



Agenda

FINANCE COMMITTEE

May 2, 2011
1:30 P.M.

651 Pine Street, Room 101, Martinez

Supervisor John Gioia, District I, Chair
Supervisor Federal Glover, District 5, Vice-Chair

Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes)
3. Quarterly Capital Projects Report (Steve Silveira, Deputy General Services Director)
4. Staff Response and Recommended Actions to Auditor-Controller Report Concerning the Keller Canyon Mitigation Fund – Continued from April 4, 2011 Meeting (Catherine Kutsuris, Director/Department of Conservation & Development)
5. Update on draft Cell Phone Policy for Contra Costa County (Terry Speiker, Assistant County Administrator)
6. Next meeting – June 6

☺ *The Finance Committee will provide reasonable accommodations for persons with disabilities planning to attend Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.*

📁 *Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Finance Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor, during normal business hours.*

✉ *Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

For Additional Information Contact:

Lisa Driscoll, Committee Staff
Phone (925) 335-1023, Fax (925) 646-1353
Lisa.driscoll@cao.cccounty.us

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

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

AB	Assembly Bill	HCD	(State Dept of) Housing & Community Development
ABAG	Association of Bay Area Governments	HHS	Department of Health and Human Services
ACA	Assembly Constitutional Amendment	HIPAA	Health Insurance Portability and Accountability Act
ADA	Americans with Disabilities Act of 1990	HIV	Human Immunodeficiency Syndrome
AFSCME	American Federation of State County and Municipal Employees	HOV	High Occupancy Vehicle
AICP	American Institute of Certified Planners	HR	Human Resources
AIDS	Acquired Immunodeficiency Syndrome	HUD	United States Department of Housing and Urban Development
ALUC	Airport Land Use Commission	Inc.	Incorporated
AOD	Alcohol and Other Drugs	IOC	Internal Operations Committee
BAAQMD	Bay Area Air Quality Management District	ISO	Industrial Safety Ordinance
BART	Bay Area Rapid Transit District	JPA	Joint (exercise of) Powers Authority or Agreement
BCDC	Bay Conservation & Development Commission	Lamorinda	Lafayette-Moraga-Orinda Area
BGO	Better Government Ordinance	LAFCo	Local Agency Formation Commission
BOS	Board of Supervisors	LLC	Limited Liability Company
CALTRANS	California Department of Transportation	LLP	Limited Liability Partnership
CalWIN	California Works Information Network	Local 1	Public Employees Union Local 1
CalWORKS	California Work Opportunity and Responsibility to Kids	LVN	Licensed Vocational Nurse
CAER	Community Awareness Emergency Response	MAC	Municipal Advisory Council
CAO	County Administrative Officer or Office	MBE	Minority Business Enterprise
CCHP	Contra Costa Health Plan	M.D.	Medical Doctor
CCTA	Contra Costa Transportation Authority	M.F.T.	Marriage and Family Therapist
CDBG	Community Development Block Grant	MIS	Management Information System
CEQA	California Environmental Quality Act	MOE	Maintenance of Effort
CIO	Chief Information Officer	MOU	Memorandum of Understanding
COLA	Cost of living adjustment	MTC	Metropolitan Transportation Commission
ConFire	Contra Costa Consolidated Fire District	NACo	National Association of Counties
CPA	Certified Public Accountant	OB-GYN	Obstetrics and Gynecology
CPI	Consumer Price Index	O.D.	Doctor of Optometry
CSA	County Service Area	OES-EOC	Office of Emergency Services-Emergency Operations Center
CSAC	California State Association of Counties	OSHA	Occupational Safety and Health Administration
CTC	California Transportation Commission	Psy.D.	Doctor of Psychology
dba	doing business as	RDA	Redevelopment Agency
EBMUD	East Bay Municipal Utility District	RFI	Request For Information
EIR	Environmental Impact Report	RFP	Request For Proposal
EIS	Environmental Impact Statement	RFQ	Request For Qualifications
EMCC	Emergency Medical Care Committee	RN	Registered Nurse
EMS	Emergency Medical Services	SB	Senate Bill
EPSDT	State Early Periodic Screening, Diagnosis and treatment Program (Mental Health)	SBE	Small Business Enterprise
et al.	et ali (and others)	SWAT	Southwest Area Transportation Committee
FAA	Federal Aviation Administration	TRANSPAC	Transportation Partnership & Cooperation (Central)
FEMA	Federal Emergency Management Agency	TRANSPLAN	Transportation Planning Committee (East County)
F&HS	Family and Human Services Committee	TRE or TTE	Trustee
First 5	First Five Children and Families Commission (Proposition 10)	TWIC	Transportation, Water and Infrastructure Committee
FTE	Full Time Equivalent	VA	Department of Veterans Affairs
FY	Fiscal Year	vs.	versus (against)
GHAD	Geologic Hazard Abatement District	WAN	Wide Area Network
GIS	Geographic Information System	WBE	Women Business Enterprise
		WCCTAC	West Contra Costa Transportation Advisory Committee

Schedule of Upcoming BOS Meetings

May 10, 17, 24

June 7, 14, 21, 28

July 12, 26

August 2, 9, 16



CONTRA COSTA COUNTY

General Services Department

ADMINISTRATIVE SERVICES

Stephen Silveira
Deputy Director

DATE: April 27, 2011

TO: Finance Committee
Supervisor John Gioia, District 1, Chair
Supervisor Federal D. Glover, District 5, Vice Chair

FROM: Steve Silveira, Deputy General Services Director

SUBJECT: CAPITAL PROJECTS REPORT

The Finance Committee receives quarterly reports on the status of the County's capital projects. The capital project report lists the status of all capital projects currently managed by the General Services Department. The report provides the estimated project cost, the estimated completion date, and the status of each project. The report also includes information on the source of funds that have been identified for each project and identifies some of the capital facilities needs for which full funding has not been identified.

New Projects

- Structural Analysis of G Ward, Martinez
- Monopole Equipment Feasibility Study, Martinez

Completed Project

- Parking Lot C Expansion, Martinez
- Pacheco Creekside Park, Pacheco

With the implementation of the County's Real Estate Asset Management Plan (RAMP), capital projects, particularly those involving new construction, significant leasing commitments, and real estate acquisition or disposition, are evaluated and prioritized based upon qualified needs assessments relative to the County's existing building assets and its ability to finance the project. These assessments are developed and reviewed under the direction of the County Administrator's Office in consultation with the requesting department.

SS:mak
Enclosures

c: David Twa, County Administrator
Lisa Driscoll, County Finance Director
Rob Lim, Capital Projects Manager

**CAPITAL PROJECTS REPORT - FINANCE COMMITTEE
SUMMARY PAGE**

4/25/2011

Funding Source	Projects
Hospital Enterprise Fund	11
General Fund	1
EHS	1
Grant or Bond Funds	4
City of Pittsburg	1
DCD/Redevelopment	1
East Contra Costa Fire Protection Fund	1
Land Development Fund	1
Road Fund (Public Works)	1
Cable Franchise Fees	1
Health Services Capital Budget	1
Park Dedication Fees	1
Proposition 63	1
FUNDED PROJECTS¹ :	25 \$ 89,633,100
NON-FUNDED PROJECTS:	1 \$ 65,000,000
TOTAL PROJECTS:	26 \$ 154,633,100

PROJECT SIZE	Projects
under \$100,000	0
between \$100,000 - \$250,000	1
between \$250,000 - \$500,000	0
between \$500,000 - \$1,000,000	5
Projects over \$1,000,000	13
To be determined	7
TOTAL PROJECTS:	26

NEW PROJECTS since last report:
Structural Analysis of G Ward, Martinez
Monopole Equipment Feasibility Study, Martinez

COMPLETED PROJECTS since last report:
Parking Lot G Expansion, Martinez
Pacheco Creekside Park, Pacheco

1: Note - \$2.75M in projects are funded by the City of Pittsburg for Contra Costa Fire District projects.

CAPITAL PROJECTS REPORT - FINANCE COMMITTEE

	Project Name	Address	Phase	% Proj. Comp	Est. Proj. Compl. Date	Estimated Proj. Budget	Funding Source
	Conservation & Development						
1	Remodeling 30 Muir Road for Conservation & Development Dept.	30 Muir Road, Martinez	Construction	35%	3/30/2012	\$12,500,000	Land Development Fund
2	Walden Green Landscaping	Iron Horse Corridor, Pleasant Hill	Construction Documents	25%	6/30/2012	\$1,000,000	Redevelopment Fund
	Contra Costa Fire District						
3	New Fire Prevention Bureau Office	Loveridge Road at E. Leland Road, Pittsburg	Construction	75%	8/31/2011	\$2,750,000	City of Pittsburg
	County Administrator						
4	Remodel of CCTV Offices (Phase 2)	10 Douglas Drive, Martinez	Design Development	10%	8/30/2011	\$385,000	Cable Franchise Fees
	Crockett-Carquinez Fire Protection District.						
5	Fire Station 78 Upgrades	746 Loring, Crockett	Design Development	10%	8/31/2011	\$223,000	Bay Area Air Quality Management District Grant
	East Contra Costa Fire District						
6	Demolition & Replacement of Fire Station No. 95	3045 Ranch Lane, Bethel Island	Pre-design (pending Fire District approval to proceed)	5%	TBD	\$1,239,000	East Contra Costa Fire Protection Fund
	Employment & Human Services						
7	Assessment of Unfinished Interior Improvements	151 Linus Pauling, Hercules	Feasibility (pending EHS approval to proceed)	5%	9/30/2011	TBD	General Fund - EHS

CAPITAL PROJECTS REPORT - FINANCE COMMITTEE

	Project Name	Address	Phase	% Proj. Comp	Est. Proj. Compl. Date	Estimated Proj. Budget	Funding Source
	Health Services						
8	New West County Health Center	13601 San Pablo Ave., San Pablo	Construction Documents & Construction	40%	7/9/2012	\$45,000,000	\$12 Million ARRA Grant, \$33 Million Bond Funds
9	New Psychiatric Facility (Crisis Residential Center)	20 Allen Street, Martinez	Construction Documents	30%	10/1/2012	\$4,000,000	Proposition 63
10	Ward 4D Conversion	2500 Alhambra Avenue, Martinez	Construction Documents (pending OSHPD ¹ review)	50%	12/31/2011	\$2,384,000	Hospital Enterprise Fund
11	ER Lobby Remodel	2501 Alhambra Avenue, Martinez	Feasibility (pending HSD approval to proceed)	15%	12/31/2011	\$500,000	Hospital Enterprise Fund
12	New Martinez Health Clinic	2500 Alhambra Avenue, Martinez	Construction Documents	40%	10/30/2012	\$9,110,100	Hospital Enterprise Fund
13	Conversion of Third Floor South Wing Bldg One	2500 Alhambra Avenue, Martinez	Construction Documents (pending OSHPD review)	40%	12/30/2011	\$1,840,000	Hospital Enterprise Fund
14	Expansion of Concord Clinic	3052 Willow Pass Road, Concord	Feasibility	50%	10/15/2011	\$1,475,000	Health Services Capital Budget
15	Emergency Water Tank	2500 Alhambra Avenue, Martinez	Construction Documents (pending OSHPD review)	45%	12/15/2011	\$1,070,000	Hospital Enterprise Fund
16	Convert Antepartum Rm 5534 to Labor Delivery Room	2500 Alhambra Avenue, Martinez	Construction Documents (pending OSHPD review)	30%	11/1/2011	\$564,000	Hospital Enterprise Fund
17	Nutritional Services Program SB1953 Compliance	2501 Alhambra Avenue, Martinez	Feasibility (pending OSHPD review)	95%	6/30/2011	TBD	Hospital Enterprise Fund

CAPITAL PROJECTS REPORT - FINANCE COMMITTEE

	Project Name	Address	Phase	% Proj. Comp	Est. Proj. Compl. Date	Estimated Proj. Budget	Funding Source
18	Antioch Clinic Expansion	3505 Lone Tree Way, Antioch	Feasibility	30%	9/30/2011	TBD	Hospital Enterprise Fund
19	Urology Room Improvements	2500 Alhambra Avenue, Martinez	Construction Documents	10%	9/1/2011	\$400,000	Hospital Enterprise Fund
20	"Epic" Electronic Health Records Training Center	TBD	Feasibility	5%	8/30/2011	\$2,500,000	Hospital Enterprise Fund
21	Old Discovery House Replacement (new residential facility for the homeless)	4639 Pacheco Blvd., Martinez	Design Development	25%	10/30/2012	\$1,750,000	CDBG Grant, Emergency Housing Assistance Program Loan
22	Structural Analysis of G Ward	2500 Alhambra Avenue, Martinez	Feasibility	5%	6/1/2011	TBD	Hospital Enterprise Fund
	Information Technology						
23	Upgrade PG&E Service	Pearl Ridge, Hercules	Construction Documents	35%	8/31/2011	\$743,000	Homeland Security Grant
	Public Works						
24	Landscaping Iron Horse Trail	Iron Horse Corridor, Alamo	Construction	95%	5/30/2011	\$75,000	Road Fund
25	Parkway Estates Park Improvements	Maya Way & Malcolm Drive, North Richmond	Construction	85%	6/1/3011	\$125,000	Park Dedication Fees, Redevelopment Funds
	Sheriff Coroner						
26	Public Safety Command Center	Glacier Drive, Martinez	Design Development (On-Hold)	30%	TBD	\$65,000,000	Not Identified
					TOTAL	\$154,633,100	
	1: OSHPD = Office of Statewide Health Planning and Development						



CONTRA COSTA COUNTY
Department of Conservation & Development
Community Development Division
651 Pine Street, North Wing – 4th Floor
Martinez, CA 94553-1229
Telephone: 335-1210 Fax: 335-1222

TO: Finance Committee
Supervisor John Gioia, Chairperson
Supervisor Federal Glover, Member

FROM: Catherine Kutsuris, Director
By Bob Calkins, CDBG Program Manager

DATE: May 2, 2011

SUBJECT: Follow-up to Staff Response and Recommended Actions to the Auditor-Controller Report Concerning the Keller Canyon Mitigation Fund

RECOMMENDATIONS

1. **ACCEPT** revised recommended actions proposed by staff for Recommendations #3 and #4a.
2. **DIRECT** staff to prepare a Board Order forwarding the Committee recommendations to be considered by the Board of Supervisors.

BACKGROUND

On November 5, 2010, the County's Auditor-Controller issued a report in response to several citizen allegations concerning the administration of the Keller Canyon Mitigation Fund (KCMF). The report contained five recommendations on ways to improve the administration of the Fund. On February 7, 2011 the Auditor-Controller presented their report to the Finance Committee. On April 4, 2011, the Finance Committee considered a memorandum outlining staff recommendations (Attachment A) and agreed with most of the Recommended Actions but directed staff to return with additional information on Recommendation #3 and Recommendation #4a.

Auditor Recommendation #3: Establish an "Ethics Policy" that includes a recusal provision for the KCMF Committee recommendations. Train Committee members to ensure compliance with that policy.

Initial Recommended Action: Staff will develop an ethics policy that includes a requirement for any member of the Review Committee to recuse him/herself from participating in the funding deliberation process of a particular application if that

Committee member is affiliated with the organization including having a familial relationship with a staff member and/or sitting on the organization's Board of Directors, etc. Staff recommends this policy be put in place for the FY 2011/12 funding process.

Revised Recommended Action: Based on discussions with County Counsel, KCMF Review Committee members are subject to the Political Reform Act and Government Code section 1090. The Political Reform Act provides that a public official shall not make, participate in making, or in any way use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest. In addition to the Political Reform Act, public officials are also subject to the more rigorous requirements of Government Code section 1090 that states "...county officers or employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members." Consequently, on a case by case basis individual KCMF Review Committee members shall be required to recuse themselves in compliance with the Political Reform Act and Government Code section 1090 depending on the individual circumstances. Because each situation can be different, each KCMF Review Committee member shall be encouraged to consult with County Counsel to determine how the Political Reform Act and Government Code section 1090 may apply to them as they consider KCMF applications, and make funding recommendations to the Board of Supervisors.

Auditor Recommendation #4a: Management should consider paying the vendors on a cost reimbursement basis. Under this approach, grantees would submit reimbursement documentation, including supporting invoices.

Initial Recommended Action: Currently, KCMF funded non-profit agencies receive payments in advance of project implementation. Many of these agencies also receive program funding from other County departments and are therefore routinely paid on a reimbursement basis. However, some of the KCMF grantees don't receive any other funding from the County and are very small non-profits that may find it difficult to implement their project if KCMF funds are not advanced prior to project/program implementation. However, staff concurs with the Auditor's recommendation and starting with the next funding round, KCMF recipients will only receive funds on a reimbursement basis.

Revised Recommended Action: Staff reviewed the list of nonprofit agencies that were awarded funds last year and has determined that 40 of the 77 grants went to agencies that also receive other County/State/City funds including Community Development Block Grant (CDBG) funds, or are agencies with significant operating budgets. These agencies are typically paid on a cost reimbursement basis and therefore paying these agencies on a cost reimbursement basis should not create any financial difficulties for them or the KCMF funded program.

Staff also surveyed agencies that have received KCMF in the past to determine if paying them on a cost reimbursement basis would be detrimental to their cash flow and how the process would impact their ability to operate the KCMF funded program. Staff

received 26 responses to the survey - 13 of them stated that being paid on a cost reimbursement basis would create a hardship for them and would negatively impact their ability to operate the KCMF funded program.

Staff also consulted with First Five Contra Costa because their organization has operated a small grants program for several years providing funds (\$5,000 - \$10,000) to community groups and smaller nonprofit organizations through its Family-Friendly Community Grants program. According to First Five staff, organizations funded through this program receive ½ of the grant award in advance after the contract is executed and the other half upon submittal of appropriate documentation substantiating how the initial disbursement was spent. At the conclusion of the funded program, the organization is required to submit information documenting how the second disbursement was spent.

Given the above information, staff recommends the following:

1. Funded agencies that receive other County/State/City funds and who are typically paid on a cost reimbursement basis for the programs that they operate will receive KCMF funds on a cost reimbursement basis.
2. Funded agencies that can demonstrate that providing KCMF funding on a cost reimbursement basis will create a financial hardship and be detrimental to the operation of the KCMF funded program will be eligible to receive up to ½ of the grant amount after the contract is executed. The remaining amount of the grant will be disbursed after the agency has submitted information documenting how the initial disbursement was spent. At the conclusion of the program, the agency will be required to submit information documenting how the second disbursement was spent, and provide information documenting program outputs and outcomes.

The above protocols will continue to maintain a high level of oversight related to the disbursement of KCMF funds but also provide some flexibility to address the concerns about cash flow that some of the smaller nonprofits have expressed.

Attachment A – Finance Committee memo dated April 4, 2011



CONTRA COSTA COUNTY
Department of Conservation & Development
Community Development Division
651 Pine Street, North Wing – 4th Floor
Martinez, CA 94553-1229
Telephone: 335-1210 Fax: 335-1222

TO: Finance Committee
Supervisor John Gioia, Chairperson
Supervisor Federal Glover, Member

FROM: Catherine Kutsuris, Director
By Bob Calkins, CDBG Program Manager

DATE: March 30, 2011

SUBJECT: Staff Response and Recommended Actions to the Auditor-Controller
Report Concerning the Keller Canyon Mitigation Fund

RECOMMENDATIONS

1. **ACCEPT** recommended actions proposed by staff and/or amended by the Committee.
2. **DIRECT** staff to prepare a Board Order forwarding the Committee recommendations to be considered by the Board of Supervisors on April 12, 2011.

BACKGROUND

As part of the Land Use Permit for the Keller Canyon Landfill approved by the Board of Supervisors (BOS), the Landfill operator is required to pay to the County a mitigation fee (Fee) of \$3 per ton on solid waste received at the Landfill. The purpose of this Fee is to: 1) mitigate general impacts of the Landfill-generated traffic on the County's road system, 2) mitigate the general impacts of the Landfill open space, existing and proposed recreational facilities, and agriculture or 3) mitigate any general impacts of the landfill upon the surrounding community. In 1996, the BOS approved allocating \$1.25 of this Fee directly to the City of Pittsburg. The remaining amount, \$1.75 per ton, remains with the County.

On November 5, 2010, the County's Auditor-Controller issued a report in response to several citizen allegations concerning the administration of the Keller Canyon Mitigation Fund (KCMF). The report (Attachment A) contained five recommendations on ways to improve the administration of the Fund. On February 7, 2011 the Auditor-Controller

presented their report to the Finance Committee. Below are staff's recommended actions in response to the report.

Auditor Recommendation #1: Publish an annual report of all Keller Canyon Mitigation Fund (KCMF) activities to improve accountability to the public.

Recommended Action: Staff agrees that specific actions should be taken to improve the transparency and accountability of KCMF. The following actions are recommended:

- By September 30 of each year, the KCMF Review Committee will prepare a report to the BOS on the use of KCMF funds in the previous fiscal year. At a minimum, this report will describe the revenue received during the year, the amount allocated and spent by each grantee, and the outcome(s) achieved for each funded activity.
- To increase the public's knowledge on how, where, and when to apply for KCMF funding, the funding timeline, request for proposal (KCMF application), and other applicable materials will be placed on the District V and County websites. The websites will also allow organizations and interested persons to add their contact information to ensure notification on matters related to KCMF.
- The current list of interested organizations wishing to be notified about the opportunity to apply for KCMF funding will be reviewed and updated annually to ensure the broadest outreach as possible.
- To ensure the tax exempt status of a nonprofit agency requesting funds is valid and in good standing, staff recommends requiring KCMF applicants submit their current non-profit status determination letter from the IRS, a copy of their most recent tax return, and the printout from the California Business Portal (<http://kepler.sos.ca.gov/>).

Auditor Recommendation #2: Involve the public in defining the KCMF mission, application, and selection process to improve governance and transparency.

Recommended Action: Beginning with the FY 2011/12 allocation process staff recommends the following:

- Changing the composition of the KCMF Review Committee to include the following individuals: District V Supervisor, District V Chief of Staff (or other person assigned by the Supervisor), a representative of the Bay Point Municipal Advisory Committee appointed by the Bay Point MAC, a Principal (or other senior school official) from a school located in the Bay Point area, and a representative from the Bay Point Chamber of Commerce. The representatives from the MAC, Bay Point area school, and Chamber of Commerce should be appointed to minimum two year terms.

- The KCMF Review Committee will be responsible for reviewing and updating, if necessary, the KCMF application materials and rating/evaluation criteria to ensure they are consistent with the conditions of approval for the Keller Canyon Landfill originally approved by the BOS in 1990. Specifically, the funds collected are to: 1) mitigate general impacts of the Landfill-generated traffic on the County's road system, 2) mitigate the general impacts of the Landfill open space, existing and proposed recreational facilities, and agriculture or 3) mitigate any general impacts of the landfill upon the surrounding community. For several years, the funds allocated to District V have been used to fund programs/projects in the following categories: youth services, code enforcement, economic development, public safety, and community services.
- To ensure KCMF funds are targeted to mitigate the impacts of the landfill, staff recommends the KCMF Review Committee's funding decisions be guided by the KCMF Target Area Map that establishes "Primary" and "Secondary" target areas for the use of funds (see Attachment B). Staff proposes that no less than 70 percent of the available funds be used to fund programs/projects/services located within the "Primary Target Area" or directly serving those in the target area.
- Funding recommendations from the KCMF Review Committee will be presented to the Board of Supervisors at a regularly scheduled meeting. The Board Order will list all of the applicants, the amount of funding requested, the amount recommended, and a short description of the proposed program/project and the proposed outputs and/or outcomes.

Auditor Recommendation #3: Establish an "Ethics Policy" that includes a recusal provision for the KCMF Committee recommendations. Train Committee members to ensure compliance with that policy.

Recommended Action: Staff will develop an ethics policy that includes a requirement for any member of the Review Committee to recuse him/herself from participating in the funding deliberation process of a particular application if that Committee member is affiliated with the organization including having a familial relationship with a staff member and/or sitting on the organization's Board of Directors, etc. Staff recommends this policy be put in place for the FY 2011/12 funding process.

Auditor Recommendation #4: Obtain Board authorization for all KCMF expenditures.

Recommended Action: To ensure that no expenditure of KCMF funds be recommended for payment by the Auditor-Controller unless the proposed expenditure has been approved by the BOS, staff proposes the following protocols be followed:

- Each KCMF Board Order (BO) will include detailed line items that identify the agencies who applied for funding, the amount of funds requested, the amount recommended, and a complete description of the proposed program/project to be funded.

- The approved BO will be provided to the Auditor for their files.
- Each Demand for payment forwarded to the Auditor-Controller will include the name of the agency, the KCMF item agenda number, and the item number of the approved program/project. (For example: New Connections, C.49, Item #45).

Auditor Recommendation #4a: Management should consider paying the vendors on a cost reimbursement basis. Under this approach, grantees would submit reimbursement documentation, including supporting invoices.

Recommended Action: Currently, KCMF funded non-profit agencies receive payments in advance of project implementation. Many of these agencies also receive program funding from other County departments and are therefore routinely paid on a reimbursement basis. However, some of the KCMF grantees don't receive any other funding from the County and are very small non-profits that may find it difficult to implement their project if KCMF funds are not advanced prior to project/program implementation. However, staff concurs with the Auditor's recommendation and starting with the next funding round, KCMF recipients will only receive funds on a reimbursement basis.

Auditor Recommendation #5: Allocate and authorize the KCMF for County Municipal Advisory Councils (MACS) and other Advisory Councils in compliance with the County's Municipal Advisory Council Policies, Advisory Body Procedures, and Fiscal Procedures and Controls for County Municipal Advisory Councils adopted by the County Board of Supervisors.

Recommended Action: In the past, KCMF funds have been allocated to the East County MACs (Bay Point and Bethel Island), the Knightsen Town Advisory Council, and the Discovery Bay Community Services District. In February 2009, the BOS adopted a set of policies for MACs that included providing funding to the MACs as a **goal** but due to the County's current fiscal situation, financial support from the County General Fund is not presently possible. The Bay Point MAC is the only MAC whose boundary is within the proposed KCMF funding "Primary or Secondary Target Areas." Consequently, staff recommends future KCMF funding is provided only to the Bay Point MAC.

Other Recommended Actions: In addition to the above recommendations, the Auditor-Controller's report points out that for the last several years, expenditures in the KCMF fund have exceeded revenues resulting in a deficit in the fund balance of \$167,819 at the end of FY 2009/10. Staff recommends the following actions be taken to eliminate the current deficit in the fund balance by the end of the current fiscal year, and to ensure that future allocations are better aligned with anticipated revenues:

- Reduce the FY 2009/10 deficit to \$0 by reserving \$167,819 in FY 2011/12 projected revenue and allocating it to the deficit.

- Reduce the FY 2010/11 deficit, if any, to \$0 by immediately identifying and implementing potential cost saving strategies and/or reserving the necessary FY 2011/12 projected revenue and allocating it to the deficit.
- When determining the amount of KCMF funds to be made available for projects in future fiscal years, staff will analyze the revenue trend lines over the last 3-4 years and recommend that only 80 percent of the anticipated revenue be allocated to projects for the upcoming year. This protocol will reduce the likelihood that expenses will be greater than actual revenue received. Any revenue over expenses in one year can be added to the amount made available in the following year.

Attachment A - Auditor-Controller Report dated November 5, 2010

Attachment B - Proposed KCFM Funding Target Map dated March 11, 2011

County of Contra Costa
Office of the County Administrator
MEMORANDUM

DATE: April 28, 2011

TO: FINANCE COMMITTEE:
Supervisor John Gioia, Chair
Supervisor Federal Glover, Vice-Chair

FROM: T. Speiker, Assistant County Administrator



SUBJECT: Draft County Cell Phone Policy aka Electronic Communication Devices Policy

Development of this policy was before the Finance Committee at its meetings of February and April. Attached is the latest draft of the County Cell Phone Policy, which incorporates the Committee's direction to summarize use and savings.

CONTRA COSTA COUNTY
Office of the County Administrator

ADMINISTRATIVE BULLETIN

Number: **Draft**
Date: April 13, 2011
Section:

SUBJECT: Policy on Electronic Communication Devices

- I. **APPLICABILITY.** This bulletin applies to all County departments and County employees and staff.
- II. **AUTHORITY.** In accordance with the provisions of County Ordinance Code Section 24-4.008, the County Administrator is responsible for implementing a system of County administrative bulletins.
- III. **PURPOSE.** This administrative bulletin specifies standardized processes and practices, to be used by all County departments, in issuing, monitoring and reporting on their use of electronic communication devices. It lays out departmental and employee responsibilities, guidelines for issuance, expectations regarding departmental review of usage in relation to the cost of these devices and the return on that cost, and inventory control and reporting requirements; it applies to all County departments and to all County employees/staff persons who are issued electronic communication devices by their departments.

It's the administrative policy of Contra Costa County to ensure that all county departments regularly review and report on their department's use of electronic communication devices, including cellular phones, cellular devices, and/or smart phones. Departments are expected to use the most cost-effective rate and utilization plans and consider technological developments and "best practices" appropriate to their business when they issue these devices and when they make changes in use.

IV. POLICY GUIDELINES.

A. DEFINITIONS.

1. Smart Phone - is an electronic communication device that provides wireless voice communications, data connectivity, email messaging, calendaring, and address book access; may also be referred to as a Personal Data Assistant (PDA).

2. Cellular Data Card - is commonly referred to as an “Air Card” or “Embedded Air Card”, and is a device that provides wireless cellular based broadband connectivity.
3. Cellular Devices - is an interchangeable term applied to mobile phone, cell phone, smart phone, mobile data card, cellular data card, air card, cellular phone, cellular PDA, usb data card, PCMCIA data card, and PC-Express data card; it is any device that provides voice and or data service utilizing a carriers’ cellular wireless service.

B. POLICY.

1. **County owned and issued electronic communication devices:** County owned and issued electronic communication devices are business tools. Their use is authorized through County departments and used by County employees/staff for the singular purpose of conducting the duties and tasks directly related to their County job assignments. These devices are an integral mechanism used by County departments and their employees/staff to efficiently and effectively deliver County services and programs to the residents and businesses of Contra Costa County. As such, their use and the cost or savings in relation to job duties and work assignments must be regularly reviewed and monitored by all County departments who issue and use these business tools. A report, in a standardized format specified within this bulletin, on the use of these devices is to be compiled by each County department and submitted every 6 months to the Department of Information Technology (DOIT). Annually, DOIT will prepare a summary report of this information and submit it to the County Administrator’s Office. The County Administrator (CAO) will review the annual report for compliance with the directions and expectations contained in this administrative bulletin.
2. **Department of Information Technology Responsibilities:** The Department of Information Technology (DOIT) will work with all County departments to make available up-to-date information on the most cost-conscious/cost efficient and technologically effective electronic communication devices available and rate plan(s) that fit the same criteria and are best suited to meet the business needs and job duties of the employees who are issued these business tools. In addition, DOIT will receive the reports on departmental usage/rate plan utilization and costs and compile and submit this material to the CAO for an annual review.
3. **Individual County Department Responsibilities:** Each County department is expected to:
 - work with DOIT and the Purchasing Department to choose devices and rate plans, from the options available, that are the most cost-efficient and best meet departmental business needs;
 - authorize the issuance of electronic communication devices to their employees/staff, based on the guidelines laid out in this policy;
 - create and maintain an up-to-date inventory control listing of each electronic communication device they have authorized and issued to staff;

- conduct regular reviews of individual employee usage and plan utilization;
- following these reviews, make changes in usage and rate plans that achieve the highest cost savings and make the best use of available technology; and
- compile and prepare usage reports, as described in this policy, and submit them to DOIT every six months.

4. **Review of County Owned Phones:** Each County department will create a system to review twice each year the use of all individual electronic communication devices they've issued. County departments will review and consider whether or not the devices they've issued continue to address the "best-practice" business needs of their departments, that they're taking advantage of appropriate technological changes, that they're utilizing the least costly service plan for each device and that issuance and usage meets the eligibility guidelines specified within this bulletin. Departments are expected to use the information gathered in these reviews to make changes and adjustments in their use of electronic communication devices, to ensure they remain in compliance with this administrative bulletin and the policies/practices described in it.

5. **Eligibility Guidelines for Issuance and Use:** Electronic communication devices are considered a business tool, provided for and issued by County departments to their employees and staff. Employees are to use them only for official County business and in conjunction with their assigned County job duties. They are to be issued only in those instances when the nature of the work requires the use of this business tool because it's the most cost effective and efficient communication option available. Each County department shall use the following criteria to determine eligibility for the issuance of an electronic communication device to an employee:

- a) The nature of work assigned requires substantial travel, which therefore limits the ability of the employee to use their own office or other County office phones for the purposes of carrying out their regular and customary job duties; or
- b) Due to frequent and prolonged time out of the office, an electronic communication device is required by the employee to support county operations and the business of the department; or
- c) The nature of the work assigned requires the employee to be reasonably available outside of normal office hours. The possibility or the isolated instance that an employee may be called to work outside normal office hours does not by itself meet this criterion. The department should consider the frequency that an employee has actually been called outside of normal business hours or may be called by reviewing past experience; or
- d) Employees are emergency services workers or trade workers whose County job duties require portable communication devices with push to talk capabilities; or

- e) The nature of the work requires the county employee to travel to locations where their safety is a concern; or
- f) Outside of normal working hours/outside of the normal work location, the employee is expected to answer all County-business related calls and promptly respond to any messages.

6. **Procurement:** All County departments will choose hardware and rate plans from the County Government sales representatives. The DOIT Chief Information Officer and the Purchasing Agent will regularly update and make available to County departments information about current technologies and the most cost efficient and effective rate and utilization plans/options that are available to them. DOIT staff will research the changes in technology and cost and utilization plan choices that meet the requirements outlined in this bulletin and the business needs of individual departments. DOIT will act as a primary resource to County departments in finding and using devices and utilization and rate plans that meet the guidelines in this bulletin.

7. **Employee Responsibilities:**

- a) The County employee who is issued an electronic communications device is responsible for taking proper care of this business tool and exercising reasonable precautions against damage, loss, and misuse of the equipment or theft.
- b) Use of a County issued electronic communication device for personal or commercial purposes is forbidden.
- c) The employee shall return all County-owned electronic communication device(s) and discontinue the allowance plan(s) when no longer assigned to/employed by the issuing department.
- d) The employee shall consider safety concerns when using an electronic communication device while driving or operating machinery. While traveling for County related business and/or operating a County vehicle or machinery, the employee (excluding public safety personnel) shall never operate the device while the vehicle/machinery is in motion and must pull over to a safe and legal location prior to using the device. In the case of machinery, it (machine) must be turned off and positioned in non- operational mode prior to operating the electronic communication device.
- e) The employee shall log and reimburse the County for any emergency non-County and/or non-business use of the County-owned and issued electronic communication device(s).

8. **Privacy:** The County does not imply, extend or guarantee any “right to privacy” for voice calls and/or electronic communications placed over County provided electronic communication devices, including but not limited to call detail records, logs, voice mail messages, data storage, text messages, email, calendar, location information, and address books.

9. **Security and Reporting Requirements:** For security purposes, loss or theft of electronic communication devices must be reported to the issuing department head or manager within that department or to the Department of Information Technology as soon as possible.
10. **Compliance with Applicable Laws:** County employees/staff who have been issued electronic communication devices shall comply with all local, state, and federal laws and County policies related to their use.

/s/

David J. Twa
County Administrator

Orig. Depts.: County Administrator's Offices

References:

County Ordinance Code §§ 24-4.008

Board Order,