Contra Costa County Code Section 1010-6.004.

~~**A.**~~**B.** "County Drainage Area 75A (DA75A)" exists as a County Special Drainage Area District. The GHAD boundary is coterminous with DA75A.

~~**B.**~~**C.** "Geologic hazard" as that term is used herein, means any actual (active or imminent) or threatened landslide.

D. GHAD Project – The prevention, mitigation, abatement, or control of a geologic hazard as defined herein.

E. "Landslide" is defined as a mass comprised of rock, soil, and other debris (e.g., water, vegetation) that has been displaced down slope by sliding, flowing, or falling mechanisms that have an established and distinct surface of separation between moving and non-moving rock and/or soil.

F. “Lot” or a “parcel” is defined as any single private or public area of land with closed boundaries defined by a recorded survey.

G. Property owner(s) is defeined as a private landowner or homeowners assocaton that owns property in the GHAD boundaries and the Canyon Lakes Golf Course.

~~**C.** “Landslide" is defined as a mass comprised of rock, soil, and other debris (e.g., water, vegetation) that has been displaced down slope by sliding, flowing, or falling mechanisms that have an established and distinct surface of separation between moving and non-moving rock and/or soil.~~

~~**D.**~~**H.** ~~“S~~lopes” or “sloping ground” is defined as land that is inclined with a non-zero angle of inclination as measured from the horizontal. Slopes prone to landsliding are typically (but not limited to) those inclined more than 20 degrees.

~~**E.**~~**I.** "Soil creep” is defined as the slow (on the order of 0.4 inch per year[2]) downhill movement of near-surface (within the zone of seasonal changes of moisture and temperature) soil particles or weathered expansive bedrock materials resulting from the combined influences of gravity with wetting and drying cycles. Soil creep is distinguished from landsliding through the generally continuous motion and lack of distinct boundaries (both laterally and with depth) observed in soil creep.

~~**F.** “Site improvements” indicates buildings, roads, sidewalks, utilities, constructed trails, golf course amenities, swimming pools, tennis courts, gazebos, cabanas, geologic stabilization features, V-ditches, or similar items.~~

~~**G.** “Lot” or a “parcel” is defined as any single private or public area of land with closed boundaries defined by a recorded survey.~~

~~**H.**~~**A.** ~~“Creek”, as used herein, is equivalent to a “watercourse” as defined by the Contra Costa County Code Section 1010-6.028. A creek is thus defined as a natural or human-made channel for transporting water, including the stream bed and the banks, whether~~

[2] For example, see Fleming, R.W. and Johnson, A.M., 1975, Rates of seasonal creep of silty clay soil, Quaternary Journal of Engineering Geology, Vol. 8, pp. 1-29.

~~continuously flowing or intermittent. A channel is as defined by Contra Costa County Code Section 1010-6.004.~~

~~I.~~J. "Structure setback area" indicates the portion of a lot situated between a creek and the "structure setback line" as defined by the Contra Costa County Flood Control District (see Contra Costa County Code Sections 1010-6.024, 914-14.012, and 914-14.014).

~~J.~~K. "Structure setback line" indicates the line separating the structure setback area from the remainder of the lot where a residential structure or any permanent site improvement (other than drainage structures) is situated, as defined by the Contra Costa County Flood Control District (see Contra Costa County Code Section 914-14.012).

~~K.~~A. ~~GHAD Project – The prevention, mitigation, abatement, or control of a geologic hazard as defined herein.~~

IV. GEOLOGIC HAZARD DESCRIPTION

The Canyon Lakes GHAD is located south of Mount Diablo. The GHAD is situated between the Sycamore and San Ramon Valleys adjacent to and southwest of Sherburne Hills, in Contra Costa County, California. Similar to many other parts of Contra Costa County and the San Francisco Bay area overall, the topography and geology of the region combine to form terrain that can be susceptible to landsliding (see Appendix A – Geologic Conditions). Although considerable effort and resources (e.g., slope regrading, removal of existing landslides, and installation of drainage infrastructure) were invested to ensure the long-term stability of slopes during the development of the residences and infrastructure within the GHAD boundary, the underlying soils and rocks can still be intermittently prone to instability from a suite of triggering processes that include rainfall-induced saturation or near saturation of soils or bedrock due to rainfall or domestic water sources, and earthquake shaking. The type of landslides that have occurred in the Canyon Lakes GHAD boundaries are typical for the San Francisco Bay region and generally occur as a result of intense or prolonged rainfall during the winter season. Upon the arrival of large storms, the soils can become nearly or fully saturated with resultant subsurface water pressures that may lead to destabilization of existing slopes. Landslides may be shallow (<5 feet deep) and involve surficial soils with potential to turn into highly mobile debris flows, or they may be deeper (>5 feet) and involve both soil and rock materials that move shorter distances. Both types of landslides may, in

many cases, be prevented, mitigated, abated, or controlled by proactive and/or responsive activities; these activities are the purpose of the GHAD.

Additionally, geologic conditions such as thrust faults and adverse bedding conditions contribute to potential hillside instabilities. Areas of high liquefaction susceptibility potential have also been mapped in the vicinity of South San Ramon Creek and crossing Crow Canyon Road at three areas near the northeastern corner of the GHAD. Given the open creek channels and areas of potential liquefaction, some areas may be subject to localized embankment failures and lateral spreading during an earthquake.

Surface drainage facilities have been constructed throughout the hillside areas of the GHAD. These concrete line v-ditches and other structures are located on native soils, within areas of previous remedial grading, cuts, and fill slopes at various locations. These structures may be potentially impacted by creeping soils, debris flows, and slump failures. Often long term creep of localized instabilities will impact the functionality of these systems. Depending on the functionality of these systems, concentrated uncontrolled drainage may contribute to additional landsliding, debris flows, erosion, and soil transport, potentially impacting downslope improvements.

Seismic hazards are present throughout the San Francisco Bay Area. The Pleasanton fault has been mapped approximately 400 feet west of the GHAD boundary, while the Calaveras Fault has been mapped approximately 1.3 km (0.8 mile) west of the GHAD. The Mount Diablo Fold and Thrust fault has also been mapped 1.3 km (0.8 mile) to the east of the GHAD boundary. While the improvements within the GHAD boundary are outside the designated Alquist-Priolo zone for active faulting, the open space areas and improvements within the GHAD boundary will still be subject to impacts from seismic waves. Potential magnitude earthquakes of up to M6.9 are possible. The seismicity of the area may contribute to the development of earthquake-induced landsliding.

V. GHAD BOUNDARIES AND ANNEXATION POLICY

The boundary of the Canyon Lakes GHAD is shown in Figure 1 and is described by the Metes and Bounds Survey included in Appendix B.

As required by GHAD Law, the GHAD Board of Directors (in addition to the Board of Supervisors as the original sponsors of the GHAD's formation) must approve annexation of properties not currently within the GHAD boundaries.

VI. AUTHORIZED GHAD PROJECTS

The GHAD's operations are focused on the monitoring, maintenance, repair, and mitigation of threatened or actual landslides within the GHAD's boundaries. Typical GHAD projects fall into two categories: (1) major maintenance and monitoring activities of infrastructure and instrumentation meant to prevent instability of existing slopes and of which include, but are not limited to, cleaning, maintaining, replacing and/or installing surface and subsurface drainage systems and monitoring instrumentation, and (2) major landslide repair projects requiring, but not limited to, site grading and installation of drainage or engineered earth retaining system infrastructure. The General Manager has sole discretion for defining GHAD project priorities (subject to the guidance provided in Section VII and Section VIII) and for the selection of repair and mitigation methods appropriate to a particular situation, within the constraints described in this and other sections of the POC.

A p~~P~~roperty owner~~s~~ within the GHAD boundaries, whether private landowners, ~~or~~ homeowners associations or the Canyon Lakes Golf Course, may contact the GHAD management to either report a new geologic hazard incident or condition on their property or to inquire about an already-reported incident. When contacted, the General Manager shall respond to the inquiry and indicate whether the incident or inquiry falls within the responsibilities of the GHAD, and if so, what steps may be taken to address the incident. In cases where the property owner incurs their own expenses related to the prevention, mitigation, abatement, or control of a geologic hazard, as described herein, the reimbursement policies outlined in Section IX shall apply. In cases where the GHAD determines that an incident does not qualify for GHAD involvement and the property owner disagrees, the appeals policy outlined in Section X shall apply.

GHAD projects and situations in which the GHAD is authorized to prevent, mitigate, abate or control geologic hazards are listed and described in Sections VI(A) through VI(E):

A. Landslide Mitigation During and in Preparation for Emergencies

During emergency situations when a landslide presents an active or imminent threat to improved property, the GHAD may implement interim slope stabilization measures that can arrest or minimize further slope movement until long-term mitigation measures can be implemented. Interim slope stabilization measures include, but are not limited to, the temporary installation of slope coverings or drainage infrastructure to prevent further water infiltration or erosion, installation of structural elements to prevent or arrest motion of a landslide, or grading to remove or buttress unstable slopes. Emergency preparation measures may also be taken in advance of threatening landslides; these measures may include stockpiling slope stabilization materials and/or having resources in-place ready to respond rapidly.

B. Preventative Landslide Mitigation and Geotechnical Investigations

The GHAD may prevent, mitigate, abate, or control landslides that threaten improved property using a number of mitigation techniques. The selection of mitigation technique depends on the type and motion of land sliding, equipment accessibility, urgency, and other factors. Prevention of landslides can sometimes be achieved using surface and subsurface drains. Imminent landslides can be stabilized by the construction of retaining structures such as closely spaced cast-in-place drilled piers reinforced with steel beams, soldier beam and lagging wall(s), or an array of tie-back or soil nail anchors extending beyond the slide plane (i.e., surface of separation between moving and non-moving soil and rock). Landslide-damaged slopes can be reconstructed and stabilized by removing the landslide debris and rebuilding the slope with properly compacted and drained, engineered fill. These or other appropriate techniques should be chosen based on the actual site conditions. The General Manager will make the final decision in determining the type of action that best fits the need of each GHAD project.

At the General Manager’s sole discretion, a geotechnical investigation may be conducted for areas where unstable conditions or landslides exist or are believed to exist. The purposes of the geotechnical investigation are to determine the cause of the unstable slope conditions and to identify and define repair or stabilization options. Geotechnical

monitoring, whether short-term as part of an active landslide investigation, or long-term, to track changes in groundwater levels and/or surface and subsurface movement, are authorized activities of the GHAD as related to the prevention, mitigation, abatement, or control of landslides within the GHAD's boundaries.

C. Activities Related to Slope Stabilization Surface and Subsurface Drainage Facilities

The GHAD may maintain, repair and/or replace those portions of surface and subsurface drainage facilities such as concrete "V" ditches, storm sewer lateral pipes, catch basins, drainage inlets, utility access chambers, storm sewer inlets and outlets, horizontal drains, subdrain pipes, subdrain pipe inlets and outlets, etc. when they are directly related to the repair, prevention, or control of landslides. Maintenance, as described herein, may also include removal of sediment from ditches and at the base of slopes and hydro-cleaning of horizontal drains and subdrains.

D. Activities Related to Creeks and Detention Basins

As part of its duties to mitigate against actual or threatened landslides, the GHAD may perform the following GHAD projects in creek channels and detention basins:

1. Clearing and removal of debris and/or impediments in creek channels under emergency conditions to maintain open stream flow in order to mitigate a threatening landslide.
2. Removal of significant quantities of sediment deposits in creek channels and detention basins to maintain functionality and open stream flow in order to mitigate a threatening landslide.

E. Activities Related to Prevention and Mitigation Research

The GHAD has directly benefitted from supporting, performing, and implementing the results of research on the behavior of slopes, landslides, and engineering mitigation methods. To prepare for and reduce the risk of future landslides causing property damage, the GHAD may conduct ongoing research into the behavior of slopes, slope failure prevention and slope failure mitigation. These efforts include maintaining and

analyzing a record of all incident responses and monitoring events for the purposes of evaluating and mitigating future risk.

VII. LIMITATIONS TO GHAD INVOLVEMENT

The GHAD is authorized to prevent, mitigate, abate, or control geologic hazards and taking into consideration the following limitations and exclusions listed in Sections VII(A) through VII(H).

A. Funding and Risk Limitations

The GHAD General Manager is required to approve or not approve the prevention, mitigation, abatement, or control of geologic hazards based on funding limitations, project priorities based on risk evaluation, weather-related risk, the limitations specified in this POC, or other funding or risk-related issues not specified herein. Funding from tax assessment revenue (see Section I) is the sole source of revenue for the GHAD, including all operations. If revenue allocated for the GHAD is not available, the GHAD would be required to reduce and/or eliminate some or all GHAD services unless an alternative funding source (or sources) can be identified.

B. GHAD Services Only to Areas Within the GHAD Boundaries

The GHAD only has authority to provide its services to those properties located within the GHAD boundaries. Properties within the same Contra Costa County Tax Rate Areas (DA75A) as the GHAD that have not been annexed into the GHAD do not receive GHAD services.

The GHAD can only prevent, mitigate, abate, or control a geologic hazard on property outside the GHAD boundaries when the hazard has damaged or poses an imminent threat of damage to structures or site improvements located on properties within the GHAD boundaries. The GHAD can only prevent, mitigate, abate or control the geologic hazard outside the GHAD boundaries provided said work is limited to that which is necessary to address the damage or imminent threat of damage to the structures or site improvements within the GHAD boundaries. Any work outside the GHAD boundary must be performed in coordination with the outside landowner under specific agreement.

C. Geologic Hazard Limited to a Single Property

The GHAD can only prevent, mitigate, abate, or control landslides that are contained within the limits of a single parcel of property if the single parcel is greater than one acre in size. Services may not be provided for geologic hazards within a single parcel that is less than one acre in size. This exclusion does not apply to geologic hazards existing on open-space areas owned by any homeowners association or golf course property.

D. Geologic Hazard Resulting from Negligence of Property Owner

The GHAD may decline to prevent, mitigate, abate or control geologic hazards that occur due to, or resulting from, the negligence of the property owner and/or the property owner's contractors, agents or employees in developing, grading, constructing, maintaining, performing, or not performing, any work related to or that may have influenced the geologic hazard on the subject property including performing alterations to site drainage or to the overall existing stability of slopes.

E. Geologic Hazard which Requires Expenditure Amount Exceeding the Value of the Threatened or Damaged Improvement

The GHAD will not prevent, mitigate, abate, or control a geologic hazard where, as determined by the General Manager's sole discretion, the anticipated expenditure required to be funded by the GHAD to prevent, mitigate, abate, or control the geologic hazard will exceed the value of the structures and/or site improvements that are threatened with damage or loss.

F. Erosion Within Creek Structure Setback Areas

Creeks are dynamic landforms and are subject to natural changes from various forms of erosion. Erosion caused, for example, from water scouring of creek banks is a natural process and to be expected within creek areas. The GHAD will not respond to or be responsible for these conditions even if they damage authorized structures or improvements (e.g., fencing, landscaping, or other non-permanent structures) within creeks or structure setback area. Note that permanent structures and improvements are

not allowed within creeks or their structure setback areas per Contra Costa County Code Section 914-14.014.

G. Damage Caused by Soil Creep

The GHAD will not prevent or repair property damage due to soil creep. Soil creep is a common phenomenon on almost all slopes throughout Canyon Lakes and is not included in the definition of a geological hazard as described herein (see Section III, subsections A, B, and D). The adverse effects of soil creep include shallow-founded improvements such as separations in concrete walkway and pool deck construction joints, tilting fences, separation of wooden deck elements, and generally very slow downhill movement of any structures constructed on or near the edge of slopes. Site-specific design and construction techniques can typically be implemented by property owners to reduce the impact of creep on their properties.

H. Damage Covered by Responsibilities of Others

The GHAD will not prevent, mitigate, abate, or control geologic hazards that are the responsibility of other districts, service areas, or entities operating within the GHAD boundaries. The GHAD will have the authority to monitor the specific district, service areas or entities to ascertain whether the work is being performed in a manner that does not interfere with nor impact the GHAD's responsibilities under the POC.

VIII. PRIORITY OF GHAD EXPENDITURES AND RESERVE FUND

A. Priority of GHAD Expenditures

The GHAD's sole source of funds is from property tax assessments collected on properties within the GHAD boundaries. Actions by the GHAD, including but not limited to such items as emergency response and scheduled repair expenditures, will be prioritized by and at the sole discretion of the General Manager based on available funds and the approved operating budget. The GHAD Manager prepares, and the GHAD Board of Directors approves an operating budget each year. When available funds are not sufficient to undertake all of the identified remedial and preventative stabilization

measures identified in the budget, the expenditures shall be prioritized by the General Manager as follows, in descending order of priority.

1. Prevention, mitigation, abatement, or control of geologic hazards that have either damaged or pose a significant threat of damage to residences, critical underground or overhead utilities, or roadways that provide emergency egress.

2. Prevention, mitigation, abatement, or control of geologic hazards which have either damaged or pose a significant threat of damage to commercial buildings, including but not limited to office buildings or club houses.

3. Prevention, mitigation, abatement, or control of geologic hazards which have either damaged or pose a significant threat of damage to ancillary structures, including but not limited to pool cabanas or restroom buildings.

4. Prevention, mitigation, abatement, or control of geologic hazards existing entirely on open-space or golf course property which have neither damaged nor pose a significant threat of damage to any structure or site improvements.

5. Prevention, mitigation, abatement, or control of geologic hazards that have either damaged or pose a significant threat of damage to landscaping or other similar non-essential amenities.

B. Establishment and Operation of a GHAD Reserve Fund

A reserve fund may be set up to allow funding projects whose cost exceeds the annual budget for major repair projects, and to provide for funds required periodically when major landslide events occur within the GHAD (e.g., winter periods with high precipitation and the potential for several major GHAD projects needing to occur simultaneously). The source of revenue for the reserve fund is the property assessment revenue annually allocated to the GHAD (see Section I). The GHAD shall periodically conduct studies to determine the amount of funds that should be accumulated in reserve. These studies will be based on the most current experience with GHAD prevention and repair expenditures.

IX. REIMBURSEMENT POLICIES

A. Reimbursement of Expenses Incurred by Property Owner

1. Reimbursement of Expenses for Mitigation During Emergencies

At the General Manager's sole discretion and upon proof of payment through receipts, the GHAD may reimburse a property owner~~s~~ for expenses incurred for materials used for temporary mitigation of a geologic hazard~~s~~, which the GHAD Manager has determined in writing to be covered by the Plan of Control, during periods of emergency. Such materials are limited to sheet plastic placed over slope failures, sandbags, silt fencing, and other typical temporary winterization measures.

2. Reimbursement by Agreement

At the General Manager's sole discretion and upon proof of payment through receipts, the GHAD may reimburse a property owner for expenses incurred for the prevention, mitigation, abatement, or control of a geologic hazard based on a written agreement between the property owner and the GHAD to that effect. Such agreement must be executed prior to the property owner incurring said expenses, and following a geologic investigation conducted by the GHAD.

B. Reimbursement for Damaged or Destroyed Structures and Site Improvements

1. Privately Owned Structures, Landscaping and Site Improvements

In the event a ~~private residence, commercial office building, or any other~~ property owner's structure, landscaping, or site improvement is damaged or destroyed due to, or as a result of, a geologic hazard, which the GHAD Manager has determined in writing to be covered by the Plan of Control ~~as defined herein~~, and pursuant to the other limitations and exclusions defined in this ~~section~~Plan of Control, the General Manager has sole discretion, ~~pursuant to Section VII,~~ to fund or reimburse (or not fund or reimburse) the property owner for the expenses necessary to repair or replace the damaged or destroyed structure, landscaping or site improvements. Any request for reimbursement must be submitted in writing to the General

Manager within 90 days of the date of the geologic hazard which caused the above-referenced damage or destruction, and shall include written substantiation for the expenses. The total dollar amount of the GHAD funding or reimbursement to all ~~the~~ property owners making a request may not exceed a maximum ten percent (10%) of the direct costs incurred by the GHAD in preventing, mitigating, abating, or controlling the geologic hazard responsible for the damage to all property owners. In the event the geologic hazard damaged or destroyed a structure, site improvement or landscaping which violated any provisions of the County or City Building Code or County or City Ordinance Code at the time of its installation or improvement, the GHAD will not provide any funding or reimbursement to the property owner for repair or replacement of the damaged structure, landscaping, or site improvement.

~~***2. HOA Owned Streets, Utilities, and Site Improvements***~~

~~In the event street pavement, underground utilities, landscaping, or site improvements owned by a homeowners association (HOA) is damaged or destroyed due to, or as a result of, a geologic hazard, as defined herein, and pursuant to the other limitations and exclusions defined in this section, the General Manager has sole discretion, pursuant to Section VII, to include in the scope of the landslide repair, the repair or replacement of the damaged or destroyed street pavement, above ground and underground utility structure(s), landscaping, or site improvement owned by the homeowners association.~~

X. RECONSIDERATION AND APPEAL POLICY

If a property owner ~~directly affected by an operational action as set forth in this POC does not agree~~disagrees with the decision of the General Manager ("General Manager Decision"), regarding a request for reimbursement as authorized in Section IX (A)(1) and (B)(1) above, the property owner may request the GHAD Manager reconsider the decision ~~the property owner may request the GHAD Manager to provide its decision in writing. If the property owner continues to disagree with the decision, that property owner may request the GHAD Manager to reconsider that decision ("General Manager Decision").~~ The property owner shall, within fifteen (15) days from the date

of the written General Manager Decision, file with the General Manager the grounds for reconsideration, and the requested relief, including the property owner's special interest and injury. Within fifteen (15) days of receipt of the property owner's written request for reconsideration, the General Manager shall issue a written decision on the request based on the evidence presented (""General Manager Reconsideration Decision"""). The property owner may appeal the General Manager Reconsideration Decision to the GHAD Board of Directors. This appeal must be filed with the General ManagerGHAD Clerk by submitting an Appeal on a Fform provided by the General Manager within fifteen (15) days from the date of the General Manager Reconsideration Decision and must include the payment of an appeal fee as noted on the Appeal Form. The appeal must include the reasons for the appeal and the property owner's requested relief. The GHAD Board of Directors will make the final decision on the appeal. The General Manager will proceed based on the decision of the Board of Directors and is considered the final decision of the GHAD.

All other determinations of the GHAD Manager not related to Section IX (A) (1) and (B)(1) (i.e., a determination that the soil movement alleged to cause damage is not covered by the Plan of Control, or requiring access agreements, or other agreements or documents from the property owner to perform GHAD duties) are final and not subject to appeal to the GHAD Board of Directors unless the reconsideration or appeal unless the GHAD Manager, in his or her sole discretion, determines that a final decision should made by the Board of Diectors be reconsidered due to the complexity or nature of the subject of the determination. In the event, the The GHAD Manager shall, as soon as feasible, inform the property owner of the opportunity for reconsideration or appeal the determination of the Board of Directors. This appeal must be filed in accordance with the provisions for an appeal to the Board of Directors as explained above.

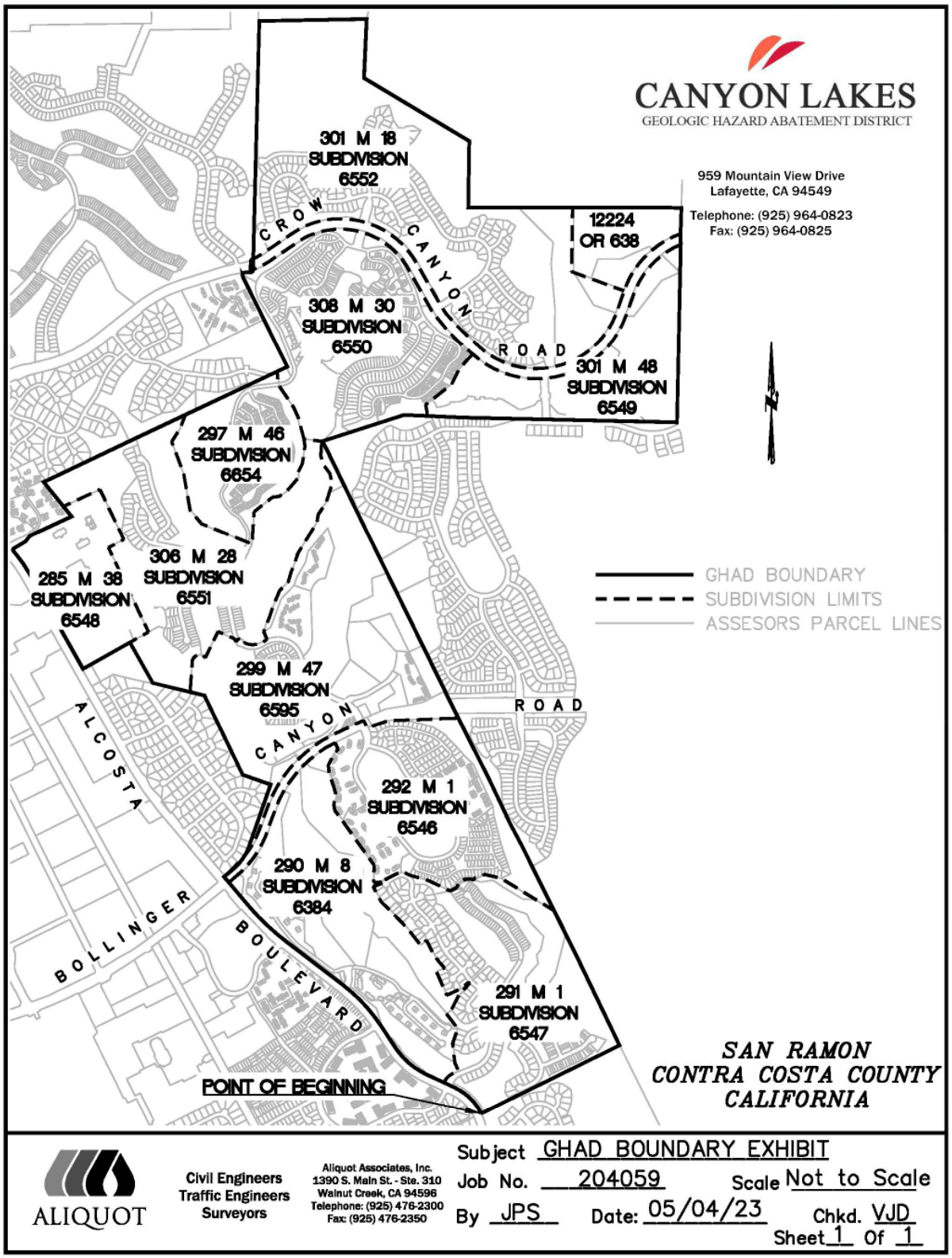
XI. REVISION POLICY

This POC is meant to address the current needs of the GHAD and may be updated or revised should conditions or information change that result in new and/or different approaches related to addressing geologic hazards as defined herein (Section III-A and B). The POC will periodically be revisited by the General Manager. If the General Manager identifies the need to make minor updates or revisions, the General Manager can make those updates or revisions without seeking approval of the GHAD Board of Directors but shall thereafter inform the Board that the updates

or revisions were made. If the updates or revisions are major, the General Manager shall submit the revisions to the Board of Directors for its approval. A minor update or revision is a change that clarifies a component of the POC and does not significantly change the purpose and character of the POC.

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FIGURE 1 – CANYON LAKES GHAD BOUNDARY SITE PLAN



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APPENDIX A - GEOLOGIC CONDITIONS

A. Topography and Geomorphology

The Canyon Lakes GHAD is located approximately three miles southeast of the town of Danville and six miles south of Mount Diablo in Contra Costa County, California. The area is situated on the slopes located between San Ramon to the southwest and Sycamore Valley to the north. The GHAD is located adjacent to and southwest of Sherburne Hills with Watson Canyon traversing through the northwestern area of the GHAD. Elevations within the GHAD boundary range between approximately 450 feet to 800 feet (USGS, 2018). The lower elevations are present within the Watson Canyon area (South San Ramon Creek) and Coyote Creek, while the higher elevations are present at the ridgeline peaks. Drainage within the GHAD limits is generally to the southwest via two named creeks (South San Ramon Creek and Coyote Creek) (USGS, 2018). Unnamed subsidiary drainages and creeks act as tributaries to the main drainage channels. The terrain consists of grass-covered ridges and hillslopes that drain to swales and small valleys that support modest tree and shrub growth.

B. Geology

The bedrock geology underlying the GHAD consists of Tertiary-age (Pliocene and late Miocene)[1] sedimentary deposits that have been folded and faulted due to the greater tectonics of the San Andreas fault system and associated uplift of Mount Diablo. The majority of the area is underlain by non-marine sandstones of the Orinda Formation (Dibblee, 2005) which is locally called the Green Valley Formation (Graymer et al., 1994). These rocks consist of gray to greenish gray, interbedded pebble conglomerates, sandstones and claystones (Dibblee, 2005). Flatter valley floors in the vicinity of the drainage channels and where much of the infrastructure in has been constructed consist of young (Holocene)[1] alluvial deposits (Helley and Graymer, 1997).

[1] Holocene refers to deposits that are less than 11,700 years old. Pliocene refers to rocks that are 2.6 to 5.3 million years old. Miocene refers to rocks that are 5.3 to 23 million years old.

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The bedrock structure consists of a series of nearly parallel, northwest-southeast striking bedding. a northwest-southeast trending syncline has been mapped through the central area of the GHAD, while a portion of the nearly east-west trending Tassajara Anticline has been mapped near the northeastern corner of the GHAD boundary. Mapping indicates that bedding dips to the northeast west of the syncline and varies between southwest and overturned between the syncline and anticline. Within the GHAD, structural mapping shows sedimentary bedrock bedding dipping between 18 to 75° to the northeast (west of the mapped syncline) and ubiquitous and overturned (dipping at 65° to the east of the mapped syncline) (Dibblee, 2005; Crane, 1995).

Crane, 1995, mapped several thrust faults trending northwest-southeast within the GHAD limits. The western most mapped thrust fault is shown traversing through the southwestern portion of the GHAD limits. The hanging block is shown along the eastern side of the fault. Two thrust faults are mapped in close proximity and along either side of the aforementioned syncline traversing through the central portion of the GHAD limits. The hanging block side is shown between the two faults. Two additional thrust faults are mapped near the northeastern corner of the GHAD. Again, the hanging block is shown along the eastern side of the faults. Other thrust faulting mapped by Crane the vicinity of the GHAD have similar trending and orientations.

C. Tectonics and Seismic Sources

The Canyon Lakes GHAD's location within the greater San Francisco Bay area of northern California places it in proximity to several potential sources of seismicity. The GHAD is located within the eastern portion of the San Andreas Fault System but is not located within a State of California designated Alquist-Priola Earthquake Fault Zone. The nearest State of California zoned active faults are the Calaveras and Greenville faults located about 0.8 mile to the west and 7.4 miles east, respectively. Both faults have expected earthquake moment magnitudes of M6.7+ (Field et al., 2015). The Caltrans ARS website indicates these faults have a potential magnitude of M6.9 (CalTrans, 2013). An earthquake of these expected magnitudes could produce a ground acceleration of approximately 0.4g at the site according to attenuation relationships by Campbell and Bozorgnia (1994). Other sources for design-basis ground shaking near the area include smaller local faults that may produce lower magnitude earthquakes but potentially more intense ground shaking due to their closer proximity to the GHAD. These include the Mount Diablo blind thrust fault or potential subsidiary faults such as those mapped in the vicinity of the GHAD by Crane

(1988) and Sawyer (2015). Various mapping efforts have placed the approximate location of the Mount Diablo thrust fault close to the northeast boundary of the GHAD (Unruh and Sundermann, 2006; Sawyer, 2015; Bryant, 2017) with some mapping indicating the presence of fault structures within the GHAD boundary itself (Crane, 1995). Geomorphological studies indicate active deformation in the region as a result of late Holocene (modern) movement of the fault (Sawyer, 2015). These are manifest as fault-propagation folds and include the nearby Tassajara and Doolan anticlines which, in turn, are related to splay faults from the Mount Diablo thrust (Sawyer, 2015).

The U.S. Geological Survey provides a plausible scenario for a M6.5 earthquake on the Mount Diablo thrust fault with estimated peak ground acceleration of 0.4 to 0.6g in the vicinity of the GHAD (USGS, 2017). Earthquakes on blind thrust faults are not expected to cause surface ground rupture as might occur along a major strike slip fault such as the San Andreas, Hayward, or other nearby major faults. However, secondary seismic hazards such as landslides could be expected from such an event. More distant seismic ground shaking sources include the major known active faults of the San Francisco Bay Area; namely the San Andreas, Hayward, Rodgers Creek-Healdsburg, and the Concord–Green Valley faults. These sources are all at least five miles from the Canyon Lakes GHAD but are known to be capable of producing moderate to large-scale (up to M7+) seismic events. Based on the current state of knowledge, it appears likely that secondary seismic hazards from an earthquake on any of the seismic sources discussed above would occur in regional areas of localized weak soils, such as on unstable slopes.

D. Surficial Deposits

The area within the GHAD boundaries is covered primarily by relatively shallow soils. The soil over the majority of the GHAD area is mapped as Diablo clay of Contra Costa County (NRCS, 2022). This soil typically forms on uplands, derived from sedimentary bedrock. Below the surficial dark gray clay, the soils generally become light gray or olive gray silty to sandy clay and extend to the undisturbed bedrock. Diablo clays generally have high expansion potential resulting in surficial cracking during the summer and swelling during the winter. Soils with high expansion potential are generally susceptible to downhill soil creep on hillslopes.

E. Engineered Fill Deposits

As part of the original development within the GHAD boundary, significant excavations were made followed by placement of engineered fill deposits. Fill deposits are typically compacted during placement at controlled soil moisture levels to minimize overall settlement. Even still, fill deposits will in nearly all cases undergo some level of long-term settlement, and may undergo long-term movement depending on the overall level of soil moisture introduced. Because soil fills usually support infrastructure development, soil moisture levels may be increased (i.e., due to landscaping, etc.) compared to the background levels to which the soil fill material originated (i.e., as a hillslope subject only to infiltration during winter storms). As a result, areas of significant soil fill may be subject to potential long-term movement as the fill deposits adjust to their new configuration. Horizontal drains typically offer a means to control and limit the buildup of unfavorable soil moisture levels, and monitoring may provide a practical means of identifying potential instability issues.

F. Groundwater and Streamflow

Groundwater has been encountered at variable depths within the GHAD boundaries during drilling explorations by various geotechnical firms. Sandstone, siltstone and gravelly bedrock units can be expected to contain variable amounts of groundwater depending on location and underlying geologic structure. Overall, groundwater can be expected to be 10 feet or more below the ground surface. However, areas of springs and seeps are common, and perched transient zones of groundwater may occur as a result of winter precipitation. When soils approach saturation, creeks and other drainages within the GHAD's boundaries that are normally dry during the majority of the year can discharge water as streamflow. In some cases, flooding is possible near creek crossings. Creek bank erosion may also be caused by these types of flows. Groundwater and streamflow regimes may be affected by development within or near the GHAD boundaries. Long-term changes to these conditions can result from landscape irrigation, the addition of impervious pavement or structures, surface runoff collection systems, and subsurface drainage facilities.

G. Geologic Hazards

The most common geologic hazard affecting the Canyon Lakes GHAD is landslides caused by a combination of high seasonal cumulative rainfall and intense storm precipitation acting to destabilize the weak soil and rocks encompassing the steep slopes of the region. Earthquakes are also a concern given the nearby proximity of the GHAD to several active faults, and landslides generated from seismic shaking are likely in the event of strong shaking. In particular, the number and size of landslides may be greater if an earthquake occurs during the wettest months of the winter season when slopes are already weak due to rainfall infiltration.

Mapping in the region indicates that the GHAD (as well as many other areas in the Mount Diablo area and San Francisco Bay region in general) contains hundreds of existing landslides (Davenport, 1985) with slopes susceptible to movement and adjacent areas susceptible to inundation by landslide debris. Steep slopes may be subject to landsliding as a result of both natural (e.g., precipitation, earthquake) or human activities (e.g., lot grading, road construction, changes to site drainage, damage to water supply or wastewater piping, etc.).

Landslides in the Mount Diablo region consist of both shallow and deeper movements. Shallow landslides generally occur as earth (fine grained) or debris (coarse grained) slides and flows (Varnes, 1978) within soil overlying bedrock. Deep-seated landslides can be translational or rotational and mobilize both soil and weathered bedrock. Most landslides in the Canyon Lakes GHAD consist of shallow debris flows and deep-seated rotational earth and debris slides. Debris flows (often called mudflows) tend to be less than 10 feet deep and can move rapidly (seconds to minutes) within a relatively linear, narrow path that follows the existing topography (i.e., along swales, drainage channels, or simply straight downhill). Debris flows may travel hundreds of feet before stopping. Deep-seated slides typically move relatively slowly taking hours to days to move en masse along a relatively deep (20 feet or greater) curved slip plane with a better-defined headscarp, graben, or crevasse at the top of the slide. Movement may not exceed the length of the landslide source area but may move much larger areas and volumes of terrain compared to debris flows. In both cases, the most common causes of landslides involve weak soil/rock materials, a change in slope configuration, or an increase in subsurface moisture content, with a subsequent loss of soil or rock strength.

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APPENDIX B - METES AND BOUNDS DESCRIPTION

All that real property situate in the City of San Ramon, Contra Costa County, State of California, and described as follows:

Being all the following subdivisions situate in the City of San Ramon, Contra Costa County, State of California,
"Subdivision 6547," recorded in Book 291, Page 1 of Maps,
"Subdivision 6384", recorded in Book 290, Page 8 of Maps,
"Subdivision 6546", recorded in Book 292, Page 1 of Maps,
"Subdivision 6595", recorded in Book 299, Page 47 of Maps,
"Subdivision 6551", recorded in Book 306, Page 28 of maps,
"Subdivision 6548", recorded in Book 285, Page 38 of maps,
"Subdivision 6654", recorded in Book 297, Page 46 of maps,
"Subdivision 6550", recorded in Book 308, Page 30 of Maps,
"Subdivision 6552", recorded in Book 301, Page 18 of Maps, and
"Subdivision 6549", recorded in Book 301, Page 48 of Maps all in Official Records said County; and all that real property described in the Grant Deed conveyed to East Bay Municipal Utility District, recorded March 14, 1985 in Book 12224, Page 638 of Official Records of said Contra Costa County, and more particularly described as follows:

Beginning at the most southeasterly corner of Parcel "Q" as shown on aforementioned "Subdivision 6547", Thence along a non-tangent curve to the left having a radius of 700.00 feet, from which the center of said curve bears, South 63°19'04" West, through a central angle 38°14'37", an arc distance of 467.23 feet, said curve also being on the southwesterly boundary line of said "Subdivision 6547", said line also being on the northeasterly right-of-way line of Alcosta Boulevard; Thence continuing along said southwesterly boundary line of said "Subdivision 6547" and said northeasterly right-of-way line of Alcosta Boulevard, North 64° 55' 33" West, 165.02 feet to a point being the most southeasterly corner of aforementioned "Subdivision 6384"; Thence along the southwesterly boundary of said "Subdivision 6384" and said northeasterly right-of-way line of Alcosta Boulevard the following seven (7) courses:

1) North 64° 55' 33" West, 216.45 feet,
2) Northwesterly along a tangent curve to the right having a radius of 950.00 feet, through a central angle of 31° 38' 47" an arc distance of 524.72 feet,
3) North 33° 16' 46" West, 310.88 feet,
4) Northwesterly along a tangent curve to the left having a radius of 2050.00 feet, through a central angle of 19° 17' 20" an arc distance of 690.14 feet,
5) North 52° 34' 06" West, 876.64 feet,
6) Northwesterly along a tangent curve to the right having a radius of 2950.00 feet, through a central angle of 12° 16' 10" an arc distance of 631.72 feet, and
7) North 40° 17' 56" West, 378.41 feet to the most southwesterly corner of the dedicated right-of-way line of Bollinger Canyon Road, said point also being on the northeasterly line of the right of way of Alcosta Boulevard as shown on aforementioned "Subdivision 6546", thence along the northeasterly right-of-way line of Alcosta Boulevard, North 40° 17' 56" West, 110.00 feet to a point on the most northwesterly corner of said right-of-way of Bollinger Canyon Road, Thence leaving said northeasterly line of said right-of-way of Alcosta Boulevard and along the northwesterly line of the right-of way of said Bollinger Canyon Road, North 49° 42' 04" East, 150.00 feet to a point being the most southwesterly corner of aforementioned "Subdivision 6595", Thence leaving the northwesterly right-of-way line of said Bollinger Canyon Road and along the northwesterly boundary of said "Subdivision 6595" the following six (6) courses:

1) North 49°42'04" East, 15.47 feet,
2) Northwesterly along a tangent curve to the left with a radius of 600.00 feet, through a central angle 30° 22' 12" an arc distance of 318.03 feet,
3) North 19°19'44" East, 816.21 feet,
4) North 70°40'14" West, 366.26 feet,
5) North 25°43'10" West, 1090.00 feet, and

6) North 76°25’32” West, 170.00 feet to a point being the most southeasterly corner of aforementioned “Subdivision 6551”; Thence along the southwesterly boundary of said “Subdivision 6551” the following two (2) courses:

1) North 76°25’32” West, 483.69 feet, and
2) North 29°24’58” West, 574.27 feet to a point on the south boundary line of aforementioned “Subdivision 6548”, same point being, North 60°35’06” East, 664.23 feet from the most southwest corner of said “Subdivision 6548”; Thence along said south boundary line of said “Subdivision 6548”; South 60°35’06” West, 664.23 feet to the most southwest corner of said “Subdivision 6548”; Thence along the westerly line of said “Subdivision 6548”, the following four (4) courses:

1) North 29°24’54” West, 1356.19 feet,
2) Northwesterly along a tangent curve to the left having a radius of 1550.00 feet, through a central angle of 10° 07' 38" an arc distance of 273.97 feet,
3) North 39°32’32” West, 63.22 feet, and
4) Northeasterly along a tangent curve to the right having a radius of 20.00 feet, through a central angle of 98° 38' 12", an arc distance of 34.43 feet to a point on the north line of said “Subdivision 6548”;

Thence along said north line the following five (5) courses:

1) North 59°05’40” East, 170.46 feet,
2) North 38°55’09” East, 83.88 feet,
3) North 49°12’55” East, 9.78 feet,
4) North 64°54’35” East, 561.63 feet, and
5) North 39°05’08” West, 160.00 feet to an angle point on the westerly boundary line of aforementioned “Subdivision 6551”; Thence continuing along said westerly boundary line of said “Subdivision 6551”, North 39°05’08” West, 385.74 feet to the most northwesterly corner of said “Subdivision 6551”; Thence along the north line of said “Subdivision 6551”; North 64°30’06” East, 1271.53, and North 64°45’21” East, 673.46 feet to the most northwesterly corner of aforementioned “Subdivision 6654”; Thence along the north line of said “Subdivision 6654”; North 64°45’22” East, 1258.45 feet to the most northeasterly corner of said “Subdivision 6654”, same point also being an angle point on the west line of aforementioned “Subdivision 6550”; Thence along said west line of said “Subdivision 6550” the following four (4) courses:

1) North 64°45’22” East, 120.68 feet,
2) North 26°11’37” West, 1295.09 feet,
3) Northeasterly along a non-tangent curve to the left having a radius of 1038.00 feet, from which the center of said curve bears North 6°08’31” West, through a central angle 8° 08' 16" an arc distance of 147.43 feet, and
4) North 02°23’27” East, 44.26 feet to a point on the southerly right-of-way line of Crow Canyon Road (124’ wide), same point also being on the southerly right-of-way line of Crow Canyon Road (124’ wide), as shown on aforementioned “Subdivision 6552”; Thence leaving said boundary of aforementioned “Subdivision “6650” and crossing through said Crow Canyon Road (124’ wide) the following two (2) courses:

1) North 01°44’44” East, 16.99 feet, and
2) North 01°29’54” East, 115.51 feet to the southwesterly corner of aforementioned “Subdivision 6552”;

Thence along the boundary of aforementioned “Subdivision 6552” the following two (2) courses:

1) North 1°44’44” East, 0.75 feet, and
2) North 1°27’06” East, 2925.36 feet to the most northwesterly corner of said “Subdivision 6552”;

Thence along the north line of said “Subdivision 6552” the following five (5) courses:

1) North 86°29’44” East, 1322.31 feet,
2) South 1°26’55” West, 775.19 feet,
3) South 59°06’11” East, 1514.94 feet,
4) South 0°52’30” West, 823.57 feet, and
5) South 89°57’14” East, 1303.18 feet to a point being the most northwesterly corner of “Parcel One” as described in the Grant Deed conveyed to East Bay Municipal Utility District, recorded March 14, 1985 in Book 12224,

Page 638 of Official Records of said Contra Costa County; Thence along the exterior boundary of said "Parcel One" the following two (2) courses:

1) South 89°57'15" East, 1335.02 feet, and
2) South 1°32'42" West, 308.71 feet to a point on the northerly right-of-way line of Crow Canyon Road (124' wide) as shown on aforementioned "Subdivision 6552"; Thence crossing said Crow Canyon Road (124' wide) South 1°32'42" West, 134.04 feet, to the northeasterly corner of aforementioned "Subdivision 6549"; Thence along the boundary of aforementioned "Subdivision 6549" the following three (3) courses:

1) South 1°32'42" West, 2215.79 feet,
2) North 88°42'18" West, 2630.10 feet, and
3) North 87°26'36" West, 453.96 feet to an angle point on the southerly boundary of aforementioned "Subdivision 6550"; Thence along said southerly boundary line, the following two (2) courses:

1) North 87°26'36" West, 284.71 feet, and
2) South 72°08'23" West, 1057.94 feet more or less, (record 1042.80') to the northeasterly corner of aforementioned "Subdivision 6595"; Thence along the boundary of aforementioned "Subdivision 6595" the following three (3) courses:

1) South 26°51'06" East, 149.68 feet,
2) South 25°56'59" East, 849.67 feet, and
3) South 26°06'38" East, 2806.92 feet more or less, (record 2800.98')

to the northeasterly corner of aforementioned "Subdivision 6546", thence along the northeasterly boundary of aforementioned "Subdivision 6546" the following six (6) courses:

1) South 26°06'38" East, 28.31 feet,
2) South 26°44'43" East, 819.94 feet,
3) South 25°25'47" East, 225.74 feet,
4) South 25°18'38" East, 365.00 feet,
5) South 27°43'38" East, 320.00 feet and
6) South 26°21'38" East, 910.00 feet to the northeasterly corner of aforementioned "Subdivision 6547";

Thence along the northeasterly boundary of aforementioned "Subdivision 6547" the following three (3) courses:

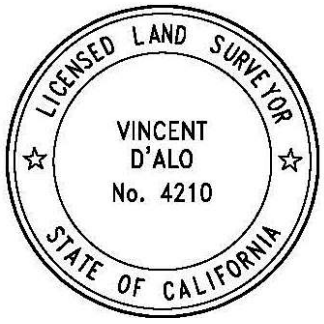
1) South 26°21'38" East, 613.00 feet,
2) South 25°40'41" East, 1223.01 feet,
3) South 63°43'09" West, 1901.35 feet, to the **Point of Beginning**

Containing an area of 1064 acres, more or less.
Attached hereto is a plat entitled Exhibit "B" for reference only.

END OF DESCRIPTION

PREPARED BY:





VINCENT J. D'ALO
LS 4210

MAY 04, 2023
DATE

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1781 **Agenda Date:** 6/25/2024 **Agenda #:** C.106.

To: **Board of Directors**

From: Hillcrest Heights Geological Hazard Abatement District

Report Title: Hillcrest Heights GHAD Resolution No. 2024/01 (Annual Budget)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ADOPT Hillcrest Heights GHAD Resolution No. 2024/01 approving the GHAD budget for 2024/2025 fiscal year and updating GHAD General Manager payment limit under Consulting Services Agreement.

FISCAL IMPACT:

100% Hillcrest Heights Geological Hazard Abatement District Funds

BACKGROUND:

On July 9, 1996, the Contra Costa County Board of Supervisors adopted Resolution 96/329 approving the formation of the GHAD and appointed itself to serve as the GHAD Board of Directors.

The GHAD Board adopts a budget for the GHAD operations each fiscal year. The GHAD Board is being requested to adopt the fiscal year budget for 2024/2025 as prepared by the GHAD General Manager which is attached to Resolution No. 2024/01. The proposed fiscal year budget totals $296,750.

In addition, the GHAD Board is being requested to update the GHAD General Manager payment limits under the existing Consulting Services Agreement as required by that Agreement. The budget attached to Resolution No. 2024/01 identifies that limit at $68,700.

CONSEQUENCE OF NEGATIVE ACTION:

The GHAD will not be able to continue to operate starting July 1, 2024 if the budget is not approved.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Adopting 2024/2025 annual budget and updating GHAD General Manager payment limits under the existing consulting services agreement.

WHEREAS, on July 9, 1996, the Contra Costa County Board of Supervisors adopted Resolution 96/329 approving the formation of the Hillcrest Heights Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

WHEREAS, the GHAD Board of Directors desires to adopt the budget for the fiscal year 2024/2025 prepared by the GHAD General Manager, Sands Construction Company, LLC, attached hereto as Exhibit A.

WHEREAS, on June 13, 2023, pursuant to Resolution No. 2023/02, the GHAD Board approved an updated consultant services agreement with Sands Construction Company, LLC, to act as Manager for the GHAD. This Agreement, in section 3, requires the GHAD Board to determine by resolution each fiscal year the payment limits for GHAD General Manager services. The budget attached in Exhibit A identifies this limit at $68,700 under
Staffing/Administrative Support.

NOW, THEREFORE, BE IT RESOLVED

1. The GHAD Board approves the GHAD budget for the 2024/2025 fiscal year of $296,750 attached as Exhibit A and incorporated herein by this reference.

2. The GHAD Board adopts the payment limit for GHAD Manager services at $68,700 for fiscal year 2024/2025 as set forth in Exhibit A, and incorporates this payment limit into the consulting services agreement.

3. The recitals are incorporated herein by this reference.

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

Exhibit A

HILLCREST HEIGHTS
GEOLOGIC HAZARD ABATEMENT DISTRICT

Program Budget

FISCAL YEAR 2024-2025

APRIL 2024

HILLCREST HEIGHTS
GEOLOGIC HAZARD ABATEMENT DISTRICT

May 3, 2024

Hillcrest Heights GHAD Board of Directors
c/o Supervisor John M. Gioia
11780 San Pablo Avenue, Suite D
El Cerrito, California 94530

SUBJECT: Program Budget for Fiscal Year 2024-2025
Hillcrest Heights Geologic Hazard Abatement District

Dear Board Members:

Attached please find the proposed program budget for the Hillcrest Heights Geologic Hazard Abatement District ("Hillcrest Heights GHAD", "GHAD" or "District") for fiscal year 2024-2025. The proposed fiscal year budget totals $296,750, which falls within projected revenues, and anticipates a $75,242 contribution to the reserve fund. At the time of this publication, it is expected that the fund balance on June 30, 2024, will be approximately $2,172,483. A fund balance of $2,247,725 is projected for June 30, 2025.

There are four major budget categories, their respective budget expenses break down as follows:

Major Projects	21 percent
Preventive Maintenance and Operations	33 percent
Special Projects	20 percent
Administration, Legal, Accounting	26 percent

BACKGROUND:

On July 23, 1996, the Contra Costa Board of Supervisors adopted Resolution 96/239 approving the formation of the Hillcrest Heights Geologic Hazard Abatement District (Hillcrest Heights GHAD), located in the hills of El Sobrante, within the jurisdiction of Contra Costa County. The Hillcrest Heights GHAD was formed pursuant to State Public Resources Code § 26500 et seq. The Board of Supervisors at that time appointed itself as the Board of Directors of the Hillcrest Heights GHAD.

Resolution 97/178 adopted on April 1, 1997, by the Board of Supervisors, acting as the Hillcrest Heights Board, confirmed the assessments for the district and ordered the collection of the amounts called for in the Assessment Report. The initial fiscal year for the Hillcrest Heights GHAD was established as 1997-1998.

A 15-lot subdivision also completed in El Sobrante known as Spanish Trails was annexed in 2008 to the Hillcrest Heights GHAD and on February 25, 2009, the Notice of Assessment was recorded. Assessments were levied on the 15-lots beginning fiscal year 2009-2010. Maintenance transfer to the Hillcrest Heights GHAD for the activities pursuant to the approved Plan of Control occurred on February 5, 2010. A 32-lot subdivision also located in El Sobrante known as Edgemont (Colina Canyon) was also annexed to the Hillcrest Heights GHAD on May 11, 2010, with the Final Map and Notice of Assessment recorded on July 29, 2010. Construction commenced on several model homes and activities halted and the subdivision remained in this condition for a time, although the district has been receiving revenue from property assessments. Maintenance transfer to the Hillcrest Heights GHAD has not been completed and therefore the District cannot currently provide services.

The Major Projects program will move into a phase of dedicating more of our focus to address preemptive measures and studies and asset maintenance within both our Major Projects program and our Preventive Maintenance program.

As a percentage of the budget, the Major Projects Program will utilize a portion this year within the customary norms. Fiscal year 2024-2025 will focus primarily on continuation of additional Major Projects consisting of two primary studies designed to further assess instrumentation and drainage systems efficacy and serviceable life, and studies focused on localized and regional slope stability analyses and groundwater conditions. A storm drain system inspection in Hillcrest Heights Development was completed and reviewed. Plans for targeted repairs are anticipated in FY24/25.

The Preventive Maintenance Program will focus on efforts to complete asset site restorations. The program will pursue analysis and upgrades to all instrument and asset infrastructure and the associated data collection to ensure all predictive features of these instrumentation sites are fully realized. Specifically, we will target the following program elements - Concrete Interceptor Ditch Systems (Repair and Replace Program); the Horizontal Drains (Site Maintenance Program); the Piezometers (Site Maintenance Program); and the Soil Debris Bench/Impact Walls (Maintenance Program).

The Operations Program will continue its existing monitoring profile through this period. GHAD conducts ongoing studies of accumulated empirical data from its many monitoring assets to further expose any notable trending that might occur over significant periods of time, thereby reducing risk exposure. Currently, The National Oceanic and Atmospheric Administration (NOAA) predicts La Niña neutral conditions in the Southern Oscillation; however, early probability forecasts have often changed throughout the summer months.

The Special Projects Program will be directed, in part, to continue analyzing the Plan of Control and other essential documents that establish and direct the Hillcrest Heights GHAD. Preliminary review will be initiated to assess the need to conduct a formal Reserve Study that would serve to test, identify weaknesses, and expose any necessary adjustments to the criteria or methodologies utilized in the program and anticipate revenue and reserve demands over time. Additional studies have begun to assess the feasibility of integrating a Geographic Information System (GIS) into the Hillcrest Heights program.

This budget anticipates continued strengthening and building efficiencies within the Administration Program. General legal counsel will be provided by the Hillcrest Heights GHAD Board appointed attorney, Patricia Curtin of Fennemore, Wendel, LLP.

As managers, we continually monitor and anticipate significant short-term and long-term financial impacts on GHAD reserves and compare such impacts with our ongoing 40-year reserve study. Our ability to maintain and manage reserves funds will provide assurance of our capability to continue uninterrupted services in the future.

A summary of the expenses is shown on Table 1, pages 4 through 6, followed by brief descriptions of each of the budget items on pages 7 through 14.

Respectfully yours,

Hillcrest Heights Geologic Hazard Abatement District



Michael D. Sands
Sands Construction Company, Inc.
General Manager

Distribution list:

Hillcrest Heights GHAD Board of Directors:

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GHAD Attorney:

Patricia Curtin, Esq. (Hillcrest Heights GHAD Attorney)
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GHAD Treasurer:

Laffer Tengler Investments
Nancy Tengler, CEO
6710 N Scottsdale Rd., Suite 130
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Hillcrest Heights Geologic Hazard Abatement District
Program Budget
Fiscal Year 2024/2025

The following proposed line-item program budget (Table 1) summarizes the anticipated expenditures for fiscal year 2024-2025 for the Hillcrest Heights Geologic Hazard Abatement District (“Hillcrest Heights GHAD”, “GHAD”, or “District"). Through an ongoing assessment, the manager evaluates and addresses geologic risk through the implementation of an annual program budget consisting of four major categories. Preceding Table 1, and directly below, is a general overview description of the four major program elements within the budget.

Major Projects Program

The annual Major Projects Program includes, landslide repair projects, drainage improvement projects, and capital improvement projects necessary to either control, mitigate, or prevent landslide activity. Other large program responses necessary to implement the Plan of Control, including specific purpose studies and investigations, may also be included in the Major Projects Program.

Generally, for consideration of inclusion into the Major Projects Program, a project or study would represent a level of complexity requiring plans, specifications, and comprehensive engineering analysis including modeling and research, or a project with a protracted scope such as those requiring multiple regulatory agency approvals. Most Major Projects have a projected cost that exceeds $25,000.

Historically, the Major Projects Program has been comprised of significant landslide repair projects and other responsive large projects; at other times, it has included programmatic studies and investigations useful in generating proactive responses. This diversity of projects demonstrates the importance of a flexible Major Projects Program structure that adapts between responsive and proactive needs and capabilities to manage the dynamic nature of larger scale geologic events.

Preventive Maintenance and Operations Program

The annual Preventive Maintenance and Operations Program includes all minor repairs, cleanup, maintenance, monitoring and replacement of drainage structures and other assets that degrade over a serviceable life. The goal of preventive maintenance is to keep assets in operational condition and identify potential slope stability risks before they manifest, allowing measures to be taken to either prevent, or mitigate the impact of these hazards as defined in the Hillcrest Heights GHAD Plan of Control.

Typical Hillcrest Heights GHAD assets include concrete lined ditches, subdrainage systems, groundwater measuring instrumentation, slope inclinometers and moisture gauges, and slope debris catchment features.

The Preventive Maintenance Program also includes preparations for emergency response, winterization measures including erosion protection and slope stabilization supplies, and instrument maintenance.

The Operations Program is primarily populated with scheduled instrument monitoring events. Data from these instruments are evaluated to establish risk and trends to avert landslide activity. In addition to the instrumentation monitoring program, the Operations Program contains the Incident Response and Community Relations Program, which incorporates comprehensive first response capabilities, and fosters community incident interaction.

Special Projects

The Hillcrest Heights GHAD pursues ongoing and new activities identified as "Special Projects". Special Projects include activities requested by the Board such as the Communications Program, and projects and studies designed to improve the District's operational effectiveness and ensure financial solvency. Special Projects also include utilizing new technologies to increase the efficiencies of the day-to-day operations.

Administration

Administrative expenses are required to operate the Hillcrest Heights GHAD and implement projects. Administrative expenses include personnel and consultants to manage the operations including: the General Manager, Administrative Manager, Construction Services Manager, certain clerical and accounting staff, consultants, and legal support.

General Manager Program Budget FY24/25 $ 84,500.00

The scope of services for the General Manager includes, managing the day-to-day operations through implementation of the necessary financial recordkeeping and reporting; updating and maintaining governing documents, such as the Plan of Control; and managing and updating administrative tools such as the Reserve Study, Communications Plan, Work Program and Monthly Incident Log. The General Manager Consulting Services Agreement provides for certain administrative positions including, but not limited to, a General Manager, an Administrative Manager, a Construction Services Manager and a Network Administrator as well as overhead costs, such as office space rent, office supplies and postage.

With respect to the Operations of the Hillcrest Heights GHAD, the scope of services for Operations includes, implementing the Major Projects and Preventive Maintenance Programs through forecasting work schedules and priorities, preparing Requests for Proposals, and managing maintenance and repair operations within the Major Projects and Preventive Maintenance Programs. These services include project management and construction management; and preparing for and responding to emergency incidents.

The General Manager will retain the necessary professionals, including without limitation: engineers, accounting professionals, and vendors to facilitate the operations of the Hillcrest Heights GHAD. The General Manager Consulting Services Agreement and associated budget allows for the conditional use of subcontractors such as administrative sub-consultants and engineering or construction sub-consultants within the payment limits of the Consulting Services Agreement.

A summary of the proposed Fiscal Year 2024-2025 Budget is presented in Table 1 on the following pages.

Table 1 – Summary of Proposal Fiscal Year 2024/2025 Budget

Budget Item	Budget Amount	% of Total Budget
Major Projects		
Study/Project: Storm Drain System Project Design	$ 30,000	
Study: Groundwater Study/Slope Stability Study	$ 20,000	
Unanticipated Sites	$ 10,000	
Landscape Replacement (associated GHAD repairs)	$ 1,000	
Total Major Projects	**$ 61,000**	**21%**

Preventive Maintenance/Operations		
Preventive Maintenance		
Drainage		
Storm Drain Facilities		
B-58 Concrete Lined Ditches		
Maintenance/Cleaning/Mapping	$ 6,500	
Repair and replace	$ -	
Storm Drain Maintenance/Repairs	$ 45,000	
Subdrain Systems		
Horizontal Drains	$ 4,000	
Subdrain Outlets/Pumps	$ 2,000	
Piezometers	$ 2,000	
Settlement Monitors	$ -	
Retention Basins	$ 3,500	
Minor Repairs	$ 4,500	
Winterization	$ 3,000	
Emergency Response	$ 3,000	
Debris Benches	$ 4,500	
Subtotal	**$ 78,000**	
Operations		
Piezometer Monitoring	$ 5,500	
Horizontal Drain Monitoring	$ 5,500	
Subdrain Monitoring	$ 4,000	
Settlement Monitoring	$ 1,000	
Incident Response/Community Relations	$ 5,000	
Subtotal	**$ 21,000**	
Total Preventive Maintenance/Operations	**$ 99,000**	**33%**

Special Projects			
Plan of Control	$	15,000	
Reserve Study	$	5,000	
Special Studies/Annexation Transfers	$	10,000	
Information Technology/Content Management	$	20,000	
Geographic Information Systems	$	-	
Accounting Systems Upgrade	$	2,000	
Procedures Manual	$	-	
Communications Program/Website	$	7,000	
CA Association of GHADs - Membership/Insurance	$	1,550	
Total Special Projects	**$**	**60,550**	**20%**

Administration			
Legal Fees			
General Counsel	$	5,000	
Special Counsel	$	-	
Litigation/Legal Concerns	$	-	
Assessment Roll Update	$	2,500	
Administrative Support			
Staffing/Administrative Support	$	47,000	
Accounting/Financial Services	$	18,000	
Training/Education	$	-	
Office - Rent/Supplies/Equipment/Lease	$	3,700	
Total Administration	**$**	**76,200**	**26%**

TOTAL PROPOSED BUDGET FY2024/2025	**$**	**296,750**	**100%**

Available Funds		
Estimated Beginning Fund Balance - July 1, 2024*		$ 2,172,483
Estimated Property Owner Assessments		$ 226,992
Hillcrest Heights	$ 1,930.35**	
Colina Canyon	$ 1,709.88**	
Spanish Trails	$ 3,120.17**	
Estimated Interest on Investments/Change in Value		$ 145,000
Other Income		$ -
Total Available Funds		**$ 2,544,475**
Use of Funds		
Major Projects		$ 61,000
Preventive Maintenance		$ 99,000
Special Projects		$ 60,550
Administrative		$ 76,200
Total Use of Funds		**$ 296,750**
Estimated Reserve Available/Ending Fund Balance June 30, 2025		**$ 2,247,725**

* Including estimated true-up revenue payment (June 2024) of $10,916.80 – Projected Fund Balance date of publication
**Estimates based on USBLS April 2024 CPI San Francisco, Oakland, Hayward Area

DESCRIPTION OF BUDGET ITEMS

Major Projects

Study/Project – Storm Drain system Project Design

A study was initiated in 2021 to inspect and development-wide storm drain systems in Hillcrest Heights. Once in situ video inspections were completed all storm drain systems were reviewed and any deficiencies identified and prioritized for possible repair interventions. In FY24/25 we will to continue our ongoing efforts to design both in situ, and conventional excavating and repairing or replacing methods of repairs. Followed by targeted field operations to correct system deficiencies on a priority basis.

Estimated Cost $30,000

Study – Groundwater Study/Slope Stability Analyses

Slope weathering and changes in groundwater levels and regimes over time can impact slope stability. It is important for Hillcrest Heights GHAD management to make dynamic assessments to ensure design thresholds are met in slope stability. This study addresses several potential sites and analyzes conditions. Recent storm events will be evaluated through onsite instrumentation data and any evidence of latent slope stability impacts identified and addressed.

Estimated Cost $20,000

Unanticipated Sites

During heavy rain years, unexpected repairs are necessary to avert or control landslides that may threaten property within the District. It is vital for the manager to retain the availability of funds within the Major Repair Program to address such an event.

It is also common to experience a change in the planned construction schedule to include additional sites. Known sites can rise in priority throughout the year and additional sites may emerge.

Estimated Budget $10,000

Landscape Replacement

Typically, remedial landscaping is either included in the scope of work for major projects or eliminated completely from the repair scheme depending on impact from remedial efforts to restore slope stability. However, on occasion, and in compliance with the Plan of Control, the associated License Agreement executed in preparation of the work will address a reimbursement or allowance to the property owner for remedial landscaping installation.

Estimated Budget $1,000

Preventive Maintenance and Operations

Preventive Maintenance

Preventive maintenance generally consists of those measures taken to prevent an incident or landslide event including, asset maintenance, drainage structures, instrument sites and winterization measures. Operations include ongoing monitoring programs and responses to community requests. Details of the proposed budget for each of these categories are listed below.

Storm Drain Facilities

Planned continued work on community storm drain condition and maintenance assessments. GHAD is working with consultants to establish conditions of existing storm drainage systems throughout the district. Assessments will be made on baseline conditions of drainage systems and projected longevity. Conclusions of this effort will inform the GHAD on current performance and future maintenance or replacement intervals for these infrastructure assets. As described in Major Projects above, development-wide storm drainage systems are currently being evaluated and deficiencies addressed on a priority bases.

Estimated Budget $45,000

B-58 Drain Systems

Maintenance – Allows for one major annual cleaning and mapping. In addition, District staff periodically walks the B-58 systems to get a first-hand account of the current conditions and project serviceable life. This information, along with other empirical data, is typically utilized in Reserve Study updates. With extreme weather conditions in years past and the related soil and vegetation load impacting the network of B-58 systems, we have anticipated and allowed for a greater effort to maintain proper drainage.

Estimated Cost $6,500

Repair and Replacement – An ongoing detailed assessment is performed to establish the existing condition of the B-58 Concrete ditches throughout the district. This assessment and associated data are periodically aggregated with past collected data to serve to establish a typical timeline for needed repairs. These assessments as to the remaining serviceable life of these assets are also utilized in reserve study criteria to anticipate repair and replacement costs. Currently there are no replacement projects active.

Estimated Cost $0

Retention Basins

There is one retention basin within the district boundaries. This retention basin requires annual improvements and de-silting efforts. With the extreme weather conditions and the related soil and vegetation load impact, improvements are likely to occur this year to this facility. We anticipate and allow for typical efforts to maintain proper drainage for these facilities over this fiscal year.

Estimated Cost $3,500

Subdrain Systems

Subdrain systems must be monitored, and maintenance provided to ensure the systems have not been damaged or impeded. This budget will allow for an inspection and minor maintenance of these sites through the Horizontal Drains and Sub-drain Outlets programs below.

Horizontal Drains

The District must provide ongoing maintenance to ensure horizontal drains remain functional. This budget will allow for the maintenance of new installations.

Estimated Cost $4,000

Sub-drain Outlets

The Hillcrest Heights GHAD is currently conducting efforts to identify, locate and make determinations about the effectiveness of the network of subdrains throughout the District. It is anticipated that on-site restoration work may be necessary at some sites. This additional work has been incorporated into this budget item.

Estimated Cost $2,000

Piezometers

The District reads and maintains piezometers which measure ground water elevations. A budget has been established to provide for work to begin to restore the sites and install identification markers.

Estimated Cost $2,000

Settlement Monitors

Over time, several settlement monitors have been placed throughout the development. These monitors were, in large part, installed as part of one specific study or another and therefore are not continually monitored. Currently ongoing monitoring programs exist in areas of the District and are periodically read and evaluated.

Estimated Cost $0

Minor Repairs

A budget is established annually for minor projects establishing a provision for unanticipated minor projects within the Preventive Maintenance Program.

Estimated Cost $4,500

Winterization

The District provides an annual budget for procuring and storing an inventory of winterization materials and to provide for the costs of site installation.

Estimated Cost $3,000

Emergency Response

During the winter rainy season, the Hillcrest Heights GHAD prepares for and may respond to a range of urgent, active, or threatening landslides as well as drainage issues where property damage is threatened. These incidents typically involve mud or debris flows, plugged storm drains at the base of slopes or flooded properties due to the overflow of runoff from plugged or damaged facilities. In severe cases these responses can require the initiation of temporary slope stabilization measures in preparation for a major repair.

Estimated Cost $3,000

Debris Benches/Impact Walls

Earthen debris benches and debris impact walls exist throughout the district. It is essential that these facilities are inspected to ensure capacities and drainage have not been compromised. Annual inspections are made, and periodic debris removal plans are initiated. This year's budget allows for geotechnical evaluations and the periodic removal of accumulated debris from several of the benches identified during the study and routine monitoring events.

Estimated Cost $4,500

Operations

An inventory of on-site instrumentation including piezometers, inclinometers, horizontal drains, sub-drains, and settlement monuments are monitored periodically throughout the year as a preventative measure.

Monitoring sites can be established for a variety of uses. Often completed repair sites require monitoring to confirm that the slope has been stabilized. Other sites have been utilized to indicate signs of unstable conditions developing and have been instrumental in determining slope conditions prior to the activation of a landslide.

Through the use of collected data such as groundwater depth, magnitude of slope movement, depth of movement and ground surface movement, the District has been able to arrest slope movement in advance of an incipient failure.

Throughout the year, the District receives incident response or assistance calls from property owners regarding slope stability or drainage issues. Community relations, including incident responses through the annual Operations Program has been institutionalized as a role of Hillcrest Heights GHAD management. All incidents are recorded and move through the district response mechanisms as is appropriate and consistent with the Hillcrest Heights GHAD Plan of Control.

The Hillcrest Heights GHAD Manager receives updates in long range weather and significant oceanic temperature changes through the National Oceanic and Atmospheric Administration (NOAA) and other scientific and atmospheric agencies that track data and produce probabilistic assessments on the likelihood of a recurrence of El Niño conditions.

Estimated Cost $21,000

Special Projects

During fiscal year 2024-2025 the District will continue several special projects. Brief descriptions of the special projects are presented in Table 1 and further described below:

Plan of Control

It is anticipated that an evaluation and assessment of the current Plans of Control for the Hillcrest Heights GHAD, including Spanish Trails, will be pursued, to confirm operational compliance. Once an initial evaluation is completed, consideration will be given to amend the current plan to incorporate historical practices of the GHAD and acknowledge technological and other procedural advancements.

Estimated Cost $15,000

Reserve Study Assessment

A reserve study functions as a pro-forma analysis of the financial needs of the Hillcrest Heights GHAD. The study serves as a tool to calculate the annual contribution required by the district to build and maintain sufficient funds for emergencies and capital replacement programs based on past weather patterns, landslide repair costs, and general attrition. As a result of severe winters, draws will likely be necessary in the future on the reserve fund. Work is planned to evaluate and complete an analysis of the fund health and methodologies. This analysis will be used in establishing a pro-forma plan and provide instruction to Hillcrest Heights GHAD management as to the necessary reserve demands over time.

Estimated Cost $5,000

Special Studies

The Hillcrest Heights GHAD intends to continue targeted studies in the areas of fiscal policy and geologic risk. The Hillcrest Heights GHAD, now in its 27th year, has the unique opportunity to address many of the issues surrounding long-term viability and sustainability, within changing environment and financial conditions. Using empirical data, we can assess potentially increasing financial loads and geologic risks that may accompany the maturation process of this district. We are confident that these studies have produced and will continue to produce beneficial results.

Estimated Cost $10,000

Information Systems and Technology

In early 2024 GHAD issued Requests for Proposals (RFP) in a planned effort of upgrading its managed Information Technology (IT) systems to modernize data collection systems, storage, processing and expansion capabilities. In April Rooted Software, a Walnut Creek based firm, was selected and engaged to perform a scope of work to accomplish this project. Completion of the work is scheduled for late FY23/24 or during the first quarter of FY24/45. New safeguards are being implemented for data protection and increased data storage capacities, as well as file convention modernization and integration ability with a new planned Geographic Information System (GIS) upgrade.

The Hillcrest Heights GHAD will consider integrating a GIS system to include all the GHAD's data collection and monitoring operations. The record and tool that this system offers facilitates the General Manager's ability to locate past repairs and assist in a variety of risk assessments within the District.

Estimated Cost $20,000

Accounting System Upgrade

Periodic upgrades are necessary to enhance accounting system capabilities. The Hillcrest Heights GHAD utilizes expense accounting software to assist in reporting and the day-to-day operation of the District. Continued accounting systems enhancements will be implemented allowing more data entry streamlining, enhanced reporting, and quality control assurance procedures, augmenting the current systems. No upgrades planned for FY2023-2024.

Estimated Cost $2,000

Tax Assessment Calculation

Each year an assessment calculation is conducted to identify and determine all qualified parcels within the district to receive assessments for Hillcrest Height GHAD services. Typically, the GHAD Manager will contract these assessments to a firm that specializes in these services. Historically, the Hillcrest Heights GHAD has provided this information through its contracted consultant to the County Assessor's Office as required.

Estimated Cost $2,500

Communications Plan

The Hillcrest Heights GHAD maintains a communications plan designed to keep constituents up to date on Hillcrest Heights GHAD operations and developments. The plan addresses several venues and mediums used to disseminate information within this district and to other concerned parties, and to establish clear and accessible channels for community interaction.

The Hillcrest Heights GHAD continues to evaluate the community benefit to implement an interactive web page for public information, reporting and inquiries, and a multi-page informational brochure to be available to interested Homeowner Associations (HOA) and stakeholders that describes the Hillcrest Heights GHAD and its responsibilities and limitations. Additionally, the General Manager is available to write periodic articles for the HOA newsletters.

Estimated Cost $7,000

Outreach/Legislative Review
California Association of GHADs (CAGHADs) Membership/Insurance

The proliferation of new GHADs within California has resulted in new legislation and adopted procedures. The Hillcrest Heights GHAD Manager, in association with others, make up the CAGHAD Board of Directors and shares information and knowledge through a consortium of GHAD managers known as the California Association of GHADs (CAGHADs). The CAGHAD has obtained General Liability policies for its member GHADs. Additional GHAD onboarding and participation has reduced relative premiums. Policy premium costs for the Hillcrest Heights GHAD are approximately $710.[1].

Additionally, the Hillcrest Heights GHAD manager participates in the CAGHADs as the organization pursues other financial instruments that may provide the Hillcrest Heights GHAD additional options for extraordinary financial demand and planning. In 2016 the CAGHAD Board adopted a new fee schedule reducing the annual GHAD fees for membership by 50%.

Estimated Cost $1,550

Administration

The administration of the Hillcrest Heights GHAD includes all costs associated with legal support, office expenses, staffing, and accounting. Brief descriptions are presented below.

Legal

General Counsel – Hillcrest Heights GHAD management must interact regularly with Hillcrest Heights GHAD Counsel. The day-to-day operations of the Hillcrest Heights GHAD present myriad opportunities and issues to work directly with GHAD counsel, in the areas of contracts, agreements, issues or new business to present to the Board, legislation, property owner issues, etc.

Estimated Cost $5,000

[1] A more comprehensive policy was presented in 2022 with a premium increase

Special Counsel – Typically Special Counsel consists of legal representation in the event of legal issues that might arise. Currently there are no legal issues involving litigation.

Estimated Cost $0

Staffing/Administrative Support

The Hillcrest Heights GHAD staff includes the General Manager, an Operations Manager, an Administration Manager and frequently other support staff and consulting professionals. The General Manager administers all Hillcrest Heights GHAD day-to-day operations, including financial budgeting and communications regarding its activities. The Operations Manager, among other tasks, administers the Major Projects and Preventive Maintenance Programs and associated work schedules, consulting and construction contracts, and documents. The administrative staff is responsible for accounting/bookkeeping, contract administration, clerical, and construction management support. Additional management staff costs are also applied to specific projects as appropriate. Authorized business expenses such as rent, office supplies and leases are included in Staffing.

Estimated Cost $68,700

File #: 24-1782 **Agenda Date:** 6/25/2024 **Agenda #:** C.107.

To: **Board of Directors**

From: Wendt Ranch Geological Hazard Abatement District

Report Title: Wendt Ranch GHAD Resolution No. 2024/01 (Annual Budget)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ADOPT Wendt Ranch GHAD ("GHAD") Resolution No. 2024/01 adopting an assessment levy less than the assessment limit for FY 2024/2025 for Wendt Ranch, Alamo Creek, and Intervening (Monterosso) developments within the GHAD, adopting the GHAD budget for Fiscal Year 2024/2025, and updating the GHAD Manager payment limit pursuant to the Consulting Services Agreement as recommended by the GHAD Manager.

FISCAL IMPACT:

100% Wendt Ranch Geological Hazard Abatement District Funds.

BACKGROUND:

On February 12, 2002, the Contra Costa County Board of Supervisors adopted Resolution 2002/59 approving the formation of the Wendt Ranch Geologic Hazard Abatement District ("GHAD") and appointed itself to serve as the GHAD Board of Directors. On July 15, 2005, the GHAD Board of Directors ("Board") adopted Resolution 2005/437 approving the annexation of the Alamo Creek and Monterosso developments into the GHAD. The most recent annexation occurred on August 3, 2021 with the Board's adoption of Resolution 2021/03, which approved the annexation of the Somerset development into the GHAD.

As part of the preparation for the GHAD's FY 2024/2025 budget, the GHAD Manager reviewed the current GHAD reserves. As the GHAD has exceeded its target reserve rate of accumulation forecast estimate in the approved 2002 and 2005 Engineer's Reports for the Wendt Ranch, Alamo Creek, and Monterosso developments within the GHAD, staff is recommending an assessment levy less than the assessment limit for the Wendt Ranch, Alamo Creek, and Monterosso developments only for FY 2024/2025, and prepared a budget that reflects a lower assessment levy for FY 2024/2025.The GHAD Board on June 13, 2023 adopted an assessment levy less than the assessment limit for FY 2023/2024 (levied $383.08/ single family unit).

Staff is providing this recommendation based on the following conditions:

- Unencumbered reserve funds collected from within GHAD exceed the target reserve amount estimated in the approved 2002 and 2005 Engineer's Report; and
- Reserve funds collected from within GHAD exceed the dollar amount estimated for a large-scale repair.

As provided in the approved Engineers' Reports, the assessment limits in each of the three developments (Alamo Creek, Monterosso, and Wendt Ranch) will continue to be adjusted for inflation annually. The proposed assessment levy is $366.84 per single family residence for FY 2024/2025 for the Wendt Ranch, Alamo Creek, and Monterosso developments. This action would not preclude the GHAD Board from increasing or decreasing the levy of the assessment up to the inflation-adjusted assessment limit in the future.

On November 28, 2023, the GHAD Board adopted Resolution 2023/06 authorizing the levy of the assessment for GHAD responsibilities within the Somerset development. All residential properties within the Somerset development are expected to be subject to the levy of the GHAD assessment beginning in FY 2024/2025. To date, the GHAD has not accepted any Plan of Control responsibilities for the Somerset development; however, it is anticipated that the Somerset development will transfer Plan of Control responsibilities to the GHAD in FY 202420/25. The budget prepared for FY 2024/25 allows for expenses related to the Somerset development for Fiscal Year 2024/2025.

The Somerset development has not yet met the above conditions relating to the reserve, therefore the residential parcels within the Somerset development will be assessed at the inflation-adjusted assessment limit for FY 2024/2025.

The assessment levy determination is made by the GHAD Board each year in approving the annual budget for the GHAD. As long as the GHAD Board levies future assessments in accordance with the Engineer's Report, a vote of property owners is not required; a vote is only required if the assessment limit is increased beyond that provided in the Engineer's Reports.

The GHAD Board is requested to adopt a budget for the GHAD operations each fiscal year. The GHAD Board is requested to adopt the Fiscal Year 2024/2025 budget of $483,132 as prepared by the GHAD Manager, which is attached to Resolution No. 2024/01, and to approve an assessment levy less than the assessment limit. In addition, the GHAD Board is requested to update the GHAD Manager payment limits under the existing Consulting Services Agreement as required by that Agreement. The budget attached to Resolution No. 2024/01 identifies that limit as $163,950.

CONSEQUENCE OF NEGATIVE ACTION:

The GHAD will not be able to continue to operate starting July 1, 2024 if the budget is not approved.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Adopting Fiscal Year 2024/2025 annual budget, updating GHAD Manager payment limits under the existing consulting services agreement, and approving an assessment levy less than the assessment limit for Fiscal Year 2024/2025 for the Wendt Ranch, Alamo Creek, and Monterosso developments within the Wendt Ranch GHAD.

WHEREAS, on February 12, 2002, the Contra Costa County Board of Supervisors adopted Resolution 2002/59 approving the formation of the Wendt Ranch Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

WHEREAS, on July 15, 2005, the GHAD Board of Directors adopted Resolution 2005/437 approving the annexation of the Alamo Creek and Intervening Properties (Monterosso) developments into the GHAD.

WHEREAS, on August 3, 2021, the GHAD Board of Directors adopted Resolution 2021/03 approving the annexation of the Somerset development into the GHAD.

WHEREAS, the GHAD Board of Directors desires to adopt the budget for Fiscal Year 2024/2025 prepared by the GHAD Manager, ENGEO Incorporated for $483,132, attached hereto as Exhibit A, and to approve an assessment levy of $366.84 per single family residence for Fiscal Year 2024/2025 for the Wendt Ranch, Alamo Creek, and Monterosso developments, and to levy the inflation adjusted assessment limit for residences within the Somerset development.

WHEREAS, all residential properties in the Somerset development will be subject to the inflation adjusted assessment limit for FY 2024/2025.

WHEREAS, pursuant to Resolution No. 2013/02, the GHAD Board approved and updated the consultant services agreement with ENGEO, Inc., to act as Manager for the GHAD. This Agreement, in Section 1(c), requires the GHAD Board to determine, by resolution each fiscal year, the payment limits for GHAD Manager services. The budget attached in Exhibit A identifies this limit at $163,950.

NOW, THEREFORE, BE IT RESOLVED

1. The GHAD Board approves the GHAD budget of $483,132 for the Fiscal Year 2024/25 attached as Exhibit A and incorporated herein by this reference and further approves an assessment levy less than the assessment limit of $366.84 per single family residence for Fiscal Year 2024/2025 for the Wendt Ranch, Alamo Creek, and Monterosso developments only within the GHAD; the assessment amount for Somerset properties remains at the inflation-adjusted assessment limit for FY 2024/25.

2. The GHAD Board adopts the payment limit for the GHAD Manager services at $163,950 for Fiscal Year 2024/2025 as set forth in Exhibit A and incorporates this payment limit into the consulting services agreement.

3. The recitals are incorporated herein by this reference.

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

Exhibit A

WENDT RANCH GEOLOGIC HAZARD ABATEMENT DISTRICT
PROGRAM BUDGET FOR FISCAL YEAR 2024/25

June 13, 2024

Wendt Ranch GHAD Board of Directors
Chair Candace Andersen
Vice Chair Federal D. Glover
Board Member John M. Gioia
Board Member Diane Burgis
Board Member Ken Carlson

Wendt Ranch Geologic Hazard Abatement District
1025 Escobar Street
Martinez, CA 94553

Subject: Wendt Ranch Geologic Hazard Abatement District
Contra Costa County, California

PROGRAM BUDGET FOR FISCAL YEAR 2024/25

Dear Chair Andersen and Boardmembers:

Attached is the program budget for the Wendt Ranch Geologic Hazard Abatement District (GHAD) for Fiscal Year (FY) 2024/25. The program budget as proposed is $483,132. The budget expenses break down into the following approximate percentages of the total expenses.

Administration and Accounting	11 percent
Outside Professional Services	15 percent
Preventive Maintenance and Operations	73 percent
Special Projects	1 percent
Major Repairs	0 percent

The budget anticipates FY 2024/25 revenue of $740,125 with an estimated increase of $256,993 to the reserve fund. A summary of the expenses is shown on Table 5 followed by a brief description of each budget item on the following pages.

If you have any questions regarding the contents of this letter, please contact us.

Sincerely,

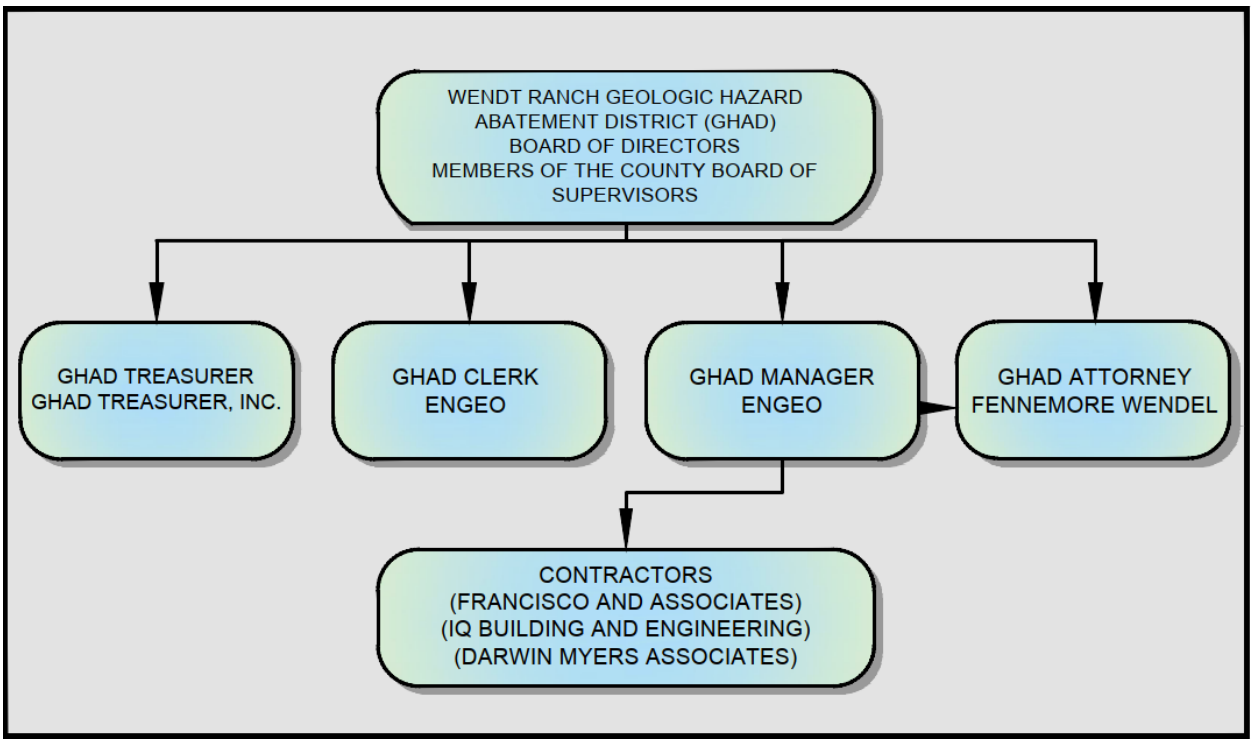
Wendt Ranch Geologic Hazard Abatement District
ENGEO Incorporated, GHAD Manager
ENGEO Project No. 4063.002.023

Haley Ralston Eric Harrell

hjr/eh/ca

Wendt Ranch Geologic Hazard Abatement District
Program Budget
Fiscal Year 2024/25

The following proposed program budget summarizes the anticipated receivables and expenditures for Fiscal Year 2024/25 for the Wendt Ranch Geologic Hazard Abatement District (District), which currently includes Wendt Ranch, Intervening Properties (Monterosso), Alamo Creek, and Somerset communities. The structure of the Wendt Ranch GHAD is shown below.



The GHAD has maintenance and monitoring responsibilities and is the property owner for the following parcels within the District. The parcels listed include the open-space parcels within the Monterosso and Wendt Ranch developments. Maintenance, monitoring responsibilities, and ownership of the listed parcels have been transferred to the GHAD.

TABLE 1: Parcels Owned and/or Maintained by GHAD

ASSESSOR'S PARCEL NUMBER	PARCEL	DESCRIPTION
Monterosso (Intervening Properties) Development		
206-020-094	I	Western Water Quality Basin
206-020-095	K	Western Open Space
206-580-036	B	Open Space North of Casablanca Bridge
206-020-093	C	Eastern Open Space
206-580-038	J	Northeast Bioretention Cell
206-630-054	E	Southeast Bioretention Cell

ASSESSOR'S PARCEL NUMBER	PARCEL	DESCRIPTION
Wendt Ranch Development		
206-030-037	A, 8698	Wendt Ranch Southern Open Space including Buffalo Wetlands
206-650-011	B, 8847	Wendt Ranch Western Open Space, North of Casablanca
206-030-038	B, 8698	Wendt Ranch Western Open Space, South of Casablanca
206-030-034	D, 8002	Wendt Detention Basin
Alamo Creek Development		
206-030-058		Recreation Sports Fields
206-030-077		School Parcel
206-030-078		Alamo Creek Central Open Space, South of Lusitano Street
206-030-079		Alamo Creek Open Space, West of Belarus Street
206-030-080		Alamo Creek Open Space, East of Bengali Street

Maintenance and monitoring responsibilities for the remaining properties within the GHAD, not listed above, are the responsibility of the individual property owners, although a number of parcels have been offered to the GHAD, but have not yet been accepted by the GHAD due to punchlist items remaining to be completed. Within this budget, it is anticipated that during the 2024/25 fiscal year, additional, and possibly all parcels within the Alamo Creek and Somerset developments, will be transferred to the Wendt Ranch GHAD and these expenses have been anticipated in the 2024/25 budget estimates.

On August 3, 2021, the Wendt Ranch GHAD Board of Directors adopted Resolution 2021/03 approving the annexation of the Somerset development into the Wendt Ranch GHAD. On November 28, 2023, the Wendt Ranch GHAD Board of Directors adopted Resolution 2023/06 authorizing the levy of the assessment for GHAD responsibilities within the Somerset development. To date, the GHAD has not accepted any Plan of Control responsibilities within the Somerset development; however, it is anticipated that the Somerset development will transfer Plan of Control responsibilities to the GHAD in FY 2024/25. The budget prepared for FY 2024/25 allows for expenses related to the Somerset development for Fiscal Year 2024/25.

The annual assessment limits and actual levies are summarized below.

TABLE 2: Actual CPI Adjustments and Assessment Limit for Residential Properties

FISCAL YEAR	INDEX DATE	SAN FRANCISCO-OAKLAND-HAYWARD CPI (JUNE /JUNE)	MONTEROSSO, WENDT RANCH, AND ALAMO CREEK ASSESSMENT LIMIT	MONTEROSSO, WENDT RANCH, AND ALAMO CREEK ANNUAL ASSESSMENT LEVY	SOMERSET ASSESSMENT LIMIT AND LEVY
2005/06		-	$422.00	$300.00	
2006/07	6/30/2006	3.93%	$438.57	$311.78	
2007/08	6/30/2007	3.36%	$453.29	$322.25	
2008/09	6/30/2008	4.19%	$472.30	$335.76	
2009/10	6/30/2009	0.23%	$473.37	$336.52	
2010/11	6/30/2010	1.07%	$478.44	$340.12	
2011/12	6/30/2011	2.43%	$490.06	$348.38	

FISCAL YEAR	INDEX DATE	SAN FRANCISCO-OAKLAND-HAYWARD CPI (JUNE /JUNE)	MONTEROSSO, WENDT RANCH, AND ALAMO CREEK ASSESSMENT LIMIT	MONTEROSSO, WENDT RANCH, AND ALAMO CREEK ANNUAL ASSESSMENT LEVY	SOMERSET ASSESSMENT LIMIT AND LEVY
2012/13	6/30/2012	2.64%	$502.98	$357.57	
2013/14	6/30/2013	2.56%	$515.84	$366.71	
2014/15	6/30/2014	3.00%	$531.32	$377.71	
2015/16	6/30/2015	2.29%	$543.48	$386.36	
2016/17	6/30/2016	2.67%	$558.00	$396.68	
2017/18	6/30/2017	3.48%	$577.42	$410.49	
2018/19	6/30/2018	3.91%	$599.99	$426.53	
2019/20	6/30/2019	3.22%	$619.26	$440.23	
2020/21	6/30/2020	1.62%	$629.29	$447.36	
2021/22	6/30/2021	3.15%	$649.14	$461.48	
2022/23	6/30/2022	6.80%	$693.28	$0	
2023/24	6/30/2023	2.88%	$727.94	$383.08	$615.00
2024/25	6/30/2024	3%[1]	$734.64[1]	$366.84[2]	$633.45[1]

[1]Estimate based on Consumers Price Index through February 2024 and approval by the Board of Directors.
[2]Proposed assessment levy for Fiscal Year 2024/25 subject to approval by the Board of Directors.

The GHAD is funded through real property assessments. The assessment limits are adjusted annually on June 30 to reflect the percentage change in the San Francisco-Oakland-Hayward Consumers Price Index (CPI) for All Urban Consumers for the past 12 months. The assessment limits were adjusted up 2.88 percent from the 2002/23 assessment levels. All 1,317 properties within the Monterosso, Wendt Ranch, and Alamo Creek developments were subject to the levy of the GHAD assessment in FY 2023/24. All 150 properties within the Somerset development will be subject to the levy of the GHAD assessment beginning on FY 2024/25. The actual FY 2024/25 assessment limit will be calculated to reflect the percentage change in the San Francisco-Oakland-Hayward Consumer Price Index (CPI) for All Urban Consumers for June 2024 through June 2025.

As shown on Graph 1 below, the GHAD has exceeded the target reserve rate of accumulation forecast in the approved Engineer's Reports for the Alamo Creek, Monterosso, and Wendt Ranch developments. We have in this proposed budget, and may in future budgets, recommend an annual levy amount less than the assessment limit if the following conditions are met.

- Unencumbered reserve funds collected from within a development exceed the target reserve amount estimated in the approved Engineer's Report or unencumbered reserve funds collected from a development exceed the target reserve
- Reserve funds collected from within a development exceed the dollar amount estimated for a large-scale repair

We are recommending an assessment levy less than the assessment limit to cover annual maintenance and operation costs for the GHAD for FY 2024/25. The proposed assessment levy for FY 2024/25 is $364.04 per single-family residence within the Monterosso, Wendt Ranch, and Alamo Creek developments only. The residential properties within the Somerset development will be assessed at the inflation-adjusted assessment limit. The June CPI is released in mid-July and

is used by the GHAD Manager to determine the final assessment limit for each development. Table 3 shows the estimated revenue for FY 2024/25.

TABLE 3: Estimated Revenue for FY 2024/25

	FY 2024/25 ESTIMATE
Assessment Revenue	$578,150
Investment Income	$161,975
Total Revenues	**$740,125**

In general, the budget amounts listed are based on the Engineer's Report approved by the Wendt Ranch GHAD Board of Directors for each development in the GHAD. The budget amounts have been adjusted by estimated inflation to provide the FY 2024/25 estimates. The fiscal year for the Wendt Ranch GHAD begins on July 1 annually. The budget is divided into four categories including Administration and Accounting, Preventive Maintenance and Operations, Special Projects, and Major Repair. As needed, the GHAD Manager may reallocate funds without additional Board approval.

ADMINISTRATION

Administrative expenses include the General Manager duties related to the operation and administration of the GHAD. These include clerical and accounting functions.

PREVENTIVE MAINTENANCE AND OPERATIONS

Preventive maintenance and operations include professional services, slope stabilization services, and erosion protection within the District. Professional services include site monitoring events as scheduled in the GHAD Plan of Control. Slope stabilization and erosion protection responsibilities include the open space slopes and creek channels. GHAD-maintained improvements generally include the District's slopes, concrete-lined drainage ditches, retaining walls, subsurface drainage facilities, monitoring instruments including settlement monitoring devices, storm drain facilities, and the creek channels.

SPECIAL PROJECTS

The Special Projects category allows the GHAD to budget for projects beneficial to the GHAD that are not included in one of the other three categories. Special projects can include items such as global positioning system (GPS)/geographic information system (GIS) development for GHAD maintained improvements, website development and maintenance, and reserve studies to reevaluate the financial condition of the GHAD.

MAJOR REPAIR

Included within the major repair category are those repair or improvement projects that are intermittent and, by their nature, do not fit within a scheduled maintenance program. Minor slope repair and erosion control items are generally funded within the Preventive Maintenance and Operations category. For the purposes of this budget, we define major repairs as those estimated at over $250,000.

TABLE 4: Summary of Use of Funds

USE OF FUNDS	FY 2023/24 ESTIMATE*	FY 2023/24 BUDGET	FY 2024/25 PROPOSED	PERCENT CHANGE FROM FY 2023/24
Administration and Accounting				
Administration and Accounting (GHAD Manager)	$44,000	$44,000	$47,300	
Annual Reporting/Budget Preparation (GHAD Manager)	$4,200	$4,200	$4,900	
Subtotal	**$48,200**	**$48,200**	**$52,200**	**8.3%**
Assessment Roll and Levy Update	$4,450	$3,800	$4,450	
Alameda County Assessor's Fees	$1,400	$1,400	$1,500	
California Association of GHADs Membership	$429	$470	$470	
GHAD Treasurer	$32,000	$32,000	$34,200	
GHAD Legal Counsel	$10,000	$12,000	$12,000	
Insurance – General Liability	$6,000	$6,000	$6,500	
Transfer Services	$0	$13,000	$13,000	
Subtotal	**$54,279**	**$68,670**	**$72,120**	**5.0%**
Preventive Maintenance and Operations - Maintenance Contractor				
Sediment Removal from Drainage Ditches	$9,425	$8,800	$9,425	
Detention Basin Maintenance	$0	$19,000	$25,750	
Bioretention Basin Maintenance	$3,000	$18,650	$6,000	
Vegetation Management	$46,315	$69,865	$69,865	
Access Roadway Maintenance	$68,315	$68,315	$30,362	
Open Space Maintenance	$10,670	$6,120	$4,500	
Subdrain Maintenance	$0	$14,300	$17,160	
Slope Stabilization	$24,394	$40,000	$40,000	
Erosion Control	$10,000	$44,000	$44,000	
Subtotal	**$172,118**	**$289,050**	**$247,062**	**-14.5%**
Preventive Maintenance and Operations - Professional Services (GHAD Manager)				
Scheduled Monitoring Events	$20,000	$20,000	$42,600	
Heavy Rainfall Monitoring Event	$332	$10,000	$11,300	
Detention/Bioretention Basin Scheduled Monitoring	$0	$4,000	$4,000	
Detention/Bioretention Basin Heavy Rainfall Monitoring	$0	$2,000	$2,000	
Sediment Removal from Drainage Ditches	$457	$2,200	$2,000	
Detention Basin Maintenance	$0	$3,800	$5,150	
Bioretention Basin Maintenance	$1,440	$3,730	$1,200	
Vegetation Management	$2,000	$10,000	$10,000	
Access Roadway Maintenance	$1,500	$6,000	$6,000	
Open Space Maintenance	$2,000	$7,000	$2,000	
Subdrain Maintenance	$1,723	$2,860	$3,500	
Slope Stabilization	$10,607	$10,000	$8,000	
Erosion Control	$1,000	$11,000	$8,000	
Subtotal	**$20,332**	**$92,590**	**$105,750**	**14.2%**

USE OF FUNDS				
	FY 2023/24 ESTIMATE*	FY 2023/24 BUDGET	FY 2024/25 PROPOSED	PERCENT CHANGE FROM FY 2023/24
Special Projects				
GIS	$5,000	$5,000	$5,000	
Web Site Maintenance	$1,000	$1,000	$1,000	
Reserve Study	$0	$0	$0	
Subtotal	**$6,000**	**$6,000**	**$6,000**	**0.0%**
Major Repairs				
Contracted Services	$58,000	$70,000	$0	
Professional Services	$16,736	$15,000	$0	
Subtotal	**$74,736**	**$85,000**	**$0**	**0.0%**
Total	**$375,666**	**$589,510**	**$483,132**	**-18.0%**

A summary of the proposed Fiscal Year 2024/25 Budget is shown in Table 5.

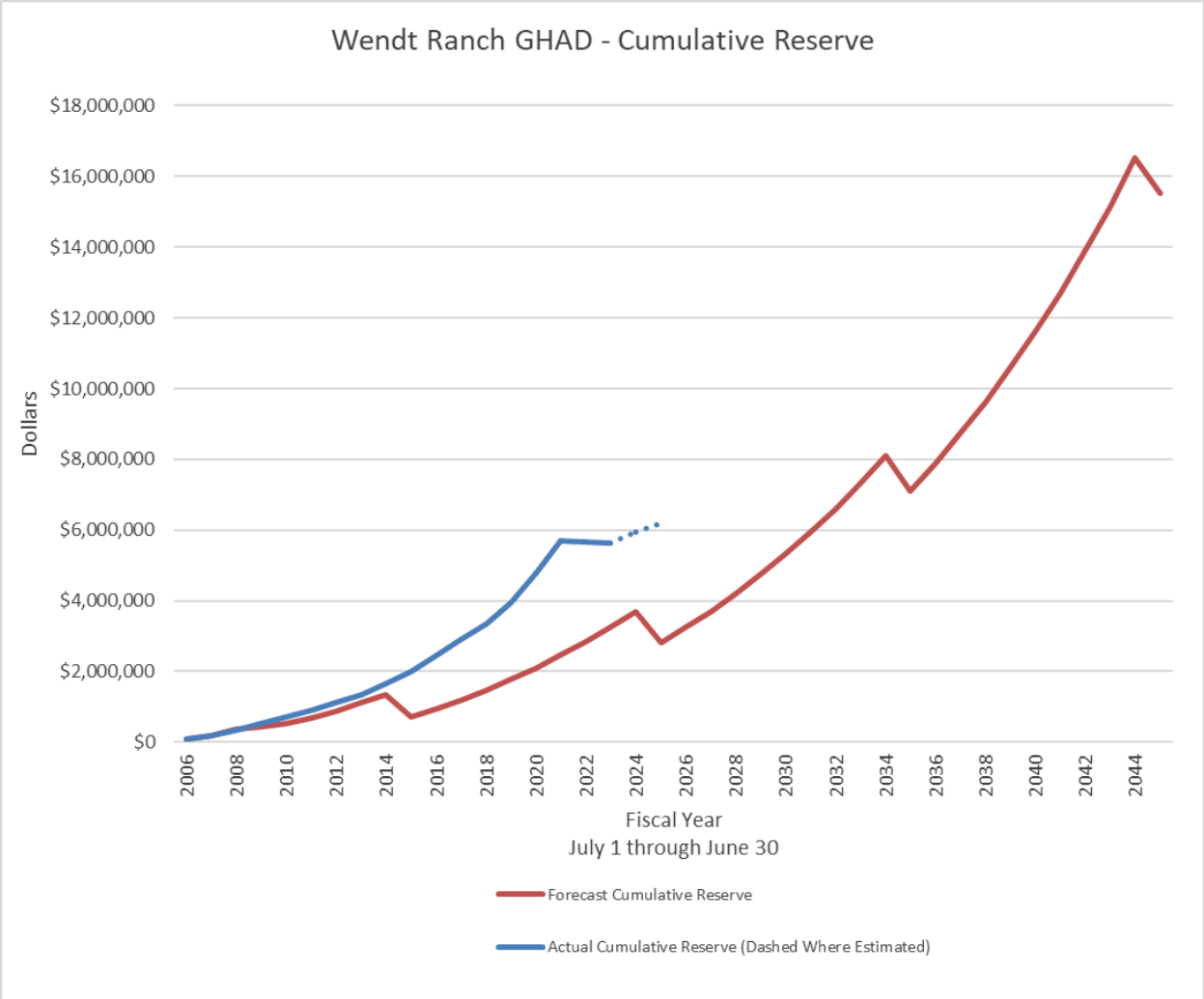
TABLE 5: Summary of Proposed Fiscal Year 2024/25 Budget

BUDGET ITEM		BUDGET AMOUNT	PERCENT OF TOTAL BUDGET (FY 2024/25)
Administration			
Administration and Accounting – GHAD Manager		$47,300	
Annual Reporting/Budget Preparation – GHAD Manager		$4,900	
	Subtotal	**$52,200**	**10.8%**
Assessment Roll and Levy Update Preparation		$4,450	
Alameda County Assessor's Fees		$1,500	
California Association of GHADs Membership		$470	
GHAD Treasurer		$34,200	
GHAD Legal Counsel		$12,000	
Insurance – General Liability		$6,500	
Transfer Services		$13,000	
	Subtotal	**$72,120**	**14.9%**
	TOTAL	**$124,320**	**25.7%**
Preventive Maintenance and Operations			
Maintenance and Operations – Maintenance Contractor			
Sediment Removal from Drainage Ditches		$9,425	
Detention Basin Maintenance		$25,750	
Bioretention Basin Maintenance		$6,000	
Vegetation Management		$69,865	
Access Roadway Maintenance		$30,362	
Open Space Maintenance		$4,500	
Subdrain Maintenance		$17,160	
Slope Stabilization		$40,000	
Erosion Control		$44,000	
	Subtotal	**$247,062**	
Monitoring Services – GHAD Manager			

BUDGET ITEM		BUDGET AMOUNT	PERCENT OF TOTAL BUDGET (FY 2024/25)
Open Space Scheduled Monitoring Events		$42,600	
Heavy Rainfall Monitoring Event		$11,300	
Detention/Bioretention Basin Scheduled Monitoring		$4,000	
Detention/Bioretention Basin Heavy Rainfall Monitoring		$2,000	
	Subtotal	**$59,900**	
Maintenance and Operations Oversight – GHAD Manager			
Sediment Removal from Drainage Ditches		$2,000	
Detention Basin Maintenance		$5,150	
Bioretention Basin Maintenance		$1,200	
Vegetation Management		$10,000	
Access Roadway Maintenance		$6,000	
Open Space Maintenance		$2,000	
Subdrain Maintenance		$3,500	
Slope Stabilization		$8,000	
Erosion Control		$8,000	
	Subtotal	**$45,850**	
	TOTAL	**$352,812**	**73.0%**
Special Projects			
GIS		$5,000	
Web Site Maintenance		$1,000	
Reserve Study		$0	
	TOTAL	**$6,000**	**1.2%**
Major Projects			
Contracted Services		$0	
Professional Services		$0	
	TOTAL	**$0**	**0%**
ESTIMATED EXPENDITURES	**TOTAL**	**$483,132**	
ESTIMATED RECEIVABLES			
Beginning Balance			
Balance (July 1, 2023)		**$5,629,103**	
Estimated FY 2023/24 Revenue			
Assessment Revenue		$529,674	
Investment Revenue		$162,050	
Estimated 2023/24 Expenses			
Estimated Expenses		$375,666	
ESTIMATED RESERVE ON JUNE 30, 2024		**$5,945,162**	
Estimated 2024/25 Revenue			
Estimated FY 2024/25 Assessment		$578,150	
Estimated FY 2024/25 Investment Income		$161,975	
Estimated 2024/25 Expenses			
Expenses through June 30, 2025		$740,125	
ESTIMATED RESERVE ON JUNE 30, 2025		**$6,202,155**	

At the beginning of the 2024/25 fiscal year, the cumulative reserve is estimated at $5,945,162 and about $6,202,155 at the end of the 2024/25 fiscal year. As shown on the Graph 1 below, the forecast cumulative reserve is above the amount estimated in the 2005 Engineer's Reports and is estimated to reach approximately $16,920,000 by 2044. The GHAD reserve is intended to fund unanticipated expenses that may occur.

GRAPH 1: Cumulative Reserve



We attribute the additional reserve accumulation to a number of factors including: (1) The Wendt Ranch GHAD has not yet accepted monitoring and maintenance responsibilities for open space surrounding the Alamo Creek development; (2) nine of the past sixteen winters have had below-average rainfall; therefore, there has been a reduced level of slope instability and erosion; (3) a large-scale repair has not been necessary within the GHAD-maintained areas; and (4) the budgets submitted and expenditures made by the current GHAD manager reflect the lower level of activity due to weather conditions and limited geographic responsibilities, thus allowing a higher percentage of the GHAD revenues to be applied to the reserve portion of the budget, while maintaining an appropriate monitoring and maintenance program.

Special Condition 1(e) of the approved Consulting Services Agreement provides that a payment limit shall be determined each fiscal year by a resolution of the GHAD Board. For fiscal year 2024/25 (July 1, 2024, through June 30, 2025), the payment limit is set at $163,950. The tasks included within the payment limit are listed in Table 6.

TABLE 6: Payment Limit

TASK	AMOUNT
Administration and Accounting	$47,300
Annual Report and Budget Preparation	$4,900
Monitoring Services	$59,900
Maintenance and Operations Oversight	$45,850[1]
Special Projects (GPS, Website, and Reserve Study)	$6,000
Major Repairs	$0[1]
TOTAL	**$163,950**

[1]Dependent on maintenance and/or repair activities by the GHAD during FY 2024/25. ENGEO payment limit is estimated at up to 20% of the total budget item.

ADMINISTRATION AND ACCOUNTING

Administration

Administrative expenses include the General Manager duties related to the operation and administration of the GHAD. The budget estimate for the accounting and administrative services are derived from the original GHAD budget used to prepare the GHAD's Engineer's Report.

Annual Report and Budget Preparation

This budget provides for the preparation of the annual report and budget. The budget estimate for the accounting and administrative services are derived from the original GHAD budget used to prepare the GHAD's Engineer's Report.

Assessment Roll and Levy Update

This budget item allows for preparation of the assessment roll for the District and the updated levy based on the Consumer Price Index adjustment.

County Assessor's Fees

This budget item allows for fees from the Contra Costa County Assessor's Office.

Association Membership

The GHAD maintains membership in the California Association of GHADs.

Treasurer

This budget item accounts for fees related to investment of the GHAD reserve funds and processing of accounts payable. This budget item allows the GHAD to hire a treasurer for the District as provided under Resolution 2008/01 adopted on November 18, 2008. As budgeted, half of the estimated cost is for the Treasurer services with half for the investment advisor services.

Legal Counsel

This budget item allows the GHAD to secure legal counsel for the District as provided under Resolution 2008/01 adopted on November 18, 2008. The duties of the legal counsel may include but not be limited to preparation or review of contracts, grant deeds, right of entry and board resolutions.

Insurance

The GHAD maintains general liability insurance for open space areas within the District.

Transfer Services

We do not anticipate any transfer activities to occur during FY 2024/25.

PREVENTIVE MAINTENANCE AND OPERATIONS

Maintenance and Operations

The budget items listed in the tables above are to provide for the maintenance of concrete-lined drainage ditches, detention basins, vegetation management, maintenance roads, debris catchment structures, litter removal, and subdrain outlets within the GHAD-accepted portions of the Wendt Ranch GHAD, as described in the Plans of Control for each development.

Slope Stabilization

This is for minor repairs, including slope instability or erosion, which may occur during the 2024/25 fiscal year. Purchase of emergency stabilization supplies is included within this budget item.

Erosion Control

Anticipated tasks under this budget item include the repair of slope or creek erosion and removal of debris from creek channel culverts.

Professional Services- GHAD Manager

Scheduled Monitoring Events

As provided in the Plan of Control, we have two scheduled monitoring events within the GHAD during each calendar year, which includes monitoring of detention and bioretention basins.

Heavy Rainfall Events

We have budgeted for two heavy rainfall-monitoring events during the 2024/25 winter season.

Maintenance and Operations Oversight

This budget item is to provide for scheduling and coordination of general maintenance and repair operations.

SPECIAL PROJECTS

Global Positioning System (GPS)/Geographic Information System (GIS) Development

To provide for a more efficient system to capture, store, update, analyze, and display information pertaining to GHAD features (including, but not limited to, subdrains, landslides, drainage facilities, walls, or slopes), the GHAD has provided a budget item to continue development and use of a GIS database. The database facilitates the tracking of location, maintenance, and repair activities and automates the communication of this information to affected parties. We anticipate GIS database development for FY 2024/25 would include continued transition of available and pertinent information to an electronic format suitable for GIS deployment, and as necessary, field-verification with GPS surveys.

Website Maintenance and Updates

To allow for greater access to information about the Wendt Ranch GHAD, the GHAD has provided a budget item to update and maintain the existing website.

MAJOR REPAIRS

There are currently no ongoing repair projects, and none are anticipated for the 2024/25 fiscal year within GHAD-maintained areas of the Wendt Ranch GHAD. Minor slope repair and erosion control items are generally funded within the Preventive Maintenance and Operations category. While no major repairs are ongoing at this time, by their nature, major repairs such as landslides are unpredictable and could occur during FY 2024/25. The reserve portion of the budget allows for funding toward these unpredictable events.

File #: 24-1783 **Agenda Date:** 6/25/2024 **Agenda #:** C.108.

To: **Board of Directors**

From: Wiedemann Ranch Geological Hazard Abatement District

Report Title: Wiedemann Ranch GHAD Resolution No. 2024/01

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ADOPT Wiedemann Ranch GHAD Resolution 2024/01 authorizing an assessment levy less than the assessment limit for the Norris Canyon Estates, Henry Ranch, Elworthy Ranch, and Red Hawk developments for FY 2024/2025, adopting the GHAD budget for Fiscal Year (FY) 2024/2025 and updating the GHAD Manager payment limit pursuant to the Consulting Services Agreement.

FISCAL IMPACT:

100% Wiedemann Ranch Geological Hazard Abatement District Funds.

BACKGROUND:

On September 1, 1998, the Contra Costa County Board of Supervisors adopted Resolution 98/438 approving the formation of the Wiedemann Ranch Geologic Hazard Abatement District (GHAD) which included the Norris Canyon Estates development and appointed itself to serve as the GHAD Board of Directors.

Four developments have been annexed into the Wiedemann Ranch GHAD since its formation in 1998. These include:

- Henry Ranch (Subdivision 8118) in San Ramon on April 11, 2000, with the adoption of Resolutions 2000/166 and 2000/167
- Elworthy Ranch (Subdivision 9009) in Danville o n July 29, 2014, with the adoption of Resolution 2014/03
- Red Hawk (formerly Podva Property) (Subdivision 9309) in Danville on January 19, 2016, with the adoption of Resolution 2016/01
- Magee Preserve (Subdivision 9291) in Danville on July 13, 2021, with the adoption of Resolution 2021/03

The Magee Preserve development was annexed into the Wiedemann Ranch GHAD and has an approved assessment, but currently receives no services from the GHAD. The Magee Preserve development will be eligible to transfer of GHAD-related Plan of Control responsibilities in 2026 at the earliest.

As part of the preparation for the Wiedemann Ranch GHAD's FY 2024/2025 budget, the GHAD Manager reviewed the current GHAD reserves. The GHAD has exceeded its target reserve rate of accumulation forecast estimates in the approved 1998, 2001, 2014, and 2016 Engineer's Reports for the Norris Canyon Estates, Henry Ranch, Elworthy Ranch, and Red Hawk developments within the Wiedemann Ranch GHAD. We recommend levying an amount less than the assessment limit to cover annual maintenance and operations for the GHAD for FY 2024/2025 for properties within the Norris Canyon Estates (NCE), Henry Ranch (HR), Elworthy Ranch, and Red Hawk developments based on these developments having met the following conditions.

- Unencumbered reserve funds collected from the developments within Wiedemann Ranch GHAD exceed the target reserve amount estimated in the approved Engineer's Reports for the development.
- Reserve funds collected from each development within Wiedemann Ranch GHAD exceed the dollar amount estimated for a large-scale repair.
- Plan of Control responsibilities within each development have been transferred from the developer to the GHAD.

For each development within the GHAD that has met the above conditions, we recommend a levy that is 54% of the inflation adjusted assessment limit for FY 2024/2025. With an inflation estimate of 3% used in the budget the approximate levy amounts are shown in Table 1. The actual FY 2024/2025 levy for residences within each development will be calculated to reflect the actual percentage change in the San Francisco-Oakland-Hayward CPI for All Urban Consumers for June 2023 through June 2024.

TABLE 1: Estimated Levy by Development and Residential Unit Type for FY 2024/25

DEVELOPMENT	RESIDENTIAL UNIT TYPE	FY 2024/25 ESTIMATE[1]
Norris Canyon Estates	Single Family	$602.39
Henry Ranch	Single Family	$583.25
Elworthy Ranch	Single Family	$1,010.48
Elworthy Ranch	Apartment	$505.24
Red Hawk	Single Family	$1,694.38
Magee Preserve	Single Family	$2,770.70

[1]Estimate based on Consumers Price Index through April 2024.

As provided in the approved Engineer's Reports, the assessment limits for all the developments within the Wiedemann Ranch GHAD will continue to be adjusted for inflation annually. The proposed levy amount for FY 2024/2025 does not preclude the GHAD Board in the future from increasing or decreasing the levy of the assessment up to the inflation adjusted assessment limit. This determination is made by the GHAD Board each year in approving the annual budget for the GHAD. As long as the GHAD Board levies future assessments in accordance with the Engineer's Report, a vote of property owners is not required; a vote is only required if the assessment limit is increased beyond that allowed in the Engineer's Reports.

On June 13, 2023, pursuant to Resolution 2023/03, the GHAD Board authorized an assessment levy less than the assessment amount for FY 2023/2024 for the Norris Canyon Estates, Henry Ranch, Elworthy Ranch and Red Hawk developments.

The GHAD Board is requested to adopt a budget for the GHAD's maintenance and operations each fiscal year. The GHAD Board is being requested to adopt the fiscal year budget for 2024/2025 as prepared by the GHAD Manager which is attached to Resolution No. 2024/01. In addition, the GHAD Board is being requested to

update the GHAD Manager payment limits under the existing Consulting Services Agreement as required by that Agreement. The budget attached to Resolution No. 2024/01 identifies that limit as $385,090.

CONSEQUENCE OF NEGATIVE ACTION:

The GHAD will not be able to continue operation starting July 1, 2024 if the budget is not approved.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Adopting 2024/2025 annual budget, updating GHAD Manager payment limits under the existing consulting services agreement, and authorizing an assessment levy less than the assessment limit for Fiscal Year 2024/2025 for the Norris Canyon Estates, Henry Ranch, Elworthy Ranch, and Red Hawk developments.

WHEREAS, on September 1, 1998, the Contra Costa County Board of Supervisors adopted Resolution 98/438 approving the formation of the Wiedemann Ranch Geologic Hazard Abatement District (GHAD) and appointed itself to serve as the GHAD Board of Directors.

WHEREAS, on April 11, 2000, the Wiedemann Ranch GHAD Board of Directors adopted Resolutions

2000/166 and 2000/167 approving annexation of the Henry Ranch development into the Wiedemann Ranch GHAD.

WHEREAS, on July 29, 2014, the Wiedemann Ranch GHAD Board of Directors adopted Resolution 2014/03 approving annexation of the Elworthy Ranch development into the Wiedemann Ranch GHAD.

WHEREAS, on January 19, 2016, the Wiedemann Ranch GHAD Board of Directors adopted Resolution 2014/01 approving annexation of the Red Hawk (formerly Podva) development into the Wiedemann Ranch GHAD.

WHEREAS, on July 13, 2021, the Wiedemann Ranch GHAD Board of Directors adopted Resolution 2021/03 approving annexation of the Magee Preserve development into the Wiedemann Ranch GHAD.

WHEREAS, the GHAD Board of Directors desires to adopt the budget for the Fiscal Year 2024/2025 prepared by the GHAD Manager, ENGEO Inc., attached hereto as Exhibit A and to approve a levy that is 54% of the inflation adjusted assessment limit for FY 2024/2025 for the Norris Canyon Estates, Henry Ranch, Elworthy Ranch, and Red Hawk developments, and levy the inflation adjusted assessment limit for the Magee Ranch development.

WHEREAS, on May 19, 2009, pursuant to Resolution No. 2009/03, the GHAD Board approved the consultant services agreement with ENGEO Inc., to act as Manager for the GHAD. This Agreement, in section 1(e), requires the GHAD Board to determine by resolution each Fiscal Year the payment limits for GHAD Manager services. The budget attached in Exhibit A identifies this limit as $385,090.

NOW, THEREFORE, BE IT RESOLVED

1. The GHAD Board approves the GHAD budget for Fiscal Year 2024/25 of $1,802,710 attached as Exhibit A and incorporated herein by this reference and approve an assessment levy at 54 percent of the assessment limit for Fiscal Year 2024/25 for the Norris Canyon Estates, Henry Ranch, Elworthy Ranch, and Red Hawk developments, and the inflation adjusted assessment limit for the Magee Preserve development.

2. The GHAD Board adopts the payment limit for the GHAD Manager services at $385,090 for Fiscal Year 2024/2025 as set forth in Exhibit A and incorporates this payment limit into the consulting services agreement.

3. The recitals are incorporated herein by this reference.

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

Exhibit A

WIEDEMANN RANCH GEOLOGIC HAZARD ABATEMENT DISTRICT
PROGRAM BUDGET FOR FISCAL YEAR 2024/25

June 12, 2024

Wiedemann Ranch GHAD Board of Directors
Chair Candace Andersen
Vice Chair Federal D. Glover
Boardmember John M. Gioia
Boardmember Diane Burgis
Boardmember Ken Carlson

Wiedemann Ranch Geologic Hazard Abatement District
1025 Escobar Street
Martinez, CA 94553-1229

Subject: Wiedemann Ranch Geologic Hazard Abatement District
Danville, San Ramon, and Contra Costa County, California

PROGRAM BUDGET FOR FISCAL YEAR 2024/25

Dear Chair Andersen and Boardmembers:

Attached is the program budget for the Wiedemann Ranch Geologic Hazard Abatement District (GHAD) for the Fiscal Year 2024/25. The program budget as proposed is $1,802,710. The budget expenses break down into the following approximate percentages of the total expenses.

- Administration and Accounting.....3 percent
- Outside Professional Services.....3 percent
- Preventive Maintenance and Operations.....15 percent
- Special Projects .....1 percent
- Major Repairs.....78 percent

The budget anticipates FY 2024/25 revenue of $627,410 with an estimated reduction of $1,175,300 to the reserve fund. A summary of the expenses is shown in Table 3 followed by a brief description of each budget item on the following pages.

If you have any questions regarding the contents of this letter, please contact us.

Sincerely,

Wiedemann Ranch Geologic Hazard Abatement District
ENGEO Incorporated, GHAD Manager
ENGEO Project No. 3586.002.023

Haley Ralston

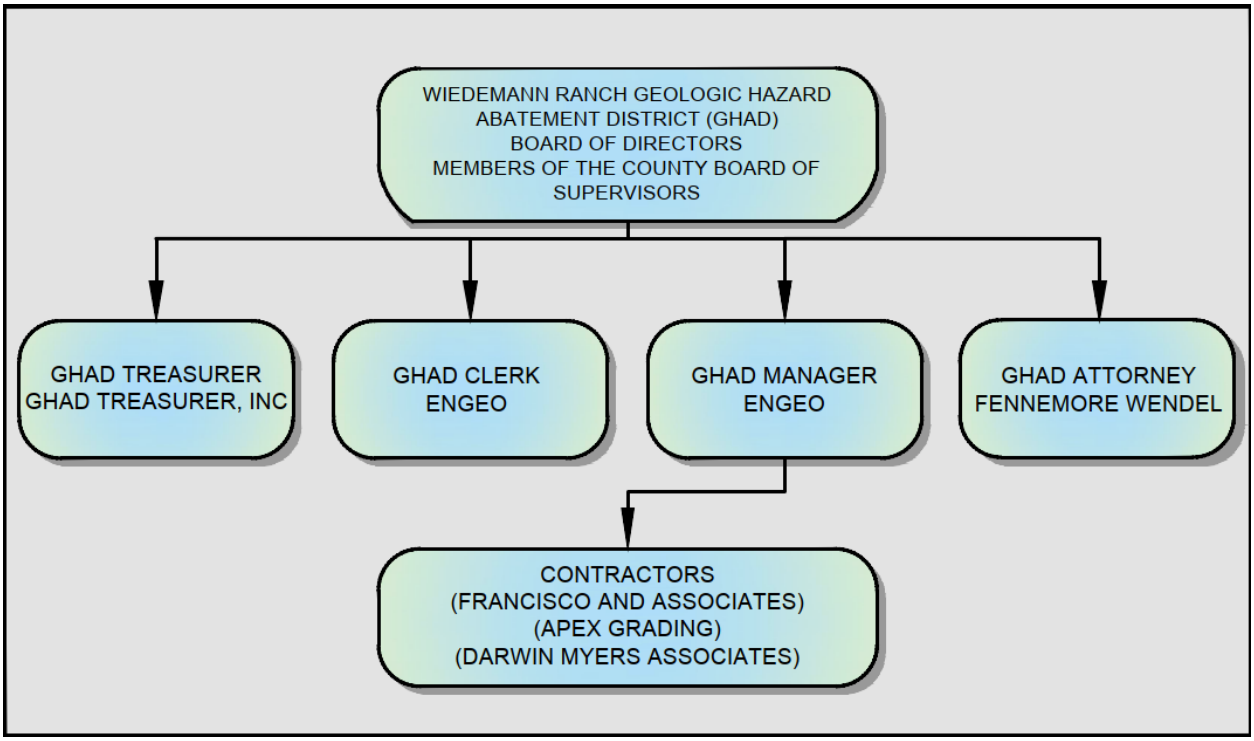
Eric Harrell

hjr/gh/eh/ca

Wiedemann Ranch Geologic Hazard Abatement District
Program Budget
Fiscal Year 2024/25

The following budget summarizes the anticipated expenditures for Fiscal Year (FY) 2024/25 for the Wiedemann Ranch Geologic Hazard Abatement District, which currently includes the Henry Ranch, Norris Canyon Estates, Elworthy Ranch, Red Hawk (Podva), and Magee Preserve developments. For FY 2024/25 we have budgeted for GHAD responsibilities within these developments with the exception of the Magee Preserve development. The Magee Preserve development was annexed into the Wiedemann Ranch GHAD on July 13, 2021, with the adoption of Resolution No. 2021/03, and approved an assessment on October 3, 2023, with the adoption of Resolution 2023/07. The Magee Preserve development will be eligible to transfer GHAD-related responsibilities no earlier than 2026; therefore, the Magee Preserve development currently receives no services from the GHAD.

The structure of the Wiedemann Ranch GHAD is shown below.



The fiscal year for the Wiedemann Ranch GHAD begins on July 1. The budget is divided into four categories including Administration and Accounting, Preventive Maintenance and Operations, Special Projects, and Major Repair. As needed, the GHAD Manager may reallocate funds without additional Board approval.

The annual assessment limits are as follows.

TABLE 1: Actual CPI Adjustments and Assessment Limit for Single-Family Residential Properties

FISCAL YEAR	INDEX DATE	SAN FRANCISCO -OAKLAND-HAYWARD CPI (JUNE /JUNE)	ANNUAL ASSESSMENT LIMIT				
			NORRIS CANYON ESTATES	HENRY RANCH	ELWORTHY RANCH	REDHAWK	MAGEE PRESERVE
1999/00		-	$550.00				
2000/01	6/30/2000	4.22%	$573.22	$555.00			
2001/02	6/30/2001	6.61%	$611.11	$591.69			
2002/03	6/30/2002	1.18%	$618.29	$598.65			
2003/04	6/30/2003	1.60%	$628.18	$608.22			
2004/05	6/30/2004	1.41%	$637.03	$616.79			
2005/06	6/30/2005	1.06%	$643.80	$623.34			
2006/07	6/30/2006	3.93%	$669.10	$647.84			
2007/08	6/30/2007	3.38%	$691.71	$669.73			
2008/09	6/30/2008	4.19%	$720.70	$687.80			
2009/10	6/30/2009	0.23%	$722.34	$699.38			
2010/11	6/30/2010	1.07%	$730.08	$706.88			
2011/12	6/30/2011	2.43%	$747.80	$724.03			
2012/13	6/30/2012	2.64%	$767.51	$743.12			
2013/14	6/30/2013	2.56%	$787.13	$762.12			
2014/15	6/30/2014	3.00%	$810.75	$784.99	$1,360.00		
2015/16	6/30/2015	2.29%	$829.32	$802.96	$1,391.14		
2016/17	6/30/2016	2.67%	$851.48	$824.42	$1,428.31	$2.395.00	
2017/18	6/30/2017	3.48%	$881.12	$853.12	$1,478.04	$2,478.39	
2018/19	6/30/2018	3.91%	$915.56	$866.46	$1,535.80	$2,575.24	
2019/20	6/30/2019	3.22%	$944.99	$914.96	$1,585.18	$2,658.03	
2020/21	6/30/2020	1.62%	$960.27	$929.75	$1,610.80	$2,701.00	
2021/22	6/30/2021	3.15%	$990.56	$959.08	$1,661.62	$2,786.21	
2022/23	6/30/2022	6.80%	$1,057.91	$1,024.29	$1,774.59	$2,975.64	
2023/24	6/30/2023	2.88%	$1,088.37	$1,053.78	$1,825.68	$3,061.31	$2,690.00
2024/25	6/30/2024	3%[1]	$1,121.04[1]	$1,085.41[1]	$1,880.49[1]	$3,153.21[1]	$2,770.70[1]

[1]Estimate based on Consumers Price Index through April 2024.

The GHAD is funded through real property assessments. The assessment limits are adjusted annually on June 30 to reflect the percentage change in the San Francisco-Oakland-Hayward Consumers Price Index (CPI) for All Urban Consumers for the previous 12 months. The final assessment roll prepared for the 2023/24 fiscal year and submitted to the Contra Costa County Assessor's Office identifies 576 parcels subject to the levy of the GHAD assessment. Thirteen apartment units are located within the Elworthy Ranch development on a single assessor's parcel. The total levy amount for the 2023/24 FY was $349,016.42. The actual FY 2024/25 assessment limit will be calculated to reflect the percentage change in the San Francisco-Oakland-Hayward CPI for All Urban Consumers for June 2023 through June 2024.

As shown on Graph 1 following, the GHAD has exceeded the target reserve rate of accumulation forecast in the approved Engineer's Reports for the Norris Canyon Estates, Henry Ranch, Elworthy Ranch, and Red Hawk Developments. The excess revenue is primarily due to the delays in transferring Plan of Control responsibilities from Toll Brothers, Inc. to the GHAD within the Norris Canyon Estates Development and lower than anticipated expenses within each development within the GHAD.

We have in this budget, and may in future budgets, recommend an annual levy amount less than the assessment limit if the following conditions are met.

- Unencumbered reserve funds collected from within a development exceed the target reserve amount estimated in the approved Engineer's Report or unencumbered reserve funds collected from a development exceed the target reserve.
- Reserve funds collected from within a development exceed the dollar amount estimated for a large-scale repair.
- Plan of Control responsibilities have been transferred from the developer to the GHAD.

As the above conditions have been met for the Norris Canyon Estates, Henry Ranch, Elworthy Ranch, and Red Hawk developments within the GHAD, we are recommending, and the budget prepared provides, that the residential parcel levy for FY 2024/25 be set at 54 percent of the assessment limit for each development to cover annual maintenance and operation costs. The estimated FY 2024/25 assessment limits for each development are shown in Table 1. The assessment levy for the residential parcels within the Magee Preserve development will remain at the CPI adjusted assessment limit as the above conditions have not yet been met for the Magee Preserve development. The actual FY 2024/25 assessment levy will be calculated to reflect the percentage change in the San Francisco-Oakland-Hayward CPI for All Urban Consumers for June 2023 through June 2024.

Table 2 shows the estimated revenue with an assessment levy covering annual maintenance and operations for FY 2024/2025 within the Norris Canyon Estates, Henry Ranch, Elworthy Ranch, Red Hawk, and Magee Preserve developments.

The GHAD Treasurer maintains an estimate that the long-term inflation rate will average approximately 2 to 2.5 percent, but may be above this level in FY 2024/25. We have assumed an inflation rate of 3 percent for estimating total revenues in Table 2 based on CPI published through April 2024.

TABLE 2: Estimated Revenue for FY 2024/25

	FY 2024/25 ESTIMATE
Assessment Revenue	$448,671
Investment Income	$178,750
Total Revenues	**$627,421**

In general, the budget amounts listed are based on the Engineer's Reports approved by the Wiedemann Ranch GHAD Board of Directors in 2001 for the Norris Canyon Estates and Henry Ranch developments, in 2014 for the Elworthy Ranch development, and in 2016 for the Red Hawk (Podva) development. The budget amounts have been inflation adjusted to provide the estimates.

ADMINISTRATION AND ACCOUNTING

Administrative expenses include the General Manager duties related to the operation and administration of the GHAD. These include clerical and accounting functions performed by the GHAD Clerk and Treasurer.

PREVENTIVE MAINTENANCE AND OPERATIONS

Preventive maintenance and operations include professional services, slope stabilization services, and erosion protection within the District. Professional services include site monitoring events as scheduled in the GHAD Plan of Control. Slope stabilization and erosion protection responsibilities include the open space slopes and creek channels. GHAD-maintained improvements generally include the District's slopes, concrete-lined drainage ditches, retaining walls, subsurface drainage facilities, monitoring instruments including settlement monitoring devices, storm drain facilities, and the creek channels.

SPECIAL PROJECTS

The Special Projects category allows the GHAD to budget for projects beneficial to the GHAD that are not included in one of the other three categories. Special projects can include items such as global positioning system (GPS)/geographic information system (GIS) development for GHAD maintained improvements, website development and maintenance, and reserve studies to reevaluate the financial condition of the GHAD.

MAJOR REPAIR

Included within the major repair category are those repair or improvement projects that are intermittent and, by their nature, do not fit within a scheduled maintenance program. Minor slope repair and erosion control items are generally funded within the Preventive Maintenance and Operations category. For the purposes of this budget, we define major repairs as those estimated at over $250,000.

TABLE 3: Summary of Use of Funds

	FY 2023/24 ESTIMATE*	FY 2023/24 BUDGET	FY 2024/25 PROPOSED	PERCENT CHANGE FROM FY 2023/24
Administration and Accounting				
Administration and Accounting (GHAD Manager)	$48,000	$48,000	$49,440	
Annual Reporting/Budget Preparation (GHAD Manager)	$6,300	$6,300	$6,500	
Subtotal	**$54,300**	**$54,300**	**$55,940**	**3.0%**
Assessment Roll and Levy Update	$2,750	$2,625	$2,750	
Contra Costa County Assessor's Fees	$750	$750	$760	
California Association of GHADs Membership	$247	$250	$250	
GHAD Treasurer	$35,000	$35,000	$35,000	
GHAD Legal Counsel	$10,000	$15,000	$15,000	
Insurance – General Liability	$8,000	$8,000	$8,000	
Transfer Services	$0	$0	$0	
Subtotal	**$56,747**	**$61,625**	**$61,760**	**0.2%**

	FY 2023/24 ESTIMATE*	FY 2023/24 BUDGET	FY 2024/25 PROPOSED	PERCENT CHANGE FROM FY 2023/24
Preventive Maintenance and Operations - Maintenance Contractor				
Sediment Removal from Drainage Ditches	$15,610	$10,610	$10,610	
Detention Basin Maintenance		$11,350	$16,350	
Vegetation Management		$11,000	$11,000	
Access Roadway Maintenance		$5,000	$3,500	
Open Space Maintenance		$10,400	$10,400	
Subdrain Maintenance		$14,000	$14,000	
Slope Stabilization	$64,000	$38,200	$55,000	
Erosion Control	$45,200	$55,640	$65,000	
Biological Services			$7,000	
Subtotal	**$124,810**	**$156,200**	**$192,860**	**23.5%**
Preventive Maintenance and Operations – Professional Services (GHAD Manager)				
Scheduled Monitoring Events	$35,000	$35,000	$36,000	
Heavy Rainfall Monitoring Event	$1,039	$8,000	$8,000	
Sediment Removal from Drainage Ditches	$1,660	$3,800	$2,000	
Detention Basin Maintenance			$2,000	
Vegetation Management			$2,000	
Access Roadway Maintenance			$500	
Open Space Maintenance			$2,000	
Subdrain Maintenance			$2,800	
Slope Stabilization	$8,000	$11,000	$11,000	
Erosion Control	$13,000	$13,000	$13,000	
Subtotal	**$58,699**	**$70,800**	**$80,550**	**13.8%**
Special Projects				
GIS	$4,955	$5,000	$5,000	
Web Site Maintenance	$1,000	$1,000	$1,000	
Reserve Study	$0	$4,000	$10,000	
Subtotal	**$5,955**	**$10,000**	**$16,000**	**60.0%**
Major Repairs				
Contracted Services	$770,000	$803,200	$1,163,000	
Professional Services	$190,000	$200,800	$232,600	
Subtotal	**$960,000**	**$1,004,000**	**$1,395,600**	**39.0%**
Total	**$1,260,511**	**$1,356,925**	**$1,802,710**	**32.9%**

A summary of the proposed Fiscal Year 2024/25 Budget is shown in Table 4.

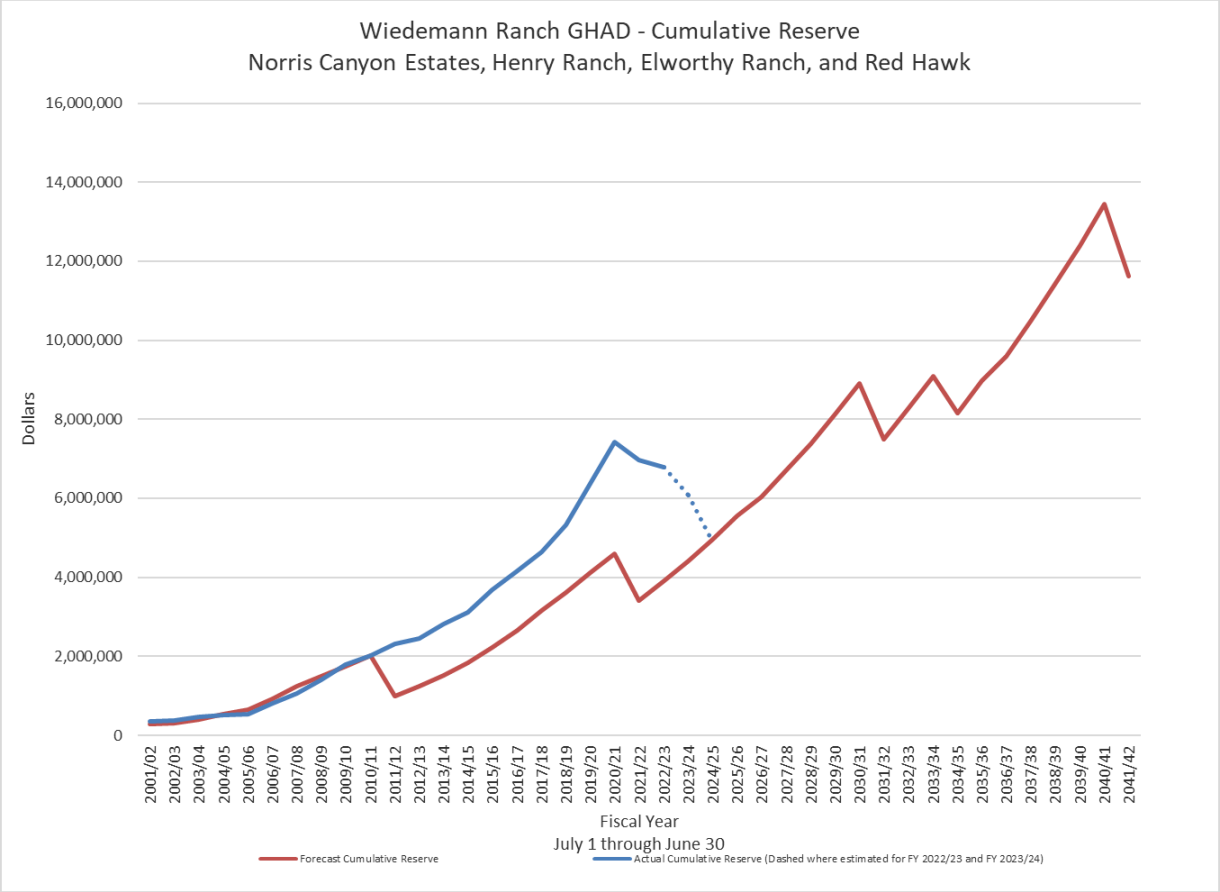
TABLE 4: Summary of Proposed Fiscal Year 2024/25 Budget

BUDGET ITEM		BUDGET AMOUNT	PERCENT OF TOTAL BUDGET (FY 2024/25)
Administration			
Administration and Accounting- GHAD Manager		$49,440	
Annual Reporting/Budget Preparation- GHAD Manager		$6,500	
	Subtotal	$55,940	3.1%
Assessment Roll and Levy Update Preparation		$2,750	
Alameda County Assessor's Fees		$760	
California Association of GHADs Membership		$250	
GHAD Clerk		$0	
GHAD Treasurer		$35,000	
GHAD Legal Counsel		$15,000	
Insurance – General Liability		$8,000	
Transfer Services		$2,750	
	Subtotal	$61,760	3.4%
	TOTAL	**$117,700**	**6.5%**
Preventive Maintenance and Operations			
Maintenance and Operations - Maintenance Contractor			
Sediment Removal from Drainage Ditches		$10,610	
Detention Basin Maintenance		$16,350	
Vegetation Management		$11,000	
Access Roadway Maintenance		$3,500	
Open Space Maintenance		$10,400	
Subdrain Maintenance		$14,000	
Slope Stabilization		$55,000	
Erosion Control		$65,000	
Biological Services		$7,000	
	Subtotal	$192,860	
Monitoring Services – GHAD Manager			
Open Space Scheduled Monitoring Events		$36,000	
Heavy Rainfall Monitoring Event		$8,000	
	Subtotal	$44,000	
Maintenance and Operations Oversight – GHAD Manager			
Sediment Removal from Drainage Ditches		$2,000	
Detention Basin Maintenance		$3,250	
Vegetation Management		$2,000	
Access Roadway Maintenance		$500	
Open Space Maintenance		$2,000	
Subdrain Maintenance		$2,800	
Slope Stabilization		$11,000	
Erosion Control		$13,000	
	Subtotal	$36,550	
	TOTAL	**$273,410**	**15.2%**

BUDGET ITEM		BUDGET AMOUNT	PERCENT OF TOTAL BUDGET (FY 2024/25)
Special Projects			
GIS		$5,000	
Web Site Maintenance		$1,000	
Reserve Study		$10,000	
	TOTAL	**$16,000**	**0.9%**
Major Repairs			
Contracted Services		$1,163,000	
Professional Services		$232,600	
	TOTAL	**$1,395,600**	**77.4%**
ESTIMATED EXPENDITURES	**TOTAL**	**$1,802,710**	
ESTIMATED RECEIVABLES			
Beginning Balance			
Balance (July 1, 2023)		**$6,795,833**	
Estimated FY 2023/24 Revenue			
Assessment Revenue		$349,016	
Investment Income		$182,150	
Estimated 2023/24 Expenses			
Estimated Expenses		$1,260,511	
ESTIMATED RESERVE ON JUNE 30, 2024		**$6,066,489**	
Estimated 2024/25 Revenue			
Estimated FY 2024/25 Assessment Revenue		$448,671	
Estimated FY 2024/25 Investment Income		$178,750	
Estimated 2024/25 Expenses			
Expenses through June 30, 2025		$1,802,710	
ESTIMATED RESERVE ON JUNE 30, 2025		**$4,891,199**	

As shown on the graph below, the forecast cumulative reserve is above the amount estimated in the 2001, 2014, and 2016 Engineers' Reports and is estimated to reach approximately $10,900,000 by 2041, 40 years since the Henry Ranch development was annexed into the Wiedemann Ranch GHAD. The GHAD reserve is intended to fund unanticipated expenses that may occur.

GRAPH 1: Cumulative Reserve



We attribute the additional reserve accumulation to a number of factors including: (1) ten of the past sixteen winters had below-average rainfall; therefore, there has been a reduced level of slope instability and erosion; (2) a large-scale repair (estimated at $1,000,000 in 2001 dollars every 10 years) has not been necessary within the GHAD-maintained areas; and (3) the budgets submitted and expenditures by the GHAD manager reflect the lower level of activity due to weather conditions and limited geographic responsibilities, thus allowing a higher percentage of the GHAD revenues to be applied to the reserve portion of the budget, while maintaining an appropriate monitoring and maintenance program.

Special Condition 1(e) of the approved Consulting Services Agreement provides that a payment limit shall be determined each fiscal year by a resolution of the GHAD Board. For fiscal year 2024/25 (July 1, 2024, through June 30, 2025), the payment limit is set at $385,090. The tasks included within the payment limit are listed in Table 5.

TABLE 5: Payment Limit

TASK	AMOUNT
Administration and Accounting	$49,440
Annual Report and Budget Preparation	$6,500
Monitoring Services	$44,000
Maintenance and Operations Oversight	$36,550[1]
Special Projects (GPS, Website, and Reserve Study)	$16,000
Major Repairs	$232,600[1]
TOTAL	**$385,090**

[1]Dependent on maintenance and/or repair activities by the GHAD during FY 2024/25. ENGEO payment limit is estimated at up to 20% of the total budget item.

ADMINISTRATION AND ACCOUNTING

Administration

Administrative expenses include the General Manager duties related to the operation and administration of the GHAD. The budget estimate for the accounting and administrative services are derived from the original GHAD budget used to prepare the GHAD's Engineer's Report.

Annual Report and Budget Preparation

This budget provides for the preparation of the annual report and budget. The budget estimate for the accounting and administrative services are derived from the original GHAD budget used to prepare the GHAD's Engineer's Report.

Assessment Roll and Levy Update

This budget item allows for preparation of the assessment roll for the District and the updated levy based on the Consumer Price Index adjustment.

County Assessor's Fees

This budget item anticipates fees from the Contra Costa County Assessor's Office when placing the assessment levy on the property tax bills.

Association Membership

The GHAD maintains membership in the California Association of GHADs.

Treasurer

This budget item accounts for fees related to investment of the GHAD reserve funds and processing of accounts payable. This budget item allows the GHAD to hire a treasurer for the District as provided under Resolution 2008/01 adopted on November 18, 2008. As budgeted, half of the estimated cost is for the Treasurer services and half for the investment advisor services.

Legal Counsel

This budget item allows the GHAD to secure legal counsel for the District as provided under Resolution 2008/01 adopted on November 18, 2008. The duties of the legal counsel may include but not be limited to preparation or review of contracts, grant deeds, right of entry, and board resolutions.

Insurance

The GHAD maintains general liability insurance for open space areas within the District.

Transfer Services

We do not anticipate any transfer activities to occur during FY 2024/25.

PREVENTIVE MAINTENANCE AND OPERATIONS

Maintenance and Operations

The budget items listed in the tables above are to provide for the maintenance of concrete-lined drainage ditches, detention basins, vegetation management, maintenance roads, debris catchment structures, litter removal, and subdrain outlets within the GHAD-accepted portions of the Wiedemann Ranch GHAD, as described in the Plans of Control for each development.

Slope Stabilization

This budget item is for minor repairs, including slope instability or erosion, which may occur during the 2024/25 fiscal year. Purchase of emergency stabilization supplies is included within this budget item.

Erosion Control

Anticipated tasks under this budget item include the repair of slope or creek erosion and removal of debris from creek channel culverts.

PROFESSIONAL SERVICES - GHAD MANAGER

Scheduled Monitoring Events

As provided in the Plan of Control, we have two scheduled monitoring events within the GHAD during each calendar year.

Heavy Rainfall Events

We have budgeted for two heavy rainfall-monitoring events during the 2024/25 winter season.

Maintenance and Operations Oversight

This budget item is to allow for scheduling and coordination of general maintenance and repair operations by the GHAD Manager.

SPECIAL PROJECTS

Global Positioning System (GPS)/Geographic Information System (GIS) Development

To provide for a more efficient system to capture, store, update, analyze, and display information pertaining to GHAD features (including, but not limited to, subdrains, landslides, drainage facilities, walls, or slopes), the GHAD has provided a budget item to continue development and use of a GIS database. The database facilitates the tracking of location, maintenance, and repair activities and automates the communication of this information to affected parties. We anticipate GIS database development for FY 2024/25 would include continued transition of available and pertinent information to an electronic format suitable for GIS deployment, and as necessary, field-verification with GPS surveys.

Website Maintenance and Updates

To allow for greater access to information about the Wiedemann Ranch GHAD, the GHAD has provided a budget item to update and maintain the existing website.

Reserve Study

During fiscal year 2024/25, a reserve study will be completed based on the levels of expenditure expected to address future maintenance responsibilities, and accumulation of the appropriate long-term reserves to address larger geologic events. Absent of extraordinary expenditures during FY 2024/25, the GHAD will likely maintain its account balance in excess of the targeted rate of reserve accumulation set in the approved Engineer's Reports. The reserve study would be prepared to help the GHAD evaluate its income requirements prior to setting the recommended assessment levy for FY 2025/26.

MAJOR REPAIRS

In FY 2024/25, the GHAD plans to provide for construction activities for the reconstruction of a mechanically stabilized earth (MSE) retaining wall adjacent to Ashbourne Drive, as well as replacement and repair of improvements associated with the wall reconstruction within the Norris Canyon Estates Development. We have provided an estimate for construction activities. In addition, this budget item allows for ENGEO to provide testing and observation services during repair activities and final reporting.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1882 **Agenda Date:** 6/25/2024 **Agenda #:** C.109.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Correct Board Order Item #C.36 with Maxim Healthcare Services Holdings, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE clarification of Board action of March 26, 2024, (C.36) with Maxim Healthcare Services Holdings, Inc., a corporation, to change the name of the Contractor to read Maxim Healthcare Services, Inc., with no change in the payment limit of $1,000,000 and no change in the term of March 1, 2024 through February 28, 2027.

FISCAL IMPACT:
Approval of this Contract correction will result in no additional expenditures and is funded 100% CCHP Enterprise Fund II revenues (No rate increase)

BACKGROUND:
CCHP has an obligation to provide certain specialized Behavioral Health Treatment - Applied Behavioral Analysis (BHT-ABA) health care services including, but not limited to; treatment plans to improve the functioning of CCHP members with pervasive development disorder or autism under the terms of their Individual and Group Health Plan membership contracts with the County. This Contractor has been a member in the CCHP Provider Network providing BHT-ABA services and fostering a deep understanding of the CCHP organizations mission, values and long-term objectives since March 1, 2022.

On March 26, 2024, the Board of Supervisors approved Contract #77-445-1 with Maxim Healthcare Services Holdings, Inc., in an amount not to exceed $1,000,000, for the provision of BHT-ABA services for the period March 1, 2024 through February 28, 2027.

The purpose of this Board Order is to change the name of the Contractor to read Maxim Healthcare Services, Inc. instead of Maxim Healthcare Services Holdings, Inc.

CONSEQUENCE OF NEGATIVE ACTION:
If this correction is not approved, Contractor's legal status will remain incorrect and CCHP members will not have access to contractor's behavioral health treatment - applied behavioral analysis services under the terms of their Individual and Group Health Plan memberships and services may be delayed.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1883 **Agenda Date:** 6/25/2024 **Agenda #:** C.110.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Payment for Services provided by CardioNet, LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Auditor-Controller, or designee, to pay $51,902 to CardioNet, LLC for providing remote cardiac monitoring services for patients at Contra Costa Regional Medical Center (CCRMC) and Health Centers for the period November 16, 2022 through January 6, 2024.

FISCAL IMPACT:
Approval of this action will result in a one-time expenditure in an amount not to exceed $51,902 and will be funded by the Hospital Enterprise Fund I revenues.

BACKGROUND:
CCRMC relied on CardioNet, LLC for sleep study devices for nearly a decade but upon a recent industry survey, it was determined that another vendor would better meet the County's needs. Home sleep study devices provide the ability to capture arrhythmias in patients during their daily activities which is crucial to fully understanding what is occurring in the patient's heart as many clinically severe arrhythmias only last seconds.

On February 6, 2024, the Board of Supervisors approved item C.84 to pay $80,356 for providing remote cardiac monitoring services for patients at CCRMC and Health Centers for the period August 1, 2023 through October 31, 2023. At the time, this was expected to be the final payment to CardioNet, LLC for outstanding invoices exceeding the payment limit for contract #26-784-13. However, in May 2024, after a change in management staff, it became apparent that services did not cease at the end of October 2023 and that there were additional invoices requiring payment for services between November 2022 through January 2024. The vendor and current cardiology department management have reassured CCRMC that these are the last of the invoices owed to CardioNet, LLC.

The contractor is entitled to payment for the reasonable value of its services under the equitable relief theory of quantum meruit. The theory provides that where a contractor has been asked to provide services without a valid contract, and the contractor does so to the benefit of the county, the contractor is entitled to recover the reasonable value of those services. The contractor has provided services at the request of the county after the original contract payment limit had been reached. The Department cannot pay contractor for services rendered that exceed the contract limits. As such, the Department requests that the Board authorize the Auditor-Controller to issue a one-time payment not to exceed $51,902 payable to CardioNet, LLC.

CONSEQUENCE OF NEGATIVE ACTION:
If this request is not approved, the contractor will not be paid for remote cardiac monitoring services provided for patients at CCRMC and Contra Costa Health Centers outside of the contract payment limit rendered in good faith.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1884 **Agenda Date:** 6/25/2024 **Agenda #:** C.111.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Payment for Services provided by Innovative Product Achievements, LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Auditor-Controller, or designee, on behalf of the Health Services Director, to pay $1,232 to Innovative Product Achievements, LLC for hospital scrub dispenser repair services provided on December 15, 2023.

FISCAL IMPACT:
Approval of this action will result in a one-time expenditure in an amount not to exceed $1,232 and will be funded by Hospital Enterprise Fund I revenues.

BACKGROUND:
Innovative Product Achievements, LLC also know as IPA, LLC produces the ScrubEx machine dispensers that ensure medical personnel have access to scrubs, 24/7, in the critical care units of the hospital. The availability of clean, sterilized scrubs is essential for patient and staff safety, quality of care, infection control and meets regulatory requirements established by OSHA, CDPH and The Joint Commission.

In September 2022, Contra Costa Regional Medical Center (CCRMC) renewed the existing purchase order for the IPA ScrubEx machine lease for an additional three years. However, the preventative maintenance services portion of the agreement expired after the first year, on September 30, 2023. Department staff were not initially aware that the warranty did not extend for the full three years until repair services were required later in 2023. An emergency purchase order was originally requested for this payment, but with the implementation of Administrative Bulletin 600.3, it was denied. A contract for the preventive maintenance services is currently in process for future maintenance needs but will not cover the December 2023 invoice.

CONSEQUENCE OF NEGATIVE ACTION:
If this request is not approved, non-payment of the invoice jeopardizes CCRMC's ability to continue to work with this vendor to easily provide contamination-free scrubs to hospital staff every day, on all shifts.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1885 **Agenda Date:** 6/25/2024 **Agenda #:** C.112.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Purchase Order with Microsoft Corporation

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a purchase order and a Microsoft Enterprise Services Work Order with Microsoft Corporation in an amount not to exceed $1,361,037, for Microsoft's Unified Support for licensed products during the period of May 5, 2024, through May 4, 2027.

FISCAL IMPACT:
Approval of this action will result in expenditures of up to $1,361,037 over a three-year period and will be funded by Hospital Enterprise Fund I revenues.

BACKGROUND:
The County Health Services Department uses the Unified Support from Microsoft for advanced support on all Microsoft licenses on the Enterprise Agreement. This is a renewal for software support starting in 2019. Unified provides advanced support, faster response times, automatic escalations, and a dedicated account manager to assist in recovery solutions. This service also includes proactive support engagements for building out ad-hoc solutions and upgrades.

On June 13, 2023, the Board of Supervisors approved agenda item C.114 to execute Purchase Order (#28275) with Microsoft Corporation in the amount of $359,238 and a Microsoft Enterprise Work Order for Microsoft's Unified Support for licensed products, for the period from May 5, 2023 through May 4, 2024.

This renewal was received four weeks prior to its expiration, contributing to the delayed submission of this request. The stakeholder has since initiated a meeting with the Procurement team to review all contracts and purchase orders, aiming to obtain expiration dates to request renewals well in advance and avoid such delays in the future.

On June 4, 2024 the Purchasing Agent approved the continued use of Microsoft Corporation.

CONSEQUENCE OF NEGATIVE ACTION:
Failure to renew will result in drastically increased resolution times, decreased solution flexibility, and an overall reduction in resolutions.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1886 **Agenda Date:** 6/25/2024 **Agenda #:** C.113.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Purchase Order with Washington Automated, LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a purchase order with Washington Automated, LLC in an amount not to exceed $28,000 and accept Washington Automated, LLC Terms and Conditions for the purchase of laundry equipment for the Health Services Department's Health, Housing and Homeless Services (H3) division's adult shelter, Delta Landing.

FISCAL IMPACT:
Approval of this action will result in a one-time expenditure of up to $28,000 and will be funded by the California Business, Consumer Services and Housing Agency, Homeless Housing, Assistance and Prevention Grant Program Round 4 (HHAP-4) grant funds.

BACKGROUND:
Contra Costa Health operates the Delta Landing Interim Housing facility, located at 2101 Loveridge Road, Pittsburg, California, to provide 172 interim housing units serving homeless adults living in East Contra Costa County. The facility's current commercial washing machines are inoperable or require frequent servicing following extensive use by its clients. Installation of industrial washing machines has been recommended to replace five existing washing machines at Delta Landing. This purchase includes the procurement and installation of five new washing machines and the removal of the old machines.

The Washington Automated, LLC Terms and Conditions obligate the County to indemnify Washington Automated, LLC against all expenses, costs (including reasonable attorney's fees), claims, demands, damages, liability, suits or the like arising in connection with or out of (i) any breach by the County of the Agreement; (ii) Washington Automated, LLC's adherence to specifications or use of material furnished or specified by the County or any of its agents; (iii) any damage to property or injury (including death) caused by the acts or omissions of the County or its agents; (iv) or any damages arising out of the sale or exchange of all or part of the Goods sold hereunder to a third party. The Terms and Conditions also limits Washington Automated, LLC's liability to no more than the total amount paid by the County under the Agreement for the goods giving rise to the claim. The purchase of products from Contractor is subject to a limited warranty, which limits the Contractor's liability and waives the County's rights to incidental and consequential damages, whether or not caused by Contractor's negligence.

An informal bid was completed by H3 and Washington Automated, LLC will provide industrial washing

machines at the lowest cost.

CONSEQUENCE OF NEGATIVE ACTION:
Failure to approve this action would cause undue hardship to the vulnerable population residing at this location without onsite access to laundry services, as many clients are disabled or unable to afford or travel to a nearby laundromat to gain access to the use of laundry services.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1887 **Agenda Date:** 6/25/2024 **Agenda #:** C.114.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Purchase Order with Solutions Simplified

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a purchase order with Solutions Simplified, in an amount not to exceed $912,000 for the purchase of Zscaler internet traffic protection software and services, and an agreement with Zscaler, Inc. for the period from July 1, 2024 through June 30, 2027.

FISCAL IMPACT:
Approval of this action will result in expenditures of up to $912,000 over a three-year period and will be funded by Hospital Enterprise Fund I revenues.

BACKGROUND:
1. Contra Costa Health (CCH) firewalls provide limited monitoring of internet traffic, which can lead to firewalls running at 80% utilization. This creates increased risk of undetected "bad" internet activity that CCHS cannot monitor or respond to.
2. CCH is a Covered Entity and required to comply with the HIPAA Security Rule to identify and manage its resources as part of maintaining compliance. This includes the following specific requirements:
    - § 164.312(b): Audit controls (Required). Implement hardware, software, and/or procedural mechanisms that record and examine activity in information systems that contain or use ePHI.
    - § 164.308(a)(1)(ii)(D): Information system activity review (Required). Implement procedures to regularly review records of information system activity, such as audit logs, access reports, and security incident tracking reports.

On January 10, 2024 the Purchasing Agent approved the use of Simplified Solutions.

Approval of this End User Service Agreement (EUSA) allows Zscaler to provide services through June 30, 2027. The agreement limits the liability of Zscaler to the amount paid by the County in the twelve (12) months preceding any claim, except for claims arising out of a breach of confidential information, which is subject to a liability cap of three times (3X) the total fees paid or payable to Zscaler during the twelve (12) months preceding the claim. Under the agreement, the County is obligated to indemnify Zscaler from and against any claim brought by a third party against Zscaler arising from or related to Customer's violation of the Agreement.

CONSEQUENCE OF NEGATIVE ACTION:

If this action is not approved, CCH risks non-compliance with HIPAA and The Security Rule for incomplete monitoring and risk of undetected and unauthorized activity. For example, risky user behaviors such as of public Wi-Fi use may take place, and there is limited ability to block risk-based internet traffic at the device.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1888 **Agenda Date:** 6/25/2024 **Agenda #:** C.115.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #23-840-1 with Omicell, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the County a (1) a Purchase Order for $235,000 to purchase medication dispensing equipment, and (2) an amendment to the Omnicell Corporate Partnership Agreement (CPA) dated September 17, 2018 with Omnicell, Inc., a corporation, to provide discounted pricing for automated medication dispensing hardware for Contra Costa Health patient care in Detention for the period June 25, 2024 through April 22, 2029.

FISCAL IMPACT:
This action will result in expenditures of up to $235,000 over a 5-year period and will be funded 100% by CalAIM PATH funding.

BACKGROUND:
This action meets the needs of the county by providing an automated medication dispensing system that enables safer medication management. The County currently utilizes the Omnicell XT Automated Dispensing Cabinet throughout Contra Costa Regional Medical Center, Health Centers, and Detention facilities to provide access to medications for nursing workflow. The current virtual server has reached the end of its life and requires an upgrade. The virtual server manages database management and administration functions for all the existing Omnicell equipment used for medication dispensing and direct patient care. An updated virtual server is needed to allow the Omnicell XT equipment to receive software updates to ensure its optimal operation, maintain the system, and meet the current standard of care practice. This contractor has been approved by the Public Works Department's Purchasing Division on January 17, 2024.

Under this action, the parties will execute Amendment No. 1 to the Omnicell CPA No. 20857CPA-01, dated September 17, 2018 to reflect the terms set forth in the Omnicell Master Agreement for Purchase Only, #20857-02, dated May 23, 2024 (C.65 4/22/24), and a purchase order to procure medical dispensing equipment, to provide an automated medication dispensing system for Contra Costa Health patient care. Under the CPA, the County will receive discounted pricing for the purchase of Omnicell medication dispensing hardware through September 2028. The medication dispensing hardware is used at the hospital and County detention facilities.

On April 22, 2024, the Board of Supervisors approved Contract #23-840 with Omnicell, LLC, in an amount not to exceed $136,135 for the execution of the Omnicell Master Agreement for Purchase Only, #20857-02, dated May 23, 2024, to provide an automated medication dispensing system and software for Contra Costa Health

patient care for the period from April 23, 2024 through April 22, 2029.

Approval of this action will allow the contractor to provide services through April 22, 2029.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, the current virtual server that has reached its end-of-life will continue to deteriorate, and CCRMC will lose its access to the medication dispensing system needed for nurse workflow and optimal patient care.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1889 **Agenda Date:** 6/25/2024 **Agenda #:** C.116.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Purchase Order with Ortho-Clinical Diagnostics, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Health Services Director, a purchase order with Ortho-Clinical Diagnostics, Inc. in an amount not to exceed $450,000, GPO Product Agreement and Letter of Participation, for the purchase of the Ortho Vision Swift Blood Bank Analyzer, ID-Micro Typing System reagents, consumables, supplies and related service for the Clinical Laboratory at Contra Costa Regional Medical Center (CCRMC) effective the date the equipment arrives and for five years thereafter.

FISCAL IMPACT:
Approval of this action with result in expenditures of up to $450,000 over a five-year period and will be funded by the Hospital Enterprise Fund I revenues.

BACKGROUND:
The Contra Costa Regional Medical Center Clinical Laboratory uses Ortho-Clinical Diagnostics, Inc. for blood bank supplies and reagents as needed for patient testing, antibody and antigen identification and blood type cross matching with donor units.

The current Ortho Vision Analyzer is past lifecycle, and the laboratory is requesting to procure the updated Ortho Vision Swift Analyzer through a reagent rental agreement. CCRMC Clinical Laboratory would receive the updated Ortho Clinical Diagnostic Vision Swift analyzer at no cost by the purchasing of reagents and consumables currently utilized by the department for various blood services testing. The acquisition of the Ortho Vision Swift analyzer would prevent the lab from updating all the testing equipment such as specific centrifuges used in blood services, gel card incubators, reagents, quality control products and the testing gel cards currently used in the department. All maintenance services would be included in this reagent rental to include preventative maintenance required for accreditation by FDA and The Joint Commission. Ortho-Clinical Diagnostics, Inc. possesses a deep understanding of our blood bank infrastructure ensuring that blood types and cross match units of blood for transfusions are accurately validated to avoid patient harm. The Ortho Vision Swift Analyzer reagents and consumables allows continuous access to a load stat and routine samples while reducing critical turnaround times for patient blood testing. The current analyzer reliability has been reduced due to the age of the equipment and the testing performed on this analyzer is critical for surgical interventions and life saving measures.

Ortho-Clinical Diagnostics, Inc. is an awarded supplier under the Vizient Group Purchasing agreement for the distribution of blood bank supplies.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, the CCRMC Clinical Laboratory will not have access to Ortho Clinical Diagnostics products and unique approach to significantly enhance the quality of care for patients. Delays in patient testing and implementation of life saving patient care protocols may be affected due to the current analyzer reaching the end of its lifecycle.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1890 **Agenda Date:** 6/25/2024 **Agenda #:** C.117.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #77-332-1 with The National Phlebotomy Provider Network

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-332-1 with The National Phlebotomy Provider Network, a corporation, in an amount not to exceed $300,000, to provide phlebotomy services to Contra Costa Health Plan (CCHP) members and County recipients, for the period June 1, 2024 through May 31, 2027.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $300,000 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 phlebotomy 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 providing these services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since June 1, 2021. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. Contractor currently cooperates with and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

In May 2021, the County Administrator approved and Purchasing Services Manager executed Contract #77-332 with The National Phlebotomy Provider Network, in an amount not to exceed $100,000, for the provision of laboratory specimen collection services for CCHP members and County recipients, for the period June 1, 2021 through May 31, 2024.

Approval of Contract #77-332-1 will allow the contractor to continue providing phlebotomy services to CCHP members and County recipients through May 31, 2027.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain phlebotomy services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided and may cause a delay in services to CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1891 **Agenda Date:** 6/25/2024 **Agenda #:** C.118.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #77-175-2 with SleepQuest, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-175-2 with SleepQuest, Inc., a corporation, in an amount not to exceed $900,000, to provide durable medical equipment and sleep study services for Contra Costa Health Plan (CCHP) members and County recipients, for the period July 1, 2024 through June 30, 2027.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $900,000 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 durable medical equipment and sleep study 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 providing these services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since October 1, 2018 This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor currently cooperates with and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division

On September 8, 2020, the Board of Supervisors approved Contract #77-175-1 with SleepQuest, Inc., in an amount not to exceed $750,000, for the provision of durable medical equipment and sleep study services for CCHP members and County recipients, for the period October 1, 2020 through September 30, 2023.

Approval of Contract #77-175-2 will allow the contractor to continue providing durable medical equipment and sleep study services for CCHP members and County recipients through June 30, 2027.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain durable medical equipment and sleep study services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided and may cause a delay in services to CCHP members.

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MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1892 **Agenda Date:** 6/25/2024 **Agenda #:** C.119.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #77-669 with Pentec Health, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-669 with Pentec Health, Inc., a corporation, in an amount not to exceed $400,000, to provide durable medical equipment (DME) services for Contra Costa Health Plan (CCHP) members and County recipients, for the period August 1, 2024 through July 31, 2026.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $400,000 over a two-year period and will be funded 100% by CCHP Enterprise Fund II revenues.

BACKGROUND:
CCHP has an obligation to provide certain DME services including home infusion therapy pharmacy services for its members under the terms of their Individual and Group Health Plan membership contracts with the county. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor will cooperate with and participate in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

Approval of new Contract #77-669 will allow this contractor to provide DME services including home infusion pharmacy services for CCHP members and County recipients through July 31, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain DME services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided and may cause a delay in services to CCHP members.

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MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1893 **Agenda Date:** 6/25/2024 **Agenda #:** C.120.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #77-667 with Parkhill Health, Inc. (dba AFC Urgent Care Brentwood)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-667 with Parkhill Health, Inc. (dba AFC Urgent Care Brentwood), a corporation, in an amount not to exceed $600,000, to provide primary care services, including urgent care, for Contra Costa Health Plan (CCHP) members and County recipients, for the period July1, 2024 through June 30, 2026.

FISCAL IMPACT:
Approval of this Contract will result in contractual service expenditures of up to $600,000 over a two-year period and will be funded 100% by CCHP Enterprise Fund II revenues.

BACKGROUND:
CCHP has an obligation to provide certain primary care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. Primary care medical services include, but are not limited to, urgent care, x-rays, rapid strep test, Intravenous (IV) hydration, asthma treatments, foreign body removal, laceration repair, and antibiotic injections.

This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. The contractor will cooperate with and participate in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. Per Administrative Bulletin 600.3, CCHP physician services are exempt from solicitation requirements.

Approval of new Contract #77-667 will allow the contractor to provide primary care services, including urgent care, for CCHP members and County recipients through June 30, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain primary care services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided and may cause a delay in services to CCHP members.

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MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1894 **Agenda Date:** 6/25/2024 **Agenda #:** C.121.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #23-726-2 with Data Innovations LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Quote(s) with Data Innovations LLC, a limited liability corporation, in an amount not to exceed $60,000, increasing the total contact payment limit from $214,788 to a new payment limit of $274,788 to provide medical instrument management software system and services for Contra Costa Health (CCH) for the period June 1, 2024 through May 30, 2025.

FISCAL IMPACT:
This contract will result in contractual service expenditures of up to $60,000 over a 1-year period and will be funded 100% by Hospital Enterprise Fund I.

BACKGROUND:
This contract meets the needs of the county's patient population by providing a medical instrument management system. CCH clinical and medical laboratories conduct tests on clinical specimens, such as blood and urine, to obtain information about patient health to aid in diagnosis, treatment, and disease prevention. Data Innovations (DI), Instrument Manager, is a connectivity solution that enables an open and expansive enterprise lab ecosystem, allowing for the integration of virtually any instrument, laboratory information system, electric medical record, or electric health record system, regardless of vendor or discipline. Di's Instrument Manager can support thousands of instruments, dozens of laboratory information systems, and multiple labs on a single platform, allowing the integration of all lab disciplines into one platform to streamline operations and management. A summary of service contract deliverables includes maintenance and support services, training, and software updates. This contract was approved by CCH Personnel to ensure there is no conflict with labor relations.

On February 1, 2022, the Board of Supervisors approved Contract #23-726 with DI, in an amount not to exceed $181,418, for the provision of its medical instrument management software system and services, for the period from February 1, 2022 through January 31, 2025.

On July 11, 2023, the Board of Supervisors approved Contract Amendment Agreement #23-726-1 with DI, effective July 11, 2023, to increase the payment limit by $33,370 to a new payment limit of $214,788 for additional laboratory instrument management system software and support services with no change in the term.

Approval of this action will increase the total contract payment limit by $60,000 to a new payment limit of $274,788 and allow the process of Quote #'s 42482, 65230, and 82535, allowing contractor to provide additional training, maintenance, and support services regarding its instrument management system through May 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved Contra Costa Health Services clinical and medical laboratories will continue using the current system which is not integrated with Epic, our Electronic Health Records system.

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MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1895 **Agenda Date:** 6/25/2024 **Agenda #:** C.122.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #77-097-4 with Genomic Health, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-097-4 with Genomic Health, Inc., a corporation, in an amount not to exceed $600,000, to provide outside laboratory testing services for Contra Costa Health Plan (CCHP) Members and County recipients, for the period July 1, 2024 through June 30, 2026.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $600,000 over a two-year period and will be funded 100% CCHP Enterprise Fund II revenues. (No rate increase)

BACKGROUND:
CCHP has an obligation to provide certain specialized outside laboratory testing services, including cancer assays and prostate cancer screening services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. The County contracts with outside laboratory testing services in order to provide testing services not available at County facilities, to ensure patient care is provided as required. This contractor has been a part of the CCHP Provider Network providing outside laboratory testing services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since July 1, 2022.

This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor currently cooperates with and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

On April 12, 2022, the Board of Supervisors approved Contract #77-097-2 with Genomic Health, Inc., in an amount not to exceed $400,000, for the provision of outside laboratory testing services for CCHP members and County recipients for the period April 1, 2022 through February 29, 2024.

On July 12, 2022, the Board of Supervisors approved the rescind prior board action on April 12, 2022 (C.69) for Contract #77-097-2 with Genomic Health, Inc., in an amount not to exceed $400,000, for the provision of outside laboratory testing services for CCHP members and County recipients. This board order action (C.110) rescinded the incorrect board order and corrected the contract term to July 1, 2022 through June 30, 2024.

On May 9, 2023, the Board of Supervisors approved Contract Amendment #77-097-3 with Genomic Health, Inc., effective May 1, 2023, to provide additional outside laboratory testing services for CCHP members and County recipients with no change in the payment limit or term.

Approval of Contract #77-097-4 will allow the contractor to continue providing outside laboratory testing services through June 30, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain specialized outside laboratory testing health care services for CCHP members will not be provided and may cause a delay in services for CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1896 **Agenda Date:** 6/25/2024 **Agenda #:** C.123.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #74-355-18 with Lisa Wang, M.D.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #74-355-18 with Lisa Wang, M.D, an individual, in an amount not to exceed $260,000, to provide outpatient psychiatric services to County patients in West County, for the period from July 1, 2024 through June 30, 2025.

FISCAL IMPACT:
Approval of this contract will result in annual expenditures of up to $260,000 and will be funded as budgeted by the department in FY 2024-25 by 100% Mental Health Realignment. (No rate increase)

BACKGROUND:
This contract meets the social needs of County's population by providing psychiatric services for mentally ill adults in West County. Dr. Wang has been providing psychiatric services for mentally ill patients in West County since July 1, 2009. This contract is entered into under and subject to the following legal authorities: Welfare and Institutions Code, § 5600 et seq. (The Bronzan McCorquodale Act); California Code of Regulations ("CCR"), Title 9, § 523 et seq. (Community Mental Health Services) and California Government Code §§ 26227 and 31000. The Behavioral Health's Quality Management, Utilization Management and Contract Monitor Staff meet on a regular basis to ensure monitoring and performance measures in the contract are upheld. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. Per Administrative Bulletin 600.3, the contractor provides physician services and is exempt from solicitation requirements.

On May 16, 2023, the Board of Supervisors approved Contract #74-355-17 with Lisa Wang, M.D., in an amount not to exceed $254,655, to provide outpatient psychiatric services, including diagnosing, counseling, and evaluating, and providing medical and therapeutic treatment for County patients in West County, for the period July 1, 2023 through June 30, 2024.

Approval of Contract #74-355-18 will allow this contractor to continue providing outpatient psychiatric services through June 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, patients in West County requiring outpatient psychiatric services will not have

access to the contractor's services, which may result in a reduction in levels of service to the community.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1897 **Agenda Date:** 6/25/2024 **Agenda #:** C.124.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #26-748-10 with Mauricio Kuri, MD, PC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of County Contract #26-748-10 with Mauricio Kuri, MD, PC, a professional corporation, in an amount not to exceed $2,550,000, to provide plastic surgery services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period July 1, 2024 through June 30, 2027.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $2,550,000 over a three-year period and will be funded 100% by Hospital Enterprise Fund I revenues. (Rate increase)

BACKGROUND:
Due to the limited number of specialty providers available within the community, CCRMC and Contra Costa Health Centers relies on contractors to provide necessary specialty health services to its patients. This contractor provides plastic surgery services including, but not limited to: clinic coverage, consultation, on-call coverage, and medical and surgical procedures. CCRMC has contracted with Dr. Kuri for plastic surgery services since July 15, 2013. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. CCRMC's Quality Management, Utilization Management and Contract Monitor Staff meet on a regular basis to ensure monitoring and performance measures in the contract are upheld. Per Administrative Bulletin 600.3 CCRMC Physician services are exempt from Solicitation requirements.

On April 27, 2021, the Board of Supervisors approved Contract #26-748-8 with Mauricio Kuri, MD, PC, in an amount of $1,823,000, for the provision of plastic surgery services at CCRMC and Contra Costa Health Centers for the period July 1, 2021 through June 30, 2024.

On June 27, 2023, the Board of Supervisors approved Contract Amendment Agreement #26-748-9 with Mauricio Kuri, MD, PC, effective May 1, 2023, to amend Contract #26-748-8, to increase the payment limit by $274,000, to a new payment limit of $2,097,000, to provide additional plastic surgery services with no change in the term.

Approval of Contract #26-748-10 will allow the contractor to continue to provide plastic surgery services at

CCRMC and Contra Costa Health Centers through June 30, 2027.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, the necessary specialty plastic surgery services needed for patient care will not be available or will create increased wait times due to the limited number of specialty providers available within the community.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1898 **Agenda Date:** 6/25/2024 **Agenda #:** C.125.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #26-817-39 with East Bay Nephrology Medical Group, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of County Contract #26-817-39 with East Bay Nephrology Medical Group, Inc., a corporation, in an amount not to exceed $285,000, to provide nephrology services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period July 1, 2024 through June 30, 2027.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $285,000 over a three-year period and will be funded 100% by Hospital Enterprise Fund I revenues. (Rate increase)

BACKGROUND:
Due to the limited number of specialty providers available within the community, CCRMC and Contra Costa Health Centers relies on contractors to provide necessary specialty health services to its patients. Contractor provides nephrology services including, but not limited to: clinic coverage, consultation, on-call coverage, and medical and surgical procedures. Nephrology is the subspecialty of internal medicine that focuses on the diagnosis and treatment of diseases of the kidney. CCRMC has contracted with East Bay Nephrology Medical Group, Inc. for nephrology services since May 1, 1977. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. CCRMC's Quality Management, Utilization Management and Contract Monitor Staff meet on a regular basis to ensure monitoring and performance measures in the contract are upheld. Per Administrative Bulletin 600.3 CCRMC Physician services are exempt from Solicitation requirements.

On May 18, 2021, the Board of Supervisors approved Contract #26-817-38 with East Bay Nephrology Medical Group, Inc, in an amount of $240,000, for the provision of nephrology services at CCRMC and Contra Costa Health Centers for the period July 1, 2021 through June 30, 2024.

Approval of Contract #26-817-39 will allow the contractor to continue to provide nephrology services at CCRMC and Contra Costa Health Centers through June 30, 2027.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, the necessary specialty nephrology services needed for patient care will not be available or will create increased wait times due to the limited number of specialty providers available within the community.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1899 **Agenda Date:** 6/25/2024 **Agenda #:** C.126.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #77-346-1 with Associated Pathology Medical Group, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, on behalf of the County Contract #77-346-1 with Associated Pathology Medical Group, Inc., a corporation, in an amount not to exceed $600,000, to provide pathology laboratory services for Contra Costa Health Plan (CCHP) members and County recipients for the period July 1, 2024 through June 30, 2027.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $600,000 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 outside clinical laboratory testing services, including pathology laboratory 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 providing these pathology laboratory services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since July 2021. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; and Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure there is no conflict with labor relations.

This contractor currently cooperates with and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. This contract renewal will maintain comprehensive area coverage for the entire CCHP membership and meet the Knox-Keene Act, time and distance mandate required by the State of California Department of Managed Health Care (DMHC) services. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

In July 2021, the County Administrator approved and the Purchasing Services Manager executed Contract #77-346 with Associated Pathology Medical Group, Inc., in an amount not to exceed $99,000, for the provision of pathology laboratory services for CCHP members and County recipients for the period July 1, 2021 through June 30, 2024.

Approval of Contract #77-346-1 will allow the contractor to continue to provide pathology laboratory services for CCHP members and County recipients through June 30, 2027.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain specialized outside clinical laboratory testing services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided and may cause a delay in pathology laboratory services for CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1900 **Agenda Date:** 6/25/2024 **Agenda #:** C.127.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #27-169-22 with Lifelong Medical Care

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, on behalf of the County Contract #27-169-22 with Lifelong Medical Care, a non-profit corporation, in an amount not to exceed $4,200,000, to provide primary care physician (PCP) including urgent care, acupuncture, and specialty medical services for Contra Costa Health Plan (CCHP) members and County recipients for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:
Approval of this contract will result in annual expenditures of up to $4,200,000 and will be funded as budgeted 100% by CCHP Enterprise Fund II revenues. (Rate increase)

BACKGROUND:
CCHP has an obligation to provide certain PCP services including, urgent care, acupuncture, and specialty medical health care services, for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor is a Federally Qualified Health Center (FQHC) facility and has been a part of the CCHP Provider Network providing these PCP and specialty medical services while fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since February 1997. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. This contract renewal will maintain comprehensive area coverage for the entire CCHP membership and meet the Knox-Keene Act, time and distance mandate required by the State of California Department of Managed Health Care (DMHC) Services. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor currently cooperates and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care, services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. Per Administrative Bulletin 600.3 CCHP Physician services are exempt from solicitation requirements.

On May 23, 2023, the Board of Supervisors approved Contract #27-169-20 with Lifelong Medical Care, in an amount not to exceed $2,000,000, for the provision of PCP services, including urgent care, acupuncture and specialty medical services for CCHP members and County recipients for the period July 1, 2023 through June 30, 2024.

On December 12, 2023, the Board of Supervisors approved Amendment Agreement #27-169-21 with Lifelong Medical Care, effective December 1, 2023, to increase the payment limit by $100,000 to a new payment limit of $2,100,000, to provide additional CalAIM outreach services led by the California Department of Health Care Services (DHCS), to improve outcomes for people covered by Medi-Cal with no change in the original term.

Approval of Contract #27-169-22 will allow the contractor to continue to provide PCP services including urgent care, acupuncture, and specialty medical services for CCHP members and County recipients through June 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain primary care physician and specialty medical health care services including urgent care and acupuncture services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided and may cause a delay in services to CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1901 **Agenda Date:** 6/25/2024 **Agenda #:** C.128.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #23-700-2 to Software and Services Agreement with Healthcare Source HR, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Amendment No. 2 (#23-700-2) with Healthcare Source HR, Inc., a corporation, effective March 1, 2024, to amend Software and Services Agreement #23-700 (as amended by #23-700-1), to increase the payment limit by $240,000, from $401,895 to a new payment limit of $641,895 and extend the termination date to March 1, 2026, and for successive (1) year terms thereafter for additional software licenses for NetLearning for Contra Costa Health (CCH).

FISCAL IMPACT:
Approval of this amendment will result in additional annual expenditures of up to $240,000 and will be funded as budgeted by the department in FY 2024-26, by 100% Hospital Enterprise Fund I revenues.

BACKGROUND:
Healthcare Source HR, Inc. provides CCH continuing medical education software. Healthcare Source HR, Inc.'s NetLearning and Premium eLearning library meet the learning and development needs of CCH staff by providing skill assessment and e-learning for medical staff orientation and annual competency recertification assessments. The NetCompetency module allows CCH access to, assess, record, track, and report staff competencies through validation, including direct observation, demonstration, verbalization, and employee-provided evidence. NetCompetency provides hands-on skills assessment and a dictionary of about 1500 healthcare competencies with over 8700 skills.

Healthcare Source HR, Inc., has provided software and support to CCH for its NetLearning and NetCompetency web-based software applications since 2021. This contractor was approved by the Public Works Department's Purchasing Division on April 1, 2024. A summary of service contract deliverables includes target software availability of 99.5%, administrative and user support by phone, email, and online, and contractor's response time by severity level. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations.

On March 2, 2021, the Board of Supervisors approved Contract #23-700 with Healthcare Source HR for licensing the NetLearning system and Premium eLearning Library for the period from March 2, 2021, through March 1, 2024.

On September 21, 2021, the Board of Supervisors approved Amendment #23-700-1 with Healthcare Source, to add its NetCompetency software module to the NetLearning software and eLearning library and increase the payment limit by $131,740 to a new payment limit of $401,895 with no change in the term.

Under this Amendment No. 2, the parties will amend the termination date of the contract to an initial renewal term through March 1, 2026, thereafter, the Agreement will automatically renew for successive (1) year terms (each a "Subsequent Renewal Term") until terminated. The division is requesting a retroactive date for this amendment due to delays caused by the contractor providing an accurate quote in a timely manner.

CONSEQUENCE OF NEGATIVE ACTION:

If this amendment is not approved, CCHS will not be able to record, track, and report mandatory clinical education and clinical competency requirements of staff in a single system.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1902 **Agenda Date:** 6/25/2024 **Agenda #:** C.129.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment/Extension #74-476-10 with Consumers Self-Help Center

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment #74-476-10 with Consumers Self-Help Center, a non-profit corporation, to extend the termination date from June 30, 2024 to September 30, 2024 with no change in the original payment limit of $377,191, to provide a Patients' Rights Program.

FISCAL IMPACT:
Approval of this amendment will result in no change to the original budgeted expenditures of up to $377,191 and is funded 100% by Mental Health Realignment Funds revenue.

BACKGROUND:
The Behavioral Health Services Department has been contracting with Consumers Self-Help Center, since October 2014 to provide a State-mandated Patients' Rights Advocacy Program, including general advocacy and training services, Certification Review Hearing services, and Riese Capacity Hearing services. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000. The Behavioral Health's Quality Management, Utilization Management and Contract Monitor Staff meet on a regular basis to ensure monitoring and performance measures in the Contract are upheld. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations.

The services required for Patients' Rights Advocacy demand a high level of specialized expertise, experience and knowledge. These unique skills are possessed by a single provider in the County. This contractor has been a longstanding partner in providing Patients' Rights Advocacy services, fostering a deep understanding of our organization's mission, values, and long-term objectives. Engaging them again will enable knowledge transfer, avoiding knowledge gaps and ensuring continuity in service delivery. This contractor was approved by the Public Works Department's Purchasing Division on November 6, 2023.

On November 28, 2023, the Board of Supervisors approved Contract #74-476-9 with Consumers Self-Help Center, in an amount not to exceed $377,191, for the provision of a Patients' Rights Program for the period from July 1, 2023 through June 30, 2024.

Approval of this Contract Amendment Agreement #74-476-10 will allow the contractor to continue providing services through September 30, 2024.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, County will not have a Patients' Rights Advocacy Program and will be out of compliance with the performance contract with the State Department of Health Care Services, placing funding for the Department's mental health programs at risk.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1903 **Agenda Date:** 6/25/2024 **Agenda #:** C.130.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #24-928-38 with Fred Finch Youth Center

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #24-928-38 with Fred Finch Youth Center, a non-profit corporation, effective June 1, 2024, to amend Contract #24-928-37, to decrease the payment limit by $30,419, from $3,041,859 to a new payment limit of $3,011,440, with no change in the term of July 1, 2023 through June 30, 2024.

FISCAL IMPACT:
Approval of this amendment will result in budgeted expenditures of up to $3,011,440 and will be funded by 57% Federal Medi-Cal and 43% Mental Health Services Act revenues. (No rate increase)

BACKGROUND:
This contract meets the social needs of County's population by providing school and community based mental health services, including assessments, individual, group and family therapy, medication support, case management, outreach, Therapeutic Behavioral Services (TBS) and crisis intervention services for Seriously Emotionally Disturbed (SED) middle and high school aged children and their families.

On June 27, 2023, the Board of Supervisors approved Contract #24-928-37 with Fred Finch Youth Center, in an amount not to exceed $3,041,859, for the provision of school-based mental health services and a multi-dimensional family treatment program for SED students and their families, for the period July 1, 2023 through June 30, 2024.

Approval of Contract Amendment Agreement #24-928-38 will allow the Contractor to continue providing services through June 30, 2024. The Mount Diablo Unified School District (MDUSD) funding was removed from this contract and moved into another contract in order to provide services for non-Medi-Cal clients, causing a decrease in the payment limit.

CONSEQUENCE OF NEGATIVE ACTION:
If this amendment is not approved, SED children within the Mt. Diablo Unified School District will not receive the school-based day treatment and mental health services that they need and may require higher and more costly levels of treatment.

CHILDREN'S IMPACT STATEMENT:

This program supports the following Board of Supervisors' community outcomes: "Children Ready For and Succeeding in School"; "Families that are Safe, Stable, and Nurturing"; and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include an increase in positive social and emotional development as measured by the Child and Adolescent Functional Assessment Scale (CAFAS).

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1904 **Agenda Date:** 6/25/2024 **Agenda #:** C.131.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #77-317-4 with Availity, L.L.C.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-317-4 with Availity, L.L.C., 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) and Behavioral Health Services Divisions for the period February 29, 2024 through February 28, 2025.

FISCAL IMPACT:
Approval of 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. (No rate increase)

BACKGROUND:
CCHP has an obligation to provide certain specialized claim processing services for its Providers under the terms of the Individual and Group Health Plan membership contracts with the County. CCHP and the Behavioral Health Division requires the most current electronic claims processing services for expedient and accurate claims processing services for reimbursement to CCHP Providers. This contractor has been providing these services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since March 1, 2021. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor currently cooperates with and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs.

The nature of the electronic claims processing services needed is complex and requires seamless coordination, integration and collaboration with existing programs and systems. This contract renewal will maintain comprehensive area coverage for the entire CCHP membership and meet the Knox-Keene Act, time and distance mandate required by the State of California Department of Managed Health Care (DMHC) services. This contractor has been approved by the Public Works Department's Purchasing Division on March 20, 2024.

On January 10, 2023, the Board of Supervisors approved Contract #77-317-3 with Availity, L.L.C., in an amount not to exceed $1,00,000, for the provision of electronic claims processing services for CCHP Providers

for reimbursement of services rendered to CCHP members for the period March 1, 2023 through February 28, 2024.

Approval of Contract #77-317-4 will allow the contractor to continue providing electronic claims processing services through February 28, 2025. This contract was delayed due to ongoing negotiations between the division, contractor, and the Department of Health Care Services (DHCS).

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, electronic claims processing services will not be provided to CCHP Providers under contract with County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1905 **Agenda Date:** 6/25/2024 **Agenda #:** C.132.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #76-867 with Western States Cancer Research NCORP

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #76-867 containing mutual indemnification with Western States Cancer Research NCORP, a non-profit corporation, in an amount not to exceed $20,000, to provide and oversee clinical oncology research studies under the National Cancer Institute's Clinical Oncology Research Program (NCORP) for the period from May 1, 2024 through July 31, 2027.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $20,000 over a 3-year period and will be funded 100% by Hospital Enterprise Fund I.

BACKGROUND:
This contractor is a consortium of hospitals and cancer specialists that provide and oversee clinical oncology research studies under NCORP. This contractor will provide certain professional and technical services to Contra Costa Regional Medical Center (CCRMC) related to administration, oversight and management of studies. Each study shall be led and overseen by a qualified, licensed and appropriately credentialed principal investigator appointed by the contractor. The principal investigator will work directly with CCRMC to open available National Cancer Institute (NCI) studies which meet the needs of CCRMC and to provide access to the NCI studies. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. CCRMC's Quality Management, Utilization Management and Contract Monitor Staff meet on a regular basis to ensure monitoring and performance measures in the contract are upheld.

Approval of this new Contract #76-867 allows the contractor to provide services through July 31, 2027. This contract includes mutual indemnification. The delay of this contract was due to ongoing negotiations between the contractor and the Department.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, the necessary clinical oncology research studies needed for patient care will not be available or will create increased wait times due to the limited number of specialty providers available within the community.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1906 **Agenda Date:** 6/25/2024 **Agenda #:** C.133.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #76-753-2 with DiaSorin Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #76-753-2 with DiaSorin Inc., a corporation, effective June 25, 2024, to amend Contract #76-753 (as amended by Contract Amendment Agreement #76-753-1), to increase to the payment limit by $35,271, from $516,950 to a new payment limit of $552,221, to add reagents (Liaison VZV igG) for the Clinical Laboratory at the Contra Costa Regional Medical Center (CCRMC) and Health Centers with no change in the term of June 1, 2021 through May 31, 2026.

FISCAL IMPACT:
Approval of this Amendment will result in additional annual expenditures of up to $35,271 and will be funded as budgeted by the department in FYs 2024-26, by 100% Hospital Enterprise Fund I.

BACKGROUND:
This contract meets the medical needs of the County's population by enhancing systems to improve efficiency in CCRMC's immunoassay laboratories. The CCRMC Clinical Laboratory uses DiaSorin Inc. for reagents and supplies for patient specimen testing specific to the analyzer used for testing. Among the tests conducted are those for measles, mumps, rubella, and many others. DiaSorin Inc. provides all the supplies needed for such testing. These tests are crucial for patients who suffer from various illnesses. The Liaison XL Analyzer is a fully automated chemiluminescence analyzer that performs complete sample processing and runs antigen-antibody assays. Under this amendment, the parties will add a Liaison VZV IgG to the Product Supply Agreement needed by the laboratory to complete its Beaker project. Service deliverables under this agreement include phone support, preventive maintenance, and repair services. This amendment was approved by Health Services Personnel consistent with procedures established by the Labor Relations Division of the County Administrator's Office.

On July 27, 2021, the Board of Supervisors approved Contract #76-753 with DiaSorin Inc., in an amount not to exceed $495,000, for the purchase and services for a Liaison XL Analyzer utilized by the Clinical Laboratory at CCRMC for specimen testing and reagents, for the period from June 1, 2021, through May 31, 2026.

On April 9, 2024, the Board of Supervisors approved Contract Amendment Agreement #76-753-1 with DiaSorin Inc., effective March 15, 2024, to increase the payment limit by $21,950 to a new payment limit of $516,950 to add a Liaison XL LAS (kit) to the Product Supply Agreement for the Clinical Laboratory at the

Contra Costa Regional Medical Center and Health Centers with no change in the term.

Approval of Contract Amendment Agreement #76-753-2 will allow the contractor to provide additional reagents through May 31, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this amendment is not approved, CCRMC Clinical Laboratory will be unable to complete its Beaker project and purchase the kit needed to run the Liaison XL Analyzer used for sample processing, negatively affecting the performance of the specific patient testing that utilizes this equipment and supplies, thus negatively impacting patient health and safety.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1907 **Agenda Date:** 6/25/2024 **Agenda #:** C.134.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Grant Agreement #29-805-6 with the Housing Successor to the Antioch Development Agency

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Agreement #29-805-6 with the Housing Successor to the Antioch Development Agency ("Agency"), a government agency, to pay the County an amount not to exceed $30,000 for the provision of homeless outreach services for the Coordinated Outreach, Referral and Engagement (CORE) Program, for the period from July 1, 2023 through June 30, 2024.

FISCAL IMPACT:
Approval of this Agreement will allow the County to receive an amount not to exceed $30,000 from the Agency to provide homeless outreach services. A County match is not required.

BACKGROUND:
The CORE Program locates and engages homeless residents throughout Contra Costa County. CORE teams serve as an entry point into the County's coordinated entry system for unsheltered persons and work to identify, locate, engage, stabilize and house chronically homeless individuals and families. The outreach teams will contact a minimum of 400 Antioch homeless individuals to provide basic needs supplies, counseling, benefits assistance, linkages to healthcare, shelter placement, and referrals and transportation to Coordinated Assessment Resource and Engagement (CARE) Centers.

Under Grant Agreement #29-805-6, County will receive funds from the Agency to provide CORE services for the period July 1, 2023 through June 30, 2024. This Agreement includes agreeing to defend, indemnify, and hold harmless the Agency for claims arising out of County's performance under this Agreement. This Agreement also requires the County to reimburse the Agency for any expenditures incurred related to matters covered by the indemnification provision. This agreement is retroactive due to County not receiving the Agreement from the Agency until April 2024.

CONSEQUENCE OF NEGATIVE ACTION:
If this Agreement is not approved, County will not receive funding and without such funding the CORE program may have to operate at a reduced capacity.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1908 **Agenda Date:** 6/25/2024 **Agenda #:** C.135.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #27-456-24 with La Clinica De La Raza, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #27-456-24 with La Clinica De La Raza, Inc., a non-profit corporation, in an amount not to exceed $4,200,000, to provide primary care physician (PCP) and optometry services for Contra Costa Health Plan (CCHP) members and county recipients for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:
Approval of this Contract will result in annual expenditures of up to $4,200,000 and will be funded as budgeted by the department in FY 2024-25, 100% by CCHP Enterprise Fund II revenues. (Rate increase)

BACKGROUND:
CCHP has an obligation to provide certain services including, but not limited to, PCP and optometry services for its members under the terms of their Individual and Group Health Plan membership contracts with the county. This contractor is a Federally Qualified Health Center (FQHC) part of the CCHP Provider Network providing these services since December 1999.

This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor currently cooperates and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care, services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. Per Administrative Bulletin 600.3 CCHP Physician services are exempt from solicitation requirements.

On June 27, 2023, the Board of Supervisors approved Contract #27-456-22 with La Clinica De La Raza, Inc., in an amount not to exceed $2,000,000, for the provision of PCP and optometry services for CCHP members and County recipients, for the period July 1, 2025through June 30, 2024.

On December 12, 2023, the Board of Supervisors approved Amendment Agreement #27-456-23 with La Clinica De La Raza, Inc., effective December 1, 2023, to increase the payment limit by $100,000 to a new payment limit of $2,100,000 to provide an additional registered nurse recruitment incentive and CalAIM outreach services with no change in the term.

Approval of Contract #27-456-24 will allow the contractor to continue providing PCP and optometry services for CCHP members and County recipients through June 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain PCP and optometry services for CCHP members under the terms of their Individual and Group Health Plan membership contract with the County will not be provided and such services may be delayed.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1909 **Agenda Date:** 6/25/2024 **Agenda #:** C.136.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Grant Extension #78-004-1 with the State of California Department of Public Health

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to accept Grant Extension #78-004-1 with the State of California Health and Human Services Agency, California Department of Public Health (CDPH), for the Immunization Champions - Supporting Schools with Immunization Workforce Development Funds, to extend the termination date through June 30, 2025 with no other changes to grant terms and conditions.

FISCAL IMPACT:
This extension will not change the original funding award of approximately $390,488 in funding from the CDPH. No County match required.

BACKGROUND:
In the wake of the pandemic, many children in California are behind on their routine immunizations. In addition, immunization rates against COVID-19 in ages 5-11 remain low. There are about 1,000 schools in California with kindergarten immunization rates below 90%, making them vulnerable to vaccine-preventable disease, such as measles, pertussis and chicken pox.

On July 26, 2022, the Board of Supervisors approved Grant Award #78-004 with the State of California Department of Public Health, to pay County in an amount not to exceed $390,488, for the Immunization Champions-Supporting Schools with Immunization Workforce Development funding, for the period July 1, 2022 through June 30, 2023.

These grant funds will allow the Health Services Department to follow-up with families whose students are behind on immunizations, conduct back-to-school immunization events, support school with any future COVID -19 vaccine mandates, provide technical assistance to schools with regard to reporting immunization coverage levels for students as required by California law, through June 30, 2023.

On May 15, 2024, the County received Grant Award Extension #78-004-1 to extend the termination date through June 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:

If this Extension is not approved the County will not be able to use the funding for immunization services for students in Fiscal Year 2024-25.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1910 **Agenda Date:** 6/25/2024 **Agenda #:** C.137.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #24-681-53(5) with Crestwood Behavioral Health, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #24-681-53(5) with Crestwood Behavioral Health, Inc., a corporation, in an amount not to exceed $6,096,960, to provide augmented board and care services for adults with mental illness in Contra Costa County for the period July 1, 2024 through June 30, 2025.

FISCAL IMPACT:
This contract will result in contractual service expenditures of up to $6,096,960 and will be funded 82% by Mental Health Realignment Funds and 18% by Mental Health Services Act. (Rate increase)

BACKGROUND:
This contract meets the social needs of the County's population by augmenting room and board and providing twenty-four-hour emergency residential care and supervision to eligible adults with mental illness, who are specifically referred by the County's Behavioral Health Program Staff. Adult residential services for psychiatric clients requires stringent accreditation and compliance standards, as well as licenses and regulatory approvals that a limited number of providers possess. The Behavioral Health's Quality Management, Utilization Management and Contract Monitor staff meet on regular basis to ensure monitoring and performance measures in the contract are upheld. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227; California Code of Regulations, Title 9, Section 523 et seq.; California Welfare and Institutions Code Section 5600 et. Seq (known as The Bronzan-McCorquodale Act). These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

On October 3, 2023, the Board of Supervisors approved Contract #24-681-53(4) with Crestwood Behavioral Health, Inc., in an amount not to exceed $5,774,125 to provide augmented board and care services for the period July 1, 2023 through June 30, 2024.

Approval of Contract #24-681-53(5) will allow the contractor to continue providing augmented board and care services through June 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract is not approved, this contractor will not be able to provide augmented board and care services to adults with mental illness in Contra Costa County which could result in increased wait times for services.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1911 **Agenda Date:** 6/25/2024 **Agenda #:** C.138.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #77-485-3 with Coffey Communications, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-485-3 with Coffey Communications, Inc., a corporation, in an amount not to exceed $1,200,000, to provide professional design, publication, distribution and technical assistance for Contra Costa Health Plan (CCHP) Member Services Health Sense Newsletter for the period from July 1, 2024 through June 30, 2027.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $1,200,000 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 health services information for its members under the terms of their Individual and Group Health Plan membership contracts with the County. This contractor provides consultation and technical assistance, and hosts an automated system for producing, printing, and mailing CCHP Member Services Health Sense Newsletter. Contractor produces three (3) issues per year and twelve (12) versions which includes current and critical health information pertaining to health education topics and services to comply with California state mandates. This contractor has been providing professional design, publication, distribution of the Health Sense Newsletter services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since July 1, 2022.

This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor currently cooperates with and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. A recent "Request for Proposal" (RFP) was conducted in which several vendors were evaluated. Coffey Communications, Inc., was selected as they were the sole provider in CCHP's service area that met all Medi-Cal Managed Care Plan mandated criteria required by the State of California Department of Managed Health Care (DMHC) and Department of Health Care Services (DHCS) to best inform, remind, and update CCHP members regarding new programs, health education topics and materials, new policies and any changes within CCHP. This contractor has been approved by the Public Works Department's Purchasing Division on

May 21, 2024.

On May 16, 2023, the Board of Supervisors approved Contract #77-485-1 with Coffey Communications, Inc., in an amount not to exceed $220,000, for the provision of professional design, publication, distribution and technical assistance services in regard to the CCHP Member services Health Sense Newsletter, for the period July 1, 2023 through June 30, 2024.

On February 22, 2024, the Board of Supervisors approved Contract Agreement #77-485-2 with Coffey Communications, Inc., effective March 1, 2024, to increase the payment limit by $680,000 to a new payment limit of $900,000, to provide additional professional design, publication, distribution, and technical assistance services in regard to the CCHP Member services Health Sense Newsletter with no change in the term.

Approval of Contract #77-485-3 will allow the contractor to continue to provide professional design, publication, distribution and technical assistance through June 30, 2027.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, CCHP members will not receive the Health Sense Newsletter and CCHP will be out of compliance with California state mandates.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1912 **Agenda Date:** 6/25/2024 **Agenda #:** C.139.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract 77-475-2 with JMJ Healthcare Inc. (dba JMJ Home Health Services)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute, on behalf of the County Contract #77-475-2 with JMJ Healthcare Inc. (dba JMJ Home Health Services), a corporation, in an amount not to exceed $520,000, to provide home health care services for Contra Costa Health Plan (CCHP) members and County recipients for the period July 1, 2024 through June 30, 2026.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $520,000 over a two-year period and will be funded 100% by CCHP Enterprise Fund II revenues. (Rate increase)

BACKGROUND:
CCHP has an obligation to provide certain home health care services for its members under the terms of their Individual and Group Health Plan membership contracts with the County. Home health care services include but are not limited to intermittent skilled nursing, therapeutic and rehabilitative care in patients' residences. This contractor has been a part of the CCHP Provider Network providing these services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since July 2022. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor currently cooperates and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care, services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

In July 2022, the County Administrator approved and the Purchasing Services Manager executed Contract #77-475 with JMJ Healthcare Inc. (dba JMJ Home Health Services), in an amount not to exceed $200,000, for the provision of home health care services for Contra Costa Health Plan (CCHP) members and County recipients for the period July 1, 2022 through June 30, 2024.

On June 4, 2024, the Board of Supervisors approved Amendment Agreement #77-475-1 with JMJ Healthcare Inc. (dba JMJ Home Health Services), effective May 1, 2024, to increase the payment limit by $50,000, to a

new payment limit of $250,000, to provide additional home health care services for Contra Costa Health Plan (CCHP) members and County recipients, with no change in the term.

Approval of Contract #77-475-2 will allow the contractor to continue to provide home health care services for CCHP members and County recipients through June 30, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain home 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 and may cause a delay in services to CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1913 **Agenda Date:** 6/25/2024 **Agenda #:** C.140.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #77-240-4 with Norcal Imaging

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-240-4 with Norcal Imaging, a corporation, in an amount not to exceed $9,000,000, to provide diagnostic radiology imaging services for Contra Costa Health Plan (CCHP) members and County recipients, for the period August 1, 2024 through July 31, 2026.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $9,000,000 over a two-year period and will be funded 100% by CCHP Enterprise Fund II revenues. (Rate increase)

BACKGROUND:
CCHP has an obligation to provide certain diagnostic radiology imaging 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 providing these services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since August 1, 2019. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor currently cooperates with and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

On June 22, 2021, the Board of Supervisors approved Contract #77-240-2 with Norcal Imaging, in an amount not to exceed $6,000,000, for the provision diagnostic radiology imaging services for CCHP members and County recipients, for the period August 1, 2021 through July 31, 2024.

On April 4, 2023 the Board of Supervisors approved Amendment Agreement #77-240-3 with Norcal Imaging effective April 1, 2023 to modify the Nuclear Medicine and positron emission tomography and computed tomography (PET/CT) Expensive Isotopes rates to continue to provide diagnostic radiology imaging services for CCHP members and County recipients with no change in the payment limit or term.

Approval of Contract #77-240-4 will allow the contractor to continue providing diagnostic radiology imaging services for CCHP members and County recipients through July 31, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, certain diagnostic radiology imaging services for CCHP members under the terms of their Individual and Group Health Plan membership contracts with the County will not be provided and may cause a delay in services to CCHP members.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1914 **Agenda Date:** 6/25/2024 **Agenda #:** C.141.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #77-348-1 with Pinnacle Surgery Center, LLC (dba Disc Surgery Center of Walnut Creek)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE AND AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #77-348-1 with Pinnacle Surgery Center, LLC (dba Disc Surgery Center of Walnut Creek), a limited liability company, in an amount not to exceed $1,500,000, to provide ambulatory surgery center (ASC) services to Contra Costa Health Plan (CCHP) members and County recipients for the period July 1, 2024 through June 30, 2027.

FISCAL IMPACT:
Approval of this contract will result in contractual service expenditures of up to $1,500,000 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 providing these services and fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since July 1, 2021. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor currently cooperates and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care, services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. Per Administrative Bulletin 600.3 CCHP Physician services are exempt from solicitation requirements.

On June 8, 2021, the Board of Supervisors approved Contract #77-348 with Pinnacle Surgery Center, Inc., in an amount not to exceed $1,500,000 for the provision of ASC services for CCHP members and County recipients for the period July 1, 2021 through June 30, 2024.

Approval of Contract #77-348-1 will allow the contractor to continue to provide ASC services for CCHP members and County recipients through June 30, 2027.

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 contract with the county will not be provided.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1915 **Agenda Date:** 6/25/2024 **Agenda #:** C.142.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Agreement #26-338-29 with American Red Cross

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Agreement #26-338-29 with American Red Cross, a non-profit corporation, in an amount not to exceed $2,000,000, to provide total blood and blood component products and associated services as needed for patients at the Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers for the period from July 1, 2024 through June 30, 2027.

FISCAL IMPACT:
Approval of this contract will result in expenditures of up to $2,000,000 over a three-year period and will be funded 100% by Hospital Enterprise Fund I revenues. (Rate increase)

BACKGROUND:
CCRMC has been contracting with the American Red Cross since 1998 for their expertise in providing total blood and blood component products and associated services as needed for patients at CCRMC and Contra Costa Health Centers. These contracted services were determined to be exempt from Administrative Bulletin 600.3 solicitation requirements by the Public Works Department's Purchasing Division.

On September 10, 2019, the Board of Supervisors approved Contract #26-338-24 with American Red Cross, in an amount not to exceed $1,500,000 with ARC for the provision of total blood and blood component products and services associated as needed for CCRMC patients for the period July 1, 2019 through June 30, 2023.

On June 22, 2021, the Board of Supervisors approved Amendment Agreement #26-338-26 with American Red Cross, effective June 1, 2021, to modify the rate schedule to include additional blood platelet services and associated services as needed for patients at the CCRMC with no change in the term.

On May 23, 2023, the Board of Supervisors approved Amendment Agreement #26-338-27 with American Red Cross, effective July 1, 2023, to modify the rate schedule to include additional blood platelet services and associated services as needed for patients at the CCRMC and to extend the termination date from June 30, 2023 to June 30, 2024.

Approval of Agreement #26-338-29 will allow this contractor to continue to provide total blood and blood component products and services, through June 30, 2027. This Agreement includes a mutual indemnification

provision that requires each Party to defend, hold harmless and indemnify the other Party against any legal liability (including reasonable attorneys' fees) with respect to bodily injury, death, and property damage arising from the negligent acts or omissions of the indemnifying Party. This Agreement also requires that the County indemnify the contractor for any loss arising from the County's use of inappropriate tubes in collection and/or supply of blood samples. Lastly, the Agreement requires that the parties resolve disputes arising out of the Agreement through arbitration.

CONSEQUENCE OF NEGATIVE ACTION:
If this Agreement is not approved, the County will not be able to provide blood and blood component products and associated services as needed for patients at CCRMC and Contra Costa Health Centers.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1916 **Agenda Date:** 6/25/2024 **Agenda #:** C.143.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #27-633-26 with PerformRx, LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #27-633-26 with PerformRx, LLC, a limited liability corporation, effective May 1, 2024, to amend Contract #27-633-24 to modify contract provisions to conform to Department of Managed Healthcare (DMHC) requirements with no change in the contract payment limit of $50,000,000 or the original term of January 1, 2024 through December 31, 2025.

FISCAL IMPACT:
Approval of this amendment will not result in additional funding and remains funded 100% by Contra Costa Health Plan (CCHP) Enterprise Fund II.

BACKGROUND:
Both the State Department of Health Services and the Federal Centers for Medicare and Medicaid Services (CMS) require a Pharmacy Benefits Manager that can develop, maintain, and manage a large pharmacy network and monitor the correct dispensing of drug benefits, co-pays under multiple group product lines adhering to the required Health Plan Formulary and Health Plan Prior authorization protocol. This contractor has been providing these services and fostering a deep understanding of the CCHP organization's mission, values, and long-term objectives since May 1, 2006.

This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations. This contractor was selected to provide pharmacy program administration services to CCHP's Pharmacy and Utilization units to help establish and maintain a utilization management program that promotes appropriate utilization for CCHP's pharmacy benefits program, and continually reviews updated utilization management procedures to control costs for members. The nature of the pharmacy program administration services needed is complex and requires seamless coordination, integration and collaboration with existing programs and systems. There are a total of 3 pharmacy program administration service providers in CCHP's service area. CCHP is currently contracted with 2 of the agencies. This contract renewal will maintain comprehensive area coverage for the entire CCHP membership and meet the Knox-Keene Act, time and distance mandate required by the State of California Department of Managed Health Care (DMHC) services. This contractor has been approved by the Public Works Department's Purchasing Division on October 30, 2023.

On January 16, 2024, the Board of Supervisors approved Contract #27-633-24 with PerformRx, LLC, in an amount not to exceed $50,000,000, to provide pharmacy program administration services for CCHP, for the period January 1, 2024 through December 31, 2025.

Approval of Contract Amendment Agreement #27-633-26 will allow the contractor to modify contract provisions to conform with the DMHC requirements with no change in the payment limit or term through December 31, 2025.

CONSEQUENCE OF NEGATIVE ACTION:
If this amendment is not approved, County will not be compliant with DHCS requirements.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1917 **Agenda Date:** 6/25/2024 **Agenda #:** C.144.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #27-799-14 with Health Management Systems, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #27-799-14 with Health Management Systems, Inc., a corporation, effective May 1, 2024, to amend Contract #27-799-13 to modify contract provisions to conform to Department of Managed Healthcare (DMHC) requirements with no change in the contract payment limit of 2,000,000 or the original term of January 1, 2024 through December 31, 2025.

FISCAL IMPACT:
Approval of this amendment will not result in additional funding and remains funded 100% by Contra Costa Health Plan (CCHP) Enterprise Fund II.

BACKGROUND:
CCHP is mandated by State and Federal law to have professional auditing services which includes measures that prevent, detect, and correct noncompliance, insurance billing, provider recoupment, insurance verifications and coordination of benefits with the Centers for Medicare and Medicaid Services (CMS) program requirements. This contract is mandatory to provide the needed Managed Care Audit Services of Insurance Billing and Provider Recoupment to maintain mandated requirements by the State of California Department of Managed Health Care Services (DMHC) and Department of Health Care Service (DHCS). Contractor has been fostering a deep understanding of the CCHP organizations mission, values, and long-term objectives since May 2010. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations in November 2023.

The nature of the Managed Care Audit Services of Insurance Billing and Provider Recoupment needed is complex and requires seamless coordination, integration and collaboration with existing programs and systems. There are a total of 5 providers in CCHP's service area. CCHP is currently contracted with 2 of the Managed Care Auditors. This contract renewal will maintain comprehensive area coverage for the entire CCHP membership and meet the Knox-Keene Act, time and distance mandate required by the State of California Department of Managed Health Care (DMHC) services. This contractor has been approved by the Public Works Department's Purchasing Division on October 30, 2023.

On February 6, 2024, the Board of Supervisors approved Contract #27-799-13 with Health Management

Systems, Inc., in an amount not to exceed $2,000,000, to provide professional auditing services to the CCHP Claims Unit for the period January 1, 2024 through December 31, 2025.

Approval of Contract Amendment Agreement #27-799-14 will allow the contractor to modify contract provisions to conform with the DMHC requirements with no change in the payment limit or term through December 31, 2025.

CONSEQUENCE OF NEGATIVE ACTION:
If this amendment is not approved, County will not be compliant with DHCS requirements.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1918 **Agenda Date:** 6/25/2024 **Agenda #:** C.145.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #27-764-11 with Health Management Systems, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #27-764-11 with Oliver Wyman Actuarial Consulting, Inc., a corporation, effective May 1, 2024, to amend Contract #27-764-10 to modify contract provisions to conform to Department of Managed Healthcare (DMHC) requirements with no change in the contract payment limit of $450,000 or the original term of December 1, 2023 through November 30, 2026.

FISCAL IMPACT:
Approval of this amendment will not result in additional funding and remains funded 100% by Contra Costa Health Plan (CCHP) Enterprise Fund II.

BACKGROUND:
The Health Services Department and CCHP are required by state and federal regulations to provide various certified actuarial documents in order to maintain its authorization to provide health care services to its members and recipients. This contractor has an established record of providing this expertise to the county since December 1, 2008. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000. Health Services Personnel approved this contract to ensure no conflicts with labor relations.

The nature of actuarial consulting services needed is complex and requires seamless coordination, integration and collaboration with existing programs and systems. This is the only provider in CCHP's service area and CCHP is currently contracted with them. This contract renewal will maintain comprehensive area coverage for the entire CCHP membership and meet the Knox-Keene Act, time and distance mandate required by the State of California Department of Managed Health Care (DMHC) services. This contractor has been approved by the Public Works Department's Purchasing Division on November 16, 2023.

On December 12, 2023, the Board of Supervisors approved Contract #27-764-10 with Oliver Wyman Actuarial Consulting, Inc., in an amount not to exceed $450,000, to provide actuarial services for the Contra Costa Health Plan and Contra Costa Health Services for the period from December 1, 2023 through November 30, 2026.

Approval of Contract Amendment Agreement #27-764-11 will allow the contractor to modify contract provisions to conform with the DMHC requirements with no change in the payment limit or term through

November 30, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this amendment is not approved, County will not be compliant with DHCS requirements.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1919 **Agenda Date:** 6/25/2024 **Agenda #:** C.146.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #23-074-46 with Foley & Lardner, LLP

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #23-074-46 containing mutual indemnification with Foley & Lardner, LLP, a limited liability partnership, in an amount not to exceed $450,000, for the provision of legal services related to Medi-Cal audit appeals and other Contra Costa Health Plan appeals, report issues, and authorized litigation issues, for the period from July 1, 2024 through June 30, 2025.

FISCAL IMPACT:
Approval of this contract will result in annual expenditures of up to $450,000 and will be funded as budgeted by the department in Fiscal Year 2024-2025 by 100% by Hospital Enterprise Fund I revenues. (Rate increase)

BACKGROUND:
Since 1985, this Contractor has been providing legal services to the Health Services department in the form of consultation, research, opinion, and advice with regard to Medi-Cal appeals and other fiscal matters, on an as needed basis. These legal services have been exempted by County Counsel from the solicitation requirements in accordance with Administrative Bulletin 600.3.

On June 13, 2023, the Board of Supervisors approved Contract #23-074-45 with Foley & Lardner, LLP, in an amount of $450,000, for the period from July 1, 2023 through June 30, 2024 for the provision of temporary legal services with regard to Medi-Cal audit appeals and other authorized litigation issues.

Approval of Contract #23-074-46 will allow the Contractor to continue to provide specialized legal services, as requested by the Health Services Director, through June 30, 2025. This contract includes mutual indemnification.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, the County will not be able to receive specialized services with regard to Medi-Cal audit appeals and other Departmental Health Plan appeals, report issues, and authorized litigation issues.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1920 **Agenda Date:** 6/25/2024 **Agenda #:** C.147.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment Agreement #26-726-15 with Robert Terris

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Contract Amendment Agreement #26-726-15 with Robert Terris, an individual, effective June 1, 2024, to amend Contract #26-726-14, to increase the payment limit by $100,000, from $210,000 to a new payment limit of $310,000, to provide additional consulting and technical assistance with regards to ongoing Inpatient Task Force meetings to help improve electronic medical records communication at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, with no change in the original term of July 1, 2023 through June 30, 2026.

FISCAL IMPACT:
Approval of this Amendment will result in additional contractual service expenditures of up to $100,000 and will be funded as budgeted 100% by Hospital Enterprise Fund I revenues. (No rate increase)

BACKGROUND:
Due to the limited number of specialty providers available within the community, CCRMC and Contra Costa Health Centers rely on contractors to provide necessary specialty health services to its patients. This contractor attends Inpatient Task Force meetings including hospitalist leadership committee meetings, inter-department hospitalist meetings, and one-on-one sessions with inpatient leaders to develop and improve medical departmental processes. This contractor helps to identify and troubleshoot communication problems within all inpatient and outpatient departments at CCRMC and Contra Costa Health Centers. This contractor assists with mediating communication challenges, change management, and cultural upheaval within the inpatient physicians group. This contractor has been providing consultation and technical assistance to the county since June 2012. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations.

On June 13, 2023, the Board of Supervisors approved Contract #26-726-14 with Robert Terris, in an amount not to exceed $210,000, for the provision of consultation and technical assistance with regards to ongoing Inpatient Task Force meetings at CCRMC and Contra Costa Health Centers for the period July 1, 2023 through June 30, 2026.

Approval of Contract Amendment Agreement #26-726-15 will increase the payment limit and allow contractor to provide additional consulting and technical assistance services with no change in the original term of July 1,

2023 through June 30, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this Amendment is not approved, County will not have contractor's expertise with mediation and assistance to help improve communication within all inpatient and outpatient departments and improve medical departmental processes.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1921 **Agenda Date:** 6/25/2024 **Agenda #:** C.148.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #24-794-6(17) with BHC Heritage Oaks Hospital, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #24-794-6(17) with BHC Heritage Oaks Hospital, Inc., a non-profit corporation, effective June 1, 2024, to amend Novation Contract #24-794-6(16) to increase the payment limit by $23,832 from $200,000 to a new payment limit of $223,832, for additional inpatient psychiatric hospital services to County-referred children, adolescents and adults with no change in the term of July 1, 2023 through June 30, 2024, and to increase the automatic extension payment limit by $11,916 from $100,000 to a new payment limit of $111,916 through December 31, 2024.

FISCAL IMPACT:
Approval of this Amendment will result in additional annual expenditures of up to $23,832 through June 30, 2024, and up to $11,916 for the automatic extension through December 31, 2024, and funded 100% by Mental Health Realignment funds. (No rate increase)

BACKGROUND:
The Behavioral Health Services Department has been contracting with BHC Heritage Oaks Hospital, Inc. since November 2006. This contract meets the social needs of County's population by providing inpatient psychiatric hospital services to County-referred adults and adolescents. This contract is entered into under and subject to the following legal authorities: 42 U.S.C. 1395, et seq.; 42 U.S.C. 300e; Welfare and Institutions Code §§ 14000, et seq.; Health and Safety Code, §§ 1340-1399.904; California Government Code §§ 25209.6, 26227, and 31000. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. The Behavioral health Services Divisions (BHSD) Contract Monitoring staff meet on a regular basis to ensure monitoring of performance measures set forth in the contract are upheld. This contractor has been a longstanding partner in previous projects, fostering a deep understanding of our organization's mission, values, and long-term objectives.

In August 2023, the County Administrator approved and the Purchasing Services Manager executed Novation Contract #24-794-6(16) with BHC Heritage Oaks Hospital, Inc., in an amount not to exceed $200,000 for the provision of inpatient residential treatment services for the period from July 1, 2023 through June 30, 2024 which included an automatic extension in an amount not to exceed $100,000 through December 31, 2024.

At the time of negotiations, the payment limit was based on target levels of utilization. However, the utilization

and service units during the term of the contract were higher than originally anticipated.

Approval of Amendment Agreement #24-794-6(17) will allow the contractor to provide additional inpatient psychiatric services through June 30, 2024, including an automatic extension through December 31, 2024.

CONSEQUENCE OF NEGATIVE ACTION:
If this Amendment is not approved, BHSD clients will not receive inpatient psychiatric services from the contractor's facility resulting in decreased availability of inpatient psychiatric care for patients experiencing severe and persistent mental illness.

CHILDREN'S IMPACT STATEMENT:
This program supports the following Board of Supervisors' community outcome: "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include a decrease in the need for inpatient care and placement at a lower level of care.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1922 **Agenda Date:** 6/25/2024 **Agenda #:** C.149.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #24-794-12(15) with BHC Fremont Hospital, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #24-794-12(15) with BHC Fremont Hospital, Inc., a corporation, effective June 1, 2024, to amend Novation Contract #24-794-12(14), to increase the payment limit by $1,281,069, from $450,000, to a new payment limit of $1,731,069, with no change in the term of July 1, 2023 through June 30, 2024 and to increase the automatic extension payment limit by $640,534, from $225,000 to a new payment limit of $865,534 through December 31, 2024.

FISCAL IMPACT:
Approval of this Amendment will result in additional expenditures of up to $1,281,069 through June 30, 2024, and up to $640,534 for the automatic extension through December 31, 2024, and is funded 100% by Mental Health Realignment funds. (No rate increase)

BACKGROUND:
Assembly Bill (AB) 757, (Chapter 633, Statutes of 1994), authorized the transfer of state funding for Fee-For-Service/Medi-Cal (FFS/MC) acute psychiatric inpatient hospital services from the Department of Health Services (DHCS) to the Department of Mental Health (DMH). On January 1, 1995, the DMH transferred these funds and the responsibility for authorization and funding of Medi-Cal acute psychiatric inpatient hospital services to counties that chose to participate in this program. County has been contracting with BHC Fremont Hospital, Inc. under this contract since January 2018.

This contract is entered into under and subject to the following legal authorities: 42 U.S.C. 1395, et seq.; 42 U.S.C. 300e; Welfare and Institutions Code §§ 14000, et seq.; Health and Safety Code, §§ 1340-1399.904; California Government Code §§ 25209.6, 26227, and 31000. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. The Behavioral health Services Divisions (BHSD) Contract Monitoring staff meet on a regular basis to ensure monitoring of performance measures set forth in the contract are upheld. This contractor has been a longstanding partner in previous projects, fostering a deep understanding of our organization's mission, values, and long-term objectives.

On July 18, 2023, the Board of Supervisors approved Novation Contract #24-794-12(14) with BHC Fremont Hospital, Inc. in an amount not to exceed $450,000 for the provision of inpatient psychiatric hospital services to County-referred adolescents and adults for the period from July 1, 2023 through June 30, 2024, which included

an automatic extension not to exceed $225,000 through December 31, 2024.

At the time of negotiations, the payment limit was based on target levels of utilization. However, the utilization and service units during the term of the contract were higher than originally anticipated.

Approval of Contract Amendment Agreement #24-794-12(15) will allow the contractor to provide additional inpatient psychiatric services through June 30, 2024, including an automatic extension through December 31, 2024.

CONSEQUENCE OF NEGATIVE ACTION:
If this Amendment is not approved, BHSD clients will not receive inpatient psychiatric services from this contractor's facility, further putting their health and safety at risk.

CHILDREN'S IMPACT STATEMENT:
This program supports the following Board of Supervisors' community outcome: "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include a decrease in the need for inpatient care and placement at a lower level of care.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1923 **Agenda Date:** 6/25/2024 **Agenda #:** C.150.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment Agreement #24-794-9 (23) with BHC Sierra Vista Hospital, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #24-794-9(23) with BHC Sierra Vista Hospital, Inc., a corporation, to amend Contract #24-794-9(19), effective June 1, 2024, to increase the payment limit by $274,026, from $75,000 to a new payment limit of $349,026 for additional inpatient psychiatric hospital services to County-referred adults and adolescents with no change in the term July 1, 2023 through June 30, 2024, and to increase the six-month automatic extension payment limit by $137,013, from $37,500 to a new payment limit of $174,513 through December 31, 2024.

FISCAL IMPACT:
Approval of this amendment will result in additional expenditures of up to $274,026 through June 30, 2024, and up to $137,013 for the automatic extension through December 31, 2024, and funded 100% by Mental Health Realignment Funds. (No rate increase)

BACKGROUND:
The Behavioral Health Services Department (BHSD) has been contracting with BHC Sierra Vista Hospital, Inc. since November 1, 2006. This contract meets the social needs of County's population by providing inpatient psychiatric hospital services to County-referred adults and adolescents. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. The BHSD Contract Monitoring staff meet on a regular basis to ensure monitoring of performance measures set forth in the contract are upheld. This contractor has been a longstanding partner in previous projects, fostering a deep understanding of our organization's mission, values, and long-term objectives.

On August 1, 2023, the Board of Supervisors approved Novation Contract #24-794-9(19) with BHC Sierra Vista Hospital, Inc., in an amount not to exceed $75,000, for the provision of inpatient psychiatric hospital services to County-referred adults and adolescents for the period from July 1, 2023 through June 30, 2024, which included a six-month automatic extension through December 31, 2024, in an amount not to exceed $37,500.

This contractor's utilization has been higher than anticipated, therefore the BHSD Division requested the contract payment limit be increased to ensure proper compensation and to ensure all inpatient psychiatric hospital services to County-referred adults and adolescents in Contra Costa County.

Approval of Amendment Agreement #24-794-9(23) will allow the contractor to provide additional inpatient psychiatric hospital services through June 30, 2024, including a six-month automatic extension through December 31, 2024.

CONSEQUENCE OF NEGATIVE ACTION:
If this Amendment is not approved, BHSD clients may not receive needed inpatient psychiatric services from the contractor's facility further putting their health and safety at risk.

CHILDREN'S IMPACT STATEMENT:
This program supports the following Board of Supervisors' community outcome: "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include a decrease in the need for inpatient care and placement at a lower level of care.

File #: 24-1924 **Agenda Date:** 6/25/2024 **Agenda #:** C.151.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #24-794-15(11) with SJBH, LLC (dba San Jose Behavioral Health Hospital)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #24-794-15(11) with SJBH, LLC (DBA San Jose Behavioral Health Hospital), a limited liability corporation, effective June 1, 2024, to amend Novation Contract #24-794-15(10), to increase the payment limit by $332,614 from $300,000 to a new payment limit of $632,614 to provide additional inpatient psychiatric hospital services to County-referred adults, children and adolescents, with no change in the original term of July 1, 2023 through June 30, 2024, and to include a six-month automatic extension through December 31, 2024 in an amount not to exceed $316,307.

FISCAL IMPACT:
Approval of this Amendment will result in additional expenditures of up to $332,614 through June 30, 2024, and up to $316,307 for the automatic extension through December 31, 2024, and funded 100% by Mental Health Realignment funds. (No rate increase)

BACKGROUND:
The County has been contracting with SJBH, LLC (DBA San Jose Behavioral Health Hospital), since October 2018 to provide inpatient psychiatric hospital services to County-referred adults, children and adolescents. This contract is entered into under and subject to the following legal authorities: 42 U.S.C. 1395, et seq.; 42 U.S.C. 300e; Welfare and Institutions Code §§ 14000, et seq.; Health and Safety Code, §§ 1340-1399.904; California Government Code §§ 25209.6, 26227, and 31000. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. The BHSD Contract Monitoring staff meet on a regular basis to ensure monitoring of performance measures set forth in the contract are upheld. This contractor has been a longstanding partner in previous projects, fostering a deep understanding of our organization's mission, values, and long-term objectives.

On November 7, 2023, the Board of Supervisors approved Contract #24-794-15(10), with SJBH, LLC (dba San Jose Behavioral Health Hospital), in an amount not to exceed $300,000, for the provision of inpatient psychiatric hospital services to County-referred adults, children and adolescents for the period July 1, 2023 through June 30, 2024.

This contractor’s utilization has been higher than anticipated, therefore the BHSD Division requested the contract payment limit be increased to ensure proper compensation and to ensure all inpatient psychiatric

hospital services to County-referred adults, children and adolescents in Contra Costa County.

Approval of Contract Amendment Agreement #24-794-15(11) will allow the contractor to provide additional inpatient psychiatric hospital services through June 30, 2024, including an automatic extension through December 31, 2024, in an amount not to exceed $316,307.

CONSEQUENCE OF NEGATIVE ACTION:
If this Amendment is not approved, the necessary inpatient psychiatric hospital services provided by contractor will not be made available to County-referred children, adolescents, and adults further putting their health and safety at risk.

CHILDREN'S IMPACT STATEMENT:
This contract supports the following Board of Supervisors' community outcomes: "Families that are Safe, Stable, and Nurturing" and "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include increases in social connectedness, communication skills, parenting skills, and knowledge of the human service system in Contra Costa County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1925 **Agenda Date:** 6/25/2024 **Agenda #:** C.152.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment Agreement #24-794-8(38) with John Muir Behavioral Health

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #24-794-8(38) with John Muir Behavioral Health, a non-profit corporation, effective June 1, 2024, to amend Novation Contract #24-794-8(35), to increase the payment limit by $2,316,324, from $1,500,000 to a new payment limit of $3,816,324 to provide additional inpatient psychiatric hospital services to County-referred adults, children and adolescents, with no change in the term of July 1, 2023 through June 30, 2024, and to increase the six-month automatic extension payment limit by $658,162, from $1,250,000 to a new payment limit of $1,908,162 through December 31, 2024.

FISCAL IMPACT:
Approval of this Amendment will result in additional expenditures of up to $2,316,324 through June 30, 2024, and up to $658,162 for the automatic extension through December 31, 2024, and will be funded 100% by Mental Health Realignment revenues. (No rate increase)

BACKGROUND:
This contract meets the social needs of County's population by providing inpatient psychiatric hospital services to County-referred adults, children and adolescents. The Behavioral Health Services Department (BHSD) has been contracting with John Muir Behavioral Health since May 1, 2000. This contract is entered into under and subject to the following legal authorities: 42 U.S.C. 1395, et seq.; 42 U.S.C. 300e; Welfare and Institutions Code §§ 14000, et seq.; Health and Safety Code, §§ 1340-1399.904; California Government Code §§ 25209.6, 26227, and 31000. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. The BHSD Contract Monitoring staff meet on a regular basis to ensure monitoring of performance measures set forth in the contract are upheld. This contractor has been a longstanding partner in previous projects, fostering a deep understanding of our organization's mission, values, and long-term objectives.

On January 17, 2023, the Board of Supervisors approved Novation Contract #24-794-8(35) with John Muir Behavioral Health, in an amount not to exceed $1,500,000, for the provision of inpatient psychiatric hospital services to county-referred adults and adolescents for the period July 1, 2023 through June 30, 2024, which included a six-month automatic extension through December 31, 2024 in an amount not to exceed $1,20,000. This contract included mutual indemnification to hold harmless both parties for any claims arising out of the performance of this contract.

This contractor's utilization has been higher than anticipated, therefore the BHSD Division requested the contract payment limit be increased to ensure proper compensation and to ensure all inpatient psychiatric hospital services to County-referred adults, children, and adolescents in Contra Costa County.

Approval of Amendment Agreement #24-794-8(38) will allow the contractor to provide additional inpatient psychiatric hospital services through June 30, 2024, including an automatic extension through December 31, 2024. This contract includes mutual indemnification to hold harmless both parties for any claims arising out of the performance of this contract.

CONSEQUENCE OF NEGATIVE ACTION:
If this Amendment is not approved, BHSD clients will not receive needed inpatient psychiatric services from the contractors' facility putting their health and safety further at risk.

CHILDREN'S IMPACT STATEMENT:
This program supports the following Board of Supervisors' community outcome: "Communities that are Safe and Provide a High Quality of Life for Children and Families". Expected program outcomes include a decrease in the need for inpatient care and placement at a lower level of care.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1926 **Agenda Date:** 6/25/2024 **Agenda #:** C.153.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment #77-217-5 with Healthrisk Resource Group, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #77-217-5, with Healthrisk Resource Group, Inc., a corporation, effective May 1, 2024, to amend Contract #77-217-4, to modify contract provisions to conform to Department of Managed Healthcare (DMHC) requirements with no change in the contract payment limit of $300,000 or the original term of March 1, 2024 through February 28, 2027.

FISCAL IMPACT:
Approval of this amendment will not result in additional funding and remains funded 100% by Contra Costa Health Plan (CCHP) Enterprise Fund II.

BACKGROUND:
Healthrisk Resource Group, Inc. has been providing claims processing and negotiation services for CCHP since March 2019. This 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.

On March 19, 2024, the Board of Supervisors approved Contract #77-217-4 with Healthrisk Resource Group, Inc., in the amount of $300,000 for the provision of acting as a billing agent to negotiate discount rates by reviewing documentation of medical claims and electronic claims from out of network medical providers to complete claims and provide payment to County for completed claims, for the period March 1, 2024 through February 28, 2027.

Approval of Contract Amendment Agreement #77-217-5 will allow the contractor to modify contract provisions to conform with the DMHC requirements with no change in the payment limit or term through February 28, 2027.

CONSEQUENCE OF NEGATIVE ACTION:
If this amendment is not approved, County will not be compliant with DHCS requirements.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1927 **Agenda Date:** 6/25/2024 **Agenda #:** C.154.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #26-975-16 with Mark Van Handel, M.D.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #26-975-16 with Mark Van Handel, M.D., an individual, in an amount not to exceed $1,920,000, to provide neurology services at Contra Costa Regional Medical Center (CCRMC) and Contra Costa Health Centers, for the period from June 1, 2024 through May 31, 2027.

FISCAL IMPACT:
This Contract will result in contractual service expenditures of up to $1,920,000 over a 3-year period and will be funded 100% by Hospital Enterprise Fund I revenues. (Rate increase)

BACKGROUND:
Due to the limited number of specialty providers available within the community, CCRMC and Contra Costa Health Centers relies on contractors to provide necessary specialty health services to its patients. The County has been contracting with Dr. Van Handel since July 2000 to provide neurology services including, but not limited to: neurology clinic services, inpatient consultation, training, medical/surgical procedures and on-call services. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations in December 2023. CCRMC's Quality Management, Utilization Management and Contract Monitor Staff meet on a regular basis to ensure monitoring and performance measures in the contract are upheld. Per Administrative Bulletin 600.3, CCRMC Physician services are exempt from Solicitation requirements.

On May 18, 2021, the Board of Supervisors approved Contract #26-975-14 with Mark Van Handel, M.D., in an amount not to exceed $1,475,000, for the provision of neurology services at CCRMC and Contra Costa Health Centers, for the period June 1, 2021 through May 31, 2024.

On May 23, 2023, the Board of Supervisors approved Amendment Agreement #26-975-15 with Mark Van Handel, M.D., effective May 1, 2023, to amend Contract #26-975-14, to increase the payment limit by $190,000, from $1,475,000 to a new payment limit of $1,665,000, for additional neurology services with no change in the term June 1, 2021 through May 31, 2024.

Approval of Contract #26-975-16 will allow the contractor to continue providing neurology services through

May 31, 2027.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, the necessary specialty neurology services needed for patient care will not be available or will create increased wait times due to the limited number of specialty providers available within the community.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1928 **Agenda Date:** 6/25/2024 **Agenda #:** C.155.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Cancellation Agreement #74-628-3 with The Alliance for Community Wellness (dba La Familia)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Cancellation Agreement #74-628-3 with The Alliance for Community Wellness (dba La Familia), a non-profit corporation, effective at the end of business on March 30, 2024.

FISCAL IMPACT:
This Contract was funded 100% by Substance Abuse Prevention and Treatment Block Grant revenues.

BACKGROUND:
The County has been contracting with The Alliance for Community Wellness (dba La Familia) since February 2021 to provide perinatal substance use disorder outreach and engagement services, including screening, brief intervention and referrals to treatments services for women with children in Contra Costa County.

On July 18, 2023, the Board of Supervisors approved Contract #74-628-3 with The Alliance for Community Wellness (dba La Familia), in an amount not to exceed $317,252 to provide perinatal substance use disorder outreach and engagement services, including screening, brief intervention and referrals to treatments services for women with children in Contra Costa County, for the period from July 1, 2023 through June 30, 2024.

In accordance with General Conditions Paragraph 5 (Termination), of the Contract, the Department and Contractor have agreed to a mutual cancellation of this Contract. Approval of Cancellation Agreement #74-628 -3 will accomplish this termination.

This cancellation is retro due to the Department and Contractor agreeing to mutually terminate in an untimely manner, therefore a retroactive cancellation is necessary to terminate properly.

CONSEQUENCE OF NEGATIVE ACTION:
If this termination is not approved the Contract will not be cancelled in accordance with General Conditions paragraph 5 (Termination and Cancellation).

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1929 **Agenda Date:** 6/25/2024 **Agenda #:** C.156.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment/Extension Agreement #77-626-1 with Netsmart Technologies, Inc. (dba McBee Associates)

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment/Extension Agreement #77-626-1 with Netsmart Technologies, Inc. (dba McBee Associates), a corporation, to increase the payment limit by $800,000, from $400,000 to a new payment limit of $1,200,000, and extend the termination date from July 31, 2024 to July 31, 2025 for admission review support services for Contra Costa Health Plan (CCHP) Management Team.

FISCAL IMPACT:
Approval of this amendment will result in additional contract expenditures of up to $800,000 for Fiscal Year 2024-25 and will be funded 100% by CCHP Enterprise Fund II.

BACKGROUND:
CCHP has an obligation to maintain certain specialized healthcare management services to ensure CCHP members get the most benefit from their Individual and Group Health Plan membership contracts with the county. This contractor will provide admission support and review services, under the CCHP Utilization Management Unit for Medi-Cal members admitted to the emergency department at affiliated hospitals. This contractor will begin providing services on August 1, 2023.

The nature of the admission review support services to the CCHP Medical Management Team is complex and requires seamless coordination, integration and collaboration with existing programs and systems. This contractor currently cooperates with and participates in CCHP's Quality Management Program which consists of quality improvement activities to improve the quality of care and services and member experience. Cooperation includes collection and evaluation of performance measurement data and participation in the organization's clinical and service measure Quality Improvement Programs. This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Health and Safety Code § 1451. Health Services Personnel approved this contract to ensure no conflicts with labor relations.

On August 15, 2023, the Board of Supervisors approved Contract #77-626 with Netsmart Technologies, Inc. (dba McBee Associates), in an amount not to exceed $400,000 for admission review support services for CCHP Management Team regarding Medi-Cal members admitted to the emergency department at affiliated hospitals

for the period August 1, 2023 through July 31, 2024.

Approval of Contract Amendment/Extension Agreement #77-626-1 will allow the contractor to continue to provide admission review support services for CCHP Management Team regarding Medi-Cal members admitted to the emergency department at affiliated hospitals, through July 31, 2025.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, Contra Costa Management Team will not have access to admission review support services for CCHP Medi-Cal members presenting in emergency departments at affiliated hospitals for Fiscal Year 2024-25.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1930 **Agenda Date:** 6/25/2024 **Agenda #:** C.157.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #74-475-54(11) with Ana De Jesus, LCSW

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #74-475-54(11) with Ana De Jesus, LCSW, in an amount not to exceed $250,000, to provide Medi-Cal specialty mental health services to members in Contra Costa County, for the period July 1, 2024 through June 30, 2026.

FISCAL IMPACT:
Approval of this contract will result in budgeted expenditures of up to $250,000 for a two (2) year period and will be funded by 50% Federal Medi-Cal and 50% State Mental Health Realignment funds.

BACKGROUND:
This contract meets the social needs of county's population by providing Medi-Cal specialty mental health services for members of all ages in Contra Costa County by providing assessment, testing, therapy and medication monitoring for treatment of anxiety, bipolar, depression, grief/loss, personality disorders, substance related disorders, and sexual and gender identity disorders. This contractor has been providing these services as part of the Department's Behavioral Health Services Network since 2016.

This contract is entered into under and subject to the following legal authorities: California Government Code §§ 26227 and 31000; Welfare and Institutions Code § 5775 et seq.; Welfare and Institutions Code §§ 14680-14685; California Code of Regulations (CCR), Title 9 § 1810.100 et seq. This contract was approved by Health Services Personnel to ensure there is no conflict with labor relations. Per Administrative Bulletin 600.3 the Department has posted a continuous Request for Qualifications and maintains a current qualified list of vendors at all times.

In July 2023, the County Administrator approved, and the Purchasing Services Manager executed Contract #74-475-54(9) with Ana De Jesus, LCSW in an amount not to exceed $40,000, to provide Medi-Cal specialty mental health services, for the period from July 1, 2023 through June 30, 2024.

In February 2024, the County Administrator approved, and the Purchasing Services Manager executed Amendment Agreement #74-475-54(10) with Ana De Jesus, LCSW effective March 1, 2024 to increase the payment limit by $80,000 to a new total of $120,000 for additional Medi-Cal specialty mental health services, with no change in the term of July 1, 2023 through June 30, 2024.

Approval of Contract #74-475-54(11) will allow the contractor to continue providing Medi-Cal specialty mental health services, through June 30, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, there will be fewer mental health services available as the county solicits and engages an alternative contractor, which could result in increased wait times for services.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1931 **Agenda Date:** 6/25/2024 **Agenda #:** C.158.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Contract #76-870 with ICU Medical Sales, Inc

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract #76-870 containing mutual indemnification with ICU Medical Sales, Inc., a corporation, in an amount not to exceed $420,250, to provide an infusion pump system, software and services for Contra Costa Health (CCH) patient care for the period from July 1, 2024 through June 30, 2029.

FISCAL IMPACT:
This contract will result in contractual service expenditures of up to $420,250 over a 5-year period and will be funded 100% by Hospital Enterprise Fund I.

BACKGROUND:
This contract meets the needs of CCH by providing replacing its current infusion pump system. Infusion pumps play a critical role in hospitals by precisely administering fluids, medications, and nutrients to patients, ensuring accurate dosages and timely delivery. Their reliability enhances patient safety and comfort and streamlines medical procedures, allowing healthcare professionals to focus on providing optimal care. The current infusion pumps are reaching the end of life and are subject to breakdowns. Repairing them is no longer feasible. ICU Medical, Inc.'s Plum Duo, Medfusion, and CADD-Solis infusion pumps are a series of infusion pumps CCH utilizes for its infusion patients' needs and include the functionalities essential for providers and nursing staff. This system ensures precise, accurate dosing for standard infusion needs including more vulnerable patients requiring smaller fluid volumes and those with pain management therapy in acute and outpatient settings.

Contra Costa Regional Medical Center's (CCRMC) Quality Management, Utilization Management and Contract Monitor Staff meet on a regular basis to ensure monitoring and performance measures are upheld. This contactor was approves approved by the Public Works Department's Purchasing Division on April 16, 2024. This contract was approved by Health Services Personnel to ensure consistence with procedures established by the Labor Relations Division of the County Administrator's Office. A Summary of service contract deliverables, including measurable outcomes required of the vendor to be monitored by the department in compliance with Section III(B)(7) of the Purchasing Policy include implementation, software, and support services.

Under Contract #76-870 the parties will execute a Master Customer Contract for the county's procurement of an infusion pump system including disposables, infusion pumps, software, and accessories. Per the terms of the

contract, County's payment of fees will allow for software licenses, subscriptions, and corresponding services to automatically renew for successive annual periods, until terminated.

Approval of this new Contract #76-870 allows the contractor to provide services through June 30, 2029. ICU Medical Inc's total aggregate liability under the agreement is limited to two-million dollars ($2,000,000). Under the Contract the County is obligated to indemnify ICU Medical against third party claims arising from County's breach of the Contract; County's violation of any applicable laws; and any death, bodily injury or property damage caused by County in performing the Contract.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, CCRMC will be unable to provide critical intravenous fluid therapy to CCRMC inpatient and outpatient oncology patients.

CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 24-1932 **Agenda Date:** 6/25/2024 **Agenda #:** C.159.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Agreement #29-817-6 with the City of Walnut Creek

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Agreement #29-817-6 with the City of Walnut Creek, to pay the County an amount not to exceed $253,889 to provide homeless outreach services under the Coordinated Outreach, Referral and Engagement (CORE) Program, for the period from July 1, 2023 through June 30, 2024.

FISCAL IMPACT:
Approval of this Agreement will allow the County to receive an amount not to exceed $253,889 for FY 2023-24 from the City of Walnut Creek. No County match is required.

BACKGROUND:
The CORE Program services locate and engage homeless clients throughout Contra Costa County. CORE teams serve as an entry point into the County's coordinated entry system for unsheltered persons and work to locate, engage, stabilize and house chronically homeless individuals and families. The County has been receiving funds from City of Walnut Creek for the CORE program since July 2017.

On October 18, 2022, the Board of Supervisors approved Agreement #29-817-5 to receive funds in an amount not to exceed $250,368 from the City of Walnut Creek for the provision of the CORE Program, for the period from July 1, 2022 through June 30, 2023.

Approval of Agreement #29-817-6 will allow County to continue to receive funds for homeless outreach services through June 30, 2024. This Agreement includes agreeing to indemnify and hold harmless the City for claims arising out of County's performance under this Agreement. There was a delay in requesting approval of this Contract due to County not receiving the Agreement from the City of Walnut Creek until April 2024.

CONSEQUENCE OF NEGATIVE ACTION:
If this Agreement is not approved, County will not receive funding and the CORE program will have to operate at a reduced capacity.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1933 **Agenda Date:** 6/25/2024 **Agenda #:** C.160.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Amendment Agreement #23-837-1 with Alvarez & Marsal Healthcare Industry Group, LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or designee, to execute on behalf of the County Contract Amendment Agreement #23-837-1 with Alvarez & Marsal Healthcare Industry Group, LLC, a limited liability company, effective June 1, 2024, to increase the payment limit by $1,800,000, from $400,000 to a new payment limit of $2,200,000, to provide additional consultation, review and technical assistance including financial review and support for organizational structural planning for Contra Costa Health and an audit assessment for the Contra Costa Health Plan, with no change in the original term of January 1, 2024 through December 31, 2026.

FISCAL IMPACT:
Approval of this amendment will result in an additional $1,800,000 over a two-year period and will be funded as budgeted by the Department by 100% Hospital Enterprise Fund I.

BACKGROUND:
On January 16, 2024, the Board of Supervisors approved Contract #23-837 with Alvarez & Marsal Healthcare Industry Group, LLC, in an amount not to exceed $400,000 to provide consultation and technical assistance including assessing County's current challenges and opportunities for integrated health systems, for the period January 1, 2024 through December 31, 2026. Contractor will develop a set of recommendations to the County that will consider the sustainability and growth interests of the various Contra Costa Health stakeholders. These recommendations will be actionable and support any future change initiatives currently contemplated by the County. Contractor will also provide a compensation study of health executives as well as human resources consultation.

Approval of Amendment Agreement #23-837-1 will allow the Contractor to provide additional consultation and technical assistance services including providing an interim financial team, support for organizational structural planning for Contra Costa Health and an audit assessment for the Contra Costa Health Plan, with no change in the original contract term through December 31, 2026.

CONSEQUENCE OF NEGATIVE ACTION:
If this contract is not approved, Contra Costa County will not have access to strategic information critical for Contra Costa Health to meet the challenges of the future.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1934 **Agenda Date:** 6/25/2024 **Agenda #:** C.161.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Approval of Program Funding Agreement with Advocates for Human Potential to Renovate 847B Brookside Dr., Richmond

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Health Services Director, or her designee, to execute, subject to final approval by the County Administrator and approval as to form by County Counsel, a project funding agreement with Advocates for Human Potential, in an amount not to exceed $18,602,365, for the renovation of a County-owned facility located at 847B Brookside Drive in Richmond and AUTHORIZE the Public Works Director, or their designee, to execute all property related transactions as required by the grant, including but not limited to filing a Declaration of Restrictions for the portion of the County property to be improved by the granted funds, subject to final approval by the County Administrator and approval as to form by County Counsel. The term of the project funding agreement is upon execution through June 30, 2027.

FISCAL IMPACT:
Approval of this project funding agreement will result in a grant not to exceed $18,602,365 in funding provided through Advocates for Human Potential (AHP), which is the administrative agent for the California Department of Health Care Services, under State Prime Contract 21-10368, for the California Behavioral Health Continuum Infrastructure Program (BHCIP). Under the state prime contract, counties must supply a match equal to ten percent (10%) of the non-contingency funding, or $1,570,156. This match may be provided using real property as an in-kind contribution. AHP has already accepted documentation that the County-owned property appraised value exceeds that of the required match. No further match is required.

BACKGROUND:
On July 12, 2022, the Board of Supervisors authorized Contra Costa Health - Behavioral Health (CCH-BH) to apply for grant funding through the Behavioral Health Infrastructure Program (BHCIP) to expand community-based treatment facilities. In order to inform and prioritize the projects to be submitted for consideration under this grant, CCH-BH conducted a qualitative and quantitative needs assessment with community stakeholders which identified crisis and longer-term residential care, in both secure and voluntary settings, as priorities for facility continuum improvement. Three projects were submitted under the Round 5 application period for BHCIP.

On November 15, 2023, the CCH-BH received a Conditional Notice of Award (NoA) of grant funds to renovate and convert a County-owned facility located at 847B Brookside Drive in Richmond to the first, in-County, Mental Health Rehabilitation Center (MHRC) to serve up to 45 clients in need of treatment in a secured setting

as they recover from acute psychiatric episodes. Beginning in February 2024, CCH-BH staff have been meeting on a monthly basis with AHP and representatives from DHCS to begin work on project requirements and to gather and finalize information to complete the Statement of Work and the project funding agreement. Additionally, Public Works and Health staff have met weekly to continue planning and to finalize design for the facility. Per the NoA, allowable costs incurred from the time of the Conditional Award may be reimbursed upon full execution of the project funding agreement (PFA).

To receive the grant funds, the County is required to execute the PFA with AHP. Under the PFA, the County:

- Must develop construction plans and specifications approved by AHP and provide proof of a construction contract with a prime contractor.
- Is responsible for any cost overages and must return any excess funds upon construction completion.
- Will need to establish a single-purpose independent development joint bank account with AHP; AHP will only have deposit rights.
- Must maintain an ongoing updated project budget.
- Must enter into a Declaration of Restrictions to be recorded against the property, restricting the use to the purpose being constructed for at least 30 years.
- Must provide a Phase I environmental study.
- Must indemnify both AHP and DHCS.

The PFA terminates June 30, 2027.

CONSEQUENCE OF NEGATIVE ACTION:
County would not receive funds for the renovation and conversion of a vacant County building to a Mental Health Rehabilitation Center requiring County clients in need of this level of care to continue to be referred to facilities out of Contra Costa County, away from natural community and family supports, for the duration of their need for this service.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1935 **Agenda Date:** 6/25/2024 **Agenda #:** C.162.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Industrial Safety Ordinance Annual Report

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ACCEPT the Industrial Safety Ordinance Annual Report submitted by Contra Costa Health Hazardous Materials Programs on the Ordinance as specified.

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:
If this action is not approved, a report that summarizes the 2023 Industrial Safety Ordinance activities would not be made available to the public.



CONTRA COSTA HEALTH

INDUSTRIAL SAFETY ORDINANCE ANNUAL PERFORMANCE REVIEW AND EVALUATION REPORT

June 2024

By Contra Costa Health
Hazardous Materials Programs

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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 workplace 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.

Two major oil refineries and two chemical facilities are required to comply with ISO requirements. One refinery within the City of Richmond is 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 Health Hazardous Materials Programs (CCHHMP), a division of Contra Costa Health. Per ISO Section 450-8.030, CCHHMP annually evaluates and reports on ISO performance to the Board of Supervisors.

CCHHMP'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), US Chemical Safety and Hazardous Investigation Board and other local program agencies. This interagency collaboration includes the sharing of incident and inspection results, discussion of regulatory interpretations, and joint training.

Public Participation

CCHHMP has an established public outreach process and is continually looking for ways to improve it. Due to the easing of COVID-19 restrictions, CCHHMP began conducting community engagement activities in late 2022:

- Presented at a joint Community Advisory Panel (CAP) meeting at Eco Services and PBF Martinez Refining Company (MRC) for the MRC Safety Audit on September 19, 2022
- Shared Air Liquide Large Industry's Safety Audit and outreach information at a booth at the Rodeo-Hercules Fire District Open House on October 15, 2022
- Shared Air Products safety audit and safety plan and shared Martinez Refining Company risk management plan and safety plan at a booth at the John Muir Birthday and Earth Day celebration at the John Muir National Historic Site in Martinez on April 22, 2023
- Shared Chevron Richmond Refinery safety plan and safety audit at a booth at the Cinco De Mayo celebration in Richmond on May 7, 2023

The Board of Supervisors also requested that staff provide copies of the annual report to communities through the Community Advisory Panels (CAP). This 2023 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 the required programs. We completed one ISO audit and no RISO audits in fiscal year 2022-2023:

- Phillips 66 Refinery – November 2022

Major Chemical Accidents or Releases

There was one MCAR event for an ISO/RISO-regulated facility during the reportable period of this report, which is from July 1, 2022, through June 30, 2023:

- The PBF Martinez Refining Company (MRC) had a catalyst release from its Catalytic Cracking Unit (CCU) on November 24-25, 2022. This release resulted in 20-24 tons of catalyst powder dispersed into the community. CCHHMP classified this

event as a Community Warning System (CWS) Level 2 or higher incident. As a result, this incident met the requirements of an MCAR.

- As a result of the MRC November 2022 MCAR, CCHHMP conducted a Safety Inspection at the refinery between February and April 2023. A copy of the report can be found at: https://www.cchealth.org/home/showpublisheddocument/29210/638386625764170000
- CCHHMP was also instructed to conduct three third-party evaluations for the MRC November 2022 MCAR. To accomplish these evaluations, CCHHMP formed an Oversight Committee in February 2023. Information on the MRC Oversight Committee can be found at: www.cchealth.org/hazmat/mrc
- The following summarizes each of the three third-party evaluations for the MRC November 2022 MCAR. It should be noted that none of these evaluations were completed during the fiscal year 2022-2023 although additional information can be found in the link above associated with the MRC Oversight Committee.
    1. Screening Level Human Health and Ecological Risk Assessment. A toxicologist was hired to conduct community soil sampling to determine the extent of catalyst within soils in the release area and its potential risks to human and ecological receptors.
    2. Root Cause Analysis Incident Investigation. An independent incident investigation was commissioned to identify management system failures associated with the MCAR and recommendations to prevent reoccurrence.
    3. Safety Culture Assessment. A company was hired to conduct an independent assessment of the safety culture at MRC.

It should be noted that there was an MCAR event from the Marathon Martinez Renewable Fuels refinery that took place on November 19, 2023. There was also an MCAR from PBF MRC that took place on December 15, 2023. Both of these events fell outside of the reportable period of this report, which is from July 1, 2022, through June 30, 2023, and will be included in next year's report.

Conclusion

Even though there was one MCAR that took place during this fiscal year, the severity of MCAR events in Contra Costa County has declined since the implementation of the ISO. The ISO has improved regulated facilities' safety programs and operations.

CCHHMP 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 the likelihood of chemical accidents at these industrial facilities.

Introduction

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 timeline below shows the requirements of the ordinance and various changes to date:



RESPONSIBILTIES	CCHHMP	• May perform individual Root Cause Analysis or other third-party evaluations after an MCAR • Develop and Maintain Safety Plan Guidance Document • Review submitted Safety Plans • Audit every three years after initial ISO/RISO audits • Create Safety Culture Guidance and update as needed
	STATIONARY SOURCES	• Perform Root Cause Analysis after an MCAR • Consider Inherently Safer Systems for new and existing processes, expanded (2014 amendments) to include reviewing during major changes that could result in MCAR occur • Submit Safety Plan every 3 years • Perform Safeguard Protection Analysis [SPA] (2014 Amendments) • Include Maintenance in the Human Factors and Management of Organizational Change Programs (2006 Amendments) • Perform Security Vulnerability Assessments and Safety Culture Assessments (2006 Amendments) • Develop and Track Performance Indicators (2014 Amendments)

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, currently covering one stationary source: Chevron Richmond Refinery (Chevron). CCHHMP administers the RISO for the city. Previously, the RISO covered the Chemtrade West Richmond Works until they modified their processes such that they are no longer subject to the RISO.

There were no RISO audits conducted in this reporting period. CCHHMP receives annual performance updates from Chevron each June. CCHHMP worked with U.S. EPA, Cal OSHA, BAAQMD and CSB in CSB's independent investigation of the August 6, 2012 incident. CCHHMP is currently working with an oversight committee regarding the incident investigation of the Chevron February 9, 2021, wharf oil spill incident.

Regulated Stationary Sources Listing

There are a total of four stationary sources covered by the ISO and one stationary source covered by RISO**:

- Air Liquide Large Industries Rodeo Hydrogen Plant at Phillips 66
- Air Products at MRC (formerly Shell Martinez Refinery)
- PBF Martinez Refining Company – MRC (formerly Shell Martinez Refinery)
- Phillips 66 Rodeo Refinery
- Chevron Richmond Refinery (RISO)

** Marathon Martinez Renewable Fuels and Air Products at Marathon Plants were idled for the 2022-2023 fiscal year. Chemtrade West Richmond Works modified its processes and is no longer subject to RISO.

Status of Safety Plans and Programs

Stationary sources were required to initially submit safety plans in 2000 (ISO) and 2003 (RISO) and resubmit every 3 years. Audits have also been completed on the same schedule. The most recent status of each of the regulated stationary sources is given in Tables I and II and includes:

- When the latest updated safety plans were submitted
- Status of safety plans (complete/incomplete)
- When audits were last completed
- When public meetings were held on preliminary audit findings in the last 3 years

A full summary of all Safety Plan Updates and audits is maintained via database at CCHHMP's office.

Table I
Industrial Safety Ordinance (ISO) Stationary Source Status
(Most Recent)

NAME	Safety Plan (SP) Received	Safety Plan Complete	Audit/ Inspection	Audit Public Meeting
Air Liquide Large Industries Rodeo	1/10/2023	No	1/5/2022	10/15/2022
Air Products – MRC	7/25/2023	No	9/25/2023	Not yet
PBF Martinez Refining Company (MRC)	10/31/2022	Yes	1/8/2024	Not yet
Phillips 66 Rodeo Refinery	8/6/2021	Yes	10/24/2022	5/7/2023

Table II
Richmond Industrial Safety Ordinance (RISO) Stationary Source Status
(Most Recent)

NAME	Safety Plan (SP) Received	Safety Plan Complete	Audit/ Inspection	Audit Public Meeting
Chevron Richmond Refinery	7/22/2021	Yes	4/25/2022	5/7/2023

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 CCHHMP determines that a safety plan update is complete, before the required 45-day public comment period, the 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 III lists each safety plan location.

Table III
Location of Safety Plans – Libraries

Regulated Stationary Source	Location 1	Location 2	Location 3
Air Liquide Large Industries Rodeo	Hazardous Materials Programs Office	Rodeo Public Library	Crockett Public Library
Air Products – MRC	Hazardous Materials Programs Office	Martinez Public Library	
PBF Martinez Refining Company (MRC)	Hazardous Materials Programs Office	Martinez Public Library	
Phillips 66 Rodeo Refinery	Hazardous Materials Programs Office	Rodeo Public Library	Crockett Public Library
Chevron Richmond Refinery (RISO)	Hazardous Materials Programs Office	Point Richmond Public Library	Main Richmond Public Library

Effectiveness of Implementation of the Industrial Safety Ordinance

Contra Costa Health 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, & 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
- Field Verification Protocols
- Covered Process Modification Policy
- Public Participation Policy
- Dispute Resolution Policy
- Reclassification 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 the Hazardous Materials Programs office, and the guidance documents are available electronically at:

- https://www.cchealth.org/health-and-safety-information/hazmat-programs/california-accidental-release-prevention-calarp-program/calarp-program-guidance-document and

- https://www.cchealth.org/health-and-safety-information/hazmat-programs/industrial-safety-ordinance/iso-guidance-document

CCHHMP 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

CCHHMP 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 (ARP) engineers, supervisor, and the Hazardous Materials Program Director. Portable document format (PDF) versions of these files are also available for public viewing at the CCHHMP office. The Accidental Release Prevention Program files contain regulations, policies, information from the U.S. EPA, Cal EPA, CSB, and other information pertinent to the engineers. The risk management and safety plans are received in hard copy, scanned, and kept at the CCHHMP office.

Number and Type of Audits and Inspections Conducted

Beginning in the winter of 2022, CCHHMP began its next round of required audits at each of the ISO and RISO facilities. This is the ninth round of audits since 2000. In response to the COVID-19 pandemic, CCHHMP developed audit protocols to perform audits both onsite as well as remotely. The one ISO audit conducted during this period was onsite only.

When CCHHMP 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 up to 90 days to respond. Assigned ARP engineers 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 audits/inspections of the regulated stationary source.

An ARP engineer will issue a Preliminary Audit Findings report after each stationary source 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, CCHHMP 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 CCHHMP

The PBF Martinez Refining Company had an MCAR in November 2022 resulting in 20-24 tons of powdered catalyst being discharged into the surrounding community. CCHHMP contracted with a consultant to conduct a root cause analysis incident investigation during the fiscal year 2022-2023 although the report was not developed until 2024.

It should also be noted that a consultant was hired in 2021 to conduct an independent evaluation of an MCAR at the Chevron Richmond Refinery for their February 9, 2021, Wharf Oil Spill. A report for this independent evaluation was completed in 2023 and a public meeting was held where numerous comments were received. CCHHMP expects to have responses developed to all comments associated with this independent evaluation and present the report to the County Board of Supervisors in 2024.

A historical listing of MCAR events starting in 1992 is available at: https://www.cchealth.org/health-and-safety-information/hazmat-programs/hazmat-incident-response/major-accidents-at-chemical-refinery-plants

This list also includes major accidents that occurred before the adoption of the ISO.

CCHHMP's Process for Public Participation

CCHHMP 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 County Board of Supervisors, CCHHMP also shares ISO annual reports and makes presentations to Community Advisory Panels.

Effectiveness of the Public Information Bank

The Hazardous Materials Programs website (https://www.cchealth.org/health-and-safety-information/hazardous-materials) includes:

Programs	Incident Response and Follow-up	Resources
ISO and RISO	HazMat Incident Response	Chemical Safety Board Incident Search
Land Use Permitting Assistance	List of recent incidents	CCHHMP Guidance Documents
CalARP (Including P4)	MCAR Accident History	CalARP/ISO/RISO Regulations
Underground Storage Tanks	Incident Search Database	
Green Business Program	Incident Notification Policy	
Business Plan	72-hour and 30-day Reports	

Effectiveness of the Hazardous Materials Ombudsperson

The Hazardous Materials Ombudsperson is a conduit for the public to express their concerns about how CCHHMP 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 Program Elements Necessary to Implement and Manage the ISO

The CalARP Program is administered in Contra Costa County by CCHHMP. Stationary sources are required to submit risk management plans in addition to ISO safety plans. An ARP engineer reviews the risk management plans and performs CalARP Program audits simultaneously with ISO audits.

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 physical year. Tables IV and V summarize Inherently Safer Systems that have been implemented during this reporting period. Attachment B includes individual reports from the stationary sources that also include the required reporting of four common process safety performance indicators.

Table IV
Inherently Safer Systems Contra Costa County ISO Stationary Sources

(July 2022 – June 2023)

Regulated Stationary Source	Inherently Safer System Implemented	Risk Reduction Level	Strategy
Air Liquide Large Industries Rodeo	No new inherently safer systems have been implemented	N/A	N/A
Air Products – MRC	No new inherently safer systems have been implemented	N/A	N/A
PBF Martinez Refining Company (MRC)	Designate select check valves as Class I (critical) Check Valves accompanied with annual testing (2 times)	Active	Moderate
	Create a procedure associated with the start-up and shutdown of equipment (2 times)	Procedural	Moderate
	Install alarms on select equipment combined with operator response (9 times)	Active	Moderate
	Require select valve be maintained open to prevent pump deadheading	Procedural	Moderate
Phillips 66 Rodeo Refinery	Upgraded gasket material on select valves to minimize corrosion (2 times)	Passive	Substitute/Simplify
	Upgraded a fire hydrant to a fire monitor	Passive	Simplify
	Upgraded piping to minimize corrosion	Passive	Substitute
	Installed block valves on lines with discharge bleed valves to prevent leakage (2 times)	Active	Moderate
	Installed tank inlet temperature transmitters on two tanks	Active	Simplify
	Replaced a float with a radar tank gauging system	Active	Simplify
	Updated high-level alarms and high-level safe operating limits on a tank	Active	Simplify
	Added a high NOx alarm on a heater and linked alarm to provide email notifications to plant personnel	Active	Simplify
	Updated alarms and limits within MP-30 and U-228 based on internal 2022 audit	Procedural	Simplify

Table V
Inherently Safer Systems Richmond ISO Stationary Sources
(July 2022 – June 2023)

Regulated Stationary Source	Inherently Safer System Implemented	Risk Reduction Level	Strategy
Chevron Richmond Refinery (RISO)	Upgraded pump to dual seals to eliminate loss of containment from seal failure	Inherent	Eliminate/Moderate
	Implemented multiple pump seal upgrades to reduce loss of containment from seal failure	Passive	Moderate
	Upgraded valve to stabilize flow to a knockout drum	Passive	Simplify
	Removed an automated pump start system to reduce the potential to damage the pump on low flow	Active	
	Updated inspection strategy to monitor for dead leg corrosion on select piping	Procedural	
	Updated sulfiding procedures to use a different fluid that is heavier and less volatile	Procedural	

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; 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 the department.
- Results in a vapor cloud of flammables and/or combustibles that is more than 5,000 pounds.

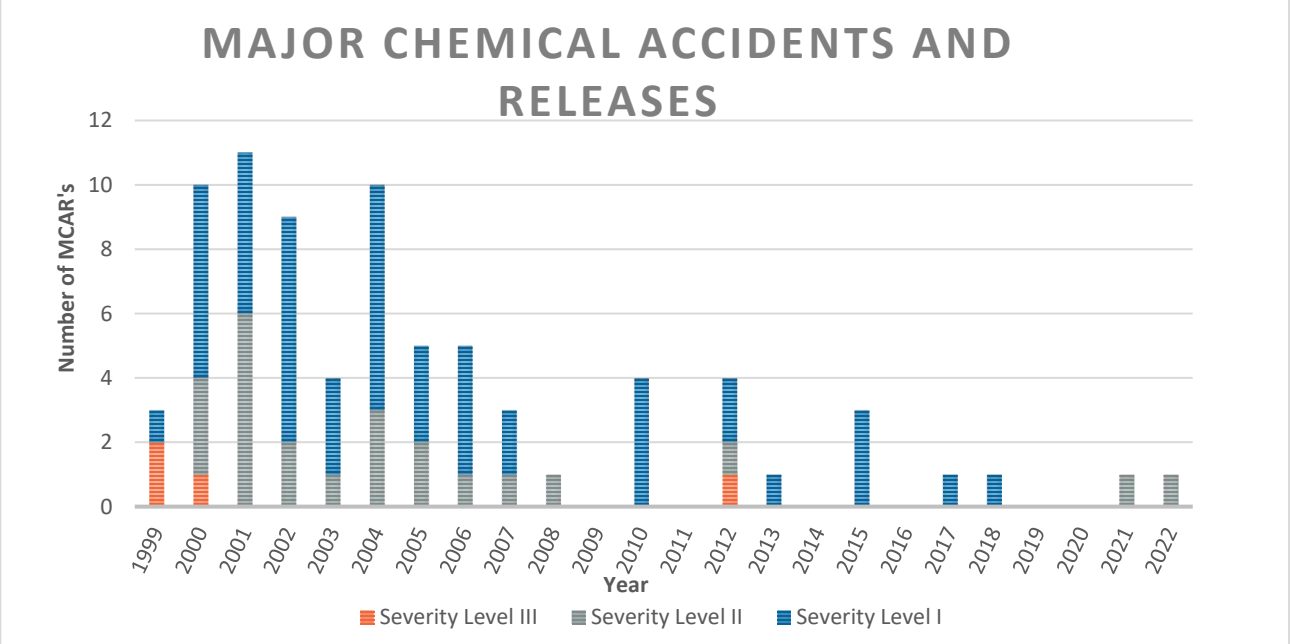
The regulated stationary source is required to submit a report to CCHHMP 30 days after the root cause analysis is complete. There was one MCAR incident that occurred within this reporting period in Contra Costa County at an ISO facility. This incident, MRC Catalyst Release in November 2022, resulted in the submittal of a root cause analysis report submitted to CCHHMP. This report can be found at:
https://www.cchealth.org/home/showpublisheddocument/28722/638344494921470000

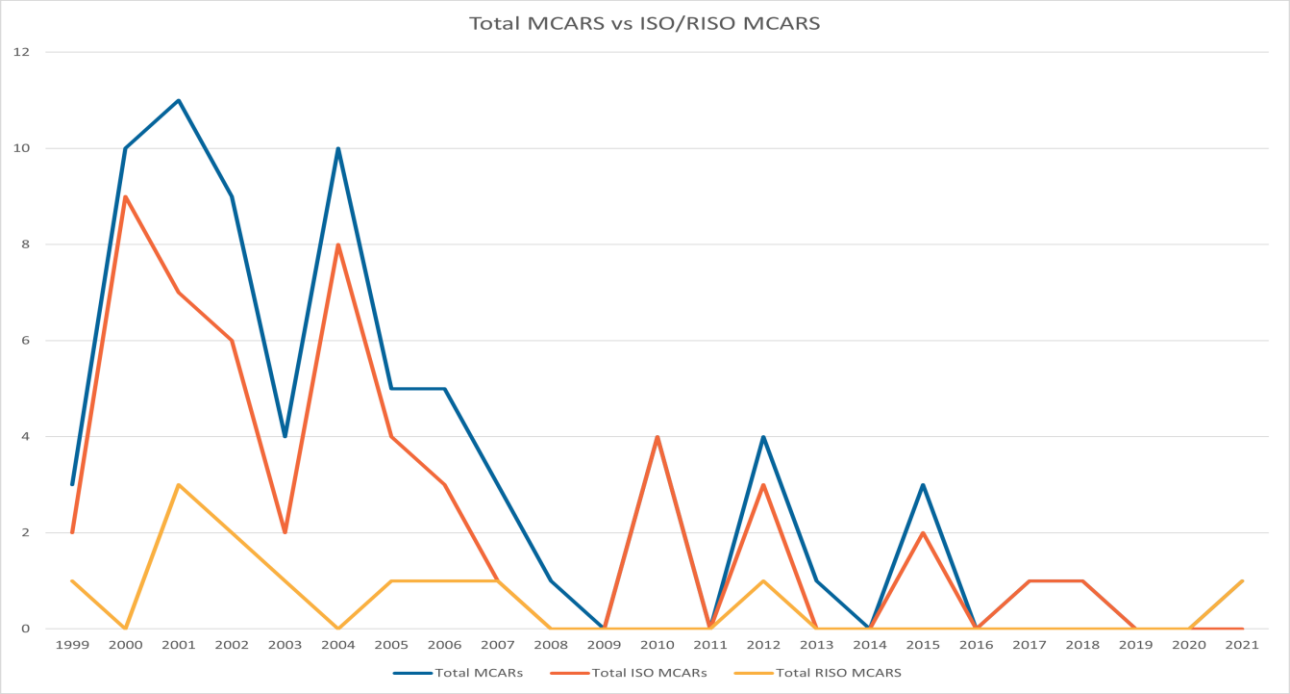
Major Chemical Accidents or Releases

CCHHMP 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 1999 through June 30, 2023, for all stationary sources in Contra Costa County. The charts include MCARs at stationary sources only, none that occurred during transportation.





Legal Enforcement Actions Initiated by Contra Costa Health Hazardous Materials Programs

As part of the enforcement of the ISO and CalARP Program, CCHHMP staff may issue notices of deficiency in 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. CCHHMP referred a case to the District Attorney associated with the lack of proper notification of the MRC November 2022 MCAR incident. The District Attorney is working on this case although no legal enforcement actions took place on any ISO facility 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/RISO

Fees charged for the ISO/RISO cover the time ARP engineers use to enforce the ordinance, the position of the Hazardous Materials Ombudsperson, outreach material, and a portion of the overhead for CCHHMP. Fees charged for administering this ordinance for fiscal year 2022–2023 total $601,809.

Total Personnel and Personnel Years Used by the Hazardous Materials Programs 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:

Approximately 5550 hours total of CCHHMP personnel time was spent on the ISO/RISO during the current reporting period. This includes hours spent performing on-site audit activities, reviewing and updating information for the website, performing safety plan reviews, follow-up of deficiencies from audits or plan reviews, preparing materials for presentations and/or public meetings, working with oversight committees, and participating in investigations (including Root Cause Analysis). This also includes time in activities specifically related to the MRC November 2022 MCAR, including the Safety Inspection, public

meetings, and Oversight Committee meetings. The total does not include Ombudsperson time spent preparing for public meetings, working with engineers on questions arising from the ISO/RISO, and answering questions from the public on the ISO/RISO.

Comments from Interested Parties Regarding the Effectiveness of the Industrial Safety Ordinance

No comments were received by CCHHMP regarding ISO or RISO during the current reporting period. It should be noted that CCHHMP held public meetings associated with the Chevron Wharf Oil Spill MCAR and the MRC Catalyst Release MCAR after the current reporting period. Any comments related to the effectiveness of the ISO from these meetings will be shared in next year's report.

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 CCHHMP
- The Richmond Industrial Safety Ordinance, also administered by CCHHMP.

Each of the programs is very similar in requirements. On October 1, 2017, California petroleum refineries were required to comply with the 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 to be included within the Risk Management Plan
- CCHHMP is required to audit and inspect stationary sources at least once every three years
- The interaction required between the stationary source and CCHHMP.

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 the management of change review, as part of an 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, root cause analysis, and process hazard analysis
- Managing changes in the organization for operations, maintenance, health and safety, 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 associated with process hazard analysis to reduce catastrophic releases.
- Use and reporting of process safety performance indicators in the annual performance review and evaluation report.

The major program differences of ISO from CalARP Program 4 and PSM for Refineries is that the Program 4 requirements identify:

- Mechanical Integrity must include an assessment of Damage Mechanism Review based on operating history and industry experience.
- Process Hazard Analysis must include a review of the 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 requirements 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 in 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. CCHHMP also participated in developing the third edition of CCPS: Inherently Safer Chemical Processes to further clarify and promote the practice and consideration of Inherently Safer Systems.

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 Crop Science Institute in West Virginia, the CSB recommended that regulatory agencies in the area audit their chemical facilities using Contra Costa County's process. CCHHMP 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.
- CCHHMP was asked to give testimony at a June 2010 hearing on "Workplace 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 the federal Occupational Safety and Health Administration and attended by the 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.
- CCHHMP 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.



CONTRA COSTA HEALTH

ATTACHMENT A
HAZARDOUS MATERIALS OMBUDSMAN EVALUATION
January 1, 2023 – December 31, 2023

Hazardous Materials Ombudsman Evaluation
January 1, 2023 – December 31, 2023

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:

- 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.
- To investigate concerns and complaints, facilitate their resolution, and assist people in gathering information about programs, procedures, or issues.
- To provide technical assistance to the public.
- The Hazardous Materials Ombudsman currently accomplishes these goals through the following program elements:
- Continuing an outreach strategy so that the people who live and work in Contra Costa County can know about and utilize the program.
- Investigating and responding to questions and complaints, and assisting people in gathering information about programs, procedures, or issues.
- Participating in a network of environmental programs for the purpose of providing technical assistance.

This evaluation covers the period from January 1, 2023 through December 30, 2023
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.

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 web site. This page contains information about the program, links to other related web sites, 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**.**

Investigating and Responding to Questions and Complaints, and Assisting in Information Gathering

During this period, the Hazardous Materials Ombudsman received 110 information requests. Over 95 percent of these requests occurred via the telephone and have mainly 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. This year, due to the catalyst release from the MRC facility in Martinez in November, 2022, many of the calls were about the health impacts of the Catalyst, especially the safety of eating fruits and vegetables from gardens.

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.

The Ombudsman responded to one formal complaint about the Hazardous Materials Program concerning their decision to refer potential violations of the County's Hazardous Materials Notification policy by MRC for the November, 2022 catalyst release to the District Attorney.

The Ombudsman continued to provide assistance to a group of residents concerned about a DTSC cleanup of a contaminated site in North Richmond.

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.

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. In 2023, the Commission recommended to the Board of Supervisors that they support the development of the AIA model web page, recommended to the Board of Supervisors that they support AB 1238 related to the development of Alternative Minimum Standards for solar panels, developed a letter of support for DCD applications for brownfield remediation grants, worked with Contra Costa CAER to distribute Pipeline Emergency Preparedness brochures to schools in Contra Costa County, appointed 2 student interns for the 2023/2024 school year, recommended candidates to the Board of Supervisors for the General Public and Environmental Organization seats and conducted annual meetings with all five members of the Board of Supervisors.

Asthma Mitigation Program – The Ombudsman participated in the Public Health Department's Asthma Mitigation Program as a resource on environmental health issues. The Ombudsman served on the Technical Advisory Board for RAMP, the Regional Asthma Management Prevention program. The Ombudsman also participated in presentations on the Asthma Mitigation Program for an EPA National Webinar, for a California Department of Public Health Chronic Disease workgroup, for a UC Berkeley meeting on Climate Change and Heat and for a MCE's Community Power Coalition meeting.

The Ombudsman facilitated the completion of two grants to provide asthma trigger mitigations and energy efficiency improvements to Contra Costa Health Plan Medi-Cal clients with poorly controlled asthma. The Ombudsman partnered with staff from MCE, AEA, the Department of Conservation and Development and the Contra Costa Health Plan to implement this program. One grant was for three years and $528,000 from the Sierra Health Foundation and the other was for three years and $100,000 from the Bay Area Air Quality Management District.

The Ombudsman also continued to manage a two-year EPA grant for $200,000 to provide two community health clinics, Lifelong and La Clinica, funding to provide asthma trigger education and mitigations to their clients. The Ombudsman also facilitated the Bay Area Healthy Homes Initiative (BAHHI) grant from the Bay Area Air Quality Management District for 2 years and $240,000 that provided asthma trigger mitigations and energy efficiency improvements to Contra Costa Health Plan Medi-Cal clients with poorly controlled asthma near mobile sources of pollution. The Ombudsman also implemented a grant from the Air Quality Management District to distribute portable home air purifiers and replacement filters for Contra Costa Medi-Cal patients through the Public Health Nursing program and soon through the Youth Ambassador program.

The Ombudsman continued to participate in the California Healthy Homes Collaborative workgroups on Habitability and Indoor Air Quality.

Climate Change Program - 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 Public Health workgoup to update the Climate Action Plan and the General Plan and represented the Health Department of the County Climate Action Task Force.

Health Careers Pathways – The Ombudsman served as a mentor to a High School Student as part of the Health Careers Pathways summer internship program.

AB 617 – In March, 2023 the Ombudsman began representing the Health Department on the AB 617 Community Steering Committee for the Richmond/North Richmond/San Pablo area. This committee was empowered by the Bay Area Air Quality Management District to develop a Community Emission Reduction Plan for the area. The Ombudsman served on the Public Health and Fuel Refining committees and well as on full Steering Committee.

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, water quality, toxic chemicals, and asthma.

Program management

The Hazardous Material Ombudsman reported to the Climate and Health Officer until he retired in March, 2023. After that, the Ombudsman reported to the Deputy Director of Contra Costa Health Services. The Ombudsman participated on the Health Department's CoCo Cool management team.

Goals for 2024

In this period, the Ombudsman will provide essentially the same services to Contra Costa residents as was provided in the last period until he retires at the end of April, 2024. The Ombudsman will continue to respond to questions and complaints about the actions of the Hazardous Materials Program; answer general questions that come from the public and assist them in understanding regulatory programs; staff the Hazardous Materials Commission; support the Health Department on Climate Change issues; participate in the CAER Emergency Notification committee; participate in the Health Department's Co Co Cool meetings; represent the Health Department in the AB 617 process; and facilitate the completion of the EPA asthma grant, the BAHHI grant and the Air District grant distributing portable air purifiers to MediCal clients.



CONTRA COSTA HEALTH

ATTACHMENT B
HAZARDOUS MATERIALS
COUNTY REGULATED SOURCES
ANNUAL PERFORMANCE
July 1, 2022 – June 30, 2023

Annual Performance Review and Evaluation Submittal

June 30, 2023

*Attach additional pages as necessary

1. Name and address of Stationary Source: Air Liquide Rodeo Hydrogen Plant, 1391 San Pablo Ave, Rodeo, CA 94572

2. Contact name and telephone number (should CCHMP have questions): Nidhi Jacob (281-917-3895)

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 action items, and any other updates in general.

4. Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)): RODEO HYDROGEN PRODUCTION FACILITY INDUSTRIAL SAFETY PLAN - Periodic review and updates made to suffice action item A26-02 from Contra Costa Audit 2022, RODEO SMR INHERENTLY SAFETY SYSTEMS POLICY - Additions include: ISS review needs to be done during development of PHA action items, ISS review to be completed during different phases of a project, ISS to be performed on any major change resulting from investigation of an incident that could have reasonably led to MCAR, to review if existing and new technologies previously not considered for a project could make it inherently safer, RODEO SMR EMERGENCY ACTION PLAN - Updated contact list in the EAP

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)): CCHHMP Office at 4585 Pacheco Boulevard, Suite 100, Martinez; Rodeo and Crockett 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)): All MOCs are reviewed using 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 six facilities subject to the Industrial Safety Ordinance were $701,192. The total Industrial Safety Ordinance program fees for these six facilities were - $632,852. (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)): 3210 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)):

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: Human Factor review for SOPs were completed by December 2022, LCC reviews and Procedural HAZOPs were completed for selected SOPs in 2022.

17. Summarize the emergency response activities conducted at the source (e.g., CWS or TEN activation) in response to major chemical accidents or releases Emergency Action Plan Drill was conducted in Aug 2022 with Rodeo-Hercules Fire Dept, P66 Emergency Response, CCHS, Air Liquide HSE and Operational team. Fire Department battalions conducted training for their teams at our following the drill as well.

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?: (Yes or No) 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? N/A
        - 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, metrics have been developed as a response to an action item from CCCHS.
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? (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
25. Common Process Safety Performance Indicators:

a. Overdue inspection for piping and pressure vessels based on total number of circuits:

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	23	23	23	23	23	23	23	23	23	23	23	24	24
Repeat	23	23	23	23	23	23	23	23	23	23	23	24	24

Total number of circuits: 187 circuits 36 vessels
Total number of annual planned circuit inspection: 12 circuits and 12 vessel inspections deferred till Q1 2024 due to Low risk of failure based on RBI study. Deferral letter attached

b. Past due PHA recommended actions, includes seismic and LCC recommended actions

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

c. Past due Investigation recommended actions for API/ACC Tier1 and Tier 2 incidents.

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

d. API/ACC Tier 1 and Tier 2 Incidents and rates starting 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
No. Tier 1 LOPC	0	0	0	0	0	0	0	0	0	0	0	0
Incident rate for Tier 1	0	0	0	0	0	0	0	0	0	0	0	0
Refinery or Industry Rate[1]	0	0	0	0	0	0	0	0	0	0	0	0
Refinery or Industry Mean [2]	0	0	0	0	0	0	0	0	0	0	0	0
Tier 2 LOPC	0	0	0	0	0	0	0	0	0	0	0	0
Incident rate for Tier 2	0	0	0	0	0	0	0	0	0	0	0	0
Refinery Rate [1]	0	0	0	0	0	0	0	0	0	0	0	0
Refinery Mean [2]	0	0	0	0	0	0	0	0	0	0	0	0

[1]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

[2]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 2022: 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:

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Total*	0	0	0	0	0	0	0	0	0	0	0	0	0
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

*the total number of temporary piping and equipment repairs installed on hydrocarbon and high energy utility systems.

Annual Performance Review and Evaluation Submittal

June 30, 2023

*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): Ken Axe: (925) 313-5371

3. Summarize the status of the Stationary Source's Safety Plan and Program (450-8.030(B)(2)(i)): Public notice for MRC's current Safety Plan ended on May 31, 2023, without comment. The next revision is due August 23, 2025.

4. Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)): The most recent Safety Plan update was made in 2022 to address a finding from the audit conducted by CCHS in 2021. The update entailed clarifying the relationship and distinctions between ISSA and HCA.

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)): CCHHMP 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)):
   An MCAR occurred at the Catalytic Cracking Unit (CCU) from about 8:30 on the evening of November 24, 2022, until about 4 AM on November 25, based on differential pressure measurements at the Fourth Stage Separator. Between 20 and 24 tons of spent catalyst carried over from the CCU Regenerator through the CO Boiler stacks to atmosphere. Regenerated spent catalyst consists substantially of kaolin (clay mineral), aluminum oxide, and amorphous silica, with small amounts of various heavy metals (tens to hundreds of micrograms of metal per gram of spent catalyst). During the release, wind speeds varied from 0 to 4 mph, the wind direction was out of the Southeast (toward the Northwest), and there was no precipitation. On-site impacts were not observed. There was no knowledge of off-site deposition of spent catalyst during the release, and evidence of off-site deposition was not observed until the morning of November 25 (although it was not identified as spent catalyst until later). Because there was no knowledge of deposition of catalyst off-site, no off-site response was initiated. As feed was being reintroduced to the CCU, the pressure in the Reactor increased, and the difference in pressure between the Reactor and Regenerator also increased, driving the catalyst level in the Regenerator higher. When the catalyst level in the Regenerator became too high, the separators were unable to continue effectively disengaging large catalyst particles from the gas stream flowing to the CO Boilers. The root causes of the high catalyst level in the Regenerator were: insufficient adjustments to the pressure control valve to increase the pressure in the Regenerator relative to Reactor pressure; and insufficient adjustments to the Stripper slide valve to reduce flow of catalyst into the Regenerator. Eleven actions were generated as a result of investigating this MCAR. The actions will result in changes to process controls, operating procedures, and training. Three of the actions have already been implemented, and the remaining eight will be completed by July 31, 2023.

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)): An RCA was completed for the MCAR summarized in item 6 of this submittal. Eleven actions were generated as a result of the RCA. Three of the actions have already been implemented, and the remaining eight will be completed by July 31, 2023.

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)): 60 actions resulted from the ISO/CalARP audit conducted by CCHS between January 25 and March 3, 2021, including 28 Ensures and 32 Considers. All 60 actions have been implemented.

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 six facilities subject to the Industrial Safety Ordinance were $701,192. The total Industrial Safety Ordinance program fees for these six facilities were - $632,852. (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)): 3210 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)): MRC has integrated requirements of the Industrial Safety Ordinance into our Process Safety Management System; in the context of our Process Safety Management System, 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 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 was one MCAR (summarized in item 6) in the

reporting period. Offsite response activities consisted of visual determination of areas where spent catalyst was deposited on surfaces, and wipe sampling of the deposits on surfaces.

18. Date the last Safety Culture Assessment was completed: Last SCA completed 3/31/2019; survey already conducted in 2023, SCA to be completed later in 2023.

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 Previous to the one listed in 18:
    - Survey method: Questionnaire (on-line and paper)
    - Areas of improvements being addressed: Near miss/incident reporting; Safety communication
    - Action Plan made Progress on the identified areas of improvement?: (Yes ~~or 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? New metrics introduced and tracked; on track to meet goals
        - 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; strengthened and formalized in response to finding in 2021 audit.

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: Referred to Joint Health and Safety Committee for monthly tracking and evaluation. PSCA team (staff and hourly) focuses on administering PSCA.

23. Date of the mid-cycle progress evaluation: February 9, 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:
    Mid-cycle review was conducted by PSCA team (joint staff and hourly). Team reviewed previous analysis, action items, implementation progress, and results.

25. Common Process Safety Performance Indicators:

a. Overdue inspection for piping and pressure vessels based on total number of circuits:

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

Total number of circuits: 11,490
Total number of annual planned circuit inspection: 1217

b. Past due PHA recommended actions, includes seismic and LCC recommended actions

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	2	0	1	0	0	0	0	0	0	0	3
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

c. Past due Investigation recommended actions for API/ACC Tier1 and Tier 2 incidents.

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

d. API/ACC Tier 1 and Tier 2 Incidents and rates starting 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
No. Tier 1 LOPC	1	1	1	0	1	0	2	1	2	0	1	0
Incident rate for Tier 1	0.07	0.07	0.08	0	0.07	0	0.11	0.06	0.12	0	0.10	0
Refinery or Industry Rate[1]	0.15	0.09	0.09	0.09	0.10	0.06	0.08	0.06	0.06	0.06	0.08	0.07
Refinery or Industry Mean [2]	*	1.49	1.30	1.41	1.53	1.00	1.11	0.92	1.03	0.84	1.00	1.12
Tier 2 LOPC	2	0	5	2	5	1	2	2	5	1	0	0
Incident rate for Tier 2	0.14	0	0.41	0.11	0.42	0.06	0.11	0.11	0.31	0.11	0	0
Refinery Rate [1]	*	0.24	0.25	0.24	0.21	0.17	0.19	0.17	0.16	0.13	0.18	0.17
Refinery Mean [2]	*	*	*	3.59	3.07	2.75	2.75	2.79	2.67	1.80	2.28	2.60

[1]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

[2]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 2022: 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:

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Total*	109	109	108	106	107	107	109	113	113	115	115	114	---
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

*the total number of temporary piping and equipment repairs installed on hydrocarbon and high energy utility systems.

Attachment 1: Inherently Safer Systems Implemented in 2022 (for 2023 ISO Annual Report)

Count	ISS Category/ Approach	Description
1	Procedural	Developed a new operational procedure for placing P-2030 into service and adding a critical step to ensure the suction and discharge block valves are open prior to starting up the pump. This will mitigate the seal failure scenario due to pump deadhead from a blocked discharge of P2030. Procedure ID is CUVF-1180. (CU/VF)
2	Active	Designated the check valves on the wash water makeup to the Desalters #3/4 as "Class I (Critical) Check Valves". (CU/VF)
3	Procedural	Critical pressure alarm added on 21PI477 at 150psig. This will be used as an indicator for pump dead head if LV-284B malfunctions closed with on full unit circulation. (DSU)
4	Procedural	Bring existing alert (45UA846) on P-13478/79 Seal pot high level to an in-house alarm with appropriate operator response in ACM to address pump deadhead. (DCU)
5	Procedural	Bring existing alert (45UA844) on P-13476/77 Seal pot to an in-house alarm with appropriate operator response in ACM to address pump deadhead. (DCU)
6	Procedural	Created a procedure (VGT-2001) to provide instructions for taking the caustic column off-line. (VGT)
7	Procedural	Updated the Operator action in ACM for PT1002 to address C-14490/14491 overpressure due to PV-106 failing closed. (VGT)
8	Procedural	Car sealed open the P-5274/5275 minimum flow bypass valve to prevent pump deadhead scenario. (DIMERSOL)
9	Procedural	Created an alarm for 16FC172 to address pump deadhead due to XV-152A/X or XV-904 failing closed. (DIMERSOL)
10	Procedural	Created an alarm for 16L143 to address pump deadhead due to LC-144 loop failure. (DIMERSOL)
11	Active	Designated the P-5286 discharge check valve a Class I check valve to prevent sump overfill due to reverse flow scenario. (DIMERSOL)
12	Procedural	Created an alarm for 16L1011 to address overfilling the sump while draining spent caustic from V-1141. (DIMERSOL)
13	Procedural	Updated the Operator action for alarm on 16LI109 to address pump deadhead due to HV1030 failing closed (when bypassing DSHT). (DIMERSOL)
14	Procedural	Updated the Operator action for alarm on 16LC479 to address pump deadhead due to FV476 failing closed. (DIMERSOL)

Annual Performance Review and Evaluation Submittal

June 30, 2023

*Attach additional pages as necessary

1. Name and address of Stationary Source: Air Products PBF/MRC Martinez Refinery, 110 Waterfront Road, Martinez, CA 94553
2. Contact name and telephone number (should CCHMP have questions): Joe Cremona, 925-270-9691
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 was submitted to CCHS in October 2020. CCHS audited the site in Q4 2020 and the audit was finalized in 2022.
4. Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)): The October 2020 Safety Plan submission included routine updates to sections describing Process Safety Programs and changes required from previous audit items. There were no MCARS so no additions to that section in the Safety Plan.
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)): CCHHMP 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 incidents (MCARs) in the last 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)): No Root Cause Analysis were required in the last calendar year and there are no outstanding action items from previous root cause investigations.
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)): Recommendations from the 3 year CCCHS audit have been finalized with the county. 12 of the 16 ensure items have been completed and site operations are progressing through the remainder of the ensures and considers.
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 none for 2022

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 six facilities subject to the Industrial Safety Ordinance were $701,192. The total Industrial Safety Ordinance program fees for these six facilities were - $632,852. (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)): 3210 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 were received

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 (PHA) was conducted in February 2020. 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 empoloyees and the communities in which we operate. The site conducted its Safety Culture assessment in August and September 2019.

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: None in 2022

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 none

18. Date the last Safety Culture Assessment was completed: August 2019

19. Date the results of the Safety Culture Assessment were reported to the workforce and management: 9/16-18, 2019

20. Answer the following regarding the Safety Culture Evaluation Previous to the one listed in 18:
    - Survey method: Electronic Anonymous survey
    - Areas of improvements being addressed: Actions focus on improving Accident Prevention Techniques (APTs), safety suggestions and near miss reporting. BSPs (Monthly Safety Meetings) used as the forum for communication.
    - Action Plan made Progress on the identified areas of improvement?: (Yes or 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 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? N/A Program 4 only
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 next survey will show whether the actions were effective or not.
23. Date of the mid-cycle progress evaluation: N/A Program 4 only
    - 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 Program 4 only
25. Common Process Safety Performance Indicators:

a. Overdue inspection for piping and pressure vessels based on total number of circuits:

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

Total number of circuits: 919 circuits were inspected in 2023
Total number of annual planned circuit inspection: 54 circuits will be inspected in 2024

b. Past due PHA recommended actions, includes seismic and LCC recommended actions

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue		0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

c. Past due Investigation recommended actions for API/ACC Tier1 and Tier 2 incidents.

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

d. API/ACC Tier 1 and Tier 2 Incidents and rates starting 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
No. Tier 1 LOPC	0	0	0	0	0	0	0	0	0	0	0	0
Incident rate for Tier 1	0	0	0	0	0	0	0	0	0	0	0	0
Refinery or Industry Rate[1]	.155	.099	.094	.092	.103	.062	.070	.053	.067			
Refinery or Industry Mean [2]												
Tier 2 LOPC	0	0	0	0	0	0	0	0	0	0	0	0
Incident rate for Tier 2	0	0	0	0	0	0	0	0	0	0	0	0
Refinery Rate [1]	.24	.253	.238	.206	.172	.179	.172	.170				
Refinery Mean [2]												

[1]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

[2]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 2022: N/A

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:

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Total*													
Overdue													
Repeat													

*the total number of temporary piping and equipment repairs installed on hydrocarbon and high energy utility systems.

Annual Performance Review and Evaluation Submittal

June 30, 2023

*Attach additional pages as necessary

1. Name and address of Stationary Source:
   Phillips 66 Rodeo Refinery, 1380 San Pablo Ave., Rodeo Ca. 94572
2. Contact name and telephone number (should CCHMP have questions):
   (Not for Publication) Morgan Walker, PSM Director (510) 245-4665
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 2022. The Phillips 66 Refinery was audited by the county's Hazardous Materials Program in October 2022.
4. Summarize Safety Plan updates (i.e., brief explanation of update and corresponding date) (450-8.030(B)(2)(ii)):
   The Safety Plan was updated August 2022
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)): CCHHMP 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 January 1, 2022 to December 31, 2022 reporting 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 this reporting 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)): Facility received the Prlimiany Determination Audit Report on May 26, 2023 and is developing responses to identified recommendations.
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 a listing of Inherently Safer Systems Improvements that were implemented.
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 six facilities subject to the Industrial Safety Ordinance were $701,192. The total Industrial Safety Ordinance program fees for these six facilities were - $632,852. (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)):
3210 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 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 this reporting time period.

18. Date the last Safety Culture Assessment was completed:
Administered December 2021

19. Date the results of the Safety Culture Assessment were reported to the workforce and management:
December 2022

20. Answer the following regarding the Safety Culture Evaluation Previous to the one listed in 18:
    - Survey method: Written survey
    - Areas of improvements being addressed: Yes.
    - Action Plan made Progress on the identified areas of improvement? (**Yes** or 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? Yes. Progress was reviewed during Interim review conducted in November, 2019

- 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 to determine implementation

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:
    A midcycle team review will be completed to evaluate the effects of the actions on the safety culture. The evaluation team include management and union representatives.

23. Date of the mid-cycle progress evaluation: December 2024

24. 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**)

    Evaluation of action items will be reviewed during the interim review in December 2024

25. 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:
    Mid-cycle review will be completed in December 2024

26. Common Process Safety Performance Indicators:

    a. Overdue inspection for piping and pressure vessels based on total number of circuits:

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

    Total number of circuits: 31,440
    Total number of annual planned circuit inspection: 2,260

    b. Past due PHA recommended actions, includes seismic and LCC recommended actions

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

    c. Past due Investigation recommended actions for API/ACC Tier1 and Tier 2 incidents.

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

d. API/ACC Tier 1 and Tier 2 Incidents and rates starting 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
No. Tier 1 LOPC	2	3	0	0	2	0	0	0	0	0	0	0
Incident rate for Tier 1	0.17	0.29	0.00	0.00	0.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Refinery or Industry Rate[1]	0.15	0.09	0.09	0.09	0.10	0.06	0.07	0.06	0.06	0.06	0.08	0.07
Refinery or Industry Mean [2]	*	1.49	1.30	1.38	.155	1.01	1.13	0.92	1.03	0.84	1.00	1.12
Tier 2 LOPC	5	3	0	1	2	2	2	0	2	2	1	2
Incident rate for Tier 2	0.43	0.29	0.00	0.10	0.21	0.17	0.18	0.17	0.16	0.13	0.10	0.20
Refinery Rate [1]	*	0.24	0.25	0.23	0.20	0.17	0.18	0.17	0.16	0.13	0.18	0.17
Refinery Mean [2]	*	*	*	*	3.08	2.78	2.73	2.79	2.67	1.80	2.28	2.60

[1]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

[2]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

27. Process Safety Performance Indicators for refineries only:

I. Number of Major Incidents in 2022: 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:

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Total*	55	59	59	59	60	62	62	63	64	66	65	64	64
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

*the total number of temporary piping and equipment repairs installed on hydrocarbon and high energy utility systems.

ATTACHMENT 1

January 2022 – December 2022 ISS Improvements

Reference	ISS Category	ISS Approach	MOC Description
ME2022150-001	Active	Moderate	Addition of block valve downstream of G-503 bleed valve
ME2022222-001	Passive	Simplify	Upgrade from spiral wound gaskets to corrukamm gaskets on the 200-HV-2314B Coke Drum 3 overhead vapor valve.
ME2022150-001	Active	Substitute	Add additional block valve on G503 discharge bleed valve to prevent leakage
M2022980-001	Active	Simplify	Installation of new wireless tank inlet temperature transmitters at TK-168 & TK-170
M2022833-002	Active	Simplify	TK-281 Replace OOS VAREC float with Radar wired to Tank Gauging System.
M20223994-001	Active	Simplify	Update the High level SOL, the Maximum Working level and the independent high level alarms for tank 296 based on new offloading rate.
M20223254-001	Procedural	Simplify	Make various updates to the MP-30 and U-228 ROL tables and alarms based on findings from the 2022 internal Audit completed by the PCA Group
M20222566-001	Active	Simplify	Add the new U-267 heaters NOx predictive calculation tag to the U-267 EOL Table. The new high NOx alarm will be implemented on the DCS as well as in Topview to provide email notifications to refinery personnel.
M20222475-001	Passive	Substitute	E-309B Bundle Tube Thickness Upgrade
M2022867-001	Passive	Substitute	Upgrade gasket on control valve PV-607, to a CMG
M2022668-001	Passive	Simplify	Upgrade fire hydrant 79 at U-110 to a Hydrant Under Monitor (HUM)



CONTRA COSTA HEALTH

ATTACHMENT C
HAZARDOUS MATERIALS
RICHMOND REGULATED SOURCES
ANNUAL PERFORMANCE
July 1, 2022 – June 30, 2023

Annual Performance Review and Evaluation Submittal

June 30, 2023

*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): Maggie Botka, 510-242-3361

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, 2021. 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 2021. The next revision will be shared in 3Q2024.

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, 2022, and June 1, 2023.

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, 2022, and June 1, 2023.

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)): All action items from prior report periods have been completed. The following is the status of recommendations as of June 30th, 2022: The 2022 Cal ARP/ISO audit closing meeting was held on June 2nd, 2022. There were 44 ensure and consider recommendations, from which 43 total action items were created, and 23 of those action items are complete. The ensure and consider items for the 2022 audit were finalized on January 17th, 2023.

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 six facilities subject to the Industrial Safety Ordinance were $701,192. The total Industrial Safety Ordinance program fees for these six facilities were - $632,852. (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)): 3210 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 RCA's) 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 in these categories between June 2022 to June 2023.
        - Continued rolling out the V&V tool to assess opportunities for learning around high risk activities.
        - Enhanced the start of shift agenda to focus on discussing high risk activities and the identification of safeguards between maintenance and operations.
        - 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.
        - Implemented asset strategies for applicable instruments and equipment from PHA-SPA checklists.
        - Continued implementation and assessment of overfill protection and backflow prevention systems during PHA-SPAs. Scope includes SIS upgrades and furnace upgrades.
        - Continued to optimize asset strategies based on inspection findings.

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, 2022, and June 1, 2023.

18. Date the last Safety Culture Assessment was completed: Data collected October 2020 and reported to the workforce on July 2021.

19. Date the results of the Safety Culture Assessment were reported to the workforce and management: July 2021.

20. Answer the following regarding the Safety Culture Evaluation Previous to the one listed in 18:

- Survey method: Online survey
- Areas of improvements being addressed: Training, resource planning, staffing / succession 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, action plan and metrics developed. In the process of being monitored.
  - 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 and metrics are tracked in Chevron systems of record.

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: 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: Not required until the second half of 2023 from the RI-333. The PSCA team (with Union Representatives) shall conduct a written Interim Assessment of the implementation and effectiveness of each PSCA corrective action within three (3) years following the completion of a PSCA report. If a corrective action is found to be ineffective, the employer shall implement changes necessary to ensure effectiveness in a timely manner not to exceed six (6) months.
    - 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) 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:

a. Overdue inspection for piping and pressure vessels based on total number of circuits:

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

Total number of circuits: 6,530*
Total number of annual planned circuit inspection: 2,840*

*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.

b. Past due PHA recommended actions, includes seismic and LCC recommended actions.

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

c. Past due Investigation recommended actions for API/ACC Tier1 and Tier 2 incidents.

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Overdue	0	0	0	1	0	0	0	0	3	0	0	0	0
Repeat	0	0	0	0	1	1	1	1	0	3	0	0	0

d. API/ACC Tier 1 and Tier 2 Incidents and rates starting 2011

Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
No. Tier 1 LOPC	4	3	0	1	2	1	1	1	0	0	1
Incident rate for Tier 1	0.14	0.11	0.00	0.02	0.05	0.02	0.02	0.01	0.00	0.00	0.04
Refinery or Industry Rate[1]	0.1553	0.0995	0.0947	0.0925	0.1038	0.0627	0.0761	0.0570	0.0608	0.0612	0.0768
Refinery or Industry Mean [2]	**	1.49	1.30	1.38	1.55	1.01	1.13	0.92	1.03	0.84	1.00
Tier 2 LOPC	5	8	6	3	1	3	5	4	0	1	2
Incident rate for Tier 2	0.18	0.29	0.19	0.07	0.02	0.07	0.10	0.06	0.00	0.031	0.079
Refinery Rate [1]	**	0.2405	0.2531	0.2380	0.2063	0.1726	0.1843	0.1728	0.1574	0.1311	0.1768
Refinery Mean [2]	**	**	**	**	3.08	2.78	2.73	2.79	2.67	1.80	2.30

Year	2022
No. Tier 1 LOPC	0
Incident rate for Tier 1	-
Refinery or Industry Rate[1]	0.0682
Refinery or Industry Mean [2]	0.97
Tier 2 LOPC	2
Incident rate for Tier 2	0.063
Refinery Rate [1]	0.1728
Refinery Mean [2]	2.45

[1]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

[2]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 2022: 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:

Month	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Total*	54	54	51	52	53	53	43	32	33	34	34	34	34
Overdue	0	0	0	0	0	0	0	0	0	0	0	0	0
Repeat	0	0	0	0	0	0	0	0	0	0	0	0	0

*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 – for all but procedural & active**	**Description**
Procedural	-	Updated inspection strategy to monitor dead leg corrosion on sour gas piping at a fuel gas mixing drum.
Procedural	-	Updated sulfiding procedures to include using a different fluid that is heavier and less volatile.
Active	-	Removed an automatic pump start system where there was a redundant safety system to reduce the potential to damage both pumps on low flow.
Passive	Simplify	Updated valve to the correct trim to increase flow to help sustain level in a knockout drum.
Passive	Moderate	Implemented multiple centrifugal pump seal upgrades to reduce loss of containment resulting from seal failures.
Inherent	Eliminate & Moderate	Upgrade centrifugal pump to dual seals to eliminate loss of containment resulting from seal failure.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1948 **Agenda Date:** 6/25/2024 **Agenda #:** C.163.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: Adjust the hours of various vacant, unfunded positions, and cancel one Medical Social Worker II vacant, unfunded position in the Health Services Department.

☐Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Position Adjustment Resolution No. 26285 to increase and decrease the hours of various vacant unfunded positions, and cancel one vacant unfunded Medical Social Worker II pos. 20438 in the Health Services Department.

FISCAL IMPACT:
All positions are budgeted within the Department for FY 2024-25 and are funded by 100% County General Fund.

BACKGROUND:

On May 21, 2024 under item D.4, which adopted the Fiscal Year 2024-25 Recommended Budget, the Health Services Department added various positions as part of Resolution 2024-182, which were to be established effective July 1, 2024.

Following this action, the Department identified that the position hours necessary to accomplish the necessary program activities did not align with those provided for the modification resolution. The corrections listed in Attachment A are being requested to align the vacant, newly-established, unfunded positions appropriately prior to initial recruitment.

Approval of this action will allow the Department to appropriately recruit and fill the positions in FY 2024-25.

CONSEQUENCE OF NEGATIVE ACTION:

If not approved, the positions to be effective July 1, 2024 will not align with program needs.

POSITION ADJUSTMENT REQUEST

NO. 26285
DATE 6/18/2024

Department Health Services
Department No./ Budget Unit No. 0301 Org No. 5711 Agency No. A18

Action Requested: Increase and decrease the hours of various positions, and cancel one vacant Medical Social Worker II position as noted in Attachment A (Represented)

Proposed Effective Date: 6/26/2024

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	$0.00	Net County Cost	$0.00
Total this FY	$0.00	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT 100% County General Fund-- cost neutral

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

M.KAUFMANN

Sarah Kennard for — Deputy County Administrator

6/18/2024 — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS
Exempt from Human Resources review under delegated authority

DATE _____

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.
☐ _____(Date)

(for) Director of Human Resources — Date

COUNTY ADMINISTRATOR RECOMMENDATION:
☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

DATE _____

(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:

P300 (M347) Rev 3/15/01

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

ATTACHMENT A

ADOPT Position Adjustment Resolution 26285 to:

Increase the hours of the following positions:

Position Number	Job Code	Classification	Current FTE	Current Hrs.	New Hrs.
20401	VPT6	Primary Care Provider-LMTD-EX	0.9	36	40
20415	VWXG	Registered Nurse	0.5	20	32
20416	VWXG	Registered Nurse	0.5	20	32
20417	VWXG	Registered Nurse	0.5	20	32
20418	VWXG	Registered Nurse	0.5	20	40
20419	VWXG	Registered Nurse	0.5	20	40
20420	VWXG	Registered Nurse	0.5	20	40
20428	VT7G	Licensed Vocational Nurse	0.5	20	32
20429	VT7G	Licensed Vocational Nurse	0.5	20	40
20430	VT7G	Licensed Vocational Nurse	0.5	20	40
20433	1KVD	Institutional Services Worker-Generalist	0.7	28	40
20437	X4VH	Medical Social Worker II	0.5	20	40
20439	VJVA	Laboratory Technician II	0.7	28	32

Decrease the hours of the following positions:

Position Number	Job Code	Classification	Current FTE	Current Hrs.	New Hrs.
20402	VPT6	Primary Care Provider-LMTD-EX	0.9	36	32
20403	VWXG	Registered Nurse	1	40	32
20404	VWXG	Registered Nurse	1	40	32
20405	VWXG	Registered Nurse	1	40	32
20406	VWXG	Registered Nurse	1	40	32
20407	VWXG	Registered Nurse	1	40	32
20408	VWXG	Registered Nurse	1	40	32
20409	VWXG	Registered Nurse	1	40	32
20410	VWXG	Registered Nurse	1	40	32
20411	VWXG	Registered Nurse	1	40	32
20412	VWXG	Registered Nurse	1	40	32
20413	VWXG	Registered Nurse	1	40	32
20414	VWXG	Registered Nurse	1	40	32
20421	VT7G	Licensed Vocational Nurse	1	40	32
20422	VT7G	Licensed Vocational Nurse	1	40	32

20423	VT7G	Licensed Vocational Nurse	1	40	32
20424	VT7G	Licensed Vocational Nurse	1	40	32
20425	VT7G	Licensed Vocational Nurse	1	40	32
20426	VT7G	Licensed Vocational Nurse	1	40	32
20427	VT7G	Licensed Vocational Nurse	1	40	32
20434	1KVD	Institutional Services Worker-Generalist	0.7	28	20
20440	VJVA	Laboratory Technician II	0.7	28	24

And Cancel the following position

Position	Job Code	Classification
20438	X4VH	Medical Social Worker II

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1937 **Agenda Date:** 6/25/2024 **Agenda #:** C.164.

To: Board of Supervisors

From: Marla Stuart, Employment and Human Services Director

Report Title: Appoint Valarie Chatman to the Contra Costa County In-Home Supportive Services Public Authority Executive Director Position

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPOINT Valarie Chatman to the Contra Costa County In-Home Supportive Services Public Authority (IHSS-PA) Executive Director position at Salary Plan and Grade 812 1841 ($114,355.591- $132,617.424), Step 4 ($123,148.437), effective July 1, 2024 as recommended by the Employment and Human Services Department.

FISCAL IMPACT:
$123,148.44 will be fully funded by Federal 28%, State 28% and Social Services Realignment 43%. Adequate appropriation and revenue have been included in the In-Home Supportive Services Public Authority (IHSS PA) in our approved Budget for FY2024-25.

BACKGROUND:
The Board of Supervisors (Board) adopted Ordinance 98-14 on March 17, 1998 that established a Public Authority to provide for the delivery of in-home supportive services. The Contra Costa County In-Home Support Services Public Authority Ordinance, Article 55-2.602 dictates that the Board shall appoint the IHSS Public Authority Executive Director.

The IHSS-PA Executive Director provides overall policy and program direction in cooperation with the Public Authority Advisory Committee and is responsible for management and administration of the IHSS PA. The IHSS PA recruits, registers and trains IHSS providers. IHSS providers assist low-income elderly, blind and disabled individuals to remain safely in their own homes by providing assistance with activities of daily living, including preparing meals, shopping, bathing and other in-home services.

Ms. Chapman was selected as a result of a competitive recruitment process. Interviews were held on May 10, 2024 and Ms. Valerie Chatman was offered and accepted the position contingent on approval by the Board of Supervisors. Ms. Chatman has a bachelor's degree in Human Development from University of California, Davis and has been employed with Contra Costa County, EHSD, since 1994. Ms. Chatman has held many leadership positions and most recently has been employed as Social Services appeals officer.

CONSEQUENCE OF NEGATIVE ACTION:
Should the proposed action not be approved by the Board of Supervisors, the Public Authority will not have a leader to oversee programs and the delivery of services.

CHILDREN'S IMPACT STATEMENT:
This contract supports Contra Costa County's community outcomes of the Children's Report Card that Families that are Safe, Stable and Nurturing.

Valerie Chatman

Social Service Appeals/Hearings Officer
Pittsburg, CA

Seeking to leverage my analytical and communication skills and abilities along with my professional expertise.

Willing to relocate to: Orange County, CA - Los Angeles, CA
Authorized to work in the US for any employer

Work Experience

Social Service Appeals Officer

County of Contra Costa - Pleasant Hill, CA
March 2011 to Present

I review and investigate complex applicant, recipient and third party initiated appeals and complaints involving categorical aid and services programs, examining the county record and evaluating the strength of the evidence to determine whether it is sufficient for the county to prevail in an administrative hearing, and ensuring public assistance applicants and recipients receive due process. I represent the Contra Costa County Employment and Human Services Department (Social Services) on appeal matters at state administrative hearings and on complaint matters, conduct evidentiary and grievance hearings and write formal decisions. I conduct investigations of civil rights complaints and perform related work as required.

Eligibility Work Supervisor I--On-the-Job-Training Unit (OJT)

County of Contra Costa - Antioch, CA
June 2000 to March 2011

I provided direct supervision to and oversaw the continued learning of entry level Eligibility Workers following their classroom training. I planned, assigned, reviewed and analyzed the work of an eligibility unit engaged in determining eligibility of applicants and recipients for public assistance programs and related aids or services. I made case decisions in accordance with defined rules and regulations set forth by the State and Federal governments on the eligibility or continued eligibility of applicants and provided feedback and evaluations to line staff, analysts and management. I collaborated with and received direction from Departmental Human Resources regarding personnel related work as required while adhering to policies and procedures.

Eligibility Work Supervisor I--Back-Up

County of Contra Costa - Martinez, CA
March 2005 to November 2005

I provided supervision and guidance, planned, assigned, reviewed and analyzed the work of eligibility units engaged in determining eligibility of applicants and recipients for public assistance programs and related aids or services. I made case decisions in accordance with defined rules and regulations set forth by State and Federal governments on the eligibility or continued eligibility of applicants and provided feedback and evaluations to line staff, analysts and management. I collaborated with and received direction from Departmental Human Resources regarding personnel related work as required while adhering to policies and procedures. I provided assistance to the Division Manager by ensuring orders issued to line staff from Administrative Law Judges via hearing decisions and from County Appeals

Officers were completed timely, creating and implementing a case assignment system, organizing and monitoring overtime assignments, and preparing cases for transition from paper files to electronic case files.

Eligibility Work Supervisor I--Eligibility Worker Training Unit

County of Contra Costa - Concord, CA
December 2003 to March 2005

Supervised up to 20 entry level workers and 4 lead workers. I established and worked timelines for hiring Eligibility Workers. I worked directly with Departmental Human Resources to hire staff and regarding personnel related work as required while adhering to policies and procedures. I wrote and delivered progress reports and evaluations. I provided information to the Division Manager regarding retention and dismissal of workers. I collaborated with Staff Development Specialists to establish training calendars, and planned, assigned, reviewed, and analyzed the work of staff.

Education

None in Physics

Los Medanos Community College - Pittsburg, CA
August 1989 to May 1990

BS in Human Development

University of California-Davis - Davis, CA
September 1984 to June 1989

Skills

- Punctual, analytical, organized, able to interpret Federal and State regulations, good verbal and written communication skills, work well independently, able to adapt to changing circumstances, Microsoft Office
- Social Service
- Case Management
- Analysis Skills

Certifications and Licenses

BASSC - Bay Area Social Service Consortium - Certificate of Completion

May 2004 to Present

Executive development for the human services training program. BASSC is an agency-university-foundation partnership founded in 1987 that promotes social service research, training, and policy development to strengthen public sector social services in the San Francisco Bay Area. The program is offered through the University of California at Berkeley.

Groups

Alpha Kappa Alpha Sorority, Incorporated

March 1987 to Present

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1938 **Agenda Date:** 6/25/2024 **Agenda #:** C.165.

To: Board of Supervisors

From: Candace Andersen, District II Supervisor

Report Title: ADOPT POSITION ADJUSTMENT RESOLUTION NO. 26283 IMPLEMENTING REORGANIZATION OF SUPERVISORIAL DISTRICT II STAFFING

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

ADOPT Position Adjustment Resolution No. 26283 to effectuate the following:

1. ADD one (1) vacant, full-time Board of Supervisors Assistant - General Secretary (J993) position effective July 1, 2024
2. CANCEL one (1) vacant, full-time Board of Supervisors Assistant - Chief Assistant (J995) (position # 2482) effective August 1, 2024

FISCAL IMPACT:

Cost savings of approximately $41,480 annually, including $6,259 annually from the employer share of pension costs. This is primarily related to replacing the scheduled vacant Board of Supervisors Assistant - Specialist position with a Board of Supervisors Assistant - General Secretary position effective July 1, 2024.

BACKGROUND:

Supervisorial District II Chief of Staff Gayle Israel has announced her retirement from County service effective July 31, 2024. To ensure continuity of service to the residents and staff within District II, current District II staff member Jennifer Quallick has been selected to succeed Ms. Israel effective July 1, 2024 to allow for a 30 day transition period. This action will be completed administratively via a deep class reassignment of Ms. Quallick.

Today's board action adds one (1) Board of Supervisors Assistant - General Secretary position effective on July 1, 2024 to allow the District office to hire during the month of July and subsequently cancels the Board of Supervisors Assistant - Chief Assistant position held by Ms. Israel effective August 1, 2024 following her scheduled retirement.

CONSEQUENCE OF NEGATIVE ACTION:

The Board of Supervisors Assistant - General Secretary position will not be created delaying the hiring of staff following the promotion of Ms. Quallick and the Board of Supervisors - Chief Assistant position vacated by

Ms. Israel will not be canceled upon her retirement from County services.

POSITION ADJUSTMENT REQUEST

NO. 26283
DATE 6/3/24

Department No./
Department Board of Supervisors - District II Budget Unit No. 0001 Org No. 1102 Agency No. 01

Action Requested: Add one (1) Board of Supervisors Assistant-General Secretary (J993) position effective July 1, 2024 and cancel one (1) vacant Board of Supervisors-Chief Assistant (J995) position (position # 2482) effective August 1, 2024.

Proposed Effective Date: Various

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 ($41,480.33) Net County Cost ($41,480.33)

Total this FY ($41,480.33) N.C.C. this FY ($41,480.33)

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Cost Savings

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Timothy M. Ewell for District II
_____
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Timothy M. Ewell 6/3/2024

Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 6/18/2024

Add one (1) full-time (40/40) Board of Supervisors Assistant-General Secretary (J993) (unrepresented) position at salary plan and grade B85 1406 ($6,012.84-$8,057.78) effective July 1, 2024, and cancel one (1) full-time (40/40) Board of Supervisors-Chief Assistant (J995) (unrepresented) vacant position number 2482 at salary plan and grade B85 1800 ($8,881.85-$9,792.24) effective August 1, 2024 in the Board of Supervisors-District II Office.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.
☒ _____(Date)

Melissa Moglie 6/18/2024

(for) Director of Human Resources Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE _____

☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

_____
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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:

P300 (M347) Rev 3/15/01

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

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1939 **Agenda Date:** 6/25/2024 **Agenda #:** C.166.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Delete one Management Analyst and Appoint EE#89698 to Senior Management Analyst - Exempt in the Office of the County Administrator

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Position Adjustment Resolution No. 26821 to cancel one (1) Management Analyst (ADVB) (unrepresented) position (#3819), add one (1) position and appoint its incumbent Employee ID 89698 to the Senior Management Analyst - Exempt (ADT3) (unrepresented) position and abolish the Management Analyst (ADVB) (unrepresented) classification in the Office of the County Administrator.

FISCAL IMPACT:
The annual cost of this action is approximately $5,981 including $901 in pension costs.

BACKGROUND:
The incumbent is assigned to the Health and Human Services division of the County Administrator's Office with over three years of experience. The employee has assumed progressively responsible, professional experience qualifying them for the Senior Management Analyst position. Based on the duties and responsibilities assigned to the employee as well as the years of service, it is appropriate to appoint the employee to Senior Management Analyst.

CONSEQUENCE OF NEGATIVE ACTION:
If not approved, the employee will be performing higher level duties without appropriate classification and compensation. Additionally, it will make it difficult to retain qualified employees.

POSITION ADJUSTMENT REQUEST

NO. 26821
DATE 5/31/2024

Department No./
Department County Administrator Budget Unit No. 0003 Org No. 1200 Agency No. 03

Action Requested: Cancel one (1) Management Analyst (ADVB) (unrepresented) position (#3819), appoint its incumbent to the Senior Management Analyst - Exempt (ADT3) (unrepresented) position and abolish the Management Analyst (ADVB) (unrepresented) classification.

Proposed Effective Date: 7/1/2024

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	$5,981.00	Net County Cost	$5,981.00
Total this FY	$5,981.00	N.C.C. this FY	$5,981.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT General Fund

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Danielle Fokkema
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Monica Nino, County Administrator
Deputy County Administrator — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 6/4/2024
Cancel one (1) Management Analyst (ADVB) (unrepresented) position (#3819), add one (1) position and appoint its incumbent Employee ID 89698 to the Senior Management Analyst - Exempt (ADT3) (unrepresented) position and abolish the Management Analyst (ADVB) (unrepresented) classification in the Office of the County Administrator.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.
Effective: ☐ Day following Board Action.
☒ 7/1/2024(Date)

Amanda Monson — 6/4/2024
(for) Director of Human Resources — Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE _____
☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

Monica Nino, County Administrator
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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

DATE _____ BY _____

APPROVAL OF THIS ADJUSTMENT CONSTITUTES A PERSONNEL / SALARY RESOLUTION AMENDMENT

POSITION ADJUSTMENT ACTION TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT FOLLOWING BOARD ACTION
Adjust class(es) / position(s) as follows:

P300 (M347) Rev 3/15/01

REQUEST FOR PROJECT POSITIONS

Department _____ Date 6/4/2024 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

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1940 **Agenda Date:** 6/25/2024 **Agenda #:** C.167.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: Cancel one permanent-intermittent Library Assistant-Journey Level position and Add one 20/40 Library Assistant-Journey Level position

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Position Adjustment Resolution No. 26284 to cancel one (1) vacant permanent intermittent Library Assistant-Journey Level (3KVB) (represented) position # 6107; and add one (1) permanent part-time (20/40) Library Assistant-Journey Level (3KVB) (represented) position at the Orinda Library branch in the Library Department.

FISCAL IMPACT:
Upon approval, this action will result in annual savings to the Library Fund of approximately $20,452. No fiscal impact to the County general fund.

BACKGROUND:
On March 8, 2024, the incumbent of a permanent-intermittent Library Assistant-Journey Level position retired. As part of the Library's ongoing evaluation of its allocation of resources, the Library determined that a half-time Library Assistant-Journey Level position at the Orinda Library would better serve the needs of the Library system.

The Orinda branch has been having high circulation and patron attendance. The addition of a half-time Library Assistant-Journey Level position will help continue the branch's efficient service model by allowing the allocation of more staff to programming or other branch resources.

CONSEQUENCE OF NEGATIVE ACTION:
If this position change is not approved, the Orinda branch may have difficulties providing services to the public.

POSITION ADJUSTMENT REQUEST

NO. 26284
DATE 6/6/2024

Department Library
Department No./
Budget Unit No. 0621 Org No. 3773 Agency No. 85

Action Requested: Cancel permanent-intermittent Library Assistant-Journey Level (3KVB) position 6107 and add one 20/40 Library Assistant-Journey Level (3KVB) position

Proposed Effective Date: 7/1/2024

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	($20,452.00)	Net County Cost	$0.00
Total this FY	($20,452.00)	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Library Fund

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/ Julie Enea — 6/11/2024
Deputy County Administrator — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 6/12/2024
Cancel one (1) vacant permanent intermittent Library Assistant-Journey Level (3KVB) (represented) position # 6107; and add one (1) permanent part-time (20/40) Library Assistant-Journey Level (3KVB) (represented) position at the Orinda Library branch in the Library Department.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.
Effective: ☐ Day following Board Action.
☒ 7/1/2024(Date)

Amanda Monson — 6/12/2024
(for) Director of Human Resources — Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 6/18/2024
☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

/s/ Julie 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:

P300 (M347) Rev 3/15/01

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

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1941 **Agenda Date:** 6/25/2024 **Agenda #:** C.168.

RECOMMENDATIONS:
ADOPT Position Adjustment Resolution No. 26286 to reallocate the salary of Director, Department of Conservation and Development - Exempt (4AA1) at Salary Plan and Grade BD5 2348 from $15,280.90 - $18,574.03 to $16,125.48 - $19,600.62, as recommended by the Human Resources Department.

FISCAL IMPACT:
Upon approval, this action will result in an annual cost to the Land Development Fund of approximately $8,000.00. This action will result in no fiscal impact to the County General fund.

BACKGROUND:
Human Resources completed a salary study in September 2023 which included county department head's job classes. The study results demonstrated that a majority of the Director level salaries are placed well within the market, with the exception of the Director, Department of Conservation and Development, currently at -13.03% below median. The study found a strong data match in all 8 comparator counties however highlighted that the salary for this position within Contra Costa County was the lowest in the comparator group.

Based on the information collected in the study, the current Director, Department of Conservation and Development has a maximum salary of $18,574.03 while the median maximum salary of the comparator counties is $21,356.00. Human Resources recommends a revised maximum salary of $19,600.62 to remain competitive in the job market.

CONSEQUENCE OF NEGATIVE ACTION:
If this salary reallocation is not approved, this classification will continue to be compensated at a rate significantly lower than market causing potential retention and recruitment challenges.

POSITION ADJUSTMENT REQUEST

NO. 26286
DATE 06/03/2024

Department No./
Department Conservation and Development Budget Unit No. 0280 Org No. 2601 Agency No. 38

Action Requested: Reallocate Salary of Director, Department of Conservation and Development (4AA1)

Proposed Effective Date: 6/30/2024

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 _____ Net County Cost $0.00

Total this FY $8,000.00 N.C.C. this FY $0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT Land Development Fund

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

_____
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Julie Enea 6/3/2024

_____ _____
Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 6/3/2024

Reallocate the salary of Director, Department of Conservation and Development (4AA1) (unrepresented) at salary plan and grade BD5 2348 from $15,280.90 - $18,574.03 to $16,125.48 - $19,600.62, in the Department of Conservation and Development.

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☐ Day following Board Action.
☒ 6/30/2024(Date)

Nicole Bilich 6/3/2024

_____ _____
(for) Director of Human Resources Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 6/3/2024

☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

/s/ Julie 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:

P300 (M347) Rev 3/15/01

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

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1946 **Agenda Date:** 6/25/2024 **Agenda #:** C.169.

To: Board of Supervisors

From: Ann Elliott, Human Resources Director

Report Title: Approve Reclassification of Seven (7) Incumbered and One (1) Vacant Administrative Services Officer positions to Chief of Administrative Services I - Exempt

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE Position Adjustment Resolution No. 26289 to reclassify seven (7) incumbent Administrative Services Officer (APDB) (unrepresented) positions at salary plan and grade B82 1692 ($8,222.51 - $11,618.19) and its incumbents to Chief of Administrative Services I - Exempt (APD6) at salary plan and grade B85 1017 ($10,073 - $12,243.80), and reallocate one (1) Administrative Services Officer at salary plan and grade B82 1692 ($8,222.51 - $11,618.19) to Chief of Administrative Services I - Exempt (APD6) at salary plan and grade B85 1017 ($10,073 - $12,243.80).

FISCAL IMPACT:
The net fiscal impact is approximately $9,943 for Fiscal Year 2024/25. The affected positions are within multiple County departments, each of which will absorb the additional costs within its budget.

BACKGROUND:

Starting in 2023, Human Resources and the County Administrator initiated a countywide effort to reduce and consolidate job classifications. A study of the various Administrative Services Officer (ASO) and various departmental Chief Administrator roles was conducted, and the findings demonstrated many similarities in scope of work, skill and required experience across the departments. The results of the study yielded the creation of the new Chief of Administrative Services I - Exempt job class and retitle of the Chief of Administrative Services - Exempt to Chief of Administrative Services II - Exempt.

Incumbents in the Administrative Services Officer (ASO) job class will be reclassified into the Chief of Administrative Services I - Exempt classification. The revised job description was developed to encompass the work of employees currently residing within the ASO role.

Benefits of the reclassification include a revised pay range that incorporates a higher top step of $146,925.48 annually. Reclassified employees will be transitioned to the step in the new salary range closest to their current rate of pay and will be eligible for a merit step review at their next regularly scheduled anniversary date. This change will not affect the merit review date or an employee's job class seniority date. Both will reflect the date of their appointment into the ASO job class.

CONSEQUENCE OF NEGATIVE ACTION:
If not approved, positions throughout the County will continue to be misaligned and not reflective of the current scope of work for employees within the role.

Salary Placement for Incumbent ASOs Reclassified to Chief of Administrative Servies I - Exempt

ID #	New Salary Step	Pay Rate
57122	4	139418.363
56707	4	139418.363
86354	2	123225.525
35313	4	139418.363
67368	4	139418.363
91491	4	139418.363
80857	2	123225.525

POSITION ADJUSTMENT REQUEST

NO. 26289
DATE 6/14/2024

Department Multiple Departments
Department No./ Budget Unit No. _____ Org No. _____ Agency No. ___

Action Requested: Approve Reclassification of Seven (7) Incumbered and One (1) Vacant Administrative Services Officer positions to Chief of Administrative Services I - Exempt

Proposed Effective Date: 6/30/2024

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	$9,943.00	Net County Cost	$0.00
Total this FY	$9,943.00	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT The affected positions are within numerous departments.

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Nicole Bilich
_____
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Chrystine Robbins (for) _____ 6/20/2024
Deputy County Administrator — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 6/13/2024
Approve Reclassification of Seven (7) Incumbered and One (1) Vacant Administrative Services Officer positions to Chief of Administrative Services I - Exempt

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.
Effective: ☐ Day following Board Action.
☒ 6/30/2024(Date)

Nicole Bilich _____ 6/14/2024
(for) Director of Human Resources — Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 6/14/2024
☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

_____
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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:

P300 (M347) Rev 3/15/01

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

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1945 **Agenda Date:** 6/25/2024 **Agenda #:** C.170.

To: Board of Supervisors

From: Ann Elliott, Human Resources Director

Report Title: Add two (2) Human Resources Analyst positions and increase funding for one (1) existing Human Resources Analyst from 80% to 100% to work as dedicated resources recruiting for the Employment and Human Services Department.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Position Adjustment Resolution No. 26288 to add two (2) additional Human Resources Analyst (AGTF) (unrepresented) positions at salary plan and grade B85 1631 ($7,804.85 - $11,531.32) and increase funding for an existing Human Resources Analyst at salary plan and grade B85 1631 ($7,804.85 - $11,531.32) from 80% to 100%. All positions are assigned to the Human Resources Department and are funded by the Employment and Human Services Department.

FISCAL IMPACT:
The net fiscal impact is approximately $325,000 for two (2) Human Resource Analyst positions and approximately $33,000 to increase the current funding for one (1) existing HR Analyst from 80% to 100%. Positions will be funded by the Employment and Human Services Department and allocated to the Human Resources Department.

BACKGROUND:
Currently the Employment and Human Services Department funds 80% of one (1) Human Resources Analyst position augmented to the Human Resources Department. This employee specifically supports the department with all recruitment activities. This model has been very successful and provides the department focused Human Resources services. As the level of support needed has grown, the department approached Human Resources with a proposal to add and fund two additional Human Resources staff members, in addition to increasing the current funding of an HR Analyst from 80% to 100%. These dedicated staff positions, assigned to exclusively recruit for EHSD, are employees of the Human Resources Department and physically reside within the Central HR office.

CONSEQUENCE OF NEGATIVE ACTION:
The Human Resources Department will not be able to increase dedicated support needed to handle recruitment actions for the Employment and Human Services Department.

POSITION ADJUSTMENT REQUEST

NO. 26288
DATE 6/14/2024

Department No./
Department Employment & Human Services Budget Unit No. 0035 Org No. 1351 Agency No. 5

Action Requested: Adopt resolution to add two (2) HR Analyst positions and to increase funding to 100% for one (1) HR Anallyst currenlty funded at 80%.

Proposed Effective Date: 7/1/2024

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	$358,000.00	Net County Cost	$0.00
Total this FY	$179,000.00	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT EHSD funding

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Nicole Bilich
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Chrystine Robbins (for) — Deputy County Administrator — 6/20/2024 Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 6/13/2024
Adopt resolution to add two (2) HR Analyst positions and to increase funding to 100% for one (1) HR Anallyst currenlty funded at 80%effective July 1, 2024

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.
Effective: ☐ Day following Board Action.
☒ 7/1/2024(Date)

Nicole Bilich — (for) Director of Human Resources — 6/14/2024 Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 6/14/2024
☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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:

P300 (M347) Rev 3/15/01

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

P300 Cost Analysis

ASSIST Request -

Date:	1-May-24	
Annualization Factor	12	
Benefit Percentage	36.54%	Based on FY 24/25 PCF
Pension Percentage	21.05%	Based on FY 24/25 PCF

Classification	Human Resources Analyst	# of Pos.	Total Costs
Budgeted Monthly Salary	$ 8,195	2	
Benefit Amount	$ 2,994		$ 5,989
Salary + Benefit	$ 11,190		$ 22,379
Annualized Sal+ Ben Cost	$ 134,275		$ 268,550
Effective Mo's	12		
Upcoming Yr. Cost	$ 134,275		$ 268,550
Federal Percentage	59.00%		
Federal Cost	$ 79,222		$ 158,445
State Percentage	35.00%		
State Cost	$ 46,996		$ 93,993
Other Funding 100%	$ -		
County Percentage	6.00%		
County Cost	$ 8,057		$ 16,113
Annual Pension Cost	$ 28,265		$ 56,530
TOTAL ANNUAL COST (Salary+Benefits+Pension)	**$ 162,540**		**$ 325,080**

Step 1	$ 8,195.10
Step 2	$ 8,604.85
Step 3	$ 9,035.09
Step 4	$ 9,486.85
Step 5	$ 9,961.19
Step 6	$ 10,459.25
Step 7	$ 10,982.21
Step 8	$ 11,531.32
Step 9	$ 12,107.89
Step 10	
Step 11	
Step 12	
Step 13	
Step 14	
Step 15	

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1954 **Agenda Date:** 6/25/2024 **Agenda #:** C.171.

To: Board of Supervisors

From: Anna Roth, Health Services Director

Report Title: ADOPT Position Adjustment Resolution No. 25927 to establish the classification of Supervising Hazardous Materials Specialist (represented) and add three positions in the Health Services Department; and to reallocate the Assistant Director of Hazardous Materials Program salary. (Hazardous Materials Contract funding, Enforcement case settlement funding, Certified Unified Program Agency fees).

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Position Adjustment Resolution No. 25927 to establish the classification of Supervising Hazardous Materials Specialist (VLHB) (represented) at salary plan and grade ZA5 1018 ($9,623.112 - $11,696.95) and add three (3) full-time positions; and reallocate the salary of the Assistant Director of Hazardous Material Programs (VLFA) (represented) at salary plan and grade from ZC5 1924 ($9,652.16 - $11,732.26) to salary plan and grade ZA5 1019 ($12,288.487 - $14,936.730) on the salary schedule in the Health Services Department.

FISCAL IMPACT:
Upon approval, there is an annual cost of approximately $964,117.45 inclusive of $140,847.59 in pension costs. These positions will be covered through Certified Unified Program Agency fees.

BACKGROUND:
Contra Costa Hazardous Materials Programs (CCHMP) is assigned to protect human health and the environment by promoting pollution prevention, increasing process safety knowledge and environmental awareness, responding to incidents, and implementing consistent regulatory compliance and enforcement programs.

In order to provide optimal services, maintain regulatory requirements, and reduce the burden of responsibility on the Assistant Director of Hazardous Materials Programs, the Health Services Department (HSD) is requesting to establish the classification of Supervising Hazardous Materials Specialist. Over the years, CCHMP has expanded in terms of the number of facilities they have to inspect and regulate without adding additional staff needed to keep up with the workload. In addition to supervisory responsibilities, the Supervising Hazardous Materials Specialist will provide technical assistance and consultation to assigned staff, conduct complex inspections and investigations, enforce laws, regulations, ordinances, and codes, assist with program operations, daily unit activities, and will report to the Assistant Director of Hazardous Materials Programs.

Currently, there are two (2) Assistant Director positions (one is vacant), that oversee twenty (20) Hazardous

Materials Specialists and one (1) Hazardous Materials Technician. Due to the Assistant Director positions also being responsible for the administrative duties, program management as well as providing technical guidance to all the Hazardous Materials Specialists, overseeing the Hazardous Materials Incident Response team reduces the ability to effectively supervise subordinate staff. By adding three (3) Supervising Hazardous Materials Specialists positions, the Supervising Hazardous Materials Specialists will be responsible for supervising the twenty-one staff members (with each of them overseeing seven (7) positions each) and will report to the Assistant Director. This will alleviate some of the duties and responsibilities of the Assistant Director. These classifications are all part of the Certified Unified Program Agency (CUPA) where having one (1) Assistant Director to oversee the implementation of those programs and ensuring all mandates are met will be beneficial.

The above proposed re-organizational structure is in line with industry standards to provide optimal services to human health and the environment. This change is vital in order to comply with existing industry standards, effectively adhere to regulatory requirements.

This action will create salary compaction between the Assistant Director of Hazardous Material Programs and the Director of Hazardous Material Programs (VLD2). Human Resources has been directed to review the salary of the Director of Hazardous Material Programs and to make a recommendation on a revised salary scale for the Director classification that is aligned with the new organizational structure of the CCHMP. Once this work has been completed, staff will return to the Board of Supervisors with a recommendation to reallocate the salary of the Director classification.

The Department is undergoing a fee revision, which will incorporate all costs associated with this action.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, the Contra Costa Hazardous Materials Program's organizational structure will not meet its current and future organizational needs and will not have appropriate staff to effectively provide supervision to subordinate staff, which may lead to non-compliance of regulatory standards and adversely impact the health and safety of County residents.

POSITION ADJUSTMENT REQUEST

NO. 25927
DATE 6/13/2024

Department Health Services
Department No./
Budget Unit No. 0452 Org No. 5879 Agency No. A18

Action Requested: Establish the classification of Supervising Hazardous Materials Specialist (represented) and add three (3) positions; and reallocate the Assistant Director of Hazardous Materials Program salary in the Health Services Department.

Proposed Effective Date: 6/26/2024

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 $964.117.45 Net County Cost _____

Total this FY $80,343.12 N.C.C. this FY _____

SOURCE OF FUNDING TO OFFSET ADJUSTMENT: These positions will be covered through Certified Unified Program Agency fee studies and proposals to the Board of Supervisors

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

Michelle Fregoso
_____
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Sarah Kennard for — 6/20/2024
Deputy County Administrator — Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 6/17/2024

Establish the classification of Supervising Hazardous Materials Specialist (VLHB) (represented) at salary plan and grade ZA5 1018 ($9,623.112 - $11,696.95) and add three (3) full-time positions; and reallocate the Assistant Director of Hazardous Material Programs (VLFA) (represented) at salary plan and grade from ZC5 1924 ($9,652.16 - $11,732.26) to salary plan and grade ZA5 1019 ($12,288.487 - $14,936.730) on the salary schedule

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.

Effective: ☒ Day following Board Action.
☐ _____(Date)

Gladys Reid — 6/17/2024
(for) Director of Human Resources — Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE _____

☐ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

_____
(for) County Administrator

BOARD OF SUPERVISORS ACTION:
Adjustment is APPROVED ☐ DISAPPROVED ☐

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:

P300 (M347) Rev 3/15/01

REQUEST FOR PROJECT POSITIONS

Department _____ Date_____ No. xxxxx

1. Project Positions Requested:

2. Explain Specific Duties of Position(s)

3. Name / Purpose of Project and Funding Source (do not use acronyms i.e. SB40 Project or SDSS Funds)

4. Duration of the Project: Start Date _____ End Date _____
   Is funding for a specified period of time (i.e. 2 years) or on a year-to-year basis? Please explain.

5. Project Annual Cost

   a. Salary & Benefits Costs: _____ b. Support Costs: _____
   (services, supplies, equipment, etc.)

   c. Less revenue or expenditure: _____ d. Net cost to General or other fund: _____

6. Briefly explain the consequences of not filling the project position(s) in terms of:
   a. potential future costs
   b. legal implications
   c. financial implications
   d. political implications
   e. organizational implications

7. Briefly describe the alternative approaches to delivering the services which you have considered. Indicate why these alternatives were not chosen.

8. Departments requesting new project positions must submit an updated cost benefit analysis of each project position at the halfway point of the project duration. This report is to be submitted to the Human Resources Department, which will forward the report to the Board of Supervisors. Indicate the date that your cost / benefit analysis will be submitted

9. How will the project position(s) be filled?
   - ☐ a. Competitive examination(s)
   - ☐ b. Existing employment list(s) Which one(s)? _____
   - ☐ c. Direct appointment of:
     - ☐ 1. Merit System employee who will be placed on leave from current job
     - ☐ 2. Non-County employee

   Provide a justification if filling position(s) by C1 or C2

USE ADDITIONAL PAPER IF NECESSARY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1943 **Agenda Date:** 6/25/2024 **Agenda #:** C.172.

To: Board of Supervisors

From: Ann Elliott, Human Resources Director

Report Title: Approve vacation accruals for the Co-Director, Race Equity and Community Empowerment

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE Resolution No. 26287 for additional vacation accruals for the Co-Director, Race Equity and Community Empowerment (AJA1) at a rate equal to 160 hours per year effective November, 13, 2023, as recommended by the Human Resources Department.

FISCAL IMPACT:
This action will result in a fiscal impact to the County General fund of approximately $3,600.00.

BACKGROUND:
The Co-Director positions within the Office of Racial Equity and Social Justice (ORESJ) were established as exempt and excluded from the Merit System by ordinance on May 23, 2023. The Co-Directors are responsible for leading the formation of the ORESJ, as well as defining roles and hiring additional staff to support the office.

An extensive recruitment effort was employed to identify candidate pools for both positions. Those candidates displaying the required qualifications were then invited to participate in a robust selection process that included pre-recorded interviews, formal community presentations and final selection interviews that were held in an open forum for the public to attend. Two successful candidates were identified and extended employment offers in September 2023.

Upon hire, the Co-Director, Race Equity and Community Engagement negotiated vacation accruals at the rate of 160 hours a year in recognition of work experience within both the public sector and racial equity.

CONSEQUENCE OF NEGATIVE ACTION:
If this action is not approved, the County will not uphold the agreement made upon hire of the Co-Director, Race Equity and Community Empowerment.

POSITION ADJUSTMENT REQUEST

NO. 26287
DATE 6/13/2024

Department No./
Department Office, Racial Equity & Social Justice Budget Unit No. 0136 Org No. 0136 Agency No. 09

Action Requested: Approve adjustment of vacation allocation for the Co-Director, Race Equity and Community Empowerment (AJA1) at a rate equal to 160 hours per year effective November, 13, 2023.

Proposed Effective Date: 11/13/2023

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	_____	Net County Cost	$0.00
Total this FY	$3,600.00	N.C.C. this FY	$0.00

SOURCE OF FUNDING TO OFFSET ADJUSTMENT General Fund

Department must initiate necessary adjustment and submit to CAO.
Use additional sheet for further explanations or comments.

_____
(for) Department Head

REVIEWED BY CAO AND RELEASED TO HUMAN RESOURCES DEPARTMENT

Chrystine Robbins (for) 6/20/2024

_____ _____
Deputy County Administrator Date

HUMAN RESOURCES DEPARTMENT RECOMMENDATIONS DATE 6/13/2024
Approve additional vacation accruals for the Co-Director, Race Equity and Community Empowerment (AJA1) at a rate equal to 160 hrs/year effective November, 13, 2023

Amend Resolution 71/17 establishing positions and resolutions allocating classes to the Basic / Exempt salary schedule.
Effective: ☐ Day following Board Action.
☒ 11/13/2023(Date)

Nicole Bilich 6/13/2024

_____ _____
(for) Director of Human Resources Date

COUNTY ADMINISTRATOR RECOMMENDATION: DATE 6/13/2024
☒ Approve Recommendation of Director of Human Resources
☐ Disapprove Recommendation of Director of Human Resources
☐ Other: _____

Jason Chan
_____
(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:

P300 (M347) Rev 3/15/01

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

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1942 **Agenda Date:** 6/25/2024 **Agenda #:** C.173.

To: Board of Supervisors

From: Ann Elliott, Human Resources Director

Report Title: Contract Amendment with Smart ERP Solutions, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Human Resources Director, or designee, to execute a contract amendment with Smart ERP Solutions, Inc., to increase the payment limit by $147,000 to a new payment limit of $607,000 and to extend the term through June 30, 2027, for the license and support of employee onboarding software.

FISCAL IMPACT:

The cost of this contract extension for the annual fee is funded through the Benefits Administrative Fee which is charged to departments.

BACKGROUND:

The Human Resources Department is continually looking for ways to make processes and procedures more efficient and effective for County departments and employees. In 2021, the County partnered with Smart ERP Solutions on two improvement projects for implementation of the Smart Toolkits solution software which included automation functionality. Smart ERP Solutions is a modularized system integrated with the County's PeopleSoft environment to automate HR forms and workflows for customized Onboarding portals for each department and the new Merit Step Review process. Smart ERP software has enhanced the performance of the PeopleSoft system and enables this HR automation functionality to increase efficiency countywide.

Smart ERP Solutions provides specific and unique support for the customized software needs of the County's HR automation functionality. The contract with Smart ERP includes a provision that limits the Contractor's liability to the County to the amount paid under the contract unless the liability is a result of Smart ERP's gross negligence or willful misconduct. This amendment extends the contract for three (3) years and includes the annual $49,000 maintenance fee which will allow Smart ERP to provide ongoing support of the Onboarding portals for the departments and the Merit Step Review process.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract extension is not approved, the County will be unable to access the expertise and support of

Smart ERP Solutions to assist the County in implementing automated solutions to improve Human Resources processes for Onboarding and Merit Step Reviews.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1784 **Agenda Date:** 6/25/2024 **Agenda #:** C.174.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Purchase Order with General Datatech, L.P. for the renewal of CrowdStrike Falcon Complete

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with General Datatech, L.P. not to exceed $3,425,000 for the renewal of CrowdStrike Falcon Complete, a managed endpoint protection service, for the period of July 1, 2024, through June 30, 2027.

FISCAL IMPACT:

The cost of this purchase is included in the Department of Information Technology's Security budget, Org. 1055, and will cover all departments except the Health Services Department. 100% User Departments.

BACKGROUND:

In March of 2021, the Department of Information Technology (DoIT) requested the Board to approve a software and services agreement with CrowdStrike, Inc. for the purchase of CrowdStrike Falcon Complete software. This anti-virus protection software provides 24x7 monitoring, detection and response activities to detect and prevent account breaches. The software was deployed soon after receiving Board approval and has been very effective at identifying and mitigating potential cyber incidences and we are recommending renewal of this managed endpoint protection software. The services being purchased are governed by the CrowdStrike Terms and Conditions, dated March 19, 2021, between the County and CrowdStrike.

Pursuant to the Purchasing Policy and Procedures, DoIT worked with the Purchasing Division of the Public Works Department to issue a Request for Proposal (RFP) to solicit bids from interested vendors who are authorized third-party sellers of CrowdStike or an approved equal software. The RFP was released on March 22, 2024 and closed on April 19, 2024. The bid resulted in six (6) responses. An evaluation committee consisting of members from DoIT, the Clerk-Recorder's Office and the District Attorney's Office was convened to review the proposals and General Datatech was the successful bidder and has accepted the award.

CONSEQUENCE OF NEGATIVE ACTION:
If this purchase order is not approved, the County's infrastructure will be at risk of possible breach.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1785 **Agenda Date:** 6/25/2024 **Agenda #:** C.175.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Purchase Order with Spok, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with Spok, Inc. in an amount not to exceed $34,000 for the renewal of Enhanced 911 Enterprise Alert System maintenance, subject to the terms of Spok's Customer Agreement, for the period of July 1, 2024, through June 30, 2025.

FISCAL IMPACT:

The cost is charged to the user department. 100% User Departments.

BACKGROUND:

The Department of Information Technology's (DOIT) Telecommunications Division staff oversees the maintenance of the telephone equipment at the Contra Costa Regional Medical Center. Spok Inc. (Spok) provides critical communication alerting solutions and is the developer of the Enhanced 911 (E911) Enterprise Base System. Spok's alerting and notification system offers both foundational and advanced capabilities with primary rate interface connectivity, along with an emergency communication interface that ensures precise location data for emergency responders. Additionally, Spok's Bypass Box with Watchdog Timer maintains uninterrupted communication by monitoring system health and activating bypass mechanisms in case of failures. Ensuring a safe and secure environment at County facilities is of utmost importance, and an essential part of that responsibility is the emergency response capability. This system plays a crucial role in mitigating and preventing accidents, thereby reducing potential liabilities.

Spok provides specialized maintenance services which establishes them as a sole source provider. Spok's customer agreement contains a limitation of Spok's liability to the actual direct money damages in an amount not to exceed the aggregate fees paid by the County to Spok, excluding fees paid more than one year prior to the County's initial notice of the claim to Spok.

CONSEQUENCE OF NEGATIVE ACTION:

Not renewing the maintenance with Spok could lead to significant risks and challenges, impacting the safety and efficiency of the organization. Continuing this maintenance ensures that emergency situations are managed

effectively, minimizing risks and enhancing overall safety and operational efficiency.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1786 **Agenda Date:** 6/25/2024 **Agenda #:** C.176.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Purchase Order for IBM MLC Software.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with IBM in an amount not to exceed $165,000 for the renewal of Monthly License Charge software, maintenance and support, subject to the terms of IBM's Customer Agreement, for the period of July 1, 2024, through June 30, 2025.

FISCAL IMPACT:

The cost is charged to the user department. 100% User Departments.

BACKGROUND:

The Department of Information Technology's (DOIT) Operations and Enterprise Services staff manage the County's mainframe system, which includes management of required software maintenance and support. IBM's Monthly License Charge (MLC) software products collectively enhance the capabilities of the County's z/OS mainframe environment, providing robust solutions for data management, security, printing, performance monitoring, and application development. The products and key features of the IBM MLC software are listed below:

1) z/OS Version 2 Base is the core operating system for the County's mainframe system providing essential services for running the County's enterprise applications, as well as reliability and availability needed for mission-critical applications.

2) Data Facility Sort (DFSORT) is IBM's high-performance sort, merge, copy, and data manipulation utility for z/OS, which helps staff efficiently reformat, filter and analyze large volumes of data, and is optimized for speed and resource utilization.

4) Infoprint Server for z/OS enables enterprise printing and electronic output solutions for County production jobs and allows for seamless integration with other z/OS applications and data sources.

5) Resource Measurement Facility (RMF) is a performance monitoring and reporting tool for z/OS mainframe systems which enables staff real-time monitoring of mainframe system performance and can provide detailed reports on mainframe system utilization and performance metrics.

6) System Display and Search Facility (SDSF) provides staff with tools for monitoring and managing system activity on the z/OS mainframe and enables staff to execute system commands and manage system logs.

7) The Security Server, which includes Resource Access Control Facility (RACF), provides security services for z/OS mainframe environments and provides staff with tools for auditing and ensuring compliance with security policies

8) Enterprise COBOL is a compiler for developing COBOL applications on z/OS and allows for seamless integration with z/OS features and services.

9) Advanced Function Presentation (AFP) Download Plus provides enhanced AFP printing capabilities, converts various data formats for AFP printing, supports high-quality, high-volume printing needs and a variety of printers and output formats.

10) Print Services Facility (PSF) for z/OS manages the printing of AFP documents and provides centralized management of print jobs, controls formatting and routing of print output and works with other z/OS printing tools and applications.

11) Customer Information Control System Transaction Server (CICS TS) is a transaction processing system for z/OS mainframe environments, which handles high-volume, high-speed transactions, scales to support large numbers of concurrent users' transactions and integrates with existing applications and data.

12) Print Services Access Facility (PSAF) provides access to print services in the County's z/OS mainframe environment, submits print jobs to various printers, manages print resources and queues.

13) PPFA/370 Page Printer Formatting Aid (PPFA/370) and Overlay Generation Language (OGL/370) are tools for creating and managing print resources. PPFA allows detailed formatting for print jobs, and OGL helps create reusable overlays for printed documents. Together these provide the county staff with customization options for complex printing needs.

14) Data Interfile Transfer, Testing, and Operations Utility (Ditto System/360-370) is a mainframe utility for data manipulation and testing on System/360-370, which facilitates data transfer between different formats and systems, provides county staff with tools for testing and verifying data and supports various data operations such as copying and comparing.

IBM provides sole-source services as the products are highly customized for the County's mainframe system/environment. DOIT is continuing with IBM for continuity of service. IBM's Customer Agreement (ICA) contains a limitation of IBM's liability up to the greater of $100,000 or the charges (if recurring, 12 months' charges apply) for the Product or Service that is the subject of the claim.

CONSEQUENCE OF NEGATIVE ACTION:

Without these software solutions, the County's z/OS mainframe environment would face significant operational challenges, including inefficiencies, security vulnerabilities, performance issues, and increased complexity in managing system resources and applications. These impacts could lead to higher operational costs, increased risk of system downtime, and potential non-compliance with industry regulations.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1787 **Agenda Date:** 6/25/2024 **Agenda #:** C.177.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Purchase Order with La Marche Manufacturing Company

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, on behalf of the Chief Information Officer, to execute a purchase order with La Marche Manufacturing Company in an amount not to exceed $25,000 for the purchase of radio parts, equipment, tools, service and repairs, subject to La Marche's terms and conditions, for the period of July 1, 2024, through June 30, 2025.

FISCAL IMPACT:

The cost is charged to the user department. 100% User Departments.

BACKGROUND:

The Department of Information Technology's (DOIT) Radio and Microwave Division staff utilized La Marche Manufacturing Company (La Marche) to procure a range of products including industrial battery chargers, rectifiers, power supplies, inverters, converters, uninterruptible power supplies as well as other tools, service and repairs. The team has deployed rectifiers manufactured by La Marche at Rocky Ridge microwave tower. Ongoing maintenance with La Marche will ensure continuity and integrity of the system.

La Marche's terms contain an indemnification provision from the County to La Marche.

CONSEQUENCE OF NEGATIVE ACTION:

The inability to purchase from La Marche Manufacturing could have serious implications for the County which relies on their rectifiers. These include increased maintenance costs, operational disruptions, compatibility issues, compliance risks, and reduced long-term reliability.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1788 **Agenda Date:** 6/25/2024 **Agenda #:** C.178.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Contract Amendment with Graviton Consulting Services, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with Graviton Consulting Services, Inc., to increase the payment limit by $240,000 to a new payment limit of $920,000 to provide PeopleSoft technical support services and extend the term through June 30, 2025.

FISCAL IMPACT:

The cost of this contract is within the Department of Information Technology's budget. 100% User Departments.

BACKGROUND:

Historically, the PeopleSoft/Kronos Division of the Department of Information Technology has been a very difficult unit to recruit for and fill with qualified candidates due to the specific skill-set required to be successful in this position. The Department has worked with the Human Resources Department (HR) over the last several years to recruit for vacancies in this division and, for a brief period of time at the end of last year, the division was fully staffed. Since then, one of the team members has left County service which once again leaves a vacancy in this unit.

During the coming year, the Department will work with HR to open a recruitment for a candidate that meets the minimum qualifications for the County-wide classification of Information Systems Programmer and Analyst IV and possesses the knowledge, skills and abilities to perform the tasks in the PeopleSoft/Kronos Division. Until there is success in recruiting a permanent employee, the Department is requesting to extend the contract with Graviton Consulting Services, Inc., which is able to assist in providing the day-to-day technical services to support the Payroll, Human Resources and Benefits Administration modules.

The current contract has a payment limit of $680,000 and is effective through June 30, 2024. County Labor Relations and Local 21 were notified of the intended contract extension and there were no reported objections. Graviton is the sole source for PeopleSoft temporary staff due to their specialized expertise and deep understanding of PeopleSoft systems, ensuring seamless integration and efficient project execution. Graviton's dedicated focus on PeopleSoft allows them to provide highly skilled professionals who are adept at meeting the specific needs of PeopleSoft environments.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract amendment is not approved, the unit will continue to function understaffed and will not have the advanced PeopleSoft technical expertise that is needed at this time.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1789 **Agenda Date:** 6/25/2024 **Agenda #:** C.179.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Contract Amendment with AT&T for Managed Services

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with AT&T Corp utilizing the California Department of Technology Agreement with AT&T Corp. for network engineer support services to increase the payment limit by $3,200,000 to a new payment limit of $6,000,000 and to extend the term through June 30, 2025.

FISCAL IMPACT:

The cost for this contract is within the Department of Information Technology's budget. 100% User Departments.

BACKGROUND:

An essential unit within the Department of Information Technology is the wide area network (WAN) group which serves as a critical backbone for which all County IT systems are accessed by employees. Last year, the department had an opportunity to utilize the California Department of Technology's CALNET contract with AT&T to enlist their experience and expertise in the WAN area and had a team of experts who could provide the County with round-the-clock coverage. This service offered 24/7 monitoring and support ensuring that network issues were addressed promptly and efficiently and that our public safety departments had uninterrupted service. This managed service provided by AT&T through the State of California's pre-bid CALNET contract worked exceptionally well for the department, and we wish to take advantage of this pre-bid contract which is available to all local government agencies in California and continue this service for another year.

This AT&T contract incorporates by reference the existing agreement between AT&T and the California Department of Technology CALNET Agreement Number C4-DNCS-19-001-40 including the hourly rates for network engineer services. This contract was competitively bid by the State of California and was awarded to AT&T on April 15, 2020. The current contract payment limit is $2,800,00 and valid through June 30, 2024. As amended, the payment limit is increased by $3,200,000 to a new payment limit of $6,000,000 and effective through June 30, 2025.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract amendment is not approved, the County will be significantly impaired and unable to provide an adequate level of service to any County department.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1790 **Agenda Date:** 6/25/2024 **Agenda #:** C.180.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Contract Amendment with Robert Half International, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with Robert Half International, Inc. to increase the payment limit by $750,000 to a new payment limit of $12,750,000 to provide temporary technical support staffing and extend the term through October 31, 2024.

FISCAL IMPACT:
The cost will be charged to County departments that utilize the services of this contract. 100% User Departments.

BACKGROUND:

Over the last several years, the Department of Information Technology (DoIT), as well as other County departments, have utilized Robert Half International, Inc. to provide contracted temporary help to augment staffing shortages due to high vacancy rates within the information technology classifications throughout the County workforce. To comply with County purchasing policies and procedures, DoIT has been working with the Purchasing Division of the Public Works Department to issue a Request for Proposal (RFP) to solicit bids from staffing agencies who also provide temporary staffing services and are interested in partnering with Contra Costa County. The RFP was issued on March 29, 2024, and had an initial closing date of April 19, 2024. The Department and the Senior Buyer from Purchasing assigned to assist DoIT with this RFP, responded to approximately 150 questions posed by interested bidders. The response to this RFP was so overwhelming that the closing date was extended by an additional week to allow staff time to respond to the voluminous number of questions and to allow the bidders an opportunity to incorporate this information into their proposals. When the bid officially closed on April 29, 2024, the County received fifty-five (55) responses.

A qualifications evaluation committee has been convened and is undertaking the task of evaluating each response. The criteria the committee is focusing on includes areas such as availability of qualified candidates in all areas of the County, the proposer's understanding of the work to be completely, the responsiveness to the RFP, cost, and the experience and ability to provide the requested service. While these criteria will be useful to pare down the number of qualified responses, it will be necessary to invite the firms that have risen to the top of

the list to make a formal presentation to the committee to further highlight their qualifications and to demonstrate their ability to successfully provide the County with the qualified candidates. This will also allow the evaluation committee the ability to ask follow-up questions to assist in their difficult rating task.

The Department had planned to have a recommendation to this Board for approval for one (1) to three (3) new vendors to support the County with their temporary help needs, however, due to the volume of the responses to this RFP and the additional oral presentation step, the Department requesting approval for a four (4) month extension to the current contract.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, County departments will continue to function understaffed and have no available option for temporary staffing which will negatively impact countywide projects, service delivery for daily operations, and may impede critical monitoring activity to guard against cyber-attacks.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1791 **Agenda Date:** 6/25/2024 **Agenda #:** C.181.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Contract Amendment with EKC Enterprises, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Chief Information Officer, or designee, to execute a contract amendment with EKC Enterprises, Inc. to extend the term through December 31, 2024, with no increase in payment limit, to continue to provide installation and maintenance of telecommunications cabling on an as-needed basis.

FISCAL IMPACT:

The cost of this contract is paid for by the Department of Information Technology and is reimbursed by departments or agencies receiving the services. 100% User Departments.

BACKGROUND:

The Department of Information Technology (DoIT) utilizes EKC Enterprises, Inc. (EKC) to provide installation and maintenance of telecommunications cabling on an as-needed basis. DoIT has used EKC to augment its permanent workforce to complete all requested projects in a timely manner, and adequately staff upcoming projects. Over the last year DoIT has worked with the Human Resources Department to complete a job analysis and salary study for the job classification of Telecommunications Infrastructure Specialist to ensure the minimum qualifications are consistent with the knowledge, skills and abilities that are needed. Following the study, DoIT reclassified two Telecommunications Technicians and hired two new full-time employees into the Telecommunication Infrastructure Specialist position. Although the expanded team of four has reduced the need for EKC's services, they have not eliminated it entirely.

County Labor Relations and Teamsters, Local 856 were notified of the intended contract extension and there were no reported objections. To comply with County purchasing policies, DoIT will issue a Request for Proposal (RFP) within the next several months to solicit bids from companies who provide cable installation and maintenance services and are interested in partnering with Contra Costa County. Until then, DoIT requests approval for this contract extension with EKC to continue providing these services.

CONSEQUENCE OF NEGATIVE ACTION:

If this request is not approved, DoIT will be unable to meet the current demands and customer services needs in a timely manner and cost-effective basis for telecommunications cabling requests and may be unable to maintain the County wide telecommunications network should an issue emerge requiring maintenance or

installation of telecommunications cabling.

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MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1792 **Agenda Date:** 6/25/2024 **Agenda #:** C.182.

To: Board of Supervisors

From: Marc Shorr, Information Technology Director

Report Title: Approve Budget Amendment No. BDA 24-00247

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE Budget Amendment No. BDA 24-00247 authorizing the transfer of appropriations in the amount of $302,000 from the Department of Information Technology Telecommunications Division (0060) to Public Works - ISF Fleet Services (0064) for the purchase of four (4) vans and one (1) pickup truck.

FISCAL IMPACT:

This action increases appropriations in Public Works - ISF Fleet Services (0064) and reduces appropriations in Department of Information Technology Telecommunications Division (0060) by $302,000.

BACKGROUND:

Over the past several years, the Telecommunications Division has experienced several retirements and those positions have remained unfilled. Recently, the department has focused efforts on filling those positions. During this time, the department also restructured and by doing so was able to add an additional Telecommunications Specialist position. At the end of 2023, the department extended offers to four (4) Telecommunications Specialist I candidates and all four (4) candidates accepted the employment offer. Telecommunications Specialists perform the repair, installation, and maintenance of telephone and other electronic equipment focusing on safety and security systems for County facilities and work at all worksite locations performing these tasks. This entry level classification receives on-the-job training which consists of working side-by-side with a Telecommunications Specialist II. The newly hired technicians are now ready to perform their tasks solo, however, we do not have vans for them to utilize to perform their duties. They are still pairing up with another technician, which is not an effective use of staffing resources.

The department is also in need of a new heavy-duty 4x4 pickup truck which is able to pull equipment trailers and that can carry 100+ gallons of diesel to hilltop locations to refuel generators. The Contra Costa microwave ring path for public safety radio traffic and data communications systems resides on hilltop towers. The roads to get these sites, particularly in the winter months, can be treacherous and sometimes unstable. Having a heavy-duty truck which is made to perform in this type of terrain is necessary to ensure the protection of staff that must maintain these public safety communication towers.

CONSEQUENCE OF NEGATIVE ACTION:

If the purchase of vehicles is not approved, the technicians will continue to have to share a van which is not an effective or efficient use of staffing resources and the safety of staff assigned to maintain public safety towers will be minimized.

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 06/12/2024 : BDA-24-00247

Company	Contra Costa County
Budget Template	Operating Budget : FY2023-24 Operating Budget
Budget	FY2023-24 Operating Budget
Organizing Dimension Type	
Amendment ID	BDA-24-00247
Amendment Date	06/12/2024
Description	Appropriate funds to Public Works - ISF Fleet Services (0064) from Telecommunications (0060) for the purchase of new vehicles.
Amendment Type	Appropriation / Estimated Revenue Adjustment
Balanced Amendment	Yes
Entry Type	Mid-Year Adjustments
Status	In Progress

Budget Amendment Entries

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2023-24 Year (FY2023-24 Operating Budget)	5011:REIMBURSEMENTS-GOV/GOV	1050 ADMINISTRATION (Home Org)	4295 MICROWAVE MAINTENANCE	100300 GENERAL	$60,000.00	$0.00	debit	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	5011:REIMBURSEMENTS-GOV/GOV	1050 ADMINISTRATION (Home Org)	4290 TELEPHONE MAINTENANCE	100300 GENERAL	$242,000.00	$0.00	debit	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9951:REIMBURSEMENTS - GOV/GOV	1050 ADMINISTRATION (Home Org)	4284 VEHICLE REPLACEMENT	150100 FLEET ISF	$0.00	$302,000.00	credit	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	2302:USE OF CO VEHICLE/EQUIP	1050 ADMINISTRATION (Home Org)	4295 MICROWAVE MAINTENANCE	100300 GENERAL	$0.00	$60,000.00	credit	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	2302:USE OF CO VEHICLE/EQUIP	1050 ADMINISTRATION (Home Org)	4290 TELEPHONE MAINTENANCE	100300 GENERAL	$0.00	$242,000.00	credit	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	4953:AUTOS & TRUCKS	1050 ADMINISTRATION (Home Org)	4284 VEHICLE REPLACEMENT	150100 FLEET ISF	$302,000.00	$0.00	debit	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 06/12/2024 : BDA-24-00247

Process History

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Budget Amendment Event	Step Completed	06/12/2024 10:50:06 AM	06/13/2024	Michelle Colefield	1	
Budget Amendment Event	Review Budget Amendment	Not Required		06/13/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Sent Back	06/12/2024 11:25:34 AM		Arlene Gutierrez (Department Approver – Budget Amendment)	1	Send Back Reason from Arlene Gutierrez: per request
Budget Amendment Event	Budget Amendment Event	Submitted	06/12/2024 11:34:06 AM	06/13/2024	Michelle Colefield	1	
Budget Amendment Event	Review Budget Amendment	Not Required		06/13/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	06/12/2024 11:37:59 AM		Arlene Gutierrez (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Approval by Budget Specialist (Auditor Office)	Sent Back	06/13/2024 11:40:12 AM		Yesenia Campos (Budget Specialist (Auditor Office))	1	Send Back Reason from Yesenia Campos: Dept will update coding
Budget Amendment Event	Budget Amendment Event	Submitted	06/13/2024 12:23:09 PM	06/13/2024	Michelle Colefield	1	
Budget Amendment Event	Review Budget Amendment	Not Required		06/13/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	06/13/2024 01:02:20 PM		Sarah Bunnell (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Approval by Budget Specialist (Auditor Office)	Awaiting Action			Analiza Pinlac (Budget Specialist (Auditor Office))	3	
					Xia Zhang (Budget Specialist (Auditor Office))		
					Yesenia Campos (Budget Specialist (Auditor Office))		

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1793 **Agenda Date:** 6/25/2024 **Agenda #:** C.183.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: Purchase Order with Zoho Corporation

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
RESCIND Board Action of March 5th, 2023 (C.68), which pertained to authorizing a purchase order with Zoho Corporation; and APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order including modified indemnification and limitation of liability with Zoho Corporation in an amount not to exceed $4,600 for the renewal of ManageEngine OpManager Plus software subscription, effective upon execution and for one year thereafter.

FISCAL IMPACT:
100% Library Fund.

BACKGROUND:
Library Department has and continues to use ManageEngine software provided by Zoho Corporation to manage networks, servers, applications, service desk, Active Directory, security, desktops, and mobile devices.

The Terms and Conditions of the purchase order include a Limitation of Liability and Indemnification provision, approved by County Counsel.

On March 5, 2023 (C.68), the Board of Supervisors approved a Purchase Order in an amount not to exceed $4,600 for ManageEngine OpManager Plus software from Zoho Corporation, for the provision of a software subscription for the period October 30, 2023, through October 29, 2024.

This Board Order adjusts the term from October 30, 2023, through October 29, 2024, to becoming effective upon execution and for one year thereafter.

CONSEQUENCE OF NEGATIVE ACTION:
If the Purchase Order is not approved, the Contra Costa County Library's IT operations will not be able to function as they have been, and library services to patrons will be impacted.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1794 **Agenda Date:** 6/25/2024 **Agenda #:** C.184.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: Purchase Order with Califa Group for of Creative Empire, LLC's Mango Conversations and Movies Library Edition, Little Pim, and ASL Inside subscriptions through June 30, 2026

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order including modified limitation of liability with Califa Group in an amount not to exceed $136,326 for the renewal of Creative Empire, LLC's Mango Conversations and Movies Library Edition, Little Pim, and ASL Inside subscriptions through Califa Group, for the period June 28, 2024, through June 27, 2026.

FISCAL IMPACT:
100% Library Fund.

BACKGROUND:
Mango Languages, from Creative Empire, LLC, is an interactive language learning product designed for libraries and available to patrons through the Library website and the Mango Languages app. The product is designed to prepare learners for realistic conversations and strengthening everyday communication skills in over 70 world languages. Mango includes courses in English as a Second Language, American Sign Language, endangered and indigenous languages, international streaming films, and Little Pim language learning for kids. Creative Empire, LLC offers libraries a deep discount through a group purchase made by Califa, the California Library Consortium, of which the Library is a member.

The terms and conditions include limitation of liability provisions, approved by County Counsel.

CONSEQUENCE OF NEGATIVE ACTION:
If the Purchase Order is not approved, the Contra Costa County Library will not be able to provide patrons with these comprehensive language services.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1795 **Agenda Date:** 6/25/2024 **Agenda #:** C.185.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: Purchase Order with Califa Group for ProQuest's Ancestry Library Edition and HeritageQuest Online Subscriptions through June 30, 2025

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order including modified limitation of liability with Califa Group in an amount not to exceed $61,785 for the renewal of ProQuest's Ancestry Library Edition and HeritageQuest Online subscriptions, for the period July 1, 2024, through June 30, 2025.

FISCAL IMPACT:

100% Library Fund.

BACKGROUND:

The Library offers patrons ProQuest's Ancestry Library Edition and HeritageQuest Online services. These products are the most comprehensive genealogical collections available. The Ancestry product is as online source of information containing the following types of records: census, birth, marriage, death, immigration, vital, church, military, court, land, and probate. Library users have access to information on names in over 4,000 databases, including the U.S. Federal Census from 1790 to 1940, Social Security Index, Civil War records, U.S. Public Records Index, American Genealogical-Biographical Index, and Federal Slaves Narratives. HeritageQuest makes it convenient for users to explore billions of American and international genealogical records dating back to the 1700s - including primary sources, family and local histories, research guides, interactive census maps and more which allows patrons to discover ancestors and learn about local people and places from the past. ProQuest offers libraries a discount through a purchase made by Califa, the California Library Consortium, of which the Library is a member.

The terms and conditions include limitation of liability provisions, approved by County Counsel.

CONSEQUENCE OF NEGATIVE ACTION:

If the Purchase Order is not approved, the Contra Costa County Library will not be able to provide patrons with this comprehensive genealogical collection service

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1796 **Agenda Date:** 6/25/2024 **Agenda #:** C.186.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: Purchase Order with Zoom Video Communications, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
RESCIND Board Action of April 22, 2024 (C.68), which pertained to authorizing a purchase order with Zoom Video Communications Inc.,; and APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order including modified indemnification and limitation of liability with Zoom Video Communication Inc., in an amount not to exceed $10,440 for the renewal of thirty-two (32) Enterprise Essentials licenses and one (1) Webinar 1000 license, effective upon execution and for one year thereafter.

FISCAL IMPACT:
100% Library Fund.

BACKGROUND:
Library Department has and continues to use Zoom licenses and software provided by Zoom Video Communications Inc., to provide video conferencing functionality for meetings, conferences, public performances, and to conduct interviews.

The Board authorization granted on April 22 was for a subscription term of March 25, 2024 through March 24, 2025. The reauthorization request modifies the term to run for one year from the date of execution. All other terms remain unchanged.

CONSEQUENCE OF NEGATIVE ACTION:
If the Purchase Order is not approved, the Contra Costa County Library's IT operations will not be able to function as they have been, and library services to patrons will be impacted.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1797 **Agenda Date:** 6/25/2024 **Agenda #:** C.187.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: **Purchase Order with Bibliotheca Library Solutions, LLC. for the Lease of Self-Check Machines and Purchase of Self-Check Pedestals**

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent, or designee, on behalf of the County Librarian, to execute a multi-year purchase order including modified limitation of liability and indemnification language with Bibliotheca Library Solutions, LLC. in an amount not to exceed $1,125,000 for the purchase of self-check machine pedestals and the lease of self-check machines, subject to the terms of Bibliotheca Library Solutions, LLC's software, service and lease agreement, for the period of June 25, 2024, through June 24, 2030.

FISCAL IMPACT:
100% Library Fund.

BACKGROUND:
The library currently provides access to self-check machines for the public in order to facilitate circulation of library materials. This lease would enable the library to install and configure software and hardware throughout all library locations for the purpose of allowing self-service circulation of library materials to the public, including self-check machines and related pedestals as needed.

The contract includes indemnification and limitation of damages not to exceed an amount equal to the total amount paid by the Library during the twelve (12) months preceding, approved by County Counsel and Risk Management.

CONSEQUENCE OF NEGATIVE ACTION:
If the Purchase Order is not approved, the Contra Costa County Library will not be able to offer self-service kiosk for circulation of library materials to the public.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1798 **Agenda Date:** 6/25/2024 **Agenda #:** C.188.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: Title Report: Purchase Order with EBSCO Publishing Inc. for Environment complete, ConsumerReports.org, MasterFILE Reference eBook Subscription, MasterFILE Complete and EBSCO Discovery Service, through July 31, 2025.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Purchasing Agent to execute, on behalf of the County Librarian, a purchase order including modified limitation of liability and indemnification language with EBSCO Publishing Inc. in an amount not to exceed $109,515 for the renewal of Environment Complete, ConsumerReports.org, MasterFILE Reference eBook Subscription, MasterFILE Complete and EBSCO Discovery Service, for the period August 1, 2024, through July 31, 2025.

FISCAL IMPACT:
100% Library Fund.

BACKGROUND:
The Library Department has used and continues to use EBSCO for various online subscriptions for patron use. EBSCO is a leading provider of research content, search technologies, and delivery platform for public libraries. The Library selected EBSCO for a customer package that includes Environment Complete, ConsumerReports.org, MasterFILE Reference eBook Subscription, MasterFILE Complete and EBSCO Discovery Service. This package includes authoritative sources, such as journals, full-text magazines, newspapers, reference eBooks, primary documents, and other educational content appropriate for research papers, class projects and home assignments for students and lifelong learners at all levels. EBSCO's Discovery Service utilizes a single search where researchers can find content found in all the Library's full-text databases. ConsumerReports.org provides patrons with trusted information to help them make smart buying decisions.

The terms and conditions include limitation of liability provisions and indemnification language, approved by County Counsel.

CONSEQUENCE OF NEGATIVE ACTION:
If the Purchase Order is not approved, the Contra Costa County Library will not be able to provide patrons with the extensive search capabilities provided by this software.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1799 **Agenda Date:** 6/25/2024 **Agenda #:** C.189.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: Grant in the amount of $50,000 from Sunlight Giving for Bay Point Library, through June 30, 2025

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the County Librarian, or designee, to apply for and accept a grant in the amount of $50,000 from Sunlight Giving, a private nonprofit corporation, to provide early literacy interactive panels and kiosks (www.burgeongroup.com) for the new Bay Point Library, for the period November 1, 2024 through December 31, 2027.

FISCAL IMPACT:
No Library Fund match.

BACKGROUND:
Sunlight Giving is a private nonprofit corporation based in Palo Alto that grants funding primarily to Bay Area organizations. Their focus is on human services, health, public safety, and community development. One of their giving categories is for safe spaces in community hubs that cater to families. The Library received $75,000 in 2016/2017 to create an Early Literacy Reading Room in the Shields-Reid Community Center in Richmond. The Library received an additional $75,000 in 2017/2018 to create early literacy spaces in 12 Contra Costa County libraries.

CONSEQUENCE OF NEGATIVE ACTION:
If the proposal is not approved, the kiosks and interactive panels will not be available in the new Bay Point Library. Children visiting the new Bay Point Library will not be able to take advantage of the fun and educational elements of the kiosks.

CHILDREN'S IMPACT STATEMENT:

The Burgeon kiosks and interactive panels 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. Providing safe, playful, and educational spaces in libraries for young children will encourage regular exposure to reading and books, thus improving the quality of life for children and families in impacted communities.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1800 **Agenda Date:** 6/25/2024 **Agenda #:** C.190.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: Early Closure to Host the Lafayette Library and Learning Center Foundation's annual gala.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the County Librarian to close the Lafayette County Library early to the public on Saturday, November 2, 2024, at 3:00 p.m., instead of the regular 5:00 p.m. under normal business hours, to host the annual Lafayette Library and Learning Center Foundation's (LLLCF) annual gala.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
On Saturday, November 2, 2024, the Lafayette Library and Learning Center Foundation (LLLCF) will host its annual Night at the Library fundraiser. Previously, the LLLCF has had very successful fundraisers within the library to showcase the library to donors and potential donors and to offer "stations" where attendees can see and experience emerging technologies, chat with authors, and gain an appreciation for the lovely space that is the Lafayette Library. The County Librarian is requesting approval to close the Lafayette Library early to the public at 3:00 p.m.

CONSEQUENCE OF NEGATIVE ACTION:
If the library doesn't close early, LLLCF wouldn't have sufficient time to set up for the event.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1801 **Agenda Date:** 6/25/2024 **Agenda #:** C.191.

To: Board of Supervisors

From: Alison McKee, County Librarian

Report Title: Special Events Permit with the City of Pleasant Hill: Library Exploration Stations at the Pleasant Hill Library

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Ratify the County Librarian's execution of a special event permit with the City of Pleasant Hill, including a hold harmless and mutual indemnification clause and proof of liability insurance for the County in the amount of $2,000,000, in order for the Library to host a Summer Reading event at the Pleasant Hill Library on June 18, 2024.

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
The Contra Costa Library hosts several programs during summer to encourage families to visit the library and participate in Summer Reading.

The Summer Reading Exploration Stations will encourage children to discover science and reading and will also encourage children and adults to sign up for the Library's Summer Reading Program. Participants can look, touch and explore to learn about our national world and communities. Guests include the Lindsay Wildlife Museum, East Bay Regional Parks, Mt. Diablo and East Bay Astronomical Societies and 511 Contra Costa.

Some of the Exploration Stations will be located in the Library's parking lot. The City of Pleasant Hill's municipal code states that large events that impede the normal use of a public parking lot require a special event permit that includes a hold harmless and mutual indemnification clause and proof of liability insurance in the amount of $2,000,000. By the time the permit requirement had been recognized, there was no opportunity to seek Board of Supervisors authorization for the permit prior to the event, which had already been organized and well publicized. Hundreds of people were expected to attend the event.

CONSEQUENCE OF NEGATIVE ACTION:
If the County Librarian had not obtained a special event permit for the Exploration Stations at the Pleasant Hill Library on June 16th, the June 18th event would have had to be canceled.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1802 **Agenda Date:** 6/25/2024 **Agenda #:** C.192.

To: Board of Supervisors

From: Esa Ehmen-Krause, County Probation Officer

Report Title: Bequest from Reber Trust to Contra Costa County Probation

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and ACCEPT a bequest from Reber Trust dated July 9, 1999, in the amount of $50,000 for the Contra Costa County Probation Department.

FISCAL IMPACT:
There is no Fiscal Impact.

BACKGROUND:
The Contra Costa County Juvenile Hall Athletic Department has been named as one of two beneficiaries of the Reber Trust, dated July 9, 1999. The Trustee is making a second preliminary distribution of $50,000. The Trustee will hold the balance of cash on hand for final costs of administration. Upon conclusion of administration of the Trust, the Trustee will distribute the balance on hand, if any, to the beneficiaries on an equal basis.

CONSEQUENCE OF NEGATIVE ACTION:
The Contra Costa County Probation Juvenile Hall Athletic Department will be unable to benefit from this generous bequest.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1803 **Agenda Date:** 6/25/2024 **Agenda #:** C.193.

To: Board of Supervisors

From: Esa Ehmen-Krause, County Probation Officer

Report Title: B.I. Contract Amendment

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract amendment with Behavioral Interventions (B.I.), Incorporated, effective July 1, 2024, to increase the payment limit by $65,000 to a new payment limit of $315,000 to provide additional electronic monitoring services and equipment, with no extension in the term February 1, 2023 through May 3, 2027.

FISCAL IMPACT:
This is 100% funded by the General Fund.

BACKGROUND:

Assembly Bill 2658, approved by the Governor on September 29, 2022, and effective January 1, 2023, recognized the possible impact of home supervision /electronic monitoring on youthful clients in the bill text, in that electronic monitors are often visible and can undermine the confidential nature of the juvenile court by identifying the wearer as system involved.

Behavioral Interventions (B.I.), Incorporated provides electronic monitoring services on behalf of the Probation Department for designated probationers. B.I. now offers a secondary option for electronic monitoring services, this option is called Veriwatches. The Probation Department intends to use the VeriWatch, with devices worn on the wrist, as an alternative to the more traditional ankle-worn electronic monitor for clients who meet specified criteria. The VeriWatch uses the same GPS technology for monitoring while also providing clients with the opportunity to see calendar events (such as office appointments or court dates) and has the appearance of a typical smartwatch and displays the current date/time, minimizing the visual impact of a monitoring device for the youth and the stigma that can be associated with electronic monitoring or as a system-involved individual, while also providing an additional resource for clients with appointment reminders. These devices can also be charged more conveniently than traditional ankle-worn monitors when paired with a portable transfer battery allowing more freedom of movement for the client for prosocial activities. The VeriWatch will add another resource for the Probation Department to consider when looking at least restrictive means of providing rehabilitation for youth who have been placed on home supervision (electronic monitoring) pursuant to a Court Order.

The Probation Department is requesting additional funds to be able to utilize this new option for their clients. The Department continues to evaluate effective rehabilitation methods while balancing privacy and the specific needs of clients while minimizing the adverse effects of system-involvement.

CONSEQUENCE OF NEGATIVE ACTION:
The Probation Department will not have sufficient funds to utilize this new option for electronic monitoring services.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1804 **Agenda Date:** 6/25/2024 **Agenda #:** C.194.

To: Board of Supervisors

From: Esa Ehmen-Krause, County Probation Officer

Report Title: Renewal Contract with Gettin' Outta Dodge Ministry

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract renewal with Gettin' Outta Dodge Ministry in the amount not to exceed $220,080 to provide spiritual care services to the youth and young adults transitioning back into the community for the period July 1, 2024, through June 30, 2025.

FISCAL IMPACT:
This contract is funded 50% by the Department of Juvenile Justice Realignment fund and 50% by the Community Corrections Performance Incentive fund.

BACKGROUND:
Under this contract, Gettin Outta Dodge Ministry provides spiritual care services on behalf of the Probation Department to those participating in Probation Department programs, such as, the Community Success Pathway, and the Briones Youth Academy, including transitional care for youth and transitional aged youth both in and out of custody.

Gettin' Outta Dodge Ministry's approach is culturally sensitive, responsive, and trauma-informed in restorative practices. They guide youth as they develop critical skills on loss and mourning, perseverance, and persistence to increase hope, coping, and social/emotional skills that will enable them to develop and fulfill their goals and avoid further justice involvement. The goal of Gettin Outta Dodge Ministry is to continue to positively influence justice involved youth and young adults as they transition back into the community by providing spiritual counseling services, mentoring services regarding continuing education, professional development, moral maturity, and integrity.

CONSEQUENCE OF NEGATIVE ACTION:
Gettin Outta Dodge Ministry will not be able to provide spiritual services to the youth and young adults transitioning back into the community.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1805 **Agenda Date:** 6/25/2024 **Agenda #:** C.195.

To: Board of Supervisors

From: Esa Ehmen-Krause, County Probation Officer

Report Title: Contract with Bay Area Legal Aid

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute a contract with Bay Area Legal Aid in an amount not to exceed $747,763 to provide free civil legal services for youth throughout Contra Costa County for the period July 1, 2024, through June 30, 2026.

FISCAL IMPACT:
This is 100% funded by the Juvenile Justice Crime Prevention Act (JJCPA)

BACKGROUND:
Bay Area Legal Aid is the contract awardee for the Probation Department's Civil Legal Advocacy Services for Youth and Young Adults bid process, RFI#2403-781.

Bay Area Legal Aid has provided free, holistic legal services throughout the Bay Area since the 1960s. Bay Area Legal Aid's Youth Justice team is a unique practice area. Rather than focusing on a specific problem area, their Youth Justice team empowers young people by providing legal and social work services across a variety of areas, holistically supporting their needs.
Bay Area Legal Aid will provide free civil legal advocacy services to low-income eligible youth, ages 13-26 years old in Contra Costa County, who are at high risk for entering the delinquency system. Specifically, those who need legal permanency options and those in need of educational advocacy in the areas of special education and school discipline. Other types of legal services will include public benefits, domestic violence and family law, and healthcare access.

CONSEQUENCE OF NEGATIVE ACTION:
Without this contract, legal services will not be available to youth who are at risk of entering into delinquency.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1806 **Agenda Date:** 6/25/2024 **Agenda #:** C.196.

To: Board of Supervisors

From: Esa Ehmen-Krause, County Probation Officer

Report Title: Interagency Agreement with the Contra Costa County Office of Education

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the County Probation Officer, or designee, to execute an interagency agreement with the Contra Costa County Office of Education, in an amount not to exceed $558,576 to provide one-on-one academic support services for justice-involved youth or at risk of involvement for the period July 1, 2024, through June 30, 2025.

FISCAL IMPACT:
This will be 100% funded by the Juvenile Justice Crime Prevention Act (JJCPA).

BACKGROUND:
Under this agreement, Contra Costa Office of Education (CCCOE) will provide 2.5 full-time equivalent (FTE) Case Managers, and 0.50 FTE Case Manager Supervisor, to provide one-on-one academic support services for justice-involved youth or at risk of involvement in the juvenile justice system, ages 14-17 years old that are attending schools in Contra Costa County. CCCOE recognizes the need for intensive education case management for justice-involved youth to help them successfully complete high school, encourage college and career pathway involvement and providing pro-social supports that help youth become thriving members of their community. Case managers will help prevent youth from engaging in delinquent behaviors and work with parents/guardians to ensure educational goals are met.

CONSEQUENCE OF NEGATIVE ACTION:
Without this contract, the one-on-one academic support service will not be available to the justice-involved youth attending schools in Contra Costa County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1807 **Agenda Date:** 6/25/2024 **Agenda #:** C.197.

To: Board of Supervisors

From: Esa Ehmen-Krause, County Probation Officer

Report Title: Purchase Two Vehicles for Post-Release Community Supervision Unit

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE Budget Amendment No. BDA-24-00227 authorizing the transfer of appropriations in the amount of $130,000 from Probation Programs (0308) to Public Works - ISF Fleet Services (0064) for the purchase of two (2) vehicles for Post-Release Community Supervision unit.

FISCAL IMPACT:

This action increases revenue in Public Works - ISF Fleet Services (0064) and reduces appropriations by $130,000 out of the Probation Department's AB109 Program (3085/3611). The purchase of these vehicles will be funded by State AB 109 Public Safety Realignment funds.

BACKGROUND:

In 2011, the California Legislature passed public safety legislation (Assembly Bill 109) that shifted responsibility of certain populations of offenders from the State to the County.
Assembly Bill 109 (AB 109) established the California Public Safety Realignment Act of 2011 which allows for non-violent, non-serious, non-sex offenders to be supervised at the local county level opposed to state parole offices. Those sentenced to local commitments for crimes that would have previously resulted in prison sentences are released from jail and placed on Mandatory Supervision, supervised by the Probation Department. The goal is to ensure Post Release Community Supervision (PRCS) clients have the best possible chance to avoid further negative contact with the justice system.

The Probation Department's fleet for PRCS services has reached 10 years of service. To ensure minimum disruption in the delivery of services to clients, new vehicles are requested.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase is not approved, the Probation Department will not be able to purchase replacement vehicles for our Post-Release Community Supervision unit, which may jeopardize the Department's ability to support its clients and provide community safety.

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 05/07/2024 : BDA-24-00227

Company	Contra Costa County
Budget Template	Operating Budget : FY2023-24 Operating Budget
Budget	FY2023-24 Operating Budget
Organizing Dimension Type	
Amendment ID	BDA-24-00227
Amendment Date	05/07/2024
Description	Purchase two vehicles from ISF to Probation (PRCS Unit)
Amendment Type	Appropriation / Estimated Revenue Adjustment
Balanced Amendment	Yes
Entry Type	Mid-Year Adjustments
Status	In Progress

Budget Amendment Entries

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2023-24 Year (FY2023-24 Operating Budget)	5011:REIMBURSEMENTS-GOV/GOV	3036 COMMUNITY PROBATION (Home Org)	3085 AB109-PROBATION	100300 GENERAL	$130,000.00	$0.00		Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	3611:INTERFUND EXP - GOV/GOV	3036 COMMUNITY PROBATION (Home Org)	3085 AB109-PROBATION	100300 GENERAL	$0.00	$130,000.00		Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9951:REIMBURSEMENTS - GOV/GOV	3036 COMMUNITY PROBATION (Home Org)	4284 VEHICLE REPLACEMENT	150100 FLEET ISF	$0.00	$130,000.00		Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	4953:AUTOS & TRUCKS	3036 COMMUNITY PROBATION (Home Org)	4284 VEHICLE REPLACEMENT	150100 FLEET ISF	$130,000.00	$0.00		Warning : - Home Org on Budget Line Not Equal Initiator's Home Org

Process History

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Budget Amendment Event	Step Completed	05/07/2024 08:12:15 AM	05/08/2024	Cristina Squires	1	

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 05/07/2024 : BDA-24-00227

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Review Budget Amendment	Not Required		05/08/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Sent Back	05/07/2024 08:51:34 AM		Christabel De Dios (Department Approver – Budget Amendment)	1	Send Back Reason from Christabel De Dios: correction needed
Budget Amendment Event	Budget Amendment Event	Submitted	05/07/2024 08:55:41 AM	05/08/2024	Cristina Squires	1	
Budget Amendment Event	Review Budget Amendment	Not Required		05/08/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	05/08/2024 10:39:09 AM		Christabel De Dios (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Approval by Budget Specialist (Auditor Office)	Awaiting Action			Analiza Pinlac (Budget Specialist (Auditor Office))	3	
					Xia Zhang (Budget Specialist (Auditor Office))		
					Yesenia Campos (Budget Specialist (Auditor Office))		

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-226 **Agenda Date:** 6/25/2024 **Agenda #:** C.198.

To: **Board of Supervisors**

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Approve and Authorize to fully close a portion of Olympic Boulevard, on July 11, 2024, from 9:00 p.m., through 5:00 a.m., Walnut Creek area.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT Resolution approving and authorizing the Public Works Director, or designee, to fully close a portion of Olympic Boulevard between Freeman Road and King Drive, on July 11, 2024, from 9:00 p.m. through 5:00 a.m., for the purpose of setting up and operating a crane from the roadway, Walnut Creek area. (District II)

FISCAL IMPACT:
No fiscal impact.

BACKGROUND:
Hatton Crane shall follow guidelines set forth by the Public Works Department. Hatton Crane needs to set up and operate a crane from the Olympic Boulevard right of way to lift a modular house onto the rear of the property located at 3439 Freeman Road in Walnut Creek. The hours of the proposed closure are from 9:00 p.m. to 5:00 a.m., to minimize the impact of commute hour traffic.

CONSEQUENCE OF NEGATIVE ACTION:
Applicant will be unable to close the road for planned activities.

c: Larry Gossett-Engineering Services, Kellen O'Connor-Engineering Services, Bob Hendry- Engineering Services, Devon Patel- Engineering Services, Marke Smith-Engineering Services, Chris Lau- Maintenance, CHP, Sheriff- Patrol Division Commander

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF: approving and authorizing the Public Works Director, or designee, to fully close a portion of Olympic Boulevard between Freeman Road and King Drive, on July 11, 2024, from 9:00 p.m. through 5:00 a.m., for the purpose of setting up and operating a crane from the roadway, Walnut Creek area. (District II)

RC24-30

NOW, THEREFORE, BE IT RESOLVED that permission is granted to Hatton Crane to fully close a portion of Olympic Boulevard between Freeman Road and King Drive, except for emergency traffic, local residents, US Postal Service and garbage trucks, on July 11, 2024, for the period of 9:00 p.m. through 5:00 a.m., subject to the following conditions:

1. Traffic will be detoured via roads identified in a traffic control plan, reviewed by the Public Works Department. Emergency vehicles, residents within the closure and essential services will be allowed access as required.
2. All signing to be in accordance with the California Manual on Uniform Traffic Control Devices.
3. Hatton Crane shall comply with the requirements of the Ordinance Code of Contra Costa County.
4. Provide the County with a Certificate of Insurance in the amount of $1,000,000.00 for Comprehensive General Public Liability which names the County as an additional insured prior to permit issuance.
5. Obtain approval for the closure from the Sheriff's Department, the California Highway Patrol and the Fire District.

CONTRA COSTA COUNTY

1025 ESCOBAR STREET
MARTINEZ, CA 94553

Staff Report

File #: 2024-210 **Agenda Date:** 6/25/2024 **Agenda #:** C.199.

To: **Board of Supervisors**

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Granting of a Pipeline Franchise to Shore Terminals LLC

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT a Resolution granting a ten-year pipeline franchise renewal to Shore Terminals LLC pursuant to the terms and conditions of County Ordinance No. 2013-19 and County Resolution No. 2013/305 for pipelines located in the unincorporated area of the County near Crockett as recommended by the Public Works Director.

FISCAL IMPACT:
The pipeline franchise will generate approximately $2,700 per year commencing with calendar year 2024. The annual franchise payment will be calculated at the rate of $1.77 per cubic foot of pipeline within the County right-of-way. The number of cubic feet of pipeline subject to the franchise fee rate will be calculated by taking the area of the inside diameter of the pipeline plus 1" and multiplying it by the length of the pipeline within the County right-of-way. The annual franchise fee rate of $1.77 per cubic foot is increased annually by the change in the Consumer Price Index, all Urban Consumers for the San Francisco-Oakland-Hayward Area (1982-84 = 100), with December 2012 (239.53) as the base CPI month.

BACKGROUND:
On August 13, 2013, this Board adopted Ordinance No. 2013-19 (establishing regulations for granting pipeline franchises in County rights-of-way) and Resolution No. 2013/305 (establishing pipeline franchise fee amounts).

On July 29, 2014, this Board approved Resolution No. 2014/253 granting a pipeline franchise to Shore Terminals LLC pursuant to the terms and conditions of County Ordinance No. 2013-19 and County Resolution No. 2013/305.

Shore Terminals LLC has filed a written application with the County, dated January 17, 2024, wherein it has requested the granting of a pipeline franchise ten-year renewal pursuant to the terms and conditions of County Ordinance No. 2013-19. Shore Terminals LLC provided the deposit to cover all administrative costs associated with the granting of this pipeline franchise renewal, as required by Ordinance No. 2013-19 and Resolution No. 2013/305.

Approval of Resolution No. 24- will grant a pipeline franchise renewal to Shore Terminals, LLC for the following pipelines for a term of ten years:

1. Selby Crockett Richmond Pipeline - 12 inch diameter, 470 feet gasoline, diesel fuel and jet fuel pipeline.
2. Selby Crockett Concord Pipeline - 8 inch diameter, 470 feet gasoline, diesel fuel and jet fuel pipeline.
3. Selby P1 Pipeline - 12 inch diameter, 80 feet gasoline, diesel fuel and ethanol pipeline.
4. Selby P2 Pipeline - 12 inch diameter, 80 feet gasoline, diesel fuel and ethanol pipeline.
5. Selby P4 Pipeline - 12 inch diameter, 80 feet jet fuel pipeline.
6. Selby P5 Pipeline - 12 inch diameter, 80 feet jet fuel pipeline.
7. Selby P7 Pipeline - 6 inch diameter, 80 feet ethanol pipeline.
8. Selby Vapor Pipeline - 12 inch diameter, 80 feet vapor pipeline.

All eight pipelines were included in the approval of Resolution No. 2014/253. Shore Terminals LLC determined that there have been no changes to the pipelines.

CONSEQUENCE OF NEGATIVE ACTION:
Shore Terminals LLC will not obtain the required authorization to continue to operate and maintain their pipelines within the County right-of-way under the Pipeline Franchise Ordinance. The Pipeline Franchise Ordinance includes provisions to protect the County from risks associated with pipelines.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF a resolution of the Board of Supervisors of the County of Contra Costa authorizing the granting of a ten year pipeline franchise renewal to Shore Terminals LLC. The Board of Supervisors of the County of Contra Costa finds and declares:

WHEREAS, on August 13, 2013, this Board adopted Ordinance No. 2013-19 (establishing regulations for granting pipeline franchises in County rights-of-way), which became effective September 12, 2013; and Resolution No. 2013/305 (establishing pipeline franchise fee amounts).

WHREAS, on July 29, 2014, this Board approved Resolution No. 2014/253 granting a pipeline franchise to Shore Terminals LLC pursuant to the terms and conditions of County Ordinance No. 2013-19 and County Resolution No. 2013/305.

WHEREAS, Shore Terminals LLC has filed a written application with the County, wherein it has requested the granting of a ten year pipeline franchise renewal pursuant to the terms and conditions of County Ordinance No. 2013-19 and County Resolution No. 2013/305.

WHEREAS, Shore Terminals LLC has identified the following eight pipelines, which it owns and will be covered under the proposed pipeline franchise renewal as:

1. Selby Crockett Richmond Pipeline - 12 inch diameter, 470 feet gasoline, diesel fuel and jet fuel pipeline.
2. Selby Crockett Concord Pipeline - 8 inch diameter, 470 feet gasoline, diesel fuel and jet fuel pipeline.
3. Selby P1 Pipeline - 12 inch diameter, 80 feet gasoline, diesel fuel and ethanol pipeline.
4. Selby P2 Pipeline - 12 inch diameter, 80 feet gasoline, diesel fuel and ethanol pipeline.
5. Selby P4 Pipeline - 12 inch diameter, 80 feet jet fuel pipeline.
6. Selby P5 Pipeline - 12 inch diameter, 80 feet jet fuel pipeline.
7. Selby P7 Pipeline - 6 inch diameter, 80 feet ethanol pipeline.
8. Selby Vapor Pipeline - 12 inch diameter, 80 feet vapor pipeline.

WHEREAS, the County has reviewed the application as well as relevant documents, staff reports, and recommendation and it is the intent of the Board to grant a pipeline franchise to Shore Terminals, LLC pursuant to Ordinance 2013-19 and Resolution 2013/305.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Supervisors of Contra Costa County finds and declares that the foregoing recitals are true and correct.

2. Pursuant to Ordinance No. 2013-19, a franchise renewal to operate pipelines on certain County rights of way as described below is hereby granted to Shore Terminals LLC, for a term of ten years.
    a. A 12-inch diameter gasoline, diesel fuel, and jet fuel pipeline bisecting the County from East to West and crossing various County rights of way for a lineal distance of approximately 470 feet (Selby Crockett Richmond Pipeline).
    b. An 8-inch diameter gasoline, diesel fuel, and jet fuel pipeline bisecting the County from East to West and crossing various County rights of way for a lineal distance of approximately 470 feet (Selby Crockett Concord Pipeline).
    c. A 12-inch diameter gasoline, diesel fuel, and ethanol pipeline bisecting the County from South to North and crossing various County rights of way for a lineal distance of approximately 80 feet (Selby P1 Pipeline).
    d. A 12-inch diameter gasoline, diesel fuel and ethanol pipeline bisecting the County from South to North and crossing various County rights of way for a lineal distance of approximately 80 feet (Selby P2 Pipeline).
    e. A 12 inch diameter, jet fuel pipeline bisecting the County from South to North and crossing various County rights of way for a lineal distance of approximately 80 feet (Selby P4 Pipeline).
    f. A 12-inch diameter, jet fuel pipeline bisecting the County from South to North and crossing various County rights of way for a lineal distance of approximately 80 feet (Selby P5 Pipeline).
    g. A 6-inch diameter, ethanol pipeline bisecting the County from South to North and crossing various County rights of way for a lineal distance of approximately 80 feet (Selby P7 Pipeline).
    h. A 12-inch diameter, vapor pipeline bisecting the County from South to North and crossing various County rights of way for a lineal distance of approximately 80 feet (Selby Vapor Pipeline).

3. The general location of the pipelines is depicted on the maps attached hereto as Exhibit 1.

4. The annual franchise payment to be paid pursuant to County Resolution 2013/305 shall be calculated at the rate of $1.77 per cubic foot of pipeline within the County right-of-way. The number of cubic feet of

pipeline subject to the franchise fee rate will be calculated by taking the area of the inside diameter of the pipeline plus 1" and multiplying it by the length of the pipeline within the County right-of-way. The annual franchise fee rate of $1.77 per cubic foot is increased annually by the change in the Consumer Price Index, all Urban Consumers for the San Francisco-Oakland-Hayward Area (1982-84 = 100), with December 2012 (239.53) as the base CPI month.

5. The Director of Public Works, or his designee, is authorized to administer the pipeline franchise granted pursuant to this resolution.

6. The Resolution shall take effect upon the following:

Within 30 days of the date of this Resolution, Shore Terminals LLC must file with the Public Works Department the following: (1) a written acceptance of the terms and conditions of the franchise granted pursuant to this Resolution, Ordinance No. 2013-19, and Resolution No. 2013/305; (2) a performance bond in the form approved by the Board; and, (3) insurance coverage as required by Ordinance 2013-19.

Exhibit 1



Selby P4 Pipeline
Selby 12" Vapor Pipeline
Selby P2 Pipeline
Selby P1 Pipeline
Selby P5 Pipeline
Selby 6" P7 Ethanol Pipeline
Selby Crockett Richmond Pipeline
Selby Crockett Concord Pipeline
INSET

Legend
- Selby Crockett Concord Pipeline
- Selby Crockett Richmond Pipeline
- Selby P1 Pipeline
- Selby P2 Pipeline
- Selby P4 Pipeline
- Selby P5 Pipeline
- Selby P7 Pipeline
- Selby Vapor Pipeline

0 250 500 1,000 Feet

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1808 **Agenda Date:** 6/25/2024 **Agenda #:** C.200.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: County and Fire District Exchange of Real Property Interests in Support of Fire Station 94 in Brentwood

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Acting as the County Board of Supervisors:

1. DECLARE that a portion of the Real Property located at 757 First Street in Brentwood consisting of approximately 1,212 square feet, as shown in Exhibit A (Parcel), to be surplus and no longer necessary for the present or future needs of the County.

2. APPROVE and AUTHORIZE the Chair of the Board of Supervisors to execute, on behalf of the County, a grant deed in substantial conformity with Exhibit B to transfer the Parcel to the Contra Costa County Fire Protection District (Fire District) (Grant Deed), pursuant to Government Code section 25365, in exchange for receipt of a grant of easement in substantial conformity with Exhibit C, granting an easement across Fire District-owned property located at 739 First Street in Brentwood to the County (Easement).

3. ACCEPT the Easement from the Fire District in exchange for the conveyance of the Parcel to the Fire District, pursuant to Government Code section 25365.

4. DETERMINE that neither the conveyance of the Parcel nor the acceptance of the Easement is subject to the requirements of the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because neither activity is a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

5. DIRECT the Real Estate Division of the Public Works Department to cause the Grant Deed and the Easement to be recorded by the Clerk-Recorder.

Acting as the Fire District Board of Directors:

1. ACCEPT the Grant Deed from the County, pursuant to Health and Safety Code section 13861(b).

2. APPROVE and AUTHORIZE the Fire Chief to execute, on behalf of the Fire District, the Easement in exchange for receipt of the Grant Deed, pursuant to Health and Safety Code section 13861(b).

3. DETERMINE that neither the granting of the Easement nor the acceptance of the Grant Deed is subject to the requirements of the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because neither activity is a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

FISCAL IMPACT:
No fiscal impact. No monetary consideration is being paid by the Fire District or the County.

BACKGROUND:
The County and the Fire District own adjoining parcels in Brentwood. The County parcel is located at 757 First Street. The Fire District parcel is located at 739 First Street. The current configuration of the two parcels is shown on Exhibit A.

County Conveyance to Fire District

The Fire District desires to construct a new fire station, referred to as Station 94, on the Fire District parcel. The non-uniform shape of the Fire District parcel limits the size of the fire station that can be built on the site, as well as the station's drive-through capabilities. Without drive-through capability, every time a fire truck returns from a call, it will have to be backed into the station, increasing the likelihood of accidents.

The Fire District desires that the County convey the Parcel to the Fire District to enable the Fire District to have adequate space to construct a modern fire station, including drive-through capability, emergency generators, trash enclosures, and on-site fueling capabilities. The Parcel consists of approximately 1,212 square feet.

Construction of the fire station was determined exempt from the California Environmental Quality Act (CEQA) as the project consists of the replacement and reconstruction of an existing facility on the same site that will have substantially the same purpose and capacity as the structure replaced and will have minor lot line adjustments that would not result in any changes in land use or density resulting in the create of any new parcel pursuant to Article 19, Sections 15302(c) and 15305(a) of the California Code of Regulations, Title 4. A Notice of Exemption was posted with the County Clerk-Recorder on February 20, 2024.

Fire District Conveyance to the County

The County-owned property is the site of a Veteran's Memorial Building. To ensure continuing access to the sidewalk and the ADA ramp that are adjacent to the Veteran's Memorial Building, the County desires to obtain an easement across a portion of the Fire District property.

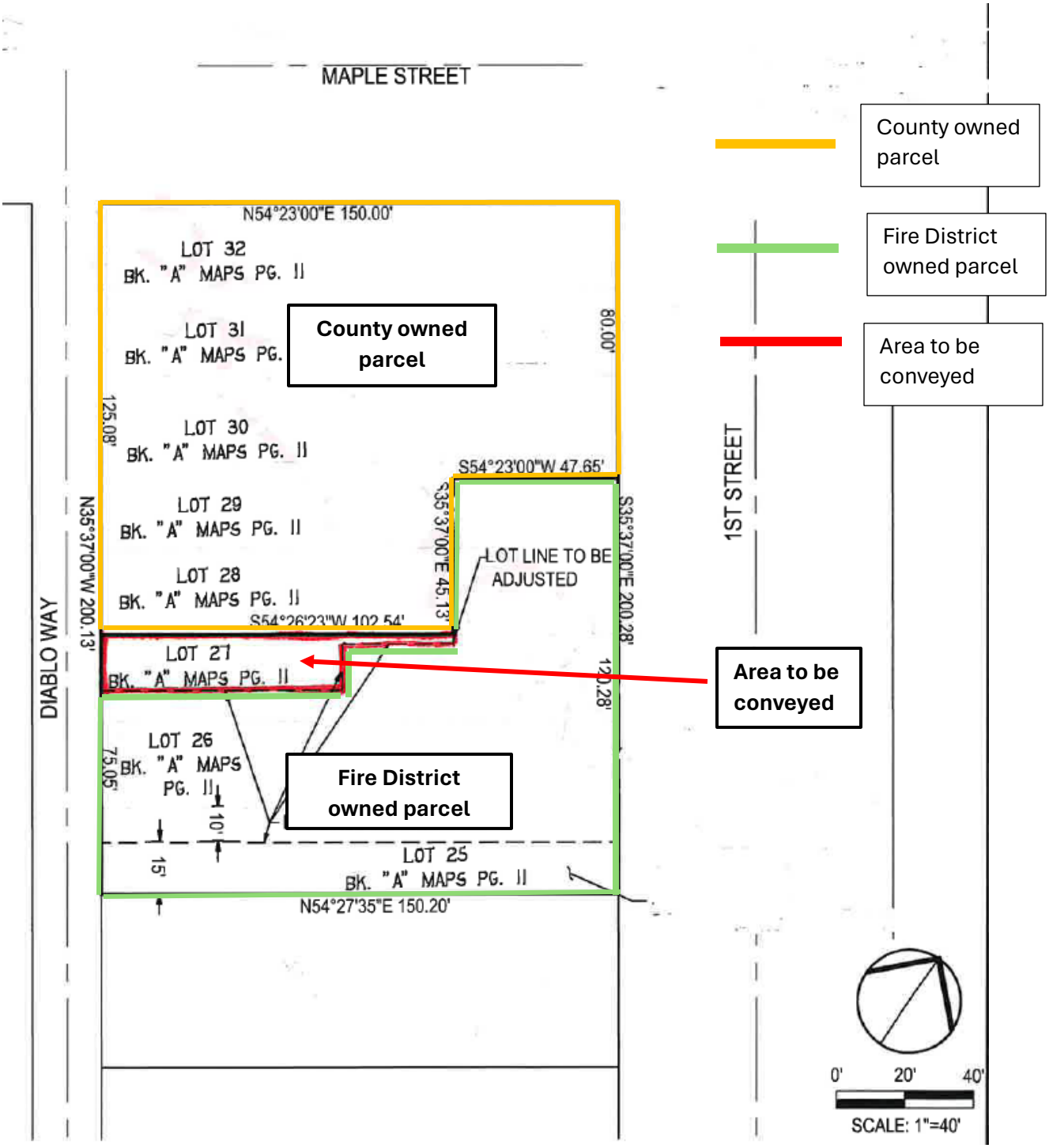
CONSEQUENCE OF NEGATIVE ACTION:
If the County declines to convey the Parcel to the Fire District, the Fire District will not have enough land to construct and reopen Fire Station 94 in downtown Brentwood. If the Fire District declines to convey an easement to the County, the County could lose necessary access to the Veteran's Memorial Building.

Exhibit A - Plat showing County-owned property, Fire District-owned property, and area to be conveyed.

Exhibit B - Form of Grant Deed

Exhibit C - Form of Easement

EXHIBIT A


MAPLE STREET
N54°23'00"E 150.00'
LOT 32
BK. "A" MAPS PG. II
LOT 31
BK. "A" MAPS PG.
LOT 30
BK. "A" MAPS PG. II
LOT 29
BK. "A" MAPS PG. II
LOT 28
BK. "A" MAPS PG. II
LOT 27
BK. "A" MAPS PG. II
LOT 26
BK. "A" MAPS
PG. II
LOT 25
BK. "A" MAPS PG. II
N54°27'35"E 150.20'
S54°23'00"W 47.65'
S54°26'23"W 102.54'
S35°37'00"E 45.13'
S35°37'00"E 200.28'
N35°37'00"W 200.13'
80.00'
125.08'
120.28'
75.05'
10'
15'
LOT LINE TO BE ADJUSTED
DIABLO WAY
1ST STREET
County owned parcel
Fire District owned parcel
Area to be conveyed
County owned parcel
Fire District owned parcel
Area to be conveyed
0'
20'
40'
SCALE: 1"=40'

Recorded at the request of:
Contra Costa County

After recording return to:
Contra Costa Fire Protection District
4005 Port Chicago Highway, Suite 250
Concord, CA 94520

Mail Tax Statement to:
Contra Costa Fire Protection District
4005 Port Chicago Highway, Suite 250
Concord, CA 94520

EXEMPT FROM RECORDING FEES PURSUANT TO GOV'T. CODE SECTION 27383 AND DOCUMENTARY TRANSFER TAX PURSUANT TO REVENUE AND TAXATION CODE SECTION 11922.

A Portion of Assessor's Parcel No. 013-091-016

GRANT DEED

For valuable consideration, receipt of which is hereby acknowledged,

CONTRA COSTA COUNTY, a political subdivision of the State of California, organized under the laws of the State of California,

Grants to CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT the following described real property in the City of Brentwood, State of California:

FOR DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

CONTRA COSTA COUNTY

Dated_____

By_____

Chair, Board of Supervisors

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

STATE OF CALIFORNIA)

COUNTY OF CONTRA COSTA)

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

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

WITNESS my hand and official seal.

Signature: _____
Deputy Clerk

"EXHIBIT A"

TRANSFER PARCEL
LEGAL DESCRIPTION

REAL PROPERTY SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, BEING A PORTION OF THE LAND DESCRIBED IN THE DEED FROM R. J. WALLACE TO CONTRA COSTA COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA, AS PART OF A CONTRA COSTA COUNTY BOARD OF SUPERVISORS RESOLUTION RECORDED ON MAY 25, 1923 IN BOOK 438 OF DEEDS, AT PAGE 321, CONTRA COSTA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

LOT 27 OF, BLOCK 'C', AS SAID LOT AND BLOCK ARE SHOWN ON THE MAP OF BRENTWOOD, FILED SEPTEMBER 1, 1881 IN BOOK 'A' OF MAPS, AT PAGE 11, CONTRA COSTA COUNTY RECORDS,

EXCEPTING THEREFROM THAT PORTION OF ABOVE SAID LOT 27 DESCRIBED IN THE DEED FROM COSTA COUNTY FIRE PROTECTION DISTRICT ACTING AS SUCCESSOR AGENCY TO CONTRA CONTRA COSTA FIRE PROTECTION DISTRICT RECORDED MARCH 8, 2023 AS DOCUMENT NUMBER 2023-0021245, CONTRA COSTA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL COAL LYING UNDERNEATH SAID LOTS OF LAND AND THE RIGHT TO MINE AND REMOVE SUCH COAL, RESERVED BY SAVINGS AND LOAN SOCIETY, A CALIFORNIA CORPORATION, ET AL, BY THAT CERTAIN INDENTURE RECORDED APRIL 12, 1888, IN BOOK 53 OF DEEDS, AT PAGE 496, CONTRA COSTA COUNTY RECORDS.

CONTAINING 1,217 SQUARE FEET, MORE OR LESS.

SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

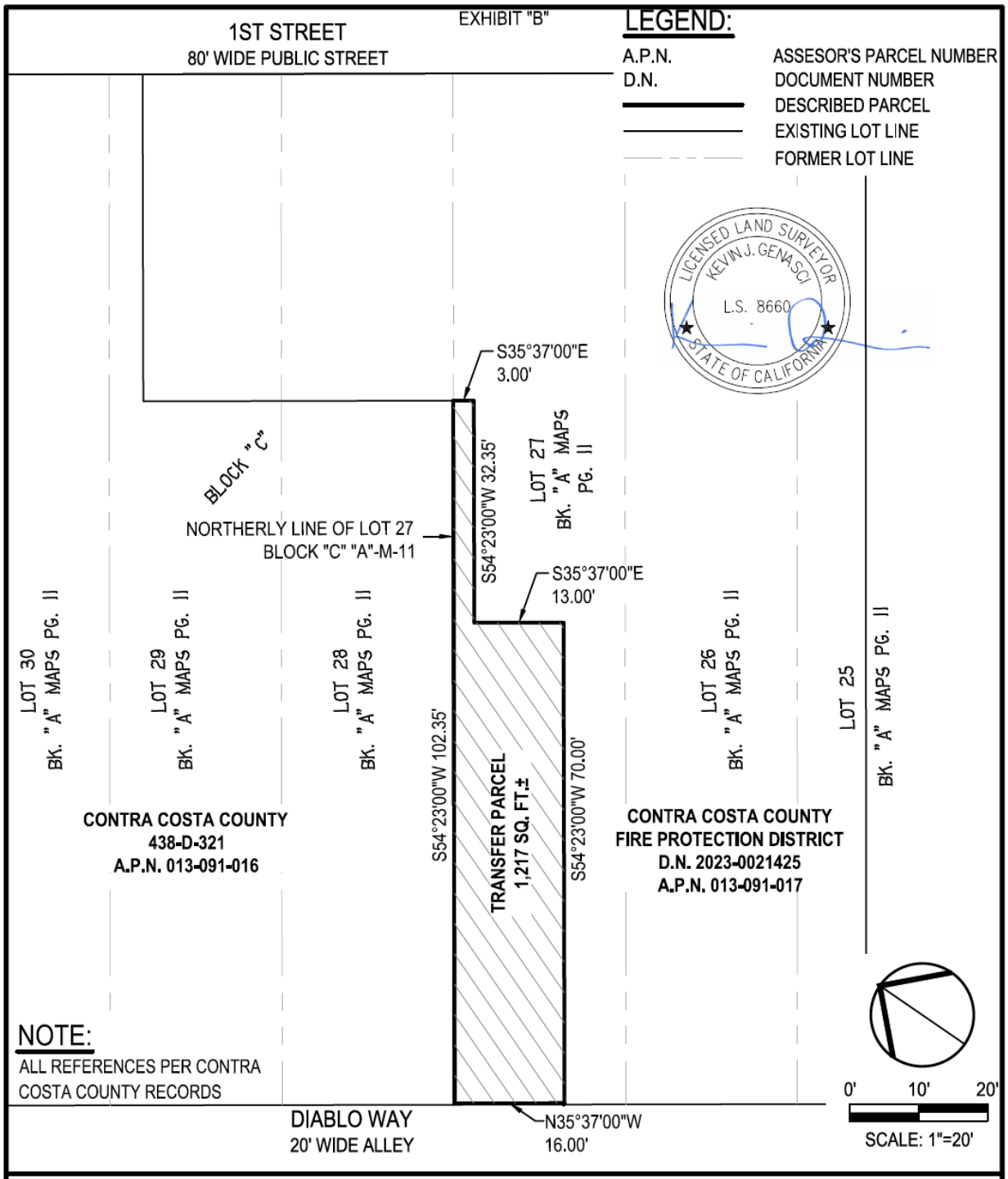
BEING A PORTION OF APN 013-091-016.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.

KEVIN J. GENASCI, P.L.S. 8660
JUNE 3, 2024



EXHIBIT "B"



CITY OF BRENTWOOD - CONTRA COSTA COUNTY - CALIFORNIA

DATE	6/3/2024
DESIGN	KJG
DRAWN	SRS
JOB NO.	23071

SIEGFRIED
CIVIL
STRUCTURAL
LANDSCAPE ARCHITECTURE
SURVEYING
PLANNING
ATHLETIC FACILITY DESIGN
GEOTECHNICAL
100 Sycamore Avenue Suite 100, Modesto, California 95354
209-762-3580 www.siegfriedeng.com Fx: 209-942-0214

SCALE:	AS SHOWN
SHEET	2
OF:	2

Recorded at the request of:
Contra Costa County

Return to:
Contra Costa County
Public Works Department
Real Estate Division
255 Glacier Drive
Martinez, CA 94553

Mail Tax Statement to:
Contra Costa County
Public Works Department
Real Estate Division
255 Glacier Drive
Martinez, CA 94553

EXEMPT FROM RECORDING FEES PURSUANT TO GOV'T. CODE SECTION 27383 AND DOCUMENTARY TRANSFER TAX PURSUANT TO REVENUE AND TAXATION CODE SECTION 11922.

Assessor's Parcel No. A PORTION OF APN 013-091-017

GRANT OF EASEMENT

THIS INDENTURE, made by and between **CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT**, hereinafter called the GRANTOR, and **CONTRA COSTA COUNTY**, a political subdivision of the State of California, hereinafter called the GRANTEE,

W I T N E S S E T H :

That the GRANTOR, for value received, hereby grants to the GRANTEE, and its successors and assigns, a perpetual easement and right of way for ingress and egress purposes (not to be exclusive) over and across that certain real property in the City of Brentwood, County of Contra Costa, State of California, described as follows:

FOR DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

IN WITNESS WHEREOF, the GRANTOR has executed this indenture this _____day of ___, 2024.

_____
Lewis T. Broschard III
District Fire Chief

ABOVE SIGNATURES MUST BE NOTARIZED

\\PW-DATA\grpdata\realprop\Fire Station 94\EA.06 Grant of Easement_ADA access ramp_Fire Station 94.doc
03/2021

"EXHIBIT A"

ADA RAMP EASEMENT
LEGAL DESCRIPTION

REAL PROPERTY SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, BEING A PORTION OF THE LAND DESCRIBED IN THE DEED FROM R. J. WALLACE TO CONTRA COSTA COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA, AS PART OF A CONTRA COSTA COUNTY BOARD OF SUPERVISORS RESOLUTION RECORDED ON MAY 25, 1923 IN BOOK 438 OF DEEDS, AT PAGE 321, CONTRA COSTA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF LOT 32, BLOCK 'C', AS SAID LOT AND BLOCK ARE SHOWN ON THE MAP OF BRENTWOOD, FILED SEPTEMBER 1, 1881 IN BOOK 'A' OF MAPS, AT PAGE 11, CONTRA COSTA COUNTY RECORDS, SAID POINT ALSO BEING THE NORTHERLY CORNER OF ABOVE SAID DEED; THENCE FROM SAID POINT OF COMMENCEMENT ALONG THE NORTHEASTERLY LINE OF SAID BLOCK 'C' SOUTH 35°37'00" EAST (THE BEARING SOUTH 35°37'00" EAST BEING TAKEN FOR PURPOSES OF THIS DESCRIPTION), 80.00 FEET TO THE **POINT OF BEGINNING**; THENCE FROM SAID POINT OF BEGINNING, LEAVING SAID NORTHEASTERLY LINE OF BLOCK 'C' SOUTH 54°23'00" WEST, 47.65 FEET; THENCE SOUTH 35°37'00" EAST, 5.88 FEET; THENCE NORTH 54°27'35" EAST, 47.65 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 1ST STREET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTH 35°37'00" WEST, 5.94 FEET TO THE **POINT OF BEGINNING.**

EXCEPTING THEREFROM ALL COAL LYING UNDERNEATH SAID LOTS OF LAND AND THE RIGHT TO MINE AND REMOVE SUCH COAL, RESERVED BY SAVINGS AND LOAN SOCIETY, A CALIFORNIA CORPORATION, ET AL., BY THAT CERTAIN INDENTURE RECORDED APRIL 12, 1888, IN BOOK 53 OF DEEDS AT PAGE 496, CONTRA COSTA COUNTY RECORDS.

CONTAINING 282 SQUARE FEET OF LAND, MORE OR LESS.

SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

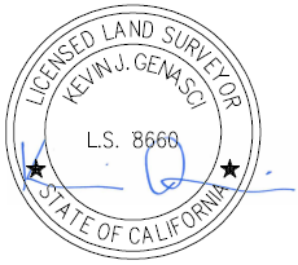
AFFECTING A PORTION OF APN 013-091-017.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.

KEVIN J. GENASCI, P.L.S. 8660
JUNE 3, 2024



EXHIBIT "B"



1ST STREET
80' WIDE PUBLIC STREET

LEGEND:

A.P.N.	ASSESOR'S PARCEL NUMBER
D.N.	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
———	DESCRIBED PARCEL
———	EXISTING LOT LINE
- - - -	FORMER LOT LINE

P.O.B.
N35°37'00"W 5.94'
N35°37'00"W 80.00'
P.O.C.
MOST NORTHERLY CORNER
LOT 32, BLOCK C, "A"-M-11
AND 438-D-321

CONTRA COSTA COUNTY
438-D-321
A.P.N. 013-091-016

LOT 30
BK. "A" MAPS PG. 11

BLOCK "C"

S54°23'00"W 47.65'

ADA RAMP EASEMENT
282 SQ. FT.±

N54°27'35"E 47.65'

LOT 29
BK. "A" MAPS PG. 11

CONTRA COSTA COUNTY
FIRE PROTECTION DISTRICT
D.N. 2023-0021425
A.P.N. 013-091-017

LOT 28
BK. "A" MAPS PG. 11

S35°37'00"E
5.88'

0' 5' 10'
SCALE: 1"=10'

NOTE:

ALL REFERENCES PER CONTRA COSTA COUNTY RECORDS

CITY OF BRENTWOOD - CONTRA COSTA COUNTY - CALIFORNIA

DATE	6/3/2024
DESIGN	KJG
DRAWN	SRS
JOB NO.	23071

SIEGFRIED
CIVIL
STRUCTURAL
LANDSCAPE ARCHITECTURE
SURVEYING
PLANNING
ATHLETIC FACILITY DESIGN
GEOTECHNICAL
100 Sycamore Avenue Suite 100, Modesto, California 95354
209-762-3580 www.siegfriedeng.com Fx: 209-942-0214

SCALE: AS SHOWN
SHEET 2
OF: 2

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1809 **Agenda Date:** 6/25/2024 **Agenda #:** C.201.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Lease of Office Space at 1340 Arnold Drive, Suite 200, Martinez.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a New Lease between the County, as Lessee, and RPE MUIR, LLC, as Lessor, under which the County is leasing a total of approximately 8,921 square feet of office space in the building located at 1340 Arnold Drive, Suite 200, Martinez, through May 31, 2029. The initial annual rent is $198,046, with annual increases.

AUTHORIZE the Public Works Director, or designee, to exercise any options to extend the lease term.

FISCAL IMPACT:
100% Health Services Department - Behavioral Health Services- General Fund Org 5731.

BACKGROUND:
This space has served as the office for Mental Health and Behavioral Health Administration since 2001. This operation provides program administration and oversight for the Behavioral Health system of care as well as implementation of State mandated mental health services for Medi-Cal eligible individuals living with severe and persistent mental illness. The space continues to meet the requirements for this operation. By entering into a New Lease and allowing this operation to remain active at this location, the County will save money in relocation expenses and rents.

CONSEQUENCE OF NEGATIVE ACTION:
If the new lease is not approved, the Health Services Department may experience interruptions in its ability to provide Behavioral Health Services to the County community.

LEASE

Health Services Department
1340 Arnold Drive, Suite 200,
Martinez, CA 94553

This lease is dated June 1, 2024, and is between RPE MUIR, LLC, a California limited liability company ("**Lessor**") and the County of Contra Costa, a political subdivision of the State of California ("**County**").

Recitals

A. Lessor is the owner of the building located at 1340 Arnold Drive, California (the "**Building**").

B. Lessor desires to lease to County and County desires to lease from Lessor a portion of the Building consisting of approximately 8,921 square feet of floor space known as Suite 200 (the "**Premises**"), along with the non-exclusive use of 35 parking stalls.

The parties therefore agree as follows:

Agreement

1. Lease of Premises. In consideration of the rents and subject to the terms of this lease, Lessor hereby leases to County and County hereby leases from Lessor, the Premises.

2. Term. The "**Term**" of this lease is comprised of an Initial Term and, at County's election, Renewal Terms, each as defined below.

   a. Initial Term. The "**Initial Term**" is five years, commencing on June 1, 2024 (the "**Commencement Date**") and ending May 31, 2029.

   b. Renewal Terms. County has two options to renew this lease for a term of two years for each option (each, a "**Renewal Term**") upon all the terms and conditions set forth in this lease.

      i. County will provide Lessor with written notice of its election to renew the lease thirty days prior to the end of the Term. However, if County fails to provide such notice, its right to renew the lease will not expire until fifteen working days after County's receipt of Lessor's written demand that County exercise or forfeit the option to renew.

      ii. Upon the commencement of a Renewal Term, all references to the Term of this lease will be deemed to mean the Term as extended pursuant to this Section.

3. Rent. County shall pay rent ("**Rent**") to Lessor monthly in advance beginning on the Commencement Date. Rent is payable on the tenth day of each month during the Initial Term and, if applicable, the Renewal Terms, in the amounts set forth below:

Initial Term	Monthly Rent
June 1, 2024 - May 31, 2025	$16,503.85
June 1, 2025 - May 31, 2026	$16,998.97
June 1, 2026 - May 31, 2027	$17,508.93
June 1, 2027 - May 31, 2028	$18,034.20
June 1, 2028 - May 31, 2029	$18,575.23

First Renewal Term	Monthly Rent
June 1, 2029 - May 31, 2030	$19,132.49
June 1, 2030 - May 31, 2031	$19,706.46

Second Renewal Term	Monthly Rent
June 1, 2031 - May 31, 2032	$20,297.65
June 1, 2032 - May 31, 2033	$20,906.58

Rent for any fractional month will be prorated and computed on a daily basis with each day's rent equal to one-thirtieth (1/30) of the monthly Rent.

4. Use. County may use the Premises for the purpose of conducting various functions of County and any other purpose permitted by law, provided such use is not specifically prohibited by the building rules and regulations set forth in Exhibit A - Building Rules and Regulations.

5. Obligation to Pay Utilities and Janitorial. Lessor shall pay for all gas and electricity, water, sewer, and refuse collection services provided to the Premises, provided, however, if County installs a supplemental cooling unit, then Lessor shall install a separate meter to measure the electrical consumption of such cooling unit and County will reimburse Lessor for the actual cost of the electrical consumption of such cooling unit and the cost for the meter, including installation. Lessor shall pay for all janitorial services provided to the Premises, which services are to conform to the specifications set forth in Exhibit B – Janitorial Specifications.

6. Maintenance and Repairs.

   a. Roof and Exterior of Premises. Lessor shall keep the roof and exterior of the Premises in good order, condition, and repair, and shall maintain the structural

integrity of the Building, including the exterior doors and their fixtures, closers and hinges, exterior windows, glass and glazing, and all locks and key systems used in the Premises.

b. Interior of Premises. County shall keep and maintain the interior of the Premises in good order, condition, and repair, but Lessor shall repair damage to the interior caused by its failure to maintain the exterior in good repair, including damage to the interior caused by roof leaks and/or interior and exterior wall leaks. The County may install and maintain an alarm system, if deemed necessary by County.

c. Utilities. Lessor shall repair and maintain the electrical, lighting, water and plumbing systems in good order, condition, and repair.

d. HVAC. Lessor shall maintain and repair the heating, ventilating, and air-conditioning (HVAC) systems.

e. Parking; Exterior Lighting; Landscaping. Lessor shall maintain the parking lot, exterior lighting system, and landscaping in good order, condition, and repair.

f. Services by Lessor. If County determines that the Premises are in need of maintenance, construction, remodeling or similar work that is beyond Lessor's responsibilities under this lease, at County's request, Lessor shall perform the work at County's expense. In performing the work, Lessor shall consult with County and use either licensed insured contractors or employees of Lessor. Lessor shall obtain County's prior written approval of the scope, terms, and cost of any contracts. County may, by giving Lessor thirty (30) days prior written notice, change the scope of work, terminate any or all work, or require that work be performed by a different contractor.

7. Quiet Enjoyment. Provided County is in compliance with the material terms of this lease, Lessor shall warrant and defend County in the quiet enjoyment and possession of the Premises during the Term.

8. Assignment and Sublease. County has the right to assign this lease or sublease the Premises or any part of the Premises at any time during the Term. Upon the assignment of the lease by County, the County will have no further obligation under the lease.

9. Alterations; Fixtures and Signs. County may (i) make any lawful and proper minor alterations to the Premises and (ii) attach fixtures and signs ("**County Fixtures**") in or upon the Premises. Any County Fixtures will remain the property of County and may be removed from the Premises by County at any time during the Term. County is responsible for the cost of all alterations and County Fixtures. All alterations and County Fixtures are subject to Lessor's approval and must comply with existing code requirements.

10. Insurance.

a. Liability Insurance. Throughout the Term, County shall maintain in full force and effect, at its sole expense, a general self-insurance program covering bodily injury (including death), personal injury, and property damage, including loss of use. County shall provide Lessor with a letter of self-insurance affirming the existence of the self-insurance program.

b. Self-Insurance Exclusion. County's self-insurance does not provide coverage for (i) areas to be maintained by Lessor under this lease, or (ii) negligence, willful misconduct, or other intentional act, error or omission of Lessor, its officers, agents, or employees.

11. Surrender of Premises. On the last day of the Term, or sooner termination of this lease, County shall peaceably and quietly leave and surrender to Lessor the Premises, along with appurtenances and fixtures at the Premises (except County Fixtures), all in good condition, ordinary wear and tear, damage by casualty, condemnation, acts of God and Lessor's failure to make repairs required of Lessor excepted. County is not responsible for painting or for repairing or replacing any floor coverings in the Premises upon the expiration or earlier termination of this lease.

12. Waste, Nuisance. County may not commit, or suffer to be committed, any waste upon the Premises, or any nuisance or other act or thing that may disturb the quiet enjoyment of any other occupant of the Building.

13. Inspection. Lessor, or its proper representative or contractor, may enter the Premises by prior appointment between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday, holidays excepted, to determine that (i) the Premises is being reasonably cared for, (ii) no waste is being made and that all actions affecting the Premises are done in the manner best calculated to preserve the Premises, and (iii) County is in compliance with the terms and conditions of this lease.

14. Perilous Conditions. If the County's Director of Public Works becomes aware of a perilous condition on the Premises that, in his or her opinion, substantially and significantly threatens the health and safety of County employees and/or invitees (a "**Perilous Condition**"), the Director of Public Works, or his or her designee, will immediately notify Lessor of the Perilous Condition and Lessor shall use best efforts to immediately eliminate the Perilous Condition.

Lessor shall immediately address any condition reasonably constituting an emergency, whether Lessor learns of the condition through County or otherwise.

If Lessor fails to address a Perilous Condition within twenty-four (24) hours after County's notice or to immediately address an emergency, County may attempt to resolve the Perilous Condition or emergency. Lessor shall reimburse County for any costs

incurred by County in addressing the Perilous Condition or emergency promptly upon receipt of County's invoice.

15. Destruction. If damage occurs that causes a partial destruction of the Premises during the Term from any cause and repairs can be made within sixty days from the date of the damage under the applicable laws and regulations of government authorities, Lessor shall repair the damage promptly. Such partial destruction will not void this lease, except that County will be entitled to a proportionate reduction in Rent while the repairs are being made. The proportionate reduction in Rent will be calculated by multiplying Rent by a fraction, the numerator of which is the number of square feet that are unusable by County and the denominator of which is the total number of square feet in the Premises.

If repairs cannot be made in sixty days, County will have the option to terminate the lease or request that Lessor make the repairs within a reasonable time, in which case, Lessor will make the repairs and Rent will be proportionately reduced as provided in the previous paragraph.

This lease will terminate in the event of the total destruction of the Premises.

16. Hazardous Material. Lessor warrants to County that Lessor does not have any knowledge of the presence of Hazardous Material (as defined below) or contamination of the Building or Premises in violation of environmental laws. Lessor shall defend, save, protect and hold County harmless from any loss arising out of the presence of any Hazardous Material on the Premises that was not brought to the Premises by or at the request of County, its agents, contractors, invitees or employees. Lessor acknowledges and agrees that County has no obligation to clean up or remediate, or contribute to the cost of clean up or remediation, of any Hazardous Material unless such Hazardous Material is released, discharged or spilled on or about the Premises by County or any of its agents, employees, contractors, invitees or other representatives. The obligations of this Section shall survive the expiration or earlier termination of this lease.

"Hazardous Material" means any substance, material or waste, including lead based paint, asbestos and petroleum (including crude oil or any fraction thereof), that is or becomes designated as a hazardous substance, hazardous waste, hazardous material, toxic substance, or toxic material under any federal, state or local law, regulation, or ordinance.

17. Indemnification.

a. County. County shall defend, indemnify and hold Lessor harmless from County's share of any and all claims, costs and liability for any damage, injury or death of or to any person or the property of any person, including attorneys' fees, caused by the willful misconduct or the negligent acts, errors, or omissions of County, its officers, agents or employees in using the Premises pursuant to this lease, or the County's performance under this lease, except to the extent caused or contributed to by (i) the structural, mechanical, or other failure of buildings owned or maintained by Lessor,

and/or (ii) the negligent acts, errors, or omissions of Lessor, its officers, agents, or employees.

b. Lessor. Lessor shall defend, indemnify and hold County harmless from Lessor's share of any and all claims, costs and liability for any damage, injury or death of or to any person or the property of any person, including attorneys' fees, caused by the willful misconduct or the negligent acts, errors or omissions of Lessor, its officers, agents, employees, with respect to the Premises, or Lessor's performance under this lease, or the Lessor's performance, delivery or supervision of services at the Premises, or by the structural, mechanical or other failure of buildings owned or maintained by Lessor, except to the extent caused or contributed to by the negligent acts, errors, or omissions of County, its officers, agents, or employees.

18. Default.

The occurrence of any of the following events is a default under this lease:

a. County.

i. County's failure to pay Rent within ten business days after receipt of a written notice of failure (a "**Notice**") from Lessor to County; provided, however, that County will have additional time if its failure to pay Rent is due to circumstances beyond its reasonable control, including, without limitation, failure of the County's Board of Supervisors to adopt a budget. In no event may such additional time exceed seventy-five days from receipt of a Notice.

ii. County's failure to comply with any other material term or provision of this lease if the failure is not remedied within thirty days after receipt of a Notice from Lessor to County specifying the nature of the breach in reasonably sufficient detail; provided, however, if the default cannot reasonably be remedied within the thirty day period, then a default will not be deemed to occur until the occurrence of County's failure to comply within the period of time that may be reasonably required to remedy the default, up to an aggregate of ninety days, provided County commences curing the default within thirty days and thereafter diligently proceeds to cure the default.

b. Lessor. Lessor's failure to perform any obligation under this lease if the failure is not remedied within thirty days after receipt of a Notice from County to Lessor specifying the nature of the breach in reasonably sufficient detail; provided, however, if the breach cannot reasonably be remedied within the thirty day period, then a default will not be deemed to occur until the occurrence of Lessor's failure to perform within the period of time that may be reasonably required to remedy the breach, up to an aggregate of ninety days, provided Lessor commences curing the breach within thirty days and thereafter diligently proceeds to cure the breach.

19. Remedies.

a. Lessor. Upon the occurrence of a default by County, Lessor may, after giving County written notice of the default, and in accordance with due process of law, reenter and repossess the Premises and remove all persons and property from the Premises.

b. County. Upon the occurrence of a default by Lessor, County may (i) terminate this lease by giving written notice to Lessor and quit the Premises without further cost or obligation to County or (ii) proceed to repair or correct the failure and, at County's option, either deduct the cost thereof from Rent due to Lessor, or invoice Lessor for the cost of repair, which invoice Lessor shall pay promptly upon receipt.

20. Notices. Any notice required or permitted under this lease must be in writing and sent by overnight delivery service or registered or certified mail, postage prepaid and directed as follows:

To Lessor:	RPE Muir, LLC. 1343 Locust Street #24 Walnut Creek, CA 94596
With a copy to:	Bay Wide Properties 251 Lafayette Circle #120 Lafayette, CA 94549
To County:	Contra Costa County Public Works Department Attn: Principal Real Property Agent 255 Glacier Drive Martinez, CA 94553

Either party may at any time designate in writing a substitute address for the address set forth above and thereafter notices are to be directed to such substituted address. If sent in accordance with this Section, all notices will be deemed effective (i) the next business day, if sent by overnight courier, or (ii) three days after being deposited in the United States Postal system.

21. Successors and Assigns. This lease binds and inures to the benefit of the heirs, successors, and assigns of the parties hereto.

22. Holding Over. Any holding over after the Term of this lease is a tenancy from month to month and is subject to the terms of this lease.

23. Time is of the Essence. In fulfilling all terms and conditions of this lease, time is of the essence.

24. Governing Law. The laws of the State of California govern all matters arising out of this lease.

25. Severability. In the event that any provision of this lease is held to be invalid or unenforceable in any respect, the validity and enforceability of the remaining provisions of this lease will not in any way be affected or impaired.

[Remainder of Page Intentionally Left Blank]

26. Entire Agreement; Construction; Modification. Neither party has relied on any promise or representation not contained in this lease. All previous conversations, negotiations, and understandings are of no further force or effect. This lease is not to be construed as if it had been prepared by one of the parties, but rather as if both parties prepared it. This lease may be modified only by a writing signed by both parties.

The parties are executing this lease on the date set forth in the introductory paragraph.

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

By: _____
Warren Lai
Public Works Director

RPE MUIR LLC

By: _____
Ronald P. Elvidge
President

RECOMMENDED FOR APPROVAL:

By: _____
Jessica L. Dillingham
Principal Real Property Agent

By: _____
Margaret J. Eychner
Senior Real Property Agent

APPROVED AS TO FORM
THOMAS L. GEIGER, COUNTY COUNSEL

By: _____
Kathleen M. Andrus
Deputy County Counsel

WLP501
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EXHIBIT A

BUILDING RULES AND REGULATIONS

CONTRA COSTA COUNTY
1340 Arnold Drive, Suite 200, Martinez, California

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1. No sign, placard, picture, advertisement, name or notice shall be installed or displayed on any part of the outside or inside of the Building without the prior written consent of Lessor. Lessor shall have the right to remove, at County's expense and without notice, any sign installed or displayed in violation of this rule. All approved signs or lettering on doors and walls shall be printed, painted, affixed or inscribed at the expense of County by a person chosen by Lessor.

2. If Lessor objects in writing to any curtains, blinds, shades, screens or hanging plants or other similar objects attached to or used in connection with any window or door of the Premises, County shall immediately discontinue such use. No awning shall be permitted on any part of the Premises. County shall not place anything against or near glass partitions or doors or windows which may appear unsightly from outside the Premises.

3. County shall not obstruct any sidewalks, halls, passages, exits, entrances, elevators, or stairways of the Building. The halls, passages, exits, entrances, elevators, and stairways are not open to the general public. Lessor shall in all cases retain the right to control and prevent access thereto of all persons whose presence in the judgment of Lessor would be prejudicial to the safety, character, reputation and interest of the Building and its Tenants/County; provided that nothing herein contained shall be construed to prevent such access to persons with whom County normally deals in the ordinary course of its business, unless such persons are engaged in illegal activities. No employee or invitee of County shall go upon the roof of the Building.

4. The directory of the Building will be provided exclusively for the display of the name and location of all tenants in the building including the County.

5. All cleaning and janitorial services for the Building and the Premises shall be provided exclusively through Lessor, and except with the written consent of Lessor, no person or persons other than those approved by Lessor shall be permitted to enter the Building for the purpose of cleaning the same. County shall not cause any unnecessary labor by carelessness or indifference to the good order and cleanliness of the Premises. Lessor shall not in any way be responsible to any County for any loss of personal property on the Premises, however occurring, or for any damage to any County's personal property by the janitor or any other employee or any other person.

6. Lessor will furnish County, at County's cost (unless such cost is paid from any County improvement allowance, if applicable, available to County by Lessor); with six keys to each door lock in the Premises. Lessor may make a reasonable charge for any additional keys.

County shall not make or have made additional keys, and County shall not alter any lock or install a new additional lock or bolt on any door of its Premises. County, upon the termination of its tenancy, shall deliver to Lessor the keys of all doors which have been furnished to County, and in the event of loss of any keys so furnished, shall pay Lessor therefor.

7. If County requires telegraphic, telephonic, burglar alarm or similar services, it shall first obtain, and comply with, Lessor's instructions in their installation.

8. Any freight elevator shall be available for use by all Tenants in the Building, subject to such reasonable scheduling as Lessor in its discretion shall deem appropriate. No equipment, materials, furniture, packages, supplies, merchandise or other property will be received in the Building or carried in the elevators except between such hours and in such elevators as may be designated by Lessor.

9. County shall not place a load upon any floor of the Premises that exceeds the load per square foot that such floor was designed to carry and which is allowed by law. Lessor shall have the right to prescribe the weight, size and position of all equipment, materials, furniture or other property brought into the Building. Heavy objects shall, if considered necessary by Lessor, stand on such platforms as determined by Lessor to be necessary to properly distribute the weight. Business machines and mechanical equipment belonging to County, which cause noise or vibration that may be transmitted to the structure of the Building or to any space therein to such a degree as to be objectionable to Lessor or to any Tenants/County in the Building, shall be placed and maintained by County, at County's expense, on vibration eliminators or other devices sufficient to eliminate noise or vibration. The persons employed to move such equipment in or out of the Building must be acceptable to Lessor. Lessor will not be responsible for loss of, or damage to, any such equipment or other property from any cause, and all damage done to the Building by maintaining or moving such equipment or other property shall be repaired at the expense of County. COUNTY shall notify Lessor of the names of all persons or companies to be employed or retained by County to move equipment or other articles in or out of the Building or Premises on behalf of the County (collectively, "movers") prior to commencing any moving. County shall reasonably cooperate with Lessor to cause all such movers to maintain the following insurance in connection with the moving of equipment or other articles in or out of the Building or Premises, as the case may be (and to provide Lessor with a certificate of insurance evidencing such insurance is being maintained): (i) workers compensation insurance in such amounts as may be required by law; and (ii) commercial general liability insurance (including owned and non-owned automobile liability), on an occurrence basis, with limits of no less than $1,000,000 per occurrence. Such commercial general liability policies shall (i) name Lessor and its managing agent as additional insureds; and (ii) is primary to and non-contributory with any insurance policies carried by Lessor or such managing agent.

10. County shall not use or keep in the Premises any kerosene, gasoline or other inflammable or combustible fluid or material other than those limited quantities necessary for the operation or maintenance of office equipment. County shall not use or permit to be used in the Premises any foul or noxious gas or substance or permit or allow the Premises to be occupied or used in a manner offensive or objectionable to Lessor or other occupants of the Building by reason

of noise, odors or vibrations, nor shall County bring into or keep in or about the Premises any birds or animals.

11. County shall not use any method of heating or air-conditioning other than that supplied by Lessor.

12. County shall not waste electricity, water or air-conditioning and agrees to cooperate fully with Lessor to assure the most effective operation of the Building's heating and air-conditioning and to comply with any governmental energy-saving rules, laws or regulations of which County has actual notice, and shall refrain from adjusting controls. County shall keep corridor doors closed and shall close window coverings at the end of each business day.

13. Lessor reserves the right, exercisable without notice and without liability to County, to change the name and street address of the Building.

14. Lessor reserves the right to exclude from the Building between the hours of 6 P.M. and 7 A.M. the following day, or such other hours as may be established from time to time by Lessor, and on Sundays and legal holidays, any person unless that person is known to the person or employee in charge of the Building and has a pass or is properly identified. County shall be responsible for all persons for whom it requests passes and shall be responsible for all acts of such persons. Lessor shall not be liable for damages for any error with regard to the admission to or exclusion from the Building of any person. Lessor reserves the right to prevent access to the Building in case of invasion, mob, riot, public excitement or other commotion by closing the doors or by other appropriate action.

15. County shall close and lock the doors of its Premises and entirely shut off all water faucets or other water apparatus, and electricity, gas or air outlets before County and its employees leave the Premises. County shall be responsible for any damage or injuries sustained by other Tenants/County or occupants of the Building or by Lessor for noncompliance with this rule.

16. County shall not obtain for use on the Premises food, beverage, towel, car washing or detailing or other similar services or accept barbering, bootblacking or car washing or detailing service upon the Premises, except at such hours and under such regulations as may be fixed by Lessor.

17. The toilet rooms, toilets, urinals, wash bowls and other apparatus shall not be used for any purpose other than that for which they were constructed, and no foreign substance of any kind whatsoever shall be thrown therein. The expense of any breakage, stoppage or damage resulting from the violation of this rule shall be borne by the County who, or whose employees or invitees, shall have caused it.

18. County shall not sell, or permit the sale at retail, of newspapers, magazines, periodicals, theater tickets or any other goods or merchandise to the general public in or on the Premises. County shall not make any room-to-room solicitation of business or activity other than that specifically provided for in the County's lease.

19. County shall not install any radio or television antenna, loudspeaker or other device on the roof or exterior walls of the Building. County shall not interfere with radio or television broadcasting or reception from or in the Building or elsewhere.

20. County shall not mark, drive nails, screw or drill into the partitions, woodwork or plaster or in any way deface the Premises or any part thereof. Lessor reserves the right to direct electricians as to where and how telephone and telegraph wires are to be introduced to the Premises. County shall maintain their telephone, telegraph, telecommunications wires and systems. County shall not cut or bore holes for wires. County shall not affix any floor covering to the floor of the Premises in any manner except as approved by Lessor. County shall repair any damage resulting from noncompliance with this rule.

21. County shall not install, maintain, or operate upon the Premises any vending machine without the written consent of Lessor.

22. Canvassing, soliciting and distribution of handbills or any other written material, and peddling in the Building are prohibited, and each Tenant/County shall cooperate to prevent same.

23. Lessor reserves the right to exclude or expel from the Building any person who, in Lessor's judgment, is intoxicated or under the influence of liquor or drugs or who is in violation of any of the Rules and Regulations of the Building.

24. County shall store all its trash and garbage within its Premises. County shall not place in any trash box or receptacle any material that cannot be disposed of in the ordinary and customary manner of trash and garbage disposal. All garbage disposals shall be made in accordance with the directions issued from time to time by Lessor.

25. The Premises shall not be used for the storage of merchandise held for sale to the general public, or for lodging or for manufacturing of any kind, nor shall the Premises be used for any improper, immoral or objectionable purpose. No cooking shall be done or permitted by any Tenant/County on the premises except that use by County of Underwriters' Laboratory-approved equipment for brewing coffee, tea, hot chocolate, and similar beverages shall be permitted, provided that such equipment and use is in accordance with all applicable federal, state, county and city laws, codes, ordinances, rules and regulations.

26. County shall not use in any space or in the public halls of the Building any hand trucks except those equipped with rubber tires and side guards or such other material-handling equipment as Lessor may approve. County shall not bring vehicles or bicycles of any kind into the Building.

27. Without the written consent of Lessor, County shall not use the name of the Building in connection with or in promoting or advertising the business of County except as County's address.

28. County shall comply with all safety, fire protection and evacuation procedures and regulations established by Lessor or any other governmental agency.

29. County assumes any and all responsibility for protecting its Premises from theft, robbery and pilferage, which includes keeping doors locked and other means of entry to the Premise closed.

30. The requirements of County will be attended to only upon appropriate application to the office of the Building by an authorized individual: Employees of Lessor shall not perform any work or do anything outside of their regular duties unless under specific instruction by Lessor.

31. County shall not park its vehicles in any parking areas designated by the Lessor as areas for parking by visitors to the Building. County shall not leave vehicles in the Building parking areas overnight nor park any vehicles in the Building parking areas other than automobiles, motorcycles, motor driven or non-motor driven bicycles or four wheeled trucks. County shall direct its agents, guests, affiliates, visitors, and invitees coming to the Project for conferences, training, or meetings to park in the overflow parking area designated by the Lessor ("Conference Parking"). Lessor, at Lessor's sole discretion, shall have the right to relocate said Conference Parking. Lessor shall provide County a minimum of a twenty-four (24) hour written notice of such relocation unless such relocation is due to an emergency or other situation that Lessor was not provided ample notification of.

32. Lessor may waive any one or more of these Rules and Regulations for the benefit of County or any other Tenant, but no such waiver by Lessor shall be construed as a continuous waiver of such Rules and Regulations in favor of County or any other Tenant, nor prevent Lessor from thereafter enforcing any such Rules and Regulations against the County or any or all of the other Tenants of the Building.

33. These Rules and Regulations are in addition to and shall not be construed to in any way modify or amend, in whole or in part, the terms, covenants, agreements and conditions of any lease of premises in the Building.

34. Lessor reserves the right to make such other reasonable Rules and Regulations as, in its judgment, may from time to time be needed for safety and security, for care and cleanliness of the Building and for the preservation of good order therein. County agrees to abide by all such Rules and Regulations hereinabove stated and for any additional rules and regulations that are adopted.

35. County shall be responsible for the observance of all foregoing rules by County's employees, agents, clients, customers, invitees and guests.

Exhibit B

JANITORIAL SPECIFICATIONS

CONTRA COSTA COUNTY
1340 Arnold Drive, Suite 200, Martinez, California

Lessor shall cause janitorial services provided to Premises to meet or exceed the following standards:

DAILY SERVICES

1. Clean all restrooms thoroughly each day, including, but not limited to, fixtures, mirrors, hardware, wash basins, partitions, doors, and tile surfaces.
2. Disinfect all toilets, urinals, and wash basins and mop floors nightly.
3. Inspect supplies in restroom dispensers daily and replace as necessary.
4. Empty and wipe out ash trays with a damp cloth.
5. Empty all trash containers throughout the premises.
6. Clean and disinfect drinking fountains.
7. Vacuum or spot-vacuum carpets as necessary around entry and heavy traffic areas. Spot-clean carpets periodically as needed.
8. Remove spots and finger marks from glass on entry doors and all interior partitions.
9. Dust counter tops, desktops, cabinets, tables, low wall partitions, window sills, and telephones.
10. Sweep uncarpeted floors nightly and spot-mop as needed.

WEEKLY SERVICES

1. Vacuum all carpets thoroughly throughout the premises.
2. Dust building completely.
3. Mop all vinyl floor areas weekly and strip, wax, and buff when necessary.
4. Replace trash container liners as necessary.

TWICE YEARLY

1. Wash windows, window screens, and glass on both sides two times per year in May and November.

2. Clean all ventilation grills.

ONCE YEARLY

1. Wash and clean all light fixtures inside and outside.

SUPPLIES AND EQUIPMENT

1. Lessor shall furnish all paper supplies, such as seat covers, towels, toilet tissue, sanitary napkins, soap for sink dispensers, and trash container liners.

2. Lessor shall furnish all equipment, tools, and cleaning supplies such as carpet cleaner, disinfectant, wax, and other supplies, or chemicals required.

MISCELLANEOUS

1. Lessor shall cause the janitor room to be kept neat, clean, and free of debris.

2. Lessor shall cause the janitor to lock all doors and windows, set night lights and alarm system before leaving Building at the end of the day.

3. Lessor shall keep all sidewalks broom clean and landscaping free of debris within a 12-foot distance from the perimeter of the building.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1810 **Agenda Date:** 6/25/2024 **Agenda #:** C.202.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Lease with 777 Arnold Drive, LLC for warehouse space at 777 Arnold Drive, Suite 150, Martinez for Clerk-Recorder - Records Archive

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a lease with 777 Arnold Drive, LLC for a term of five years, commencing July 1, 2024, for approximately 3,405 square feet of warehouse space for the Clerk-Recorder - Records Archive located at 777 Arnold Drive, Suite 150, Martinez, at an initial annual rent of $61,296.00 with annual increases and exercise any options to extend the lease term.

FISCAL IMPACT:
The lease will obligate the County to pay rent in the amount of $61,296.00 for the first year with an annual increase thereafter.

Dept 0353, Org 2452-Vital Records Improvement Fund (approximately 12%), Org 2450-Micrographics (approximately 44%) and Org 2451-Modernization (approximately 44%)

BACKGROUND:
Clerk-Recorder - Records Archive currently stores its records in three separate facilities, which require time consuming, costly, and often delayed deliveries to complete projects, and to service customer requests. State law requires the Clerk-Recorder to store official records, vital records, and official maps permanently. Other records stored for the County include oath of office/allegiance filings, retired notary public journals, and grand jury records. The current storage locations do not offer a temperature-controlled environment for these historical items, some dating as far back as the 1840's, which has led to severe deterioration of a large portion of the collection. In addition to safe storage, the new warehouse space will be used to complete restoration, digital imaging, and state-mandated projects, as well as compliance with Assembly Bill 1466 to identify and redact unlawful language and restrictions found in certain historical documents contained in the County's official records.

CONSEQUENCE OF NEGATIVE ACTION:
Failure to approve the lease may result in having to find new space for the Clerk-Recorder - Records Archive, which may result in higher costs to the County due to increased rent, together with the associated expenses of moving.

LEASE

CLERK-RECORDER

777 ARNOLD DRIVE, SUITE 150
MARTINEZ, CA

This lease is dated July 1, 2024, and is between 777 Arnold Drive, LLC, a California limited liability corporation ("**Lessor**") and the County of Contra Costa, a political subdivision of the State of California ("**County**").

Recitals

A. Lessor is the owner of the building located at 777 Arnold Drive, Martinez (the "**Building**").

B. Lessor desires to lease to County and County desires to lease from Lessor that portion of the Building known as Suite 150, which consists of approximately 3,405 square feet and includes of warehouse space and 2 offices (the "**Premises**"). The location and configuration of the Premises is shown on **Exhibit A**. The County's lease of the Premises includes the non-exclusive use of the parking lot directly adjacent to the Building.

The parties therefore agree as follows:

Agreement

1. Lease of Premises. In consideration of the rents and subject to the terms of this lease, Lessor hereby leases to County and County hereby leases from Lessor, the Premises.

2. Term**.** The "**Term**" of this lease is comprised of an Initial Term and, at County's election, Renewal Terms, each as defined below.

   a. Initial Term. The "**Initial Term**" is five years, commencing on July 1, 2024 (the "**Commencement Date**") and ending June 30, 2029.

   b. Renewal Terms. County has two options to renew this lease for a term of one year for each option (each, a "**Renewal Term**") upon all the terms and conditions set forth in this lease.

      i. County will provide Lessor with written notice of its election to renew the lease thirty days prior to the end of the Term. However, if County fails to provide such notice, its right to renew the lease will not expire until fifteen

working days after County's receipt of Lessor's written demand that County exercise or forfeit the option to renew.

ii. Upon the commencement of a Renewal Term, all references to the Term of this lease will be deemed to mean the Term as extended pursuant to this Section.

3. Rent. County shall pay rent ("**Rent**") to Lessor monthly in advance beginning on the Commencement Date. Rent is payable on the tenth day of each month during the Initial Term and, if applicable, the Renewal Terms, in the amounts set forth below:

a. Initial Term.

Term	Monthly Rent
July 1, 2024 – June 30, 2025	$5,108.00
July 1, 2025 – June 30, 2026	$5,210.00
July 1, 2026 – June 30, 2027	$5,314.00
July 1, 2027 – June 30, 2028	$5,420.00
July 1, 2028 – June 30, 2029	$5,528.00

b. First Renewal Term

Term	Monthly Rent
July 1, 2029 – June 30, 2030	$5,639.00

c. Second Renewal Term.

Term	Monthly Rent
July 1, 2030 – June 30, 2031	$5,751.00

Rent for any fractional month will be prorated and computed on a daily basis with each day's rent equal to one-thirtieth (1/30) of the monthly Rent.

4. Use. The Premises are to be used to store historical records that need to be maintained in a temperature-controlled environment. In support of this use, Lessor shall cause the temperature in the Premises to be no less than 65 degrees Fahrenheit and no greater than 70 degrees Fahrenheit. County shall cause the temperature to be monitored by a thermostatic alarm that is part of the County installed alarm system. If the temperature falls below 65 degrees Fahrenheit or above 70 degrees Fahrenheit, the County will notify the Lessor by email or phone call immediately during regular business hours, and on the next business day following a weekend or holiday.

5. Full-Service Lease. This is a full-service lease. Lessor shall pay all of the Building's operating costs, including, but not limited to, all maintenance and repairs, real estate taxes, and building insurance. County will not reimburse Lessor for any of these costs.

6. Obligation to Pay Utilities. Lessor shall pay for all water, sewer, gas, electricity, and refuse collection provided to the Premises. Lessor shall furnish heating, ventilating and air conditioning to the Premises 24 hours per day, 7 days per week. The temperature must be maintained between 65-70 degrees Fahrenheit for optimum storage conditions.

7. Maintenance and Repairs.

   a. Roof and Exterior of Premises. Lessor shall keep the roof and exterior of the Premises in good order, condition, and repair, and shall maintain the structural integrity of the Building, including the exterior doors and their fixtures, closers and hinges, exterior windows, glass and glazing, used in the Premises. County shall maintain all locks and key systems used in the Premises.

   b. Interior of Premises. County shall keep and maintain the interior of the Premises in good order, condition and repair, but Lessor shall repair damage to the interior caused by its failure to maintain the exterior in good repair, including damage to the interior caused by roof leaks and/or interior and exterior wall leaks. The County may install and maintain an alarm system, if deemed necessary by County.

   c. Utility Systems. Lessor shall repair and maintain the electrical, lighting, water and plumbing systems in good order, condition and repair.

   d. HVAC. Lessor shall maintain and repair the heating, ventilating, and air-conditioning (HVAC) systems.

   e. Parking; Exterior Lighting; Landscaping. Lessor shall maintain the parking lot, exterior lighting system, and landscaping in good order, condition and repair.

   f. Services by Lessor. If County determines that the Premises are in need of maintenance, construction, remodeling or similar work that is beyond Lessor's responsibilities under this lease, at County's request, Lessor shall perform the work at County's expense. In performing the work, Lessor shall consult with County and use either licensed insured contractors or employees of Lessor. Lessor shall obtain County's prior written approval of the scope, terms, and cost of any contracts. County may, by giving Lessor thirty (30) days prior written notice, change the scope of work, terminate any or all work, or require that work be performed by a different contractor.

8. Tenant Improvements. Lessor shall cause the following improvements to be made to the Premises prior to occupancy by the County:

   a. Remove existing carpet in office spaces. Concrete floors shall be delivered in a clean, even, and safe condition.

   b. Replace existing lighting fixtures throughout with LED lighting fixtures.

c. Construct a chain link fence hallway to separate the Premises from the remaining warehouse as shown on Exhibit A.

9. Quiet Enjoyment. Provided County is in compliance with the material terms of this lease, Lessor shall warrant and defend County in the quiet enjoyment and possession of the Premises during the Term.

10. Assignment and Sublease. County has the right to assign this lease or sublease the Premises or any part of the Premises at any time during the Term. Upon the assignment of the lease by County, the County will have no further obligation under the lease.

11. Alterations; Fixtures and Signs**.** County may (i) make any lawful and proper minor alterations to the Premises and (ii) attach fixtures and signs ("**County Fixtures**") in or upon the Premises. Any County Fixtures will remain the property of County and may be removed from the Premises by County at any time during the Term. County is responsible for the cost of all alterations and County Fixtures. All alterations and County Fixtures are subject to Lessor's approval and must comply with existing code requirements.

12. Prior Possession. Prior to the Commencement Date, County has the right to (i) install fixtures, telephone outlets and cabling, telephones, security systems, furniture, and other items required to prepare the Premises for County's occupancy and to store furniture, supplies and equipment, provided such work and storage and can be effected without unduly interfering with Lessor's completion of any tenant improvements.

13. Insurance.

a. Liability Insurance. Throughout the Term, County shall maintain in full force and effect, at its sole expense, a general self-insurance program covering bodily injury (including death), personal injury, and property damage, including loss of use. County shall provide Lessor with a letter of self-insurance affirming the existence of the self-insurance program.

b. Self-Insurance Exclusion. County's self-insurance does not provide coverage for (i) areas to be maintained by Lessor under this lease, or (ii) negligence, willful misconduct, or other intentional act, error or omission of Lessor, its officers, agents, or employees.

14. Surrender of Premises. On the last day of the Term, or sooner termination of this lease, County shall peaceably and quietly leave and surrender to Lessor the Premises, along with appurtenances and fixtures at the Premises (except County Fixtures), all in good condition, ordinary wear and tear, damage by casualty, condemnation, acts of God and Lessor's failure to make repairs required of Lessor excepted. County is not responsible for painting or for repairing or replacing any floor coverings in the Premises upon the expiration or earlier termination of this lease.

15. Waste, Nuisance. County may not commit, or suffer to be committed, any waste upon the Premises, or any nuisance or other act or thing that may disturb the quiet enjoyment of any other occupant of the Building.

16. Inspection. Lessor, or its proper representative or contractor, may enter the Premises by prior appointment between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday, holidays excepted, to determine that (i) the Premises is being reasonably cared for, (ii) no waste is being made and that all actions affecting the Premises are done in the manner best calculated to preserve the Premises, and (iii) County is in compliance with the terms and conditions of this lease.

17. Perilous Conditions. If the County's Director of Public Works becomes aware of a perilous condition on the Premises that, in his or her opinion, substantially and significantly threatens the health and safety of County employees and/or invitees (a "**Perilous Condition**"), the Director of Public Works, or his or her designee, will immediately notify Lessor of the Perilous Condition and Lessor shall use best efforts to immediately eliminate the Perilous Condition.

Lessor shall immediately address any condition reasonably constituting an emergency, whether Lessor learns of the condition through County or otherwise.

If Lessor fails to address a Perilous Condition within twenty-four (24) hours after County's notice or to immediately address an emergency, County may attempt to resolve the Perilous Condition or emergency. Lessor shall reimburse County for any costs incurred by County in addressing the Perilous Condition or emergency promptly upon receipt of County's invoice.

18. Destruction. If any damage occurs that causes destruction to any portion of the Premises during the Term from any cause and repairs can be made within sixty days from the date of the damage under the applicable laws and regulations of government authorities, Lessor shall repair the damage promptly. Such destruction will void this lease.

19. Hazardous Material. Lessor warrants to County that Lessor does not have any knowledge of the presence of Hazardous Material (as defined below) or contamination of the Building or Premises in violation of environmental laws. Lessor shall defend, save, protect and hold County harmless from any loss arising out of the presence of any Hazardous Material on the Premises that was not brought to the Premises by or at the request of County, its agents, contractors, invitees or employees. Lessor acknowledges and agrees that County has no obligation to clean up or remediate, or contribute to the cost of clean up or remediation, of any Hazardous Material unless such Hazardous Material is released, discharged or spilled on or about the Premises by County or any of its agents, employees, contractors, invitees or other representatives. The obligations of this Section shall survive the expiration or earlier termination of this lease.

"Hazardous Material" means any substance, material or waste, including lead based paint, asbestos and petroleum (including crude oil or any fraction thereof), that is or

becomes designated as a hazardous substance, hazardous waste, hazardous material, toxic substance, or toxic material under any federal, state or local law, regulation, or ordinance.

20. Indemnification.

a. County. County shall defend, indemnify and hold Lessor harmless from County's share of any and all claims, costs and liability for any damage, injury or death of or to any person or the property of any person, including attorneys' fees, caused by the willful misconduct or the negligent acts, errors, or omissions of County, its officers, agents or employees in using the Premises pursuant to this lease, or the County's performance under this lease, except to the extent caused or contributed to by (i) the structural, mechanical, or other failure of buildings owned or maintained by Lessor, and/or (ii) the negligent acts, errors, or omissions of Lessor, its officers, agents, or employees.

b. Lessor. Lessor shall defend, indemnify and hold County harmless from Lessor's share of any and all claims, costs and liability for any damage, injury or death of or to any person or the property of any person, including attorneys' fees, caused by the willful misconduct or the negligent acts, errors or omissions of Lessor, its officers, agents, employees, with respect to the Premises, or Lessor's performance under this lease, or the Lessor's performance, delivery or supervision of services at the Premises, or by the structural, mechanical or other failure of buildings owned or maintained by Lessor, except to the extent caused or contributed to by the negligent acts, errors, or omissions of County, its officers, agents, or employees.

21. Default.

The occurrence of any of the following events is a default under this lease:

a. County.

i. County's failure to pay Rent within ten business days after receipt of a written notice of failure (a "**Notice**") from Lessor to County; provided, however, that County will have additional time if its failure to pay Rent is due to circumstances beyond its reasonable control, including, without limitation, failure of the County's Board of Supervisors to adopt a budget. In no event may such additional time exceed seventy-five days from receipt of a Notice.

ii. County's failure to comply with any other material term or provision of this lease if the failure is not remedied within thirty days after receipt of a Notice from Lessor to County specifying the nature of the breach in reasonably sufficient detail; provided, however, if the default cannot reasonably be remedied within the thirty day period, then a default will not be deemed to occur until the occurrence of County's failure to comply within the period of time that may be reasonably required to remedy the default, up to an aggregate

of ninety days, provided County commences curing the default within thirty days and thereafter diligently proceeds to cure the default.

b. Lessor.

i. Subject to Section 21.b.ii below, Lessor's failure to perform any obligation under this lease if the failure is not remedied within thirty days after receipt of a Notice from County to Lessor specifying the nature of the breach in reasonably sufficient detail; provided, however, if the breach cannot reasonably be remedied within the thirty day period, then a default will not be deemed to occur until the occurrence of Lessor's failure to perform within the period of time that may be reasonably required to remedy the breach, up to an aggregate of ninety days, provided Lessor commences curing the breach within thirty days and thereafter diligently proceeds to cure the breach.

ii. Lessor's failure to maintain the temperature in the Premises within the range set forth in Section 4, above, if such failure continues for three or more consecutive days, or for more than a total of 30 days in any 12-month period.

22. Remedies.

a. Lessor. Upon the occurrence of a default by County, Lessor may, after giving County written notice of the default, and in accordance with due process of law, reenter and repossess the Premises and remove all persons and property from the Premises.

b. County. Upon the occurrence of a default by Lessor, County may (i) terminate this lease by giving written notice to Lessor and quit the Premises without further cost or obligation to County or (ii) proceed to repair or correct the failure and, at County's option, either deduct the cost thereof from Rent due to Lessor, or invoice Lessor for the cost of repair, which invoice Lessor shall pay promptly upon receipt.

23. Notices. Any notice required or permitted under this lease must be in writing and sent by overnight delivery service or registered or certified mail, postage prepaid and directed as follows:

To Lessor:	777 Arnold Drive, LLC 777 Arnold Drive, Suite 100 Martinez, CA 94553
To County:	Contra Costa County Public Works Department Attn: Principal Real Property Agent 255 Glacier Drive Martinez, CA 94553

Either party may at any time designate in writing a substitute address for the address set forth above and thereafter notices are to be directed to such substituted address. If sent in accordance with this Section, all notices will be deemed effective (i) the next business day, if sent by overnight courier, or (ii) three days after being deposited in the United States Postal system.

24. Successors and Assigns. This lease binds and inures to the benefit of the heirs, successors, and assigns of the parties hereto.

25. Holding Over. Any holding over after the Term of this lease is a tenancy from month to month and is subject to the terms of this lease.

26. Time is of the Essence. In fulfilling all terms and conditions of this lease, time is of the essence.

27. Governing Law. The laws of the State of California govern all matters arising out of this lease.

28. Severability. In the event that any provision of this lease is held to be invalid or unenforceable in any respect, the validity and enforceability of the remaining provisions of this lease will not in any way be affected or impaired.

[Remainder of Page Intentionally Left Blank]

29. Entire Agreement; Construction; Modification. Neither party has relied on any promise or representation not contained in this lease**.** All previous conversations, negotiations, and understandings are of no further force or effect. This lease is not to be construed as if it had been prepared by one of the parties, but rather as if both parties prepared it. This lease may be modified only by a writing signed by both parties.

The parties are executing this lease on the date set forth in the introductory paragraph.

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

By: _____
Warren Lai
Director of Public Works

777 ARNOLD DRIVE, LLC, a California limited liability corporation

By: _____
Andrew C. Serb
Managing Member

RECOMMENDED FOR APPROVAL:

By: _____
Jessica L. Dillingham
Principal Real Property Agent

By: _____
Stacey Sinclair
Senior Real Property Agent

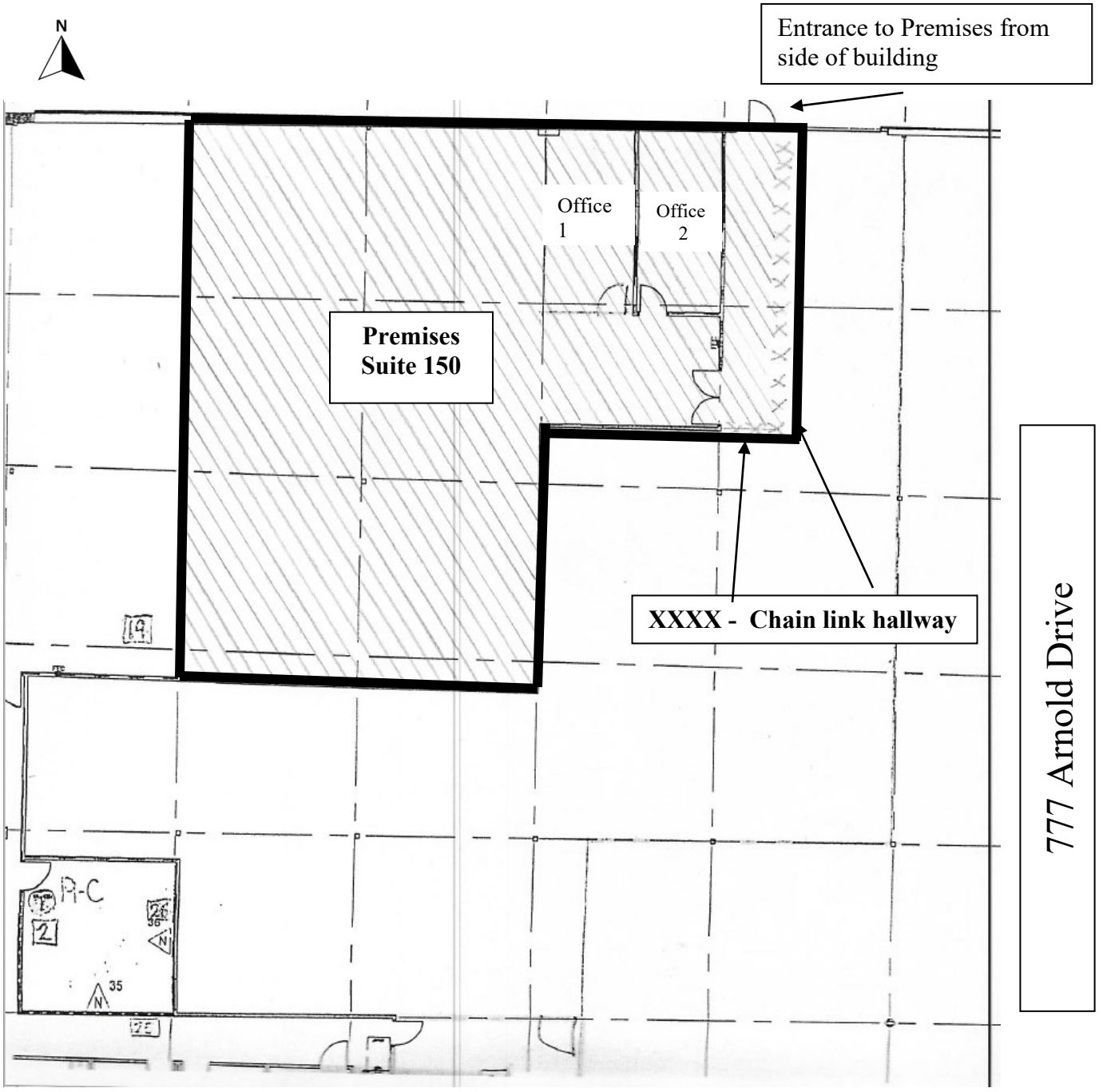
APPROVED AS TO FORM
THOMAS L. GEIGER, COUNTY COUNSEL

By: _____
Kathleen M. Andrus
Deputy County Counsel

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EXHIBIT A

777 Arnold Drive, Martinez



1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1811 **Agenda Date:** 6/25/2024 **Agenda #:** C.203.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: APPROVE a Purchase Order with Kelly Spicers

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Public Works Director, a blanket purchase order with Kelly Spicers, effective July 1, 2024 through December 31, 2027, in an amount not to exceed $1,000,000, as per bid CCC-RFP 2312-723 for miscellaneous cut sheet paper and other paper products, and bid CCC-RFP 2312-12 for miscellaneous envelopes, Countywide.

FISCAL IMPACT:

The cost of paper is initially charged to the General Fund but recovered through charges to the Court Departments. (100% Department User Fees)

BACKGROUND:

All paper products are purchased in volume and are used by the Print and Mail division for printing requests received from County Departments. The cost of paper is charged back to the departments allowing the county to purchase in bulk and save money.

Kelly Spicers is an established local vendor and was selected because of their proximity to Print & Mail Services. They stock a variety of specialty papers and envelopes used by County Departments. Kelly Spicers provides the necessary products timely so that Print & Mail Services can fulfill and service the needs of County departments. Many print orders from County Departments are rush jobs, and Kelly Spicers delivers same day on most orders while offering competitive pricing.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, the cost for paper and envelopes may increase.

Contra Costa County
Public Works
Department

Procurement Services Division
40 Muir Road
Martinez, CA 94553-4825

Notice of Intent to Award Contract

May 29 2024

Mr. Norm Bourroughs
Sales Representative
Kelly Spicers
47422 Kato Road
Fremont, CA 94538
Email: norm.borroughs@kellyspicers.com

Re: CCC-RFP 2312-723 Miscellaneous Cut Sheet Paper and Other Paper Products
CCC-RFP 2312-724 Miscellaneous Envelopes

Dear Mr. Bourroughs

The Contra Costa County Purchasing Division "County" hereby announces its intent to award the contract(s) for the:

Miscellaneous Cut Sheet Paper & Envelopes
to:
Kelly Spicers

This Notice of Intent to Award is contingent on the approval of the Board of Supervisors of Contra Costa County and the execution of a negotiated written contract and, as a result, this Notice does NOT constitute the formation of a contract between the County and ***Kelly Spicers*** ("Vendor"). The Vendor shall not acquire any legal or equitable rights relative to the contract services until a contract containing terms and conditions acceptable to the County is executed. If ***Kelly Spicers*** fails to negotiate and execute a contract with the County, the County may revoke the award and award the contract to the next highest ranked vendor or withdraw the RFP. The County further reserves the right to cancel this Notice of Intent to Award at any time prior to the execution of a written contract.

Thank you for participating in the competitive selection process. You will be contacted by the Department soon for contract negotiation and signing.

Sincerely,

Anne Ortiz
Buyer II
925-957-2491
Email: anne.ortiz@pw.cccounty.us

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1812 **Agenda Date:** 6/25/2024 **Agenda #:** C.204.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: APPROVE a Purchase Order with Kelly Spicers Stores

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Public Works Director, a blanket purchase order with Kelly Spicers Stores, effective July 1, 2024 through December 31, 2027, in an amount not to exceed $750,000, as per bid CCC-RFP 2312-723, for miscellaneous cut sheet paper and other paper products, Countywide.

FISCAL IMPACT:

The cost of paper is initially charged to the General Fund but recovered through charges to the Court Departments. (100% Department User Fees)

BACKGROUND:

All paper products are purchased in volume and are used by the Print and Mail division for printing requests received from County Departments. The cost of paper is charged back to the departments allowing the county to purchase in bulk and save money.

Kelly Spicers Stores is an established local vendor and was selected because of their proximity to Print and Mail Services. They stock a variety of specialty paper used by County Departments. Kelly Spicers provides the necessary products timely so that Print and Mail Services can fulfill and service the needs of County departments. Many print orders from County Departments are rush jobs, and Kelly Spicers delivers same day on most orders while offering competitive pricing.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, the cost for paper may increase.

Contra Costa County
Public Works
Department

Procurement Services Division
40 Muir Road
Martinez, CA 94553-4825

Notice of Intent to Award Contract

May 2024

Mr. Jeff Nelson
Branch Manager
Kelly Spicers Stores
1070 Detroit Ave Suite A
Concord, CA 945218
Email: jeff.nelsons@kellyspicers.com

Re: CCC-RFP 2312-723 Miscellaneous Cut Sheet Paper and Other Paper Products

Dear Mr. Nelson

The Contra Costa County Purchasing Division "County" hereby announces its intent to award the contract(s) for the:

Miscellaneous Cut Sheet Paper
to:
Kelly Spicers Stores

This Notice of Intent to Award is contingent on the approval of the Board of Supervisors of Contra Costa County and the execution of a negotiated written contract and, as a result, this Notice does NOT constitute the formation of a contract between the County and ***Kelly Spicers Stores*** ("Vendor"). The Vendor shall not acquire any legal or equitable rights relative to the contract services until a contract containing terms and conditions acceptable to the County is executed. If ***Kelly Spicers Stores*** fails to negotiate and execute a contract with the County, the County may revoke the award and award the contract to the next highest ranked vendor or withdraw the RFP. The County further reserves the right to cancel this Notice of Intent to Award at any time prior to the execution of a written contract.

Thank you for participating in the competitive selection process. You will be contacted by the Department soon for contract negotiation and signing.

Sincerely,

Anne Ortiz
Buyer II
925-957-2491
Email: anne.ortiz@pw.cccounty.us

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1813 **Agenda Date:** 6/25/2024 **Agenda #:** C.205.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: APPROVE a Purchase Order with Southland Envelope Company

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Public Works Director, a blanket purchase order with Southland Envelope Company, effective July 1, 2024 through December 31, 2027, in an amount not to exceed $1,200,000, as per bid CCC-RFP 2312-724, for miscellaneous envelopes, Countywide.

FISCAL IMPACT:

The cost of paper is initially charged to the General Fund but recovered through charges to the Court Departments. (100% Department User Fees)

BACKGROUND:

All envelope products are purchased in volume and are used by the Print and Mail division for printing requests received from County departments. The cost of the envelopes Is charged back to the departments allowing the county to purchase in bulk and save money.

Southland Envelope Company is a long-established vendor that was selected because of their quality, pricing, and service. They stock a variety of specialty envelopes and provide necessary products in a timely manner, enabling Print & Mail Services to meet the needs of County departments. Many print orders from the County departments are rush jobs, and Southland Envelope Company delivers next day on most orders while offering competitive pricing.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, the cost for envelopes may increase.

Contra Costa County
Public Works
Department

Procurement Services Division
40 Muir Road
Martinez, CA 94553-4825

Notice of Intent to Award Contract

May 2024

Mr. Norberto Mendez
Southland Envelopes
10111 Riverford Rd
Lakeside, CA 92040
jortega@southlandenvelope.com

Re: CCC-RFP 2312-724 Envelopes for Contra Costa County Print and Mail Service

Dear Mr. Mendez

The Contra Costa County Purchasing Division "County" hereby announces its intent to award the contract(s) for the:

Miscellaneous Cut Sheet Paper
to:
Southland Envelopes

This Notice of Intent to Award is contingent on the approval of the Board of Supervisors of Contra Costa County and the execution of a negotiated written contract and, as a result, this Notice does NOT constitute the formation of a contract between the County and ***Southland Envelopes*** ("Vendor"). The Vendor shall not acquire any legal or equitable rights relative to the contract services until a contract containing terms and conditions acceptable to the County is executed. If ***Southland Envelopes*** fails to negotiate and execute a contract with the County, the County may revoke the award and award the contract to the next highest ranked vendor or withdraw the RFP. The County further reserves the right to cancel this Notice of Intent to Award at any time prior to the execution of a written contract.

Thank you for participating in the competitive selection process. You will be contacted by the Department soon for contract negotiation and signing.

Sincerely,

Anne Ortiz
Buyer II
925-957-2491
Email: anne.ortiz@pw.cccounty.us

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1814 **Agenda Date:** 6/25/2024 **Agenda #:** C.206.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: APPROVE a Purchase Order with Staples Advantage

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Public Works Director, a blanket purchase order with Staples Advantage, effective July 1, 2024 through December 31, 2027, in an amount not to exceed $650,000, as per bid CCC-RFP 2312-723 for miscellaneous cut sheet paper and other paper products, and bid CCC-RFP 2312-12 for miscellaneous envelopes, Countywide.

FISCAL IMPACT:

The cost of paper is initially charged to the General Fund but recovered through charges to the Court Departments. (100% Department User Fees)

BACKGROUND:

All paper products are purchased in volume and are used by the Print and Mail division for printing requests received from County Departments. The cost of paper is charged back to the departments allowing the county to purchase in bulk and save money.

Staples Advantage is a long-established local vendor selected because of their proximity to Print & Mail Services. They stock a variety of specialty papers and envelopes used by County Departments. Staples Advantage provides the necessary products timely so that Print and Mail Services can fulfill and service the needs of County departments.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, the cost for paper and envelopes may increase.

Contra Costa County
Public Works
Department

Procurement Services Division
40 Muir Road
Martinez, CA 94553-4825

Notice of Intent to Award Contract

May 29 2024

Mr. Brandon Kavrell
Key Account Executive
Staples Advantage
6801 Koll Center Parkway, #220
Pleasanton, CA 94566
Email: Brandon.Kavrell@Staples.com

Re: CCC-RFP 2312-723 Miscellaneous Cut Sheet Paper and Other Paper Products
CCC-RFP 2312-724 Miscellaneous Envelopes

Dear Mr.Kavrell

The Contra Costa County Purchasing Division "County" hereby announces its intent to award the contract(s) for the:

Miscellaneous Cut Sheet Paper & Envelopes
to:
Staples Advantage

This Notice of Intent to Award is contingent on the approval of the Board of Supervisors of Contra Costa County and the execution of a negotiated written contract and, as a result, this Notice does NOT constitute the formation of a contract between the County and ***Staples Advantage*** ("Vendor"). The Vendor shall not acquire any legal or equitable rights relative to the contract services until a contract containing terms and conditions acceptable to the County is executed. If ***Staples Advantage*** fails to negotiate and execute a contract with the County, the County may revoke the award and award the contract to the next highest ranked vendor or withdraw the RFP. The County further reserves the right to cancel this Notice of Intent to Award at any time prior to the execution of a written contract.

Thank you for participating in the competitive selection process. You will be contacted by the Department soon for contract negotiation and signing.

Sincerely,

Anne Ortiz
Buyer II
925-957-2491
Email: anne.ortiz@pw.cccounty.us

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1815 **Agenda Date:** 6/25/2024 **Agenda #:** C.207.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: APPROVE a Purchase Order with VERITIV

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

APPROVE and AUTHORIZE the Purchasing Agent, or designee, to execute on behalf of the Public Works Director, a blanket purchase order with VERITIV, effective July 1, 2024 through December 31, 2027, in an amount not to exceed $650,000, as per bid CCC-RFP 2312-723 for miscellaneous cut sheet paper and other paper products, Countywide.

FISCAL IMPACT:

The cost of paper is initially charged to the General Fund but recovered through charges to the Court Departments. (100% Department User Fees)

BACKGROUND:

All paper products are purchased in volume and are used by the Print and Mail division for printing requests received from County Departments. The cost of paper is charged back to the departments allowing the county to purchase in bulk and save money.

VERITIV is a long-established local vendor and was selected because of their proximity to Print & Mail Services and competitive pricing. They stock a variety of specialty papers and envelopes used by County Departments. VERITIV provides the necessary products timely so that Print and Mail Services can fulfill and service the needs of County departments.

CONSEQUENCE OF NEGATIVE ACTION:

If this purchase order is not approved, the cost for paper and envelopes may increase.

Contra Costa County
Public Works
Department

Procurement Services Division
40 Muir Road
Martinez, CA 94553-4825

Notice of Intent to Award Contract

May 2024

Mr. Jay Morris
Veretiv Operating Company
1000 Abernathy Road NE
Builing 400 Ste 1700
Atlanta GA 30328

Re: CCC-RFP 2312-723 Miscellaneous Cut Sheet Paper and Other Paper Products

Dear Mr.Morris

The Contra Costa County Purchasing Division "County" hereby announces its intent to award the contract(s) for the:

Miscellaneous Cut Sheet Paper
to:
Veretiv Operating Company

This Notice of Intent to Award is contingent on the approval of the Board of Supervisors of Contra Costa County and the execution of a negotiated written contract and, as a result, this Notice does NOT constitute the formation of a contract between the County and ***Veretiv Operating Company*** ("Vendor"). The Vendor shall not acquire any legal or equitable rights relative to the contract services until a contract containing terms and conditions acceptable to the County is executed. If ***Veretiv Operating Company*** fails to negotiate and execute a contract with the County, the County may revoke the award and award the contract to the next highest ranked vendor or withdraw the RFP. The County further reserves the right to cancel this Notice of Intent to Award at any time prior to the execution of a written contract.

Thank you for participating in the competitive selection process. You will be contacted by the Department soon for contract negotiation and signing.

Sincerely,

Anne Ortiz
Buyer II
925-957-2491
Email: anne.ortiz@pw.cccounty.us

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1816 **Agenda Date:** 6/25/2024 **Agenda #:** C.208.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Consultant Services Agreement for On-Call Architectural Services with RIM Architects, LLP

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Public Works director, or designee, to execute a contract with RIM Architects, LLP (RIM), in an amount not to exceed $900,000 to provide on-call architectural services for various County facilities projects, countywide, for the period July 1, 2024 through June 30, 2027 (with a one-year extension option), which may be extended to June 30, 2028 if elected by the Public Works director.

FISCAL IMPACT:
100% Various Funds. Projects will be assigned to the on-call architect when there is an approved project and funding.

BACKGROUND:

The purpose of the on-call contract is to provide architectural services for various County facilities projects as they occur during the agreement period. When the Public Works Department receives a project request, it will be determined at the time whether or not it would be prudent to utilize this on-call architect. The on-call architect will provide typical architectural services, such as programming, design and construction administration. The type, size and location of projects will vary. Typical projects may include new construction, building renovations/modernizations, remodeling of the entirety or parts of a building, tenant improvements, exterior restorations, mechanical/electrical/plumbing upgrades, structural improvements, code-related improvements, and deferred maintenance. Having this on-call agreement in place will save the County time and money when compared to the time and expense in conducting a consultant selection process on a project-by-project basis and allow the design phase to commence sooner and provide for a shorter project completion schedule.

RIM, was selected through a competitive qualifications-based selection process. The Public Works Department solicited Statements of Qualification (SOQs) and received twenty. Twelve firms were shortlisted. A selection committee comprised of County staff conducted interviews and ranked the shortlisted firms. Public Works recommends that the above firm, which is the eighth highest ranked firm, be awarded the on-call agreement at this time. The seven firms ranked higher have been contracted and Public Works has determined it has need for an additional contract. The agreement includes a single one-year extension option that can be exercised by the

Public Works director, if he chooses. Government Code Section 31000 authorizes the County to contract for services including the type of architectural services that RIM provides.

CONSEQUENCE OF NEGATIVE ACTION:
If the agreement is not approved, the County will not be able to take advantage of the time and cost savings possible through utilization of this on-call architectural services agreement.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1817 **Agenda Date:** 6/25/2024 **Agenda #:** C.209.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Consultant Services Agreement for On-Call Architectural Services with TBP/Architecture, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a contract amendment with TBP/Architecture, Inc. (TBP), effective June 25, 2024 to increase the payment limit by $700,000 to a new payment limit of $2,600,000 for on-call architectural services with no change to the term August 1, 2023 through July 31, 2026, Countywide.

FISCAL IMPACT:
100% Various Funds. Projects will be assigned to the on-call architect when there is an approved project and funding.

BACKGROUND:
On July 11, 2023, the Board of Supervisors approved an on-call Consulting Services Agreement with TBP in the amount of $900,000.

On February 6, 2024, the Board of Supervisors approved Amendment 1, increasing the payment limit by $1,000,000 to a new payment limit of $1,900,000.

As noted when Public Works presented Amendment No. 1 to the Board, TBP has developed into one of the County's preferred options to provide architectural services for acute care medical projects and for deferred maintenance projects. As intended, Amendment No. 1 has allowed Public Works to engage TBP for new projects for which TBP is particularly well-suited, including a deferred maintenance project for the Antioch Library and an elevator modernization project for the main hospital building at the Contra Costa Regional Medical Center (CCRMC). However, Public Works underestimated the fee needed for the noted elevator modernization project as well as other elevator modernization projects at two of CCRMC's other buildings. The architectural fee for these three elevator modernization projects is now expected to exceed $899,000.

To accommodate the elevator projects at the other two buildings on the CCRMC campus as well as upcoming deferred maintenance projects at the Ygnacio Valley Library (upgrade to HVAC and electrical systems and a reroof) under the TBP Consulting Services Agreement, Public Works needs to execute a contract amendment increasing its fee limit. TBP has already performed feasibility analysis for these noted projects, so they are well positioned to provide ongoing needed architectural services. Therefore, Public Works recommends the

proposed Amendment.

CONSEQUENCE OF NEGATIVE ACTION:
If the amendment is not approved, the County will not be able to use its on-call Consulting Services Agreement with TBP for all of the projects noted above. Consequently, the County will need to select other options for retention of architectural services for projects that tBP Architects is already involved with and is particularly well-suited to provide. The timeline for completing some of these projects will increase, and Public Works would expect a decrease in the level of professional service rendered on these certain projects.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1818 **Agenda Date:** 6/25/2024 **Agenda #:** C.210.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Construction Contract for the Bixler Road at Regatta Drive Intersection Improvements Project.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

(1) APPROVE plans, specifications, and design for the Bixler Road at Regatta Drive Intersection Improvements Project. (County Project No. 0662-6R4030) (District III)

(2) DETERMINE that Zara Construction Inc. ("Zara"), the lowest monetary bidder, submitted a non-responsive bid by failing to comply with the requirements of the County's Outreach Program for this project, as provided in the project specifications; and REJECT the bid on that basis.

(3) DETERMINE that FBD Vanguard Construction, Inc. ("Vanguard"), the second lowest monetary bidder, has complied with the requirements of the County's Outreach Program and has exceeded the Mandatory Subcontracting Minimum for this project, as provided in the project specifications; and FURTHER DETERMINE that Vanguard has submitted the lowest responsive and responsible bid for the project.

(4) AWARD the construction contract for the above project to Vanguard in the listed amount ($225,989.00) and the unit prices submitted in the bid, and DIRECT that Vanguard shall present two good and sufficient surety bonds, as indicated below, and that the Public Works Director, or designee, shall prepare the contract.

(5) ORDER that, after the contractor has signed the contract and returned it, together with the bonds as noted below and any required certificates of insurance or other required documents, and the Public Works Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.

(6) ORDER that, in accordance with the project specifications and/or upon signature of the contract by the Public Works Director, or designee, bid bonds posted by the bidders are to be exonerated and any checks or cash submitted for security shall be returned.

(7) ORDER that, the Public Works Director, or designee, is authorized to sign any escrow agreements prepared

for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.
(8) AUTHORIZE the Public Works Director, or designee, to order changes or additions to the work pursuant to Public Contract Code section 20142.

(9) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(10) DELEGATE, pursuant to Labor Code Section 6705, to the Public Works Director, or to any registered civil or structural engineer employed by the County, the authority to accept detailed plans showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection during trench excavation covered by that section.

(11) DECLARE that, should the award of the contract to Vanguard be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject all of the bids received. Nothing in this Staff Report shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:
The Project will be funded by 80% Local Road Funds, 20% Transportation Development Act (TDA) Funds.

BACKGROUND:
The above project was previously approved by the Board of Supervisors, plans and specifications were filed with the Board, and bids were invited by the Public Works Director. On May 21, 2024, the Public Works Department received bids from the following contractors:

BIDDER, TOTAL AMOUNT, BOND AMOUNTS

Zara Construction Inc.: $215,265.00

FBD Vanguard Construction Inc.: $225,989.00; Payment: $225,989.00; Performance: $225,989.00

Gruendl Inc. dba Ray's Electric.: $240,898.18

Kerex Engineering, Inc.: $268,695.00

The Public Works Director has determined that Zara Construction Inc. submitted a non-responsive bid by

failing to document an adequate good faith effort to comply with the requirements of the County's Outreach Program for this project, as provided in the project specifications, and the Public Works Director recommends rejection of the bid submitted by Zara Construction Inc.

On May 31, 2024, Zara Construction Inc was notified in writing of the Public Works Director's determination. A copy of the letter is attached to this Staff Report. Zara Construction Inc. did not appeal the determination.

The Public Works Director has reported that Vanguard documented an adequate good faith effort to comply with the requirements of the County's Outreach Program and exceeded the Mandatory Subcontracting Minimum, and the Public Works Director recommends that the construction contract be awarded to Vanguard.

Public Works Director has determined that the bid submitted by Vanguard, which is $14,909.18 less than the next lowest responsive bid, is the lowest responsive and responsible bid and recommends that the construction contract for this project be awarded to Vanguard; and this Board concurs and so finds.

The Board of Supervisors previously adopted the Categorical Exemption in compliance with the California Environmental Quality Act (CEQA) and a Notice of Exemption was filed with the County Clerk on February 3, 2021.

The general prevailing rates of wages, which shall be the minimum rates paid on this project, have been filed with the Clerk of the Board, and copies will be made available to any party upon request.

CONSEQUENCE OF NEGATIVE ACTION:
Construction of the project would be delayed, and the project might not be built.

Contra Costa County
Public Works
Department

Warren Lai, Director
Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Carrie Ricci
Joe Yee

May 31, 2024

UPS Overnight: 1Z9703140195442909 and Fax [510-430-1860]

Zara Construction
2343 Donner Pass Ave
Sacramento, CA 95835
atiffza@gmail.com

Re: Bixler Road & Regatta Drive Intersection Improvements
Project No.: 0662-6R4030

Our office has reviewed the bid and Good Faith Effort documentation submitted by your firm on the above project. Based upon our review, we have determined that your firm's Good Faith Effort documentation did not comply with the requirements of the County's Outreach Program and the project specifications, as described below.

Your firm's Good Faith Effort documentation did not comply with the requirements of the County's Outreach Program, as specified in Section 2-1.12 of the project specifications. Your firm achieved only 10 points out of 100 points (75 minimum required). We have identified the following deficiencies:

1. Although your firm apparently identified work for subcontractors, the notification to subcontractors (written notices or advertisements) was dated less than 10 days before the bid opening date or were otherwise deficient. The four written notices dated 5/15/2024, 5/17/2024 and 5/20/2024 were sent less than 10 days before bid opening and included no information about the potential subcontractor work or desired sub-bids. (Indicator #3, 0 out of 13 points)
2. Your firm did not provide documentation of an advertisement for sub-bids published at least 10 days before bid opening in a qualified newspaper, publication, or journal. (Indicator #4, 0 out of 9 points)
3. Your firm did not provide documentation that you sent letters or faxes to subcontractors indicating your interest in receiving sub-bids 10 days prior to bid opening. The notices provided were sent less than 10 days prior to bid opening. (Indicator #5, 0 out of 10 points)
4. Since your firm did not provide documentation of valid initial solicitation, the documentation of follow up was also invalid. (Indicator #6, 0 out of 10 points)

5. Your firm did not provide documentation via an advertisement or written notices showing that your firm provided information to subcontractors about the plans, specifications, and project requirements. (Indicator #7, 0 out of 5 points)
6. Your firm did not provide documentation of requests for assistance in recruiting subcontractors sent to outreach agencies at least 15 days prior to bid opening. (Indicator #8, 0 out of 10 points)
7. Your firm did not perform the necessary outreach to obtain sub-bid participation and therefore did not provide documentation of negotiation in good faith. (Indicator #9, 0 out of 26 points)
8. Your firm did not provide documentation via an advertisement or written notices for information about the bidder's efforts to assist with bonds, lines of credit, and insurance. (Indicator #10, 0 out of 7 points).

Based on your firm's failure to document an adequate Good Faith Effort, we plan to recommend that your firm's bid be rejected as non-responsive and that the contract be awarded to the second lowest bidder, FBD Vanguard Construction, Inc., which has fully complied with those requirements, including the 24% Mandatory Subcontracting Minimum (MSM).

Should your firm disagree with our determination, you may appeal it in writing to Monica Nino, County Administrator, c/o County Administrator's Office, 1025 Escobar Street, Martinez, CA 94553, Martinez, CA 94553. Your firm's appeal must be received at that address no later than 5:00 p.m. on June 7, 2024, and must describe in detail all facts and arguments on which your firm relies.

It is anticipated that the contract will be awarded by the Board of Supervisors at its meeting on June 25, 2024, which begins at 9:00 a.m. If you wish, you may appear at the Board meeting to comment on this matter. Any comments to the Board will be limited to the facts and arguments set forth in your firm's appeal.

Sincerely,

Adelina Huerta
Division Manager
Design/Construction Division

AH:RS:kr
G:\design\PROJECTS\Bixler Road and Regatta Drive Intersection Improvements- WO4030\CONSTRUCTION\1 - Bid\GFE\Ltr to Zara Const Final-5-31-24.docx

Cc: M. Nino, County Administrator
T. Ewell, County Administrator's Office
D. Schmidt, County Counsel
L. Strobel, County Administrator's Office
A. Wilson, Human Resources
W. Lai, Public Works Director
J. Yee, Public Works
R. Sanders, Public Works
K. Dahl, Public Works

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1819 **Agenda Date:** 6/25/2024 **Agenda #:** C.211.

To: Board of Supervisors

From: Warren Lai, Public Works Director/Chief Engineer

Report Title: Construction Contract for the Bay Point Trash Capture Installation

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

(1) APPROVE plans, specifications, and design for the Bay Point Trash Capture Installation, Bay Point area. (County Project No.:7517-6W7079) (District V)

(2) DETERMINE that W.R. Forde Associates, Inc. ("W.R.Forde") the lowest monetary bidder, has complied with the requirements of the County's Outreach Program and has exceeded the Mandatory Subcontracting Minimum for this project, as provided in the project specifications; and FURTHER DETERMINE that W.R. Forde has submitted the lowest responsive and responsible bid for the project.

(3) AWARD the construction contract for the above project to W.R. Forde in the listed amount ($ 1,117,880.00) and the unit prices submitted in the bid, and DIRECT that W.R. Forde shall present two good and sufficient surety bonds, as indicated below, and that the Public Works Director, or designee, shall prepare the contract.

(4) ORDER that, after the contractor has signed the contract and returned it, together with the bonds as noted below and any required certificates of insurance or other required documents, and the Public Works Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.

(5) ORDER that, in accordance with the project specifications and/or upon signature of the contract by the Public Works Director, or designee, bid bonds posted by the bidders are to be exonerated and any checks or cash submitted for security shall be returned.

(6) ORDER that, the Public Works Director, or designee, is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(7) AUTHORIZE the Public Works Director, or designee, to order changes or additions to the work pursuant to Public Contract Code section 20142.

(8) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(9) DELEGATE, pursuant to Labor Code Section 6705, to the Public Works Director, or to any registered civil or structural engineer employed by the County, the authority to accept detailed plans showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection during trench excavation covered by that section.

(10) DECLARE that, should the award of the contract to W.R. Forde be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject all of the bids received. Nothing in this Staff Report shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:
The Project will be funded by 100% Caltrans Grant Funds.

BACKGROUND:
The above project was previously approved by the Board of Supervisors, plans and specifications were filed with the Board, and bids were invited by the Public Works Director. On May 28, 2024, the Public Works Department received bids from the following contractors:

BIDDER, TOTAL AMOUNT, BOND AMOUNTS

W.R. Forde Associates, Inc.: $1,117,880.00; Payment: $ 1,117,880.00;
Performance: $ 1,117,880.00

The bidder listed above, W.R. Forde, submitted the lowest responsive and responsible bid.

The Public Works Director has reported that W.R. Forde documented an adequate good faith effort to comply with the requirements of the County's Outreach Program and exceeded the Mandatory Subcontracting Minimum, and the Public Works Director recommends that the construction contract be awarded to W.R. Forde.

The Public Works Director recommends that the bid submitted by W.R. Forde_is the lowest responsive and responsible bid, and this Board Concurs and so finds.

The Board of Supervisors previously determined that the project is exempt from the California Environmental Quality Act (CEQA) as a Class 15302(c) Categorical Exemption, and a Notice of Determination was filed with the County Clerk on March 4, 2024.

The general prevailing rates of wages, which shall be the minimum rates paid on this project, have been filed with the Clerk of the Board, and copies will be made available to any party upon request.

CONSEQUENCE OF NEGATIVE ACTION:
Construction of the project would be delayed, and the project might not be built.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1820 **Agenda Date:** 6/25/2024 **Agenda #:** C.212.

RECOMMENDATIONS:

APPROVE Budget Amendment No. BDA-24-00242 authorizing the transfer of $10,000,000 from Plant Acquisition (0111) to Road Fund Construction (0662) for various road infrastructure projects throughout Contra Costa County.

FISCAL IMPACT:

100% General Fund

BACKGROUND:

As of March 2024, the County has applied for $213.8 million in federal Infrastructure Investment and Jobs Act (IIJA) funded grants, including a required county match of $21.7 million. The County has been awarded $63.2 million in grant funds for various road infrastructure projects, requiring $11 million in local match funding. The FY 2023-24 budget allocated $10 million in general funds for local grant match needs for County infrastructure. This budget amendment transfers the allocated budget from General Fund Plant Acquisition to the Road Fund for approved projects.

CONSEQUENCE OF NEGATIVE ACTION:

If the Public Works Department is not authorized to process the budget amendment, the Road Fund will not have sufficient local match to move forward with grant funded projects at this time.

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 06/06/2024 : BDA-24-00242

Company	Contra Costa County
Budget Template	Operating Budget : FY2023-24 Operating Budget
Budget	FY2023-24 Operating Budget
Organizing Dimension Type	
Amendment ID	BDA-24-00242
Amendment Date	06/06/2024
Description	General Fund local grant match share to the Road Fund for grant awards received through the IIJA for Roads infrastructure throughout Contra Costa County.
Amendment Type	Appropriation / Estimated Revenue Adjustment
Balanced Amendment	Yes
Entry Type	Mid-Year Adjustments
Status	In Progress

Budget Amendment Entries

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2023-24 Year (FY2023-24 Operating Budget)	2319:PUBLIC WORKS CONTRACTS	4503 PW FINANCE (Home Org)	0662 ROAD CONSTRUCTION-RD FUND	110800 ROAD	$10,000,000.00	$0.00	Project Costs for IIJA grant projects	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9956:TRANSFERS - GOV/GOVERNMENT	4503 PW FINANCE (Home Org)	0662 ROAD CONSTRUCTION-RD FUND	110800 ROAD	$0.00	$10,000,000.00	Grant Match for IIJA from General Fund	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	5016:TRANSFERS - GOV/GOV	4503 PW FINANCE (Home Org)	4435 PLANT ACQ-UNDESIGNATED	100300 GENERAL	$10,000,000.00	$0.00	Grant Match for IIJA to Road Funds	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	4470:UNDESIGNATED CAP PROJECTS	4503 PW FINANCE (Home Org)	4435 PLANT ACQ-UNDESIGNATED	100300 GENERAL	$0.00	$10,000,000.00	Grant Match from Cap to Transfer Account 5016	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org

Process History

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 06/06/2024 : BDA-24-00242

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Budget Amendment Event	Step Completed	06/06/2024 12:22:57 PM	06/07/2024	Diana Oyler	1	
Budget Amendment Event	Review Budget Amendment	Not Required		06/07/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	06/06/2024 03:36:16 PM		Michelle Gonsalves (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Approval by Budget Specialist (Auditor Office)	Awaiting Action			Analiza Pinlac (Budget Specialist (Auditor Office))	3	
					Xia Zhang (Budget Specialist (Auditor Office))		
					Yesenia Campos (Budget Specialist (Auditor Office))		

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1821 **Agenda Date:** 6/25/2024 **Agenda #:** C.213.

To: Board of Supervisors

From: Karen Caoile, Director of Risk Management

Report Title: Contract with Tuell & Associates, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Director of Risk Management, or designee, to execute a contract cancellation with Tuell & Associates, Inc. for their existing contract in the amount of $1,500,000 to provide staffing services for the period of March 20, 2023, through January 31, 2025; APPROVE and AUTHORIZE the Director of Risk Management, or designee, to execute a contract with Tuell & Associates, Inc. in an amount not to exceed $2,000,000 to provide workers' compensation and risk management staffing services for the period of July 1, 2024, through June 30, 2027.

FISCAL IMPACT:
The cost for temporary employee services is funded through the Workers' Compensation and General Liability Internal Services Funds.

BACKGROUND:
Tuell & Associates, Inc. provides specialized temporary, highly experienced workers' compensation and general liability claims adjusters for County claims processing. Specialized temporary staff are needed to fill vacant funded positions in the Risk Management Department as it continues to recruit permanent staff. The initial term for the current contract with Tuell & Associates, Inc. was March 20, 2023, through January 31, 2024, and was extended through January 31, 2025, or until a qualified pool of vendors was established via the County's procurement process. A Request for Interest (RFI) concluded in May 2024, and Tuell & Associates, Inc. was selected as a qualified vendor to continue providing specialized temporary staffing. The Department consulted with Labor Relations in January 2024, regarding a new multi-year contract, establishing a qualified pool of vendors to provide temporary staffing, and ongoing recruiting plans. The new contract will be used in tandem with another contract for the same services for specialized temporary staffing.

CONSEQUENCE OF NEGATIVE ACTION:
Risk Management will not have adequate pool of technical assistance and staff to process workers' compensation and liability claims in the timely manner required to satisfy current regulations.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1822 **Agenda Date:** 6/25/2024 **Agenda #:** C.214.

To: Board of Supervisors

From: Monica Nino, County Administrator

Report Title: Claims

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

DENY claims filed by A.C.C.W, a minor by & through their Guardian Ad Litem and mother, A. Carter; Abel Arias; Charlene Spencer Dickinson; Kwesi Guss; The Estate of Joseph Martino (3); Lisa Martino (3); Vincent Martino (3); Brian Albert McIntyre; and David Sato. DENY late claim filed by Lynnette Watts. DENY amended claim filed by Sugro Claims, Inc., o/b/o Geico Insurance, a subrogee of Daniel Hilsabeck.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

Claimants for 06/25/2024 BOS meeting:

A.C.C.W, a minor by & through his Guardian Ad Litem, A. Carter: Personal injury claim related to a dangerous condition in the amount of $1,000,000.00.
Abel Arias: Civil rights claim related to jail conditions in an amount to be determined.
Charlene Spencer Dickinson: Personal injury claim related to dangerous condition in an amount to exceed $35,000.00.
Kwesi Guss: Civil rights claim related to alleged wrongful arrest in an amount to exceed $25,000.00.
The Estate of Joseph Martino (3): Wrongful death claims related to failure to supervise adult care facility in the amount of $1,000,000.00.
Lisa Martino (3): Wrongful death claims related to failure to supervise adult care facility in the amount of $1,000,000.00.
Vincent Martino (3): Wrongful death claims related to failure to supervise adult care facility in the amount of $1,000,000.00.
Brian Albert McIntyre: Personal injury claim related to car accident in the amount of $10,000,000.00.
David Sato: Property claim for damage to vehicle in the amount of $711.20.

Claimant to File Late Claim for 06/25/2024 meeting:

Lynnette Watts: Application to file late claim based on retaliation and discrimination in workplace in an unspecified amount.

Claimant for an Amended claim for 06/25/2024

Subro Claims, Inc. o/b/o Geico Ins. a/s/o Daniel Hilsabeck: Amended property claim for damage to vehicle in the amount of $7,576.04.

CONSEQUENCE OF NEGATIVE ACTION:

Not acting on the claims could extend the claimants' time limits to file actions against the County.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-230 **Agenda Date:** 6/25/2024 **Agenda #:** C.215.

To: **Board of Supervisors**

From: David O. Livingston, Sheriff-Coroner

Report Title: Tobacco Law Enforcement Grant Program

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT a Resolution authorizing the Sheriff-Coroner, or designee to apply for and accept grant funding, including contract amendments and extensions, pursuant to the grant guidelines, with the Office of Attorney General, California Department of Justice, Division of Law Enforcement Tobacco Law Enforcement Grant Program, with an initial allocation of $266,909 for law enforcement operations to decrease juvenile access and use of tobacco products for the period November 1, 2024 through June 30, 2028.

FISCAL IMPACT:
Approval of this request will result in an initial revenue of $266,909 and will be funded 100% by State funds. There is no county match requirement for this grant.

BACKGROUND:
The Office of the Attorney General, California Department of Justice, Division of Law Enforcement Tobacco Law Enforcement Grant Program provides funding to apply strategies to reduce the illegal sales and marketing of all tobacco products to minors. The funding provided by the grant will be utilized to decrease the access and use of tobacco products, including electronic cigarettes and vaporizers, reduce the perception of the ease with which tobacco products can be obtained and to conduct community outreach regarding the dangers of smoking and vaping. Beginning November 1, 2024, the Office of the Sheriff will conduct various enforcement operations and prevention projects to meet the goals of the grant if state funding is awarded.

CONSEQUENCE OF NEGATIVE ACTION:
Failure to secure state funding will result in fewer opportunities for the Office of the Sheriff to lower the access and use of tobacco products to juveniles in Contra Costa County.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Applying for and Accepting the Office of the Attorney General, California Department of Justice, Division of Law Enforcement Tobacco Law Enforcement Grant Program and any future amendments, if any, to this Grant Program for the purpose of increasing funding provided in the original contract, without an additional resolution from the Board of Supervisors, beginning November 1, 2024 through June 30, 2028;

WHEREAS, the County of Contra Costa is seeking funds available through the Office of the Attorney General, California Department of Justice, Division of Law Enforcement Tobacco Law Enforcement Grant Program;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the Sheriff-Coroner, Undersheriff or the Sheriff's Chief of Management Services, to execute for and on behalf of the County of Contra Costa, a public entity established under the laws of the State of California, any action necessary for the purpose of obtaining financial assistance including grant modifications and extensions provided by the Office of the Attorney General, California Department of Justice, Division of Law Enforcement Tobacco Law Enforcement Grant Program.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: RES 2024-231 **Agenda Date:** 6/25/2024 **Agenda #:** C.216.

To: **Board of Supervisors**

From: David O. Livingston, Sheriff-Coroner

Report Title: 2024 DNA Capacity Enhancement for Backlog Reduction Program Grant

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
ADOPT a Resolution authorizing the Sheriff-Coroner, or designee, to apply for, accept and approve grant funding, including amendments and extensions, pursuant to the grant guidelines, with the U.S. Department of Justice, Office of Justice Programs, 2024 DNA Capacity Enhancement for Backlog Reduction Program Grant, with an initial amount of $292,889, for the purchase of scientific equipment and support of DNA analysts for the Sheriff's Forensic Services Toxicology Unit, for the initial period of July 1, 2024, through June 30, 2026.

FISCAL IMPACT:
Approval of this request will result in an initial revenue of $292,889. This will be 100% Federal revenue, with no county match requirement.

BACKGROUND:
The Contra Costa County Office of the Sheriff Forensic Services Division operates an ANAB (ANSI National Accreditation Board) Accredited Crime Laboratory able to provide County-wide Forensic DNA testing services. The DNA Capacity Enhancement for Backlog Reduction Program Grant funds are needed to ensure the efficient processing of DNA evidence. Grant funds are used to purchase scientific equipment allowing for high throughput DNA extraction, quantification and detection. In addition, funding supports DNA analysts who process DNA samples collected at crime scenes to aid in criminal investigations and prosecutions. The 2024 DNA Capacity Enhancement for Backlog Reduction Program Grant will be used to support DNA analysts, acquire advanced technology, consumables and provide state-of the art forensic DNA testing to law enforcement agencies in the Contra Costa County.

CONSEQUENCE OF NEGATIVE ACTION:
A negative action from the Board will result in an increase in the DNA case backlog, an increase in the turnaround time for DNA sample processing and contribute to delays in criminal prosecutions.

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

IN THE MATTER OF Applying for and accepting the U.S. Department of Justice, Office of Justice Programs, 2024 DNA Capacity Enhancement for Backlog Reduction Program Grant.

WHEREAS, the County of Contra Costa is seeking funds available through the U.S. Department of Justice.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the Sheriff-Coroner, Undersheriff or the Sheriff's Chief of Management Services, to execute for and on behalf of the County of Conta Costa, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance including grant modifications and extensions provided by the U.S. Department of Justice.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1837 **Agenda Date:** 6/25/2024 **Agenda #:** C.217.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: Budget Amendment & Purchase Order - Braun Northwest, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE Budget Amendment No. BDA-24-00250, authorizing the transfer of appropriations in the amount of $442,008 from 0005-9991 (Equipment replacement release refund) to SO Transportation Org 2575, to execute, on behalf of the Sheriff-Coroner, a purchase order with Braun Northwest, Inc. for the purchase of one (1) 2025 North Star prisoner transport on a Freightliner M2 106 4x2 chassis through HGAC contract #AM10-23.

FISCAL IMPACT:
This action provides appropriations from depreciation in the amount of $442,008 for the purchase of one prisoner transport vehicle. 100% General Fund.

BACKGROUND:
The Office of the Sheriff Custody Services Division needs to replace unit 6611, a 2003 Thomas Bus that has exceeded its useful life and is fully depreciated. Due to the age of unit 6611, the unit is lacking in safety features (air bags, back up camera, adequate emergency exits etc.), proper classification compartments, cameras, and ADA accessibility. The replacement vehicle will be a custom-built box truck designed to transport prisoners. It will include up to date safety features, increased classification compartments, cameras, and ADA accessibility.

CONSEQUENCE OF NEGATIVE ACTION:
The Office of the Sheriff will not be able to replace the old unit 6611, which has exceeded its useful life.

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 06/13/2024 : BDA-24-00250

Company	Contra Costa County
Budget Template	Operating Budget : FY2023-24 Operating Budget
Budget	FY2023-24 Operating Budget
Organizing Dimension Type	
Amendment ID	BDA-24-00250
Amendment Date	06/13/2024
Description	To release equipment replacement reserves for purchase of prisoner transport bus from 0005 to 2575. On Board Order agenda 06/25/24
Amendment Type	Appropriation / Estimated Revenue Adjustment
Balanced Amendment	Yes
Entry Type	Mid-Year Adjustments
Status	In Progress

Budget Amendment Entries

Period	*Ledger Account/Summary	Home Organization	*Cost Center	*Fund	Debit Amount	Credit Amount	Memo	Exceptions
FY 2023-24 Year (FY2023-24 Operating Budget)	4953:AUTOS & TRUCKS	2500 SHERIFF CENTRAL ADMIN (Home Org)	2575 DETENTION TRANSPORTATION	100300 GENERAL	$442,008.00	$0.00	To release equipment replacement reserves for purchase of prisoner transport bus from 0005 to 2575	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org
FY 2023-24 Year (FY2023-24 Operating Budget)	9991:EQUIPMENT REPLACEMENT RELEASE	2500 SHERIFF CENTRAL ADMIN (Home Org)	0005 REVENUE - GENERAL COUNTY	100300 GENERAL	$0.00	$442,008.00	To release equipment replacement reserves for purchase of prisoner transport bus from 0005 to 2575	Warning : - Home Org on Budget Line Not Equal Initiator's Home Org

Process History

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Budget Amendment Event	Step Completed	06/13/2024 10:08:22 AM	06/14/2024	Heike Anderson	1	
Budget Amendment Event	Review Budget Amendment	Not Required		06/14/2024		0	

View Budget Amendment: Budget Amendment: FY 2023-24 - Operating Budget on 06/13/2024 : BDA-24-00250

Process	Step	Status	Completed On	Due Date	Person (Up to 5)	All Persons	Comment
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Sent Back	06/13/2024 10:18:44 AM		Donn David (Department Approver – Budget Amendment)	1	Send Back Reason from Donn David: Update as needed.
Budget Amendment Event	Budget Amendment Event	Submitted	06/13/2024 10:20:54 AM	06/14/2024	Heike Anderson	1	
Budget Amendment Event	Review Budget Amendment	Not Required		06/14/2024		0	
Budget Amendment Event	Approval by Department Approver – Budget Amendment	Approved	06/13/2024 02:30:54 PM		Donn David (Department Approver – Budget Amendment)	1	
Budget Amendment Event	Approval by Budget Specialist (Auditor Office)	Awaiting Action			Analiza Pinlac (Budget Specialist (Auditor Office))	3	
					Xia Zhang (Budget Specialist (Auditor Office))		
					Yesenia Campos (Budget Specialist (Auditor Office))		

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1838 **Agenda Date:** 6/25/2024 **Agenda #:** C.218.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: Global Tel*Link Corporation

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract amendment with Global Tel*Link Corporation (GTL), effective July 1, 2024, to increase the County cost reimbursement from $12,000 a month to $20,000 a month, to provide inmate communications services, including a Jail Management System (JMS), inmate telephones, video visitations and inmate tablets in the Office of the Sheriff detention facilities.

FISCAL IMPACT:
There is no net County cost. Under the current contract, GTL paid the County $12,000 a month for County cost reimbursement. Approval of this request will increase the reimbursement to $20,000 a month due to the implementation of tablets and the increased county cost associated with them. The amount will be placed in the Inmate Welfare Fund to allow for increased spending for programs and services for incarcerated individuals.

BACKGROUND:
The Office of the Sheriff conducted a solicitation process to obtain a provider for an Inmate Communications Services in the adult detention facilities in 2015. The Office of the Sheriff negotiated with GTL to provide a jail management system, inmate telephones, video visitation, and inmate tablets for a turn-key Inmate Communications Services package. On July 23, 2019, the Board of Supervisors approved a contract with GTL to install and operate Inmate Communications Services for a total of $1,400,000. GTL paid the County $200,000 at contract start to defer the Office of the Sheriff's expenses related to facility technology and program expenses, and paid the County $12,000 a month for cost reimbursement, which was deposited into the Inmate Welfare Program used to provide inmate programs.

After reviewing the revenue from the new inmate tablets going live, GTL's administration fee was renegotiated. The amount GTL will pay the County has increased. This amendment increases the amount the vendor pays the County from $12,000 to $20,000 a month due to the implementation of the inmate tablets and the increased county cost associated with them.

CONSEQUENCE OF NEGATIVE ACTION:

If the board does not vote in favor, it will hinder the Office of the Sheriff from providing access to certain communication services and would reduce revenue for the Inmate Welfare Fund.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1839 **Agenda Date:** 6/25/2024 **Agenda #:** C.219.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: Accept Marathon Petroleum Corporation Donation for Bay Point Bike and Safety Rodeo

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to accept a donation in the amount of $10,000 from Marathon Petroleum Corporation to support the Bay Point Bike and Safety Rodeos hosted by the Office of the Sheriff.

FISCAL IMPACT:
$10,000 in restricted donation revenue.

BACKGROUND:
Each year the Office of the Sheriff receives donations from individuals and various community organizations to help fund programs throughout the Sheriff's Office. The amount of $10,000 was donated by Marathon Petroleum Corporation to support the local Bay Point Bike and Safety Rodeos.
For the last several years, the Contra Costa County Office of the Sheriff has hosted bike and safety rodeos to teach local youths of the Bay Point area about bike, pedestrian and railroad crossing safety.
Per Administrative bulletin 117.7, Gifts and Bequests to the County, "receipt of each
gift or bequest having a value of $10,000 or more requires acceptance or rejection by the Board of Supervisors."

CONSEQUENCE OF NEGATIVE ACTION:
The Sheriff's Office will be unable to receive the donation revenue.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1840 **Agenda Date:** 6/25/2024 **Agenda #:** C.220.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: Quest Software, Inc.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with Quest Software, Inc. to provide KACE software updates and vendor support for the Office of the Sheriff, in an amount not to exceed $28,016, for the period August 31, 2023 through August 31, 2026.

FISCAL IMPACT:
Budgeted, 100% General Fund.

BACKGROUND:
KACE by Quest Software, Inc. is a systems management software application. KACE is used by the Office of the Sheriff Technical Services Division to track IT work items and assign issues. It allows for information to be centrally collected, updated and easily searchable. It is a ticketing system for the helpdesk team, and also functions as a device tracking tool, a deployment tool and a knowledge base repository.

This agreement allows the Sheriff's Office to renew vendor support to ensure software updates and issues can be appropriately addressed by the manufacturer. Quest Software, Inc. does not sell direct to customers, therefore KACE will be purchased through DLT Solutions, LLC., a third-party reseller. (Note: DLT Solutions, LLC. was bought out by TD Synnex but still operates under DLT Solutions, LLC.)

The department is requesting approval of this retroactive contract, which was delayed due to the incorrect agreement being reviewed. The third-party agreement was initially reviewed, instead of The Quest Software, Inc. Software Transaction Agreement, which has been recently reviewed and approved.

This Software Transaction Agreement includes indemnification and limitation of liability provisions.

CONSEQUENCE OF NEGATIVE ACTION:
If the Board does not approve, there will be no vendor support. This will cause a significant impact to operational efficiency due to the inability to centrally assign, prioritize and track the services that IT provides. More staff would be needed to deploy updates to PCs and servers.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1841 **Agenda Date:** 6/25/2024 **Agenda #:** C.221.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: MCM Technology, LLC.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to execute a contract with MCM Technology, LLC. to provide annual support and maintenance to the Office of the Sheriff, in an amount not to exceed $13,637, for the period of September 1, 2023 through September 30, 2024.

FISCAL IMPACT:
Approval of this request will result in a one-time expenditure of $13,637 and will be funded 100% by the General Fund.

BACKGROUND:
The MCM Technology, LLC. application is utilized by the Office of the Sheriff to track hardware asset inventories such as PCs, servers and monitors, including capital assets. When new items are purchased, a new asset ID is generated and tagged to the item. The MCM application allows for easy tracking of these assets and helps with future capital asset audits.

The department is seeking approval of this retroactive contract due to unintentional oversight caused by the substantial number of new contracts the Office of the Sheriff is currently handling.

This Support and Maintenance Agreement includes indemnification and limitation of liability provisions.

CONSEQUENCE OF NEGATIVE ACTION:
If the Board does not approve, the Office of the Sheriff will lose the ability to easily track purchased hardware assets and make it difficult to fulfill annual capital asset audits.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1842 **Agenda Date:** 6/25/2024 **Agenda #:** C.222.

To: Board of Supervisors

From: David O. Livingston, Sheriff-Coroner

Report Title: Space Exploration Technologies Corp. "Starlink"

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
APPROVE and AUTHORIZE the Sheriff-Coroner, or designee, to accept the Terms of Service for Space Exploration Technologies Corp. (known as "Starlink" in these Terms) for the purchase of high-performance hardware and a monthly data service cost for satellite internet service for the Office of the Sheriff West County Detention Facility, beginning June 1, 2024 until the termination of the Terms by either party.

FISCAL IMPACT:
Approval of this request will result in a one-time expenditure of $2,947.40 for hardware purchases and a monthly service cost currently at $140, which may be subject to change, and will be funded 100% by the General Fund.

BACKGROUND:
The need for this agreement is a direct result of past network outages at the Office of the Sheriff West County Detention Facility. The copper wiring has been cut and/or stolen on more than one occasion in recent years. The restoration effort takes hours, if not days, which leaves the 24/7 detention facility with no network access to carry out day-to-day operations. This agreement will also allow for a separate and secondary circuit path in the future. Establishing a satellite internet service will also provide one more option when land-based services are no longer available.

Space Exploration Technologies Corp. ("Starlink") will provide satellite internet service to the Office of the Sheriff West County Detention Facility.

The Terms of Service includes indemnification and limitation of liability provisions.

CONSEQUENCE OF NEGATIVE ACTION:
If the Board does not approve, 24/7 detention operations at the Office of the Sheriff West County Detention Facility can be significantly impacted due to the Jail Management System (JMS) application not being accessible during network outages.

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1823 **Agenda Date:** 6/25/2024 **Agenda #:** C.223.

To: Board of Supervisors

From: Dan Mierzwa, Treasurer-Tax Collector

Report Title: AUTHORIZE the Treasurer-Tax Collector, on behalf of the County, to work with Central Contra Costa Sanitary District (Central San) to determine a mutually acceptable date for withdrawal of Central San's monies from the County Treasury by August 16, 2025, pursuant to Resolution No. 2024-009 adopted by Central San.

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:

AUTHORIZE the Treasurer-Tax Collector, on behalf of the County, to work with Central Contra Costa Sanitary District (Central San) to determine a mutually acceptable date for withdrawal of Central San's monies from the County Treasury by August 16, 2025, pursuant to Resolution No. 2024-009 adopted by Central San.

FISCAL IMPACT:

None.

BACKGROUND:

Central San is a special district of the State of California, organized and operating pursuant to the Sanitary District Act of 1923 (codified under California Health and Safety Code Section 6400 et seq.). It provides wastewater collection, treatment, and disposal services for customers in its service territory within central Contra Costa County.

California Health and Safety Code section 6400 et seq. provides that the Contra Costa County Treasurer-Tax Collector (County Treasurer) shall be Central San's Treasurer and depository unless Central San establishes an alternative District Treasurer and depository. Accordingly, the County Treasurer currently serves as the treasurer for Central San and maintains custody of all Central San's funds.

California Health and Safety Code section 6801 requires the board of directors of a sanitary district to adopt a resolution that 1) states its intention to withdraw its money from the county treasury; 2) appoints a district treasurer; 3) instructs the district treasurer to deposit a surety bond in an amount to be specified by the district's board of directors; 4) adopts a procedure of drawing and signing checks, provided the procedure adheres to generally accepted accounting principles; 5) designates a bank or savings and loan association, approved for deposit of public funds, as the depository of the district.

The Board of Directors for Central San adopted Resolution No. 2024-009 (the "Resolution") on May 16, 2024, attached hereto, pursuant to California Health and Safety Code 6801. The Resolution states the intent of Central San's Board of Directors to withdraw its money from the Contra Costa County Treasury and appoints Central San's Deputy General Manager of Administration as its treasurer who will serve in the place of the County Treasurer. The Resolution also

specifies that 1) US Bank has been designated as the depository of Central San's money; 2) a system of internal controls, policies and procedures regarding Central San's system of accounting, drawing/signing checks, timing of payments, have been developed; and 3) Central San's treasurer and financial employees shall be covered in the amount set forth in Central San's Employee Dishonesty (Crime & Fidelity) Insurance Policy with National Union Fire Insurance Company of Pittsburgh, PA.

In such an event of separation, California Health and Safety Code does not specify any requirements for a "mutually agreeable separation date" for withdrawal of monies from a county pool. However, the Central San Board of Directors resolved in its Resolution No. 2024-009 that the withdrawal must occur no later than 15 months from the adoption date of Resolution No. 2024-009. Resolution No. 2024-009 was adopted on May 16, 2024; therefore, the withdrawal must occur by August 16, 2025. Notwithstanding, Central San has been planning for this initiative for approximately two years and is targeting September 2024 for withdrawal of its funds from the county treasury.

CONSEQUENCE OF NEGATIVE ACTION:

Central San's Board Resolution will not be implemented.

RESOLUTION NO. 2024-009

A RESOLUTION OF THE CENTRAL CONTRA COSTA SANITARY DISTRICT AUTHORIZING TRANSFER OF TREASURER AUTHORITY FROM CONTRA COSTA COUNTY TO THE BOARD OF DIRECTORS OF THE CENTRAL CONTRA COSTA SANITARY DISTRICT APPOINTING A DISTRICT TREASURER AND AUTHORIZING THE DEPOSIT OF DISTRICT FUNDS WITH U.S. BANK

WHEREAS, the Central Contra Costa Sanitary District (Central San) is a special district and a public entity established under the Sanitary District Act of 1923 and operating pursuant to California Health and Safety Code section 6400 et seq; and

WHEREAS, the Contra Costa County Treasurer currently maintains custody of all Central San funds; and

WHEREAS, Central San intends to withdraw its money from the County treasury and appoint a District Treasurer pursuant to Health and Safety Code section 6801; and

WHEREAS, Central San has a system to record its financial transactions under generally accepted accounting principles that is available upon request to reflect Central San's financial position as well provide sufficient records to be audited by an independent auditor; and

WHEREAS, Central San undergoes an annual financial statement audit as engaged by an independent auditor and the audit is conducted under generally accepted auditing standards and *Government Auditing Standards*, issued by the Comptroller General of the United States; and

WHEREAS, Central San has a system of internal controls over its various transaction cycles and business operations, including having developed procedures for drawing and signing checks, for preventing fraud and ensuring accountability, and ensuring that bond principal and salaries shall be paid when due; and

WHEREAS, it is the policy of Central San to pay claims and demands before they are approved by the Board of Directors if the Treasurer determines that the claims and demands conform to Central San's approved budget; and

WHEREAS, to establish an alternative depository for Central San funds, Health and Safety Code section 6801 requires Central San's Board of Directors to fix the amount of the surety bond for Central San's District Treasurer; and

WHEREAS, Central San's Board of Directors approved the establishment of a bank account with US Bank as a depository for Central San's funds; and

WHEREAS, it is the desire of Central San's Board to appoint a District Treasurer and establish an alternative depository to the County Treasurer, pursuant to Health and Safety Code section 6801.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE CENTRAL CONTRA COSTA SANITARY DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Central San's Board hereby appoints the Deputy General Manager - Administration as its District Treasurer who will serve in the place of the County Treasurer.

Section 3. Central San's Board wishes to withdraw its money from the County Treasury and hereby states its intention to withdraw its money from the County Treasury and have all revenues collected by the County on behalf of Central San sent to US Bank.

Section 4. Central San's Board hereby states that Central San will establish its own relationship with the Local Agency Investment Fund ("LAIF").

Section 5. Central San's Board and the County Board of Supervisors shall determine a mutually acceptable date for the withdrawal of the district's money from the County Treasury to take place but no later than 15 months from the date of this Resolution.

Section 6. Central San's Board hereby designates US Bank as the depository of Central San's money.

Section 7. Central San's District Treasurer and all Central San employees responsible for handling Central San's finances shall be covered in the amount set forth in Central San's Employee Dishonesty (Crime & Fidelity) Insurance Policy with National Union Fire Insurance Company of Pittsburgh, PA.

Section 8. Central San's District Treasurer shall make quarterly or more frequent written reports to Central San's Board, as the Central San Board shall determine, regarding the receipts and disbursements and balances in the accounts controlled by Central San's District Treasurer.

Section 9. Central San's Board shall determine the amount of a surety bond that will be deposited by the District Treasurer annually prior to October 1 of each year.

Section 10. Central San's management has developed a system of internal controls, policies, and procedures regarding Central San's system of accounting, the drawing of checks, the timing of payments such as bond principal, salaries, and other demands and claims.

Section 11. The Board Secretary shall certify the adoption of this Resolution.

PASSED AND ADOPTED this 16th day of May 2024, by the Board of Directors of the Central Contra Costa Sanitary District by the following vote.

AYES:	Members:	Hockett, Wedington, Pilecki, McGill, Lauritzen
NOES:	Members:	None
ABSENT:	Members:	None

Mariah N. Lauritzen
President of the Board of Directors
Central Contra Costa Sanitary District
County of Contra Costa, State of California

COUNTERSIGNED:

Katie Young, CPMC, CMC
Secretary of the District
Central Contra Costa Sanitary District
County of Contra Costa, State of California

Approved as to form: _____
J. Leah Castella, Esq.
Counsel for the District

I, Eileen Hansen, Deputy Secretary of the District of the Central Contra Costa Sanitary District, County of Contra Costa, State of California, do hereby certify that the foregoing is a full, true, and correct copy of **Resolution No. 2024-009** passed and adopted by said District Board on May 16, 2024.

Dated: May 22, 2024

Eileen Hansen
Deputy Secretary of the District

1025 ESCOBAR STREET
MARTINEZ, CA 94553

CONTRA COSTA COUNTY

Staff Report

File #: 24-1824 **Agenda Date:** 6/25/2024 **Agenda #:** C.224.

To: Board of Supervisors

From: Joshua Zebley, County Veterans Services Officer

Report Title: Certificate of Compliance and Medi-Cal Avoidance Program Agreement

☒Recommendation of the County Administrator ☐ Recommendation of Board Committee

RECOMMENDATIONS:
Authorize the Chair of the Board of Supervisors to sign the attached County Subvention Program Certificates of Compliance for the County Subvention and Medi-Cal Cost Avoidance Programs as administered by the California Department of Veterans Affairs (CDVA).

FISCAL IMPACT:
For FY 2021/22, the County received $334,930 in Subvention; $6,099 in Medi-Cal Cost Avoidance; $125,000 in Prop 63 grant revenue and $14,195 in Veterans Service Officer Funds per the Military and Veterans Code of California, sections 972, 972.1 and 972.5. In FY 22/23 the County received $326,000 in Subvention; $5,000 in Medi-Cal Cost Avoidance; $125,000 in Prop 63 grant revenue and $14,195 in Veterans Service Officer Funds. It is anticipated that in FY 23/24, the County will receive $377,974 in Subvention funds, $4,829 in Medi-Cal Cost Avoidance and $15,711 in Veterans Service Officer funds. The County will not be receiving Prop 63 monies as the grant funding ends on June 30, 2024.

BACKGROUND:
The California Department of Veterans Affairs (CDVA) administers the above four revenue programs per California Code of Regulations, Title 12, Subchapter 4. CDVA conducts annual audits of these program operations to determine whether the workload and staffing needs are consistent with the reported workload activity.

CONSEQUENCE OF NEGATIVE ACTION:
The County would not be able to receive Subvention and Medi-Cal Cost Avoidance revenue.

CALIFORNIA DEPARTMENT OF VETERANS AFFAIRS

MEDI-CAL COST AVOIDANCE PROGRAM
CERTIFICATE OF COMPLIANCE

CONTRA COSTA COUNTY

FISCAL YEAR 2024/2025

I certify that Contra Costa County has appointed a County Veterans Service Officer (CVSO) in compliance with California Code of Regulations, Title 12, Subchapter 4. Please consider this as our application to participate in the Medi-Cal Cost Avoidance Program authorized by Military and Veterans Code Section 972.5.

I understand and will comply with the following:

1. All activities of the CVSO for which payment is made by the CDVA under this agreement will reasonably benefit the Department of Health Services (DHS) or realize cost avoidance to the Medi-Cal program. All County Eligibility Workers who generate a Form CW-5 (Veterans Benefits Referral) will be instructed to indicate the applicant's Welfare Aid Code on the face of the form.

2. All monies received under this agreement will be allocated to and spent on the salaries and expenses of the CVSO.

3. This agreement is binding only if federal funds are available to the CDVA from the DHS.

4. The CVSO is responsible for administering this program according to the California Code of Regulations, Title 12, Subchapter 4.

_____ _____

Chair, County Board of Supervisors (or other County Official authorized by the Board to act on their behalf)

Date

(rev 5/24)

CALIFORNIA DEPARTMENT OF VETERANS AFFAIRS
Annual Subvention Certificate of Compliance
FISCAL YEAR 2024/2025

CONTRA COSTA COUNTY SUBVENTION PROGRAM

Charge:

Funds are distributed under this program to counties as partial reimbursement for expenses incurred in the operation of the County Veterans Service Office. Funds are distributed according to Military and Veterans Code Sections 972 and 972.1, a State General Fund Expenditure, and 972.2, a Special Fund Expenditure.

County Certification:

I certify that **Contra Costa County** has appointed a veteran to serve as the County Veterans Service Officer according to California Code of Regulations Title 12, Subchapter 4. This County Veterans Service Officer will administer the aid provided for in Military and Veterans Code Division 4, Chapter 5. This County Veterans Service Officer must achieve and maintain accreditation from the California Department of Veterans Affairs within 18 months of employment or within 18 months of the County Veterans Service Officer position becoming vacant, whichever occurs first. Veterans Service Representative staff filing claims must also achieve and maintain accreditation from the California Department of Veterans Affairs within 18 months of employment.

I further certify that the County Veteran Service Officer will assist every veteran of the United States, as well as their dependents and survivors, in presenting and pursuing such claim as they may have against the United States. The County Veterans Service Officer and all accredited staff will also assist in establishing veterans, dependents and survivors' rights to any privilege, preference, care, or compensation provided for by the laws and regulations of the United States, the State of California, or any local jurisdiction.

I certify that the current fiscal year proposed expenditures exceeds the actual fiscal year 1988-89 expenditures by at least the full amount of the current annual allocation. I also agree that this county, through the County Veterans Service Office, will maintain records for audit. These records will be maintained for a minimum of two years. The county agrees to submit reports in accordance with the procedures and timelines established by CalVet and in accordance with the *CalVet Procedure Manual for Subvention and Medi-Cal Cost Avoidance* for the current state fiscal year. The County Veterans Service officer will permit CalVet representatives to inspect all records.

I further authorize the County Veterans Service Officer to actively participate in the promotion of the California Veterans License Plate program.

_____ _____

Chair, County Board of Supervisors
(Or other County Official authorized
by the Board to act on their behalf)

Date

SCAN AND UPLOAD THIS COMPLETED FORM VIA THE AGENCY ATTACHMENTS IN VETPRO

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SIDE LETTER AGREEMENT
BETWEEN
CONTRA COSTA COUNTY AND
THE CONTRA COSTA COUNTY DEFENDERS' ASSOCIATION

This Side Letter is by and between the Contra Costa County Defenders' Association ("Association") and Contra Costa County ("County") and is effective on the first of the month when approved by the Board of Supervisors.

This Side Letter:

I. Amends the Memorandum of Understanding between the County and the Association (July 1, 2022- June 30, 2026) to add a new Section 18.9 to permit certification of an entire employment list, referred to as "Rule of the List" in Rule 711 of the County Personnel Management Regulations, when hiring for specified classifications.

II. Amends Section 42.2.G by replacing Deputy Public Defender – Fixed Term (25WB) with Deputy Public Defender I (25WA).

III. Provides amended contributions for employees affected by the change to the additional deferred compensation Section 42.2.G.

I. A new Section 18.9 is added to the MOU as follows:

SECTION 18 – Promotion/Certification Rule

[*Subsections 18.1 through 18.8 remain unchanged by this side letter.*]

18.9 Certification Rule. On each request for personnel from an open employment list for the classifications of Deputy Public Defender I, Deputy Public Defender II, Deputy Public Defender III, and Deputy Public Defender IV, all names shall be certified. The appointing authority must, before selection, contact the eligibles and interview all interested eligible candidates above the rank of the person selected for appointment. The employment lists for all other classifications must comply with the requirements of the County's Personnel Management Regulations.

II. Section 42.2 is relettered and corrected. The new Subsection G is amended as follows:

SECTION 42 - MISCELLANEOUS PROVISIONS

[Subsection 42.1, 42.2.A through C., and 42.3 remains unchanged]

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42.2 Deferred Compensation

D. **No Cross Crediting:** The amounts contributed by the employee and the County pursuant to Subsection C do not count towards the "Qualifying Base Contribution Amount" or the "Monthly Base Contribution Amount for Maintaining Incentive Eligibility" in Subsection A. Similarly, the amounts contributed by the employee and the County pursuant to Subsection A do not count towards the employee's $25 per month minimum contribution required by Subsection C.

~~D~~E. **Maximum Annual Contribution:** All of the employee and County contributions set forth in Subsections A and C will be added together to ensure that the annual maximum contribution to the employee's deferred compensation account does not exceed the annual maximum contribution rates set forth in the United States Internal Revenue Code.

F. **Deferred Compensation Plan – Loan Provision:** On June 26, 2012, the Board of Supervisors adopted Resolution 2012/298 approving an amendment to the Deferred Compensation Plan Loan Program. The Contra Costa County Public Defenders Association (CCCPDA) became eligible to apply for loans through the Contra Costa County Deferred Compensation Program effective June 26, 2012. The following is a summary of the provisions of the loan program:

1. The minimum amount of the loan is $1,000.

2. The maximum amount of the loan is the lesser of 50% of the employee's balance or $50,000, or as otherwise provided by law.

3. The maximum amortization period of the loan is five (5) years.

4. The loan interest is fixed at the time the loan is originated and for the duration of the loan. The loan interest rate is the prime rate plus one percent (1%).

5. There is no prepayment penalty if an employee pays the balance of the loan plus any accrued interest before the original amortization period for the loan.

6. The terms of the loan may not be modified after the employee enters into the loan agreement, except as provided by law.

7. An employee may have only one loan at a time.

8. Payment for the loan is made by monthly payroll deduction.

9. An employee with a loan who is not in paid status (e.g. unpaid leave of absence) may make his/her monthly payments directly to the Plan

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Administrator by some means other than payroll deduction each month the employee is in an unpaid status (e.g. by a personal check or money order).

10. The Loan Administrator (MassMutual Life Insurance Company or its successor) charges a one-time $50 loan initiation fee. This fee is deducted from the employee's Deferred Compensation account.

11. The County charges a one-time $25 loan initiation fee and a monthly maintenance fee of $1.50. These fees are paid by payroll deduction.

~~E~~G. **Additional Contribution to Deferred Compensation Plan** (pursuant to the funds referenced in Section 43 - Non-Healthcare/Non-General Wage Re-Opener):

The County shall provide a monthly deferred compensation contribution to eligible employees in the Contra Costa County Defenders Association who are enrolled in the County's deferred compensation program. Only permanent full-time or permanent part-time employees in a position designated at a minimum of twenty (20) hours per week who have been employed by the County for at least ninety (90) calendar days, will be eligible for the contribution. An employee will be considered enrolled in the County's deferred compensation program as long as they maintain a balance in such an account. Any newly hired employee who satisfies these requirements will also be eligible to receive this contribution on a go-forward monthly basis provided they open a deferred compensation account during the applicable year. The contributions and eligible classifications are as follows:

1. For the 2021 contribution only, the additional contribution will be limited to eligible Public Defender Investigators Unit employees. The pro-rata amount for each Public Defender Investigators Unit employee will be determined by dividing $33,000 by the number of eligible Public Defender Investigators Unit employees enrolled in the County's deferred compensation program on October 10, 2021. This contribution amount will be distributed proportionately on a monthly basis, starting November 10, 2021, for the remainder of the 2021 calendar year.

2. For the 2022 and 2023 calendar years, from the February 10 through June 10, 2024 pay periods, the additional contribution will be available to eligible employees in the Public Defender Investigators Unit and Deputy Public Defender- Fixed Term (Job Code - 25WB) classification. After funding the increased reimbursement amount effective January 1, 2022, under Section 25.2 - Public Defender Investigator Professional Expenses. any remaining funds pursuant to Section 43 - Non-Healthcare/Non-General Wage Re-Opener, are to be applied to this contribution. The

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pro-rata amount for each employee is determined for the applicable year by dividing these remaining funds by the number of eligible employees in these positions who are enrolled in the County's deferred compensation program on January 1. Individual contributions are to be distributed on a monthly basis among all eligible employees starting with the following February 10 pay date through the following January 10 pay date. The parties acknowledge that the amount of each employee's pro-rata share is subject to change from year to year as the amount will be wholly dependent on the amount of remaining funds under Section 43 and the number of employees in these positions who are enrolled in the deferred compensation program at the time.

3. Beginning with the July 10, 2024 pay period and all subsequent years, the additional contribution will be available to eligible employees in the Public Defender Investigators Unit and Deputy Public Defender I (25WA) classification. After funding the increased reimbursement amount under Section 25.2 - Public Defender Investigator Professional Expenses., any remaining funds pursuant to Section 43 - Non-Healthcare/Non-General Wage Re-Opener, are to be applied to this contribution. The pro-rata amount for each employee is determined for the applicable year by dividing these remaining funds by the number of eligible employees in these positions who are enrolled in the County's deferred compensation program on January 1. Individual contributions are to be distributed on a monthly basis among all eligible employees starting with the following February 10 pay date through the following January 10 pay date. The parties acknowledge that the amount of each employee's pro-rata share is subject to change from year to year as the amount will be wholly dependent on the amount of remaining funds under Section 43 and the number of employees in these positions who are enrolled in the deferred compensation program at the time.

The contribution under this subsection G. will be added to any existing amounts already deferred or contributed to the Contra Costa County Deferred Compensation Plan for the purpose of ensuring that the annual Plan maximum contributions as defined under IRS Code Section 457(b), or other tax qualified designated saving vehicle, are not exceeded.

III. The Additional Deferred Compensation contributions described in the new subsection G. of Section 42.2 added by this Side Letter will be adjusted only for the remainder of the 2024 calendar year and contributed for the eligible employees as described in Exhibit A, attached to this Side Letter and incorporated herein by reference. A one-time lump sum contribution also will be made for Employee #94102 in the amount of $609.66 to account for the months of February – April.

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The terms of sections I. and II. of this Side Letter will be incorporated into the next MOU between the County and the Association. The parties acknowledge that this Side Letter resolves Grievance # 006-24 and does not impact any other pending grievances. Except as specifically amended or excluded by this Side Letter, all other terms and conditions of the MOU between the County and the Association (July 1, 2022- June 30, 2026) remain unchanged by this Side Letter.

Date: 6/12/2024

Contra Costa County: (Signature / Printed Name)		**CCC Defenders' Association:** (Signature / Printed Name)	
DocuSigned by: David Sanford 256DA027F7FB477...	David Sanford	DocuSigned by: Michael Caesar 59AC485E04F449C...	Michael Caesar
DocuSigned by: RebeccaCox 695AD9D188D6407...	Rebecca Cox		

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Exhibit A

ID	Job Code	Classification	Enrolled as of 1/1/24?	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	New Annual Amount	Annual minus received	New Monthly Amount July-January
93994	25WA	DPD I	No															
92429	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
93929	25WA	DPD I	No															
93370	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
94442	25WA	DPD I	No															
92469	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
92428	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
93930	25WA	DPD I	No															
93933	25WA	DPD I	No															
93935	25WA	DPD I	No															
94082	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
93993	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
94053	25WA	DPD I	Yes						201.70	201.70	201.70	201.70	201.70	201.70	201.70	1411.84	1411.84	201.70
91957	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
86581	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
88574	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
79625	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
87332	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
80452	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
78413	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
88566	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
87420	6NVA	PD Investigatr II	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
93452	6NWA	PD Investigator I	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
94102	6NWA	PD Investigator I	Yes - Error	203.22	203.22	203.22	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54
93254	6NWA	PD Investigator I	No															
94051	6NWA	PD Investigator I	Yes	*203.22*	*203.22*	*203.22*	*203.22*	*203.22*	56.54	56.54	56.54	56.54	56.54	56.54	56.54	1411.84	395.74	56.54

7 DPD qualify
12 PD qualify
19 total eligible employees

Total **26824.96**

***County contributions will be made only up to the annual maximum permitted by the IRS