This document is an extract of a larger publication.

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2023-2024 Contra Costa County Civil Grand Jury

Activities Report

Summary of General Activities

TOURS / OBSERVATIONAL VISITS

- Martinez Detention Facility
- Richmond Detention Facility
- Juvenile Hall
- Crime Lab
- Coroner's Office
- Emergency Control Center
- Sheriff's Office
- Election Office

PRESENTATIONS GIVEN

- Board of Supervisor's Meeting
- 2024-2025 Jury Applicant Orientation
- 2024-2025 Juror Orientation

TRAINING ATTENDED

- Contra Costa Civil Grand Jury Association (Jurors, Foreperson, & Report Writing)
- CPR

Summary of Committee Activities

Committees	Topics / Complaints	Number Investigated	Reports Published
Continuity	3	3	1
City	10	9	1
County	12	9	1
Health & Human Services	11	10	1
Law & Justice	16	10	1
Special Districts	8	4	0
Totals	**60**	**45**	**5**

2401

The 2023 – 2024 Contra Costa County Civil Grand Jury

725 Court Street
Martinez, California 94553

Compliance and Continuity Report

Report 2401
March 29, 2024

Contact:
Joanne Sarmento
Grand Jury Foreperson
(925) 608-2621

Civil Grand Jury reports are posted at: https://www.cc-courts.org/civil/grand-jury-reports.aspx

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Compliance and Continuity Report

BACKGROUND

The mission of the Contra Costa Civil Grand Jury is to identify areas where local government can be improved (findings) and make recommendations for achieving that improvement. One mission of the Compliance and Continuity and Editorial Committee (CCE) is to review agency responses to the recommendations of the previous Grand Jury.

Grand Jury activities are governed by the requirements of California Penal Code sections 925 through 933.6. Full text can be found on the ca.gov website. Pertinent requirements are summarized below:

> *The grand jury shall investigate and report on the operations, accounts, and records of the county's officers, departments, or functions. (Section 925)*
>
> *The grand jury may examine the books and records of any incorporated city or joint powers agency located in the county at any time. (Section 925a)*
>
> *Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. (Section 933a)*

The penal code requires agencies to respond to the findings and recommendations of the grand jury using the specific responses, and within the legal time limits listed below:

Response Timing:

> *No later than 90 days after the grand jury submits a final report on the operations of any public agency ..., the governing body of the public agency shall comment .... on the findings and recommendations (Section 933c)*
>
> And
>
> *Every elected county officer or agency head .... shall comment within 60 days ……. on the findings and recommendations.* (Section 933c)

Response Format for Findings:

Penal code 933.05 lists the following allowable responses. The words in **bold** are used to signify a correct response in the body of this report.

> (1) *The respondent **agrees** with the finding.*
>
> *(2) The respondent **disagrees** wholly or partially with the finding in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor (sic).*

Response Format for Recommendations:

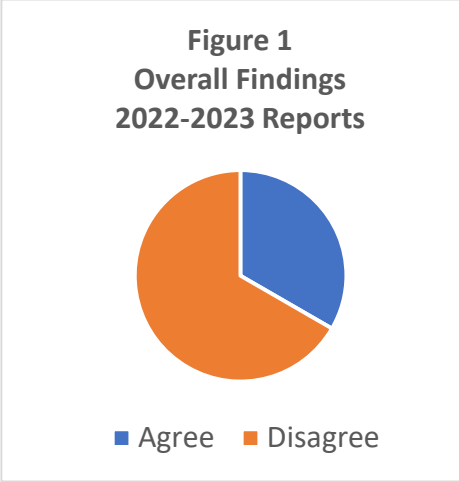
Penal code 933.05 lists the following allowable responses. The words in **bold** are used to signify a correct response in the body of this report.

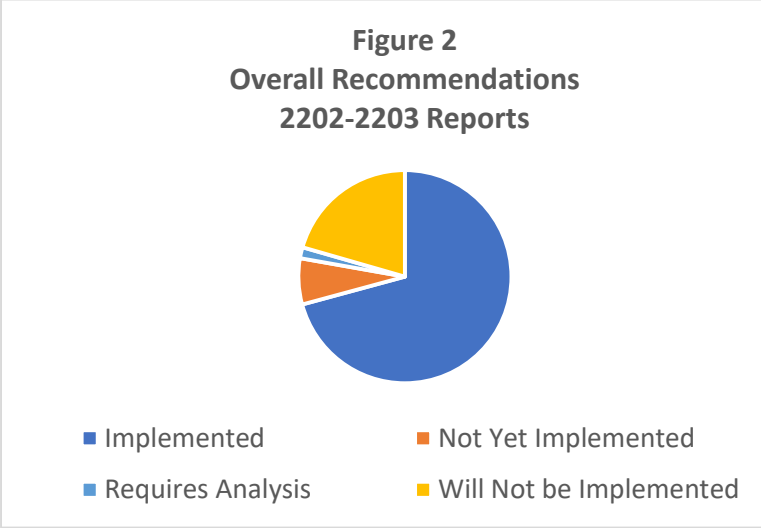
> *(1) The recommendation has been **implemented,** with a summary regarding the implemented action.*
> *(2) The recommendation has **not yet** been **implemented** but will be implemented in the future, with a timeframe for implementation.*
> *(3) The recommendation requires **further analysis**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion …. This timeframe shall not exceed six months from the date of publication of the grand jury report.*
> *(4) The recommendation will **not** be **implemented** because it is not warranted or is not reasonable, with an explanation therefor (sic).*

SUMMARY

We reviewed responses to 306 findings and 243 recommendations in the 2022-2023 grand jury reports from 25 agencies. All responses were on time. 101 responses, or 33% agreed with the findings while 205, or 67% disagreed, as shown in Figure 1.

Responses to recommendations were reviewed to assess compliance with Penal Code 933.05. 172 recommendations (71%) have been implemented, 50 (21%) will not be implemented, and 17 (7%) have not yet been implemented but will be implemented in the future. Four recommendations (2%) required further analysis as shown in Figure 2.





For further explanation of the responses to the recommendations, refer to the complete responses posted online at http://www.cc-courts.org/civil/grand-jury-reports.aspx.

The Grand Jury believes it is important for future Grand Juries to continue to review these responses and to be vigilant in seeing that recommendations that have been accepted are implemented. Special attention should be paid to those responses requiring implementation within specified time frames. In this manner, the commitment and hard work of past and future Grand Juries will result in positive changes for the citizens of Contra Costa County.

The responses to grand jury reports are posted on the Contra Costa County grand jury website in their entirety and can be viewed at Contra Costa Superior Court: Civil Grand Jury Reports.

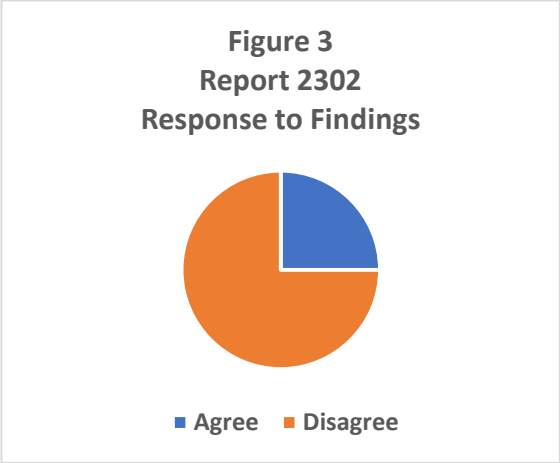
SUMMARIES OF INDIVIDUAL REPORTS

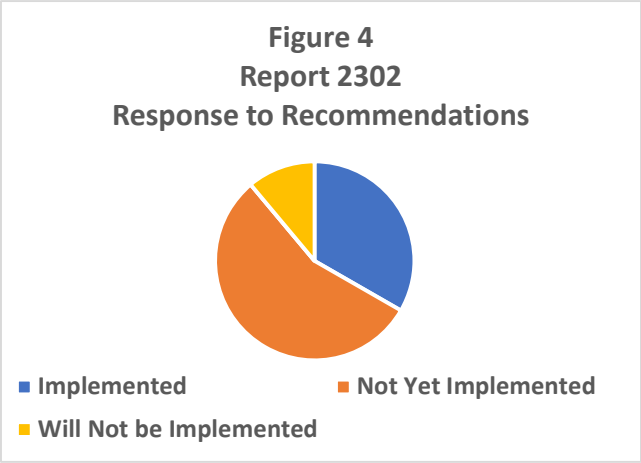
Report # 2302 **CCC Department of Conservation & Development. The Long Wait for Agricultural Contract Approval.**

This report listed eight findings and made nine recommendations to the Contra Costa Board of Supervisors. Responses **agreed** with two findings and **disagreed** with six

as shown in Figure 3.

Three recommendations have been **implemented**, five have **not yet** been **implemented** but will be in the future, and one will **not be implemented** as shown in Figure 4.



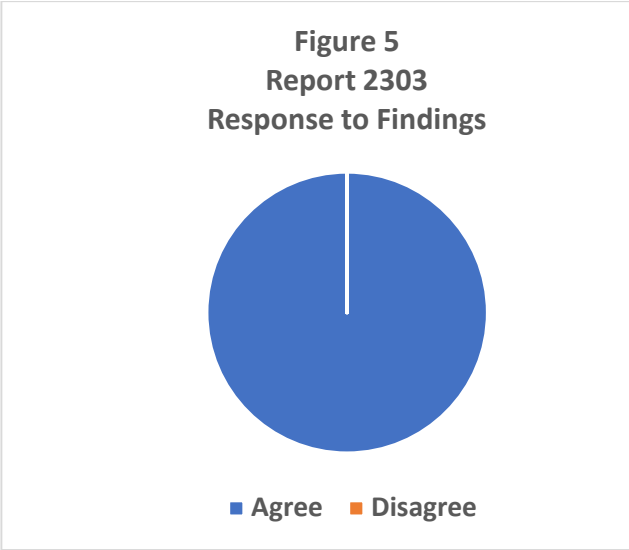


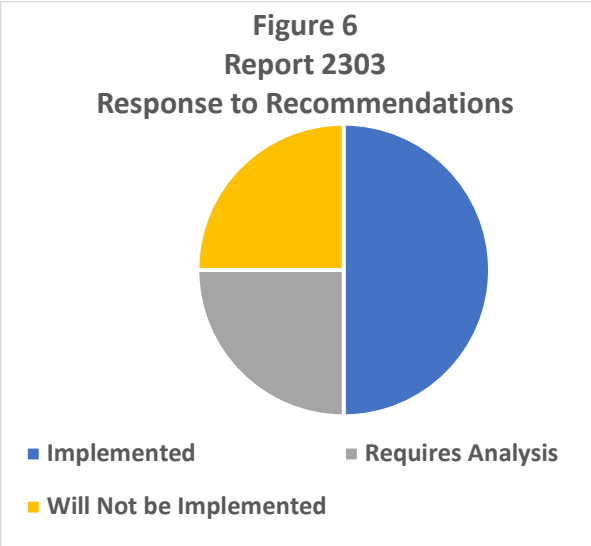
Appendix A, Tables 1 and 2 list the findings and recommendations responses.

Report # 2303 **CCC Elections Division Voter Outreach, Voter Guides & Election Security**

This report listed eight findings and made four recommendations to the Contra Costa County clerk/recorder. Responses **agreed** with all findings. See Figure 5.

Two recommendations have been **implemented**, one requires **further analysis**, and one will **not be implemented** as shown in Figure 6



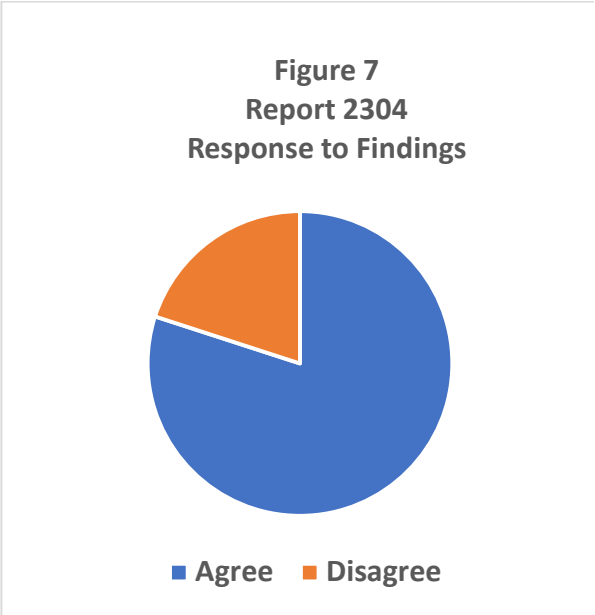


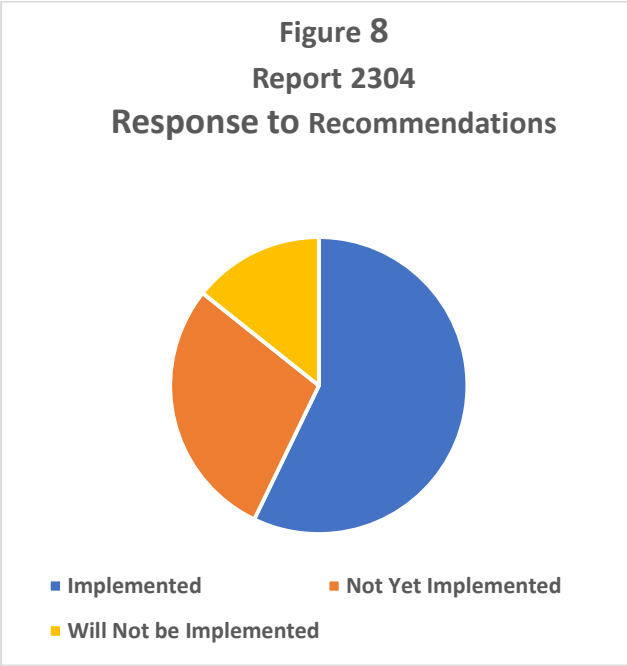
Appendix A, Tables 3 and 4 list the findings and recommendations responses.

Report #2304 **Investigating Deaths Involving Law Enforcement. Expanding Transparency and Reducing Delays.**

This report listed ten findings and made seven recommendations to the Contra Costa County district attorney and sheriff/coroner. Responses **agreed** with eight findings and **disagreed** with two. See Figure 7.

Four recommendations have been **implemented**, two have **not yet** been **implemented** and one will **not** be **implemented**, as shown in Figure 8.



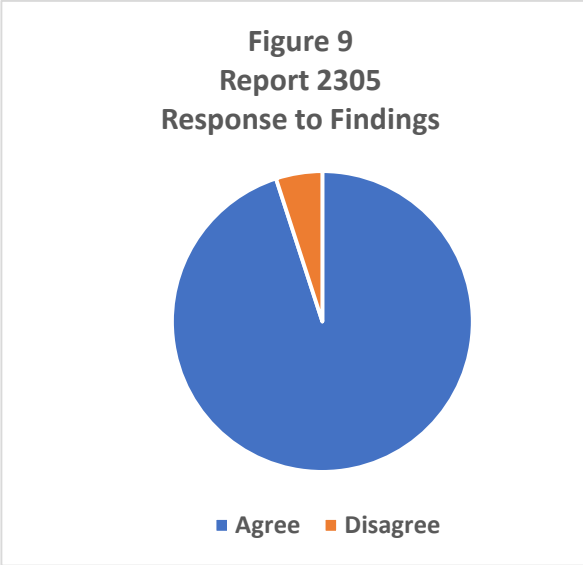


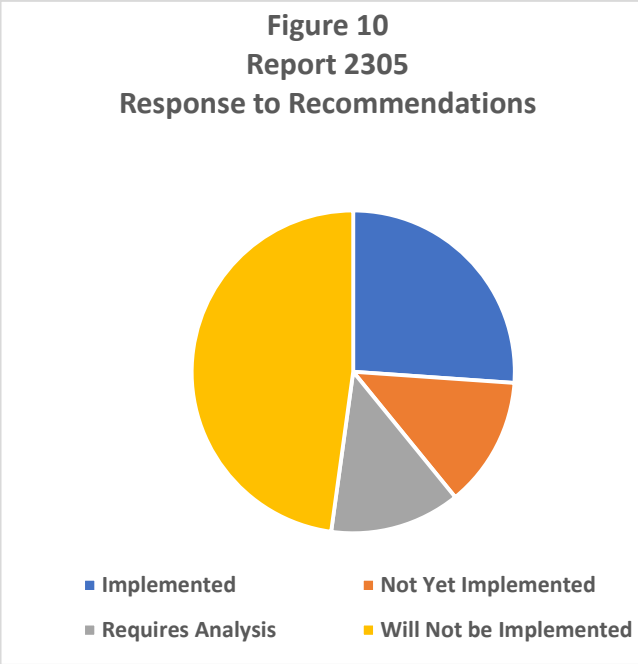
Appendix A, Tables 5 and 6 list the findings and recommendations responses.

Report #2305 Concord Naval Weapons Station, A Promise Unfulfilled

This report listed twenty findings and made twenty-three recommendations to the Concord City Council which also functions as the Land Reuse Agency (LRA) for the Concord Naval Weapons Station. Responses **agreed** with nineteen findings and **disagreed** with one, as shown in Figure 9.

Six recommendations have been **implemented**, three have **not yet** been **implemented**, three require **further analysis** and eleven will **not** be **implemented**, as shown in Figure 10.



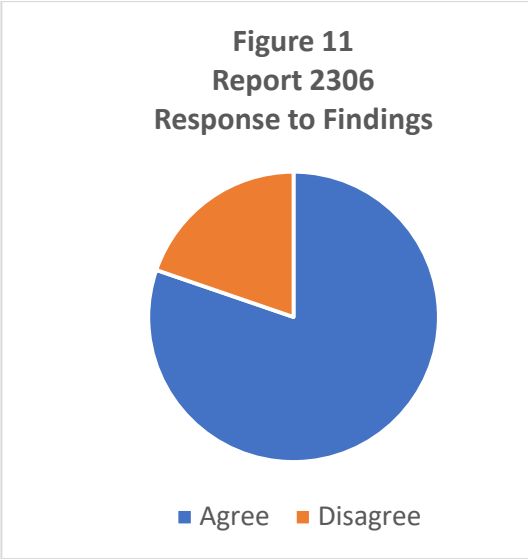


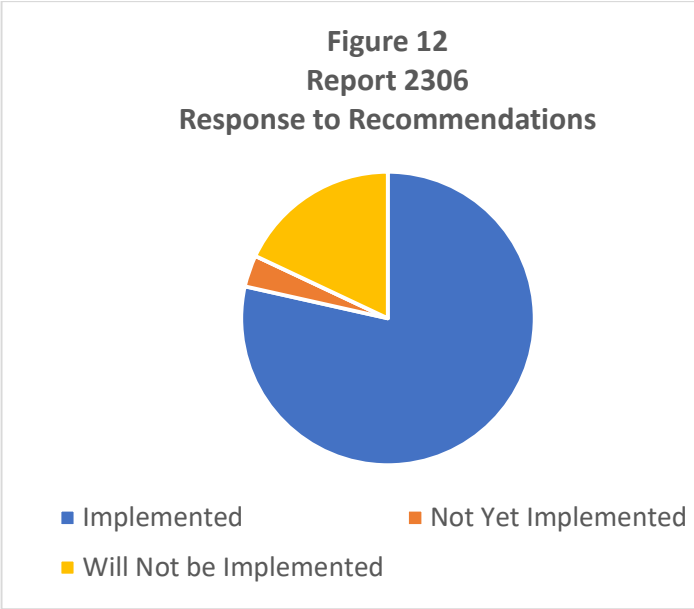
Appendix A, Tables 7 and 8 list the findings and recommendations responses.

Report #2306 Affordable Housing, A Plan Without a Home

This report listed thirteen findings and made twelve recommendations to the Contra Costa Board of Supervisors and nineteen city councils. A total of 64 responses **agreed** with the findings and 193 wholly or partially **disagreed**, as shown in Figure 11.

Recommendations have been **implemented** in 157 responses, have **not yet** been **implemented** in 7, and will **not** be **implemented** in 36 responses, as shown in Figure 12.





Summarized findings and the county and city responses are tabulated in Appendix A, Table 9.

Summarized recommendations and the county and city responses are tabulated in Appendix A, Table 10.

METHODOLOGY

Compliance

The CC&E Committee reviewed all responses to findings and recommendations to the 2022-2023 report for compliance with penal code 933.05 requirements. The responses to each report were entered into an Excel spreadsheet. The information entered in these spreadsheets was used to prepare the Figures in this report, and an abbreviated version is included in Appendix A, Tables 1 through 10.

Continuity

The CC&E Committee followed up on responses to recommendations that did not meet the penal code 933.05 requirements. A separate Excel spreadsheet was used to list all the recommendations that needed follow-up. The committee sent letters requesting responses compliant with the Penal Code. The date of letters sent out and responses received were logged in the continuity spreadsheet and used to prepare the recommendation figures.

APPENDIX A: TABLES SHOWING FINDINGS, RECOMMENDATIONS, AND RESPONSES

Table 1

Report # 2302 CCC Department of Conservation & Development. The Long Wait for Agricultural Contract Approval.	
Findings	**Response**
F1. There is no formal procedure for the evaluation and approval of agricultural contracts in Contra Costa County by the DCD.	**Disagrees**
F2. The current process to review and approve an agricultural contract takes over three years.	**Disagrees**
F3. An agricultural contract has not been approved since 2018.	**Agrees**
F4. Delays in approving agricultural contracts require applicants to continue to pay higher property tax payments while awaiting approval.	**Disagrees**
F5. The DCD ePermit online tool provides an overly broad status on agricultural contracts. As of April 2023, the status of all agricultural contract applications is “hearing prep." This could indicate the application is under an environmental quality review or being prepared for the board of supervisors for approval.	**Disagrees**
F6. Our interviews found that one planner is trained to work on agricultural contracts and is often compelled to spend a majority of their time on other tasks such as the general plan.	**Agrees**
F7. Inquiries for status via email and voicemail by agricultural contract applicants to the DCD are often not responded to.	**Disagrees**
F8. When applicant email inquiries are responded to, they often provide a progress status that fails to materialize and/or is overly optimistic.	**Disagrees**

Table 2

Report # 2302 CCC Department of Conservation & Development. The Long Wait for Agricultural Contract Approval.	
Recommendations	**Response**
R1. The grand jury recommends that the DCD establish a written and publicized process for agricultural contracts, similar to what our comparison county has implemented, by October 1, 2023.	**Not Yet Implemented**
R2. We recommend that the DCD establish a well-publicized deadline for all agricultural contract applications (e.g., October 1), process all agricultural contracts together and preschedule a standing item on the planning commission's agenda (if required) and the board of supervisor's agenda in late November or early December, with contract approval on or before December 31 of the same year, striving to approve agricultural contracts within 90 days.	**Not Implemented**
R3. We recommend that the DCD include an in-person or video teleconference meeting with the applicant to clearly define the required paperwork and the deadline for application submittal.	**Not Yet Implemented**
R4. We recommend that the DCD agricultural contract process be agreed upon and shared with all involved entities, such as county counsel, the planning commission, public works, adjacent cities, LAFCO, and the assessor's office, to gain agreement on the process by all involved entities. Recommended date of agreement is October 1, 2023.	**Not Yet Implemented**
R5. We recommend that the DCD update the permit status for agricultural contracts, within 48 hours of a status change, as the application progresses through the involved entities.	**Not Yet Implemented**
R6. We recommend that the DCD train additional planners to process agricultural contracts in order to eliminate the current backlog by October 1, 2023 and meet the 90 day agricultural contract approval interval target for future applications.	**Implemented**
R7. We recommend that the DCD review and adhere to their stated goal that calls and emails from applicants be returned within two business days.	**Implemented**
R8. We recommend that the DCD implement an escalation process for agricultural contracts so that the applicant can request management intervention if key milestones and deadlines are in jeopardy of being missed.	**Implemented**
R9. The grand jury recommends that DCD management establish procedures to monitor the progress of agricultural contract applications to ensure progress deadlines are met by each involved entity.	**Not Yet Implemented**

Table 3

Report # 2303 CCC Elections Division Voter Outreach, Voter Guides & Election Security	
Findings	**Response**
F1. The elections division outreach efforts using CBOs in the months before the 2020 general election had a measurable impact on voter participation in those areas where resources were deployed.	**Agrees**
F2. For those cities targeted by the elections division's CBO outreach program, voter participation was 15% above the overall county increase from 2018 to 2020.	**Agrees**
F3. The elections division reaches out to the public using online "how to" videos on their website, including videos describing the many ways to cast your vote, how elections are certified, and how you can research candidates and measures.	**Agrees**
F4. The elections division provides a candidate guide for potential candidates that describes the process of running for an elected office within the county.	**Agrees**
F5. A candidate is not required to submit a candidate statement for the voter guide.	**Agrees**
F6. The elections division levies a fee for the candidate statement in the voter guide, to offset printing and distribution costs.	**Agrees**
F7. The fee for a candidate statement ranges from a few hundred to a few thousand dollars, depending on the number of voter guides printed with that candidate's information.	**Agrees**
F8. The elections division has implemented safeguards to prevent physical and cyber security breaches as well as unauthorized, fraudulent, and duplicate ballots.	**Agrees**

Table 4

Report # 2303 CCC Elections Division Voter Outreach, Voter Guides & Election Security	
Recommendations	**Response**
R1. The grand jury recommends that the elections division continue to seek out and apply for grant funding for voter outreach efforts including mailers, community meetings and telephone outreach.	**Implemented**
R2. The grand jury recommends that the elections division establish a means to quantify (measure) the impact of outreach efforts on voter registration and participation and make those results available to the public after each major election via its website.	**Further Analysis**
R3. The grand jury recommends that the fees for providing candidate statements in the voter guide be eliminated to promote candidate transparency.	**Not Implemented**
R4. The grand jury recommends that the elections division add a video to its website describing the physical and cyber security measures it employs to safeguard facilities, ballots, and election data.	**Implemented**

Table 5

Report # 2304 Investigating Deaths Involving Law Enforcement. Expanding Transparency and Reducing Delays.	
Findings	**Response**
Finding 1A: Despite policies and internal goals, the DA's office takes too long to make a criminal charge determination in a fatal incident involving law enforcement officers. Criminal charge determinations (LEIFI reports) have been published 21 to 29 months after such incidents. The Protocol requires that its parties strive to complete investigation reports within 30 days of the fatal incident. The DA's office has a 90-day goal to complete criminal charge determination after the completion of the coroner's inquest.	**Disagrees Wholly or Partially**
Finding 1B: The criminal investigation process has significantly improved since 2018. First, criminal charge determinations are now publicly disclosed (LEIFI report) in all instances in which an officer used deadly force. Second, these reports provide a clear and comprehensive analysis of the criminal charge determination that obviates the need for a coroner's inquest regarding those incidents. Third, the DA's Office has instituted a 90-day goal to make a charging determination after the coroner inquest. Fourth, such reports were not previously made public.	**Agrees**
Finding 1C: The DA's office waits on average 10 months for the coroner's inquest to be held. We question if this is necessary before making the criminal charge determination. The verdict of the coroner's inquest has no bearing on the criminal responsibility of any person(s) involved in the incident and is not required before deciding whether or not to charge any individual. Furthermore, the Protocol recognizes that a coroner's inquest is not needed when criminal charges are filed.	**Agrees**
Finding 2A: The coroner's office takes too long to conduct coroner's inquests. For the time period between 2017 and 2022, the coroner's inquests were held ten months after a fatal incident involving law enforcement officers, on average. The policy (LEIFI Protocol) sets a goal of 30 days for the completion of investigation reports and states that this is "essential." The LEIFI Protocol and authoritative internal sources indicate that the investigation of an incident can be completed more expeditiously and within four months after an incident.	**Disagrees**
Finding 2B: The coroner's inquest provides transparency. Particularly if there is no direct use of force by law enforcement agencies (such as in-custody deaths and vehicle pursuits) and if the DA does not file charges or release a public report the coroner's inquest provides information about the facts of the incident that would not otherwise be known.	**Agrees**
Finding 2C: The public notification of coroner's inquests and accessibility to inquest hearing transcripts is inadequate. Of the three inquests that the grand jury attended, none provided more than two days advance notice. Only the verdict following the coroner's inquest is published on the sheriff-coroner's website. Other information about the inquest is not posted. Information about the availability of the transcript of the inquest hearing is not posted on the sheriff-coroner's website.	**Disagrees**
Finding 3A: The Protocol has not been updated since 2014.	**Agrees**
Finding 3B: Since 2014, there have been changes in state law, including, but not limited to, Government Code sections 7286(b) (requiring that agencies adopt policies that include immediate reporting of excessive force, separate reporting to the Department of Justice, and other procedures) and 7286.5 (transport restrictions), and Penal Code sections 832.5 (retention of certain records), 832.7 (providing that certain factual information is not privileged), and 832.13 (requiring immediate reporting of all uses of force), and new policies in the offices of the DA and sheriff.	**Agrees**

Table 6

Report # 2304 Investigating Deaths Involving Law Enforcement. Expanding Transparency and Reducing Delays.	
Recommendations	**Response**
Recommendation 1: For incident in which a member of a law enforcement agency uses deadly force, the district attorney should consider releasing a public report about the incident or filing charges within six months of the incident and without necessarily waiting for the coroner's report.	**Implemented**
Recommendation 2A: For fatal incidents in which a member of a law enforcement agency is involved, the sheriff-coroner should consider completing the coroner's inquest within four months of the incident but no later than six months.	**Will Not Be Implemented**
Recommendation 2B: The sheriff-coroner should consider providing advance notice to the public of all upcoming coroner's inquests, including the location, date, and time.	**Implemented**
Recommendation 2C: The sheriff-coroner should consider posting press releases concerning all upcoming coroner's inquests on the sheriff's website.	**Implemented**
Recommendation 2D: The sheriff-coroner should consider posting information about prior coroner's inquests, including the verdict and how to obtain a copy of the transcript. This information should remain available on the sheriff-coroner's website and/or other sites known and accessible to the public.	**Implemented**
Recommendation 3: The parties to the 2014 Protocol should consider updating the Protocol to ensure that it is in compliance with current state law, the procedures identified in the DA's LEIFI Policy, and any applicable changes in the Sheriff's LEIFI Policy. This should include updating the checklists that are part of the Protocol.	**Not Yet Implemented**

Table 7

Report # 2305 Concord Naval Weapons Station, A Promise Unfulfilled	
Findings	**Response**
1.a The LRA team allowed master developer applicant CFP to continue to be considered in 2021 master developer selection process even though its SOQ submission dated June 18, 2021, did not include many required financial	**Agrees**
1.b The LRA allowed applicant CFP to continue to be considered in the 2021 master developer selection process after CFP did not comply with the LRA team follow up request for financial documents made in July 7, 2021, correspondence.	**Agrees**
1.c The RFQ process adopted by the Concord City Council ad hoc committee did not utilize the LRA staff and consultants to issue a written report with a recommendation for CNWS master developer.	**Agrees**
1.d The RFQ process used in 2021 master developer selection process did not use practices such as stated weighted criteria and objective scoring.	**Agrees**
1.e The RFQ process used in 2021 master developer selection process did not include a written, scored evaluation of the SOQ submitted for the CNWS project from LRA staff and consultants.	**Agrees**
2.a LRA staff and consultant reference checks in the 2021 master developer selection process missed certain points involving prior BRAC experience and litigation history.	**Agrees**
2.b The PSAs between the City of Concord and ARUP, HRA Advisors, Inc., and ALH Urban & Regional Economics during the period 2020 to 2022 did not have language to restrict hourly rate increases by consultants during one-year PSA terms.	**Agrees**
3.a The RFQ and SOQ process used in the 2021 CNWS master developer selection prevented LRA staff from providing analysis and recommendations on the three respondents.	**Agrees**
4.a Concord city staff provided the Concord City Council in February 2020 a report that provided detail on CNWS-related expenses paid from loans the City of Concord has made to the LRA.	**Agrees**
4.b The annual Program Reports issued by the LRA do not show the actual fundings source. Annual forecasts by vendor show projected funding sources but fiscal year actuals are shown as totals with no indication of the funding source.	**Agrees**
4.c The City of Concord borrowed $3.15 million from the city's self-insured workers compensation fund in FY 2017 and FY 2018 to provide funds to the City of Concord's loan to the LRA.	**Agrees**
4.d The City of Concord's financial reporting does not show that loans made from Concord's workers compensation fund to the LRA have been paid off.	**Agrees**
5.a CCTA, AAA, and their partner clients have been using the GoMentum test facility on the CNWS site since 2014.	**Agrees**
5.b There is language in a 2017 LRA document that CCTA would pay 80 percent of Guardian Security costs.	**Agrees**
5.c In 2020, 2021 and 2022, AAA forwarded to Concord memos listed as Security Guard Coverage for GoMentum Station that stated maximum monthly payments AAA will pay for GoMentum security services. These memos were signed only by AAA and are not signed by Concord city staff.	**Agrees**
5.d The signed MOU between Concord and CCTA states that CCTA should reimburse Concord for incurred fees/costs associated with providing access and security for the GoMentum facility at CNWS.	**Agrees**
5.e Since 2016, Concord has paid 33 percent of Guardian Security fees associated with GoMentum and CCTA and AAA have jointly reimbursed Concord for 67 percent of Guardian Security's costs associated with providing security services at	**Disagrees**
6.a The Jenkins Report presented the findings of an investigation authorized by the Concord City Attorney in 2015.	**Agrees**
6.b The expense to the LRA for the investigation and report done by Michael Jenkins was $63,154 and it was paid as a 2016 expense against the city loan to the LRA.	**Agrees**
6.c The issues investigated in the Jenkins Report were improper lobbying by a council member, removing staff recommendation from final report on the master developer and Brown Act violations. These findings involved real or perceived improper activity by the Concord city staff and the Concord City Council.	**Agrees**

Table 8

Report # 2305 Concord Naval Weapons Station, A Promise Unfulfilled	
Recommendations	**Response**
R1.a The Concord City Council should consider adding language to the Selection Process and Submittal Requirements section of an RFQ or RFP that incomplete or nonresponsive submissions may lead to disqualification of the applicant.	**Not Implemented**
R1.b The LRA team should specify that the stated RFQ or RFP response date and time is the final cutoff for submission of materials by any applicant.	**Implemented**
R1.c The LRA should specify that there will be no extensions or second requests for information that was clearly requested in the RFQ or RFP.	**Implemented**
R1.d RFQs and RFPs for the CNWS project should be created by designated city staff and outside consultants of the LRA	**Implemented**
R1.e The Concord City Council should provide input on parameters and scope of a RFQ or RFP, prior to the document being written.	**Implemented**
R1.f The LRA staff and designated consultants should be the sole evaluators of the RFQ or RFP responses for CNWS project.	**Not Implemented**
R1.g Scoring criteria for RFQ or RFP evaluations used in the CNWS master development process should be provided on an RFQ or RFP template sent to each potential applicant.	**Not Implemented**
R1.h A raw score or percentage weight should be assigned for each evaluation criteria used on CNWS master developer RFQs or RFPs. This methodology should be created and documented before the SOQ due date and council review of the	**Not Implemented**
R1.i The LRA director should issue a report with staff recommendations for the master developers considered for the CNWS project. The report should provide objective detail based on selection criteria on why the master developer candidates were chosen or eliminated.	**Not Implemented**
R1.j The report on staff recommendations for the master developer should be publicly released immediately following the council meeting in which the Concord City Council selects the	**Not Implemented**
R2.a To control costs and foster more accurate expense forecasting, City of Concord PSAs for LRA consultants should have specified hourly rates by either position or by individual and the hourly rates should remain fixed across the one-	**Not Yet Implemented**
R3.a For future RFQs and RFPs used to select a master developer for the CNWS project, there should be a full analysis and report issued by LRA staff.	**Implemented**
R4.a Concord city staff should provide updates to the February 2020 report to show payments made against Concord's loan to the LRA for CNWS-related expenditures for 2021, 2022 and 2023 and to show details on what funds were deposited and/or refunded from Concord First Partners and future master developers.	**Not Yet Implemented**
R4.b The City of Concord should produce annual reporting on the city loans to the LRA, showing annual and project to date expenses by vendor in detail as was done in the February 2020 report.	**Not Yet Implemented**
R4.c The City of Concord should find funding sources other than its self-insured workers compensation fund when making loans to the LRA.	**Implemented**
R4.d The City of Concord should repay its self-insured workers compensation fund for any loans made to the LRA that are outstanding more than 36 months per state guidelines.	**not implemented.**
R5.a The agreement for gate security between Concord, AAA, and CCTA should be modified to require that AAA and CCTA reimburse the Concord LRA for 100 percent of CNWS gate security costs as stated in the May 2019 MOU.	**Not Implemented**
R5.b Notice on updated security reimbursements should be sent to AAA and CCTA within 90 days of this report being received by Concord City Council and the LRA.	**Further Analysis**
R5.c The change in the CNWS security service rate agreement reimbursement should be effective within 90 days of AAA and CCTA being notified.	**further analysis**
R5.d The LRA should seek reimbursement from AAA and CCTA on CNWS gate security payments in excess of 20% in 2020 and 2021.	**Further Analysis**
R6.a The expenses for this investigation should not be charged to the LRA loan and ultimately to the master developer on the CNWS project.	**Not Implemented**
R6.b The payment for the Jenkins investigation should be reversed as an expense against the city loan to the LRA.	**Not Implemented**
R6.c The payment for the Jenkins investigation should be paid as an expense from Concord general funds.	**Not Implemented**

Table 9

Report # 2306 Affordable Housing, A Plan Without a Home

Findings (Abbreviated)

Agrees = 1

Disagrees wholly or partially = 2

Findings (Abbreviated)	CCC BOS	Antioch	Brentwood	Clayton	Concord	Danville	El Cerrito	Hercules	Lafayette	Martinez	Moraga	Oakley	Orinda	Pinole	Pittsburg	Pleasant Hill	Richmond	San Pablo	San Ramon	Walnut Creek
F1. Within existing city or County infrastructure there is no clear owner who is responsible for achieving RHNA permitting targets.	2	2	2	2	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
F2. City and County officials see no direct path to meet state-mandated regional housing (RHNA) targets.	2	2	2	2	1	2	2	2	2	1	2	2	2	2	2	2	2	2	1	2
F3. There are currently no measurable penalties if a city or a County does not achieve RHNA targets in an approved housing element plan.	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
F4. Data published by ABAG shows that Contra Costa County and most of its cities have missed their current RHNA targets for very low- and low-income housing allocations. The allocation requirements continue to increase (16x for very low-income and 4x for low-income residents).	2	2	2	2	1	2	2	2	2	2	2	2	2	2	1	2	2	2	2	1
F5. Many obstacles hinder the development of AH at the local level, specifically for very low- and low-income housing.	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	2
F6. Zoning changes are generally addressed only when a project is presented for development.	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	2
F7. Penalties directed at cities and the County (financial, loss of control over local planning) are tied to not meeting state deadlines for Housing Element plan approval.	1	2	2	2	1	1	1	2	1	1	2	2	2	2	1	1	1	2	1	1
F8. Builder's Remedy and SB35 projects do not address ingrained local obstacles that prevent the completion of approved AH projects.	1	2	2	2	1	2	1	2	2	2	1	2	2	2	1	2	2	2	1	2
F9. When local Redevelopment Agencies (RDA's) were discontinued by the state in 2012, the County and cities did not address the loss of funding for affordable housing.	2	2	2	2	1	2	2	2	2	2	1	2	2	2	2	2	2	2	2	2
F10. Measure X housing funds are not fully dedicated to building AH for very low- and low-income residents.	1	1	1	1	1	1	1	1	2	1	1	1	1	1	1	1	1	1	1	1
F11. Local funding provided by bonds like Measure X Housing Fund is a critical component of a developer's overall ability to raise funds for an AH development.	1	2	2	2	1	2	2	2	1	1	2	2	2	2	2	2	2	2	1	2
F12. Cities that proactively engage citizens, address zoning obstacles, make reasonable zoning concessions, work collaboratively with developers, provide local funding support, and are united in addressing NIMBY opposition, have been successful in attracting AH projects.	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	2	2	2	1	2
F13. The latest RHNA targets for cities and unincorporated Contra Costa County show a significant increase in the number of units that are expected to be permitted for very low- and low-income housing.	1	2	2	2	1	1	2	2	1	2	2	1	2	2	1	1	1	2	1	1

Table 10

Report # 2306 Affordable Housing, A Plan Without a Home																		
Recommendations (abbreviated) **1 = Implemented** **2 = not yet Implemented** **3 = needs further analysis** **4 = will not be implemented**	CCC BOS	Antioch	Brentwood	Clayton	Concord	Danville	El Cerrito	Hercules	Lafayette	Martinez	Moraga	Oakley	Orinda	Pinole	Pittsburg	Pleasant Hill	Richmond	San Pablo	San Ramon	Walnut Creek
R1. Each city and the County should consider assigning a staff position with clear leadership, ownership and accountability to achieve allocated RHNA targets.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
R2. Each city and the County should report AH progress and lack of progress using data across all four measured income groups.	1	1	1	1	4	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
R3. Each city and the County should consider creating a dedicated AH commission.	1	4	4	4	4	4	4	4	4	4	4	4	4	4	4	1	4	4	4	4
R4. Each city and the County should consider reviewing existing processes and identifying changes that would address or resolve the specific obstacles.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2	1	1	1	1	1
R5. Each city and the County should consider developing a public dashboard to report progress against RHNA targets.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
R6. Each city and the County should consider putting forth land zoned "suitable for residential use."	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
R7. Each city and the County should consider reviewing their zoning policies to identify restrictive zoning policies.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
R8. Cities should consider adopting an inclusionary housing ordinance.	1	2	1	1	1	1	1	4	4	4	1	4	1	1	1	1	1	2	1	1
R9. Each city and the County should consider how to prioritize the implementation of housing projects that promote development of very low- and low-income housing.	1	2	1	1	1	1	1	1	4	1	1	1	1	1	1	1	1	1	1	1
R10. Each city and the County should consider prioritizing Measure X funding requests.	1	1	4	4	1	2	4	4	4	4	4	3	4	4	4	1	2	4	2	4