



CONTRA COSTA
COUNTY MAYORS' CONFERENCE

ANNOUNCING
Monthly Mayors' Conference

MAY 7, 2009

Hosted by the City of Hercules
Hercules Community Center
2001 Refugio Valley Road
Hercules

6:30 P.M. - Business Meeting -- Featured Program

STATE CONTROLLER JOHN CHIANG

As the State Controller, John Chiang is responsible for managing California's payments and meeting its payment obligations through a time of extreme economic uncertainty. Although the State recently adopted a new budget, the road to California's recovery will be long and Controller Chiang will discuss the work needed to put California's fiscal house in order.

8:00 P.M. – Dinner:

DINNER RESERVATIONS are made through the City of Hercules
RSVP to Eguzki Olano at eolano@ci.hercules.ca.us or (510) 799-8206

Reservation deadline is Monday, April 27th

The dinner will include a buffet of fresh mixed greens and fresh fruit, sautéed shrimp in a garlic butter sauce, chicken with a mushroom sauce, sweet and spicy beef short ribs, bow-tie pasta with brie, fresh tomatoes, basil and parmesan cheese, summer green beans with mushrooms and garlic.

DINNER RESERVATIONS: Two dinners are prepaid for each City (Mayor and City Manager). Others interested in having dinner should call or e-mail the contact listed above and pay for the dinner at the door. Checks are to be made payable to the host City/Town. Individuals will be billed for reservations which are made but not cancelled by the deadline date. **Dinner Cost: \$50.**

DIRECTIONS TO:

Hercules Community Center
2001 Refugio Valley Road
Hercules, CA 94547

<u>From San Francisco/Oakland:</u>	<u>From Vallejo/Benicia:</u>
Take Highway 80 East	Take Highway 80 West
Take Hercules Exit	Take Hercules Exit
Veer right of Hercules Exit	Turn left on San Pablo Avenue
Turn left on Sycamore Avenue (stoplight)	Turn left on Sycamore Avenue
Turn right on Refugio Valley Road	Turn right on Refugio Valley Road
Proceed about 1 mile	Proceed about 1 mile
Community Center is located on the left hand side of Refugio Valley Road	Community Center is located on the left hand side of Refugio Valley Road

<u>From Walnut Creek / Concord</u>
Take I-680 North
Take Highway 4 West
Follow until highway ends (stay in left lane)
Turn left on San Pablo Avenue
Turn left on Sycamore Avenue
Turn right on Refugio Valley Road
Proceed about 1 mile
Community Center is located on the left hand side of Refugio Valley Road



CONTRA COSTA
COUNTY MAYORS' CONFERENCE

May 7, 2009
Business Meeting Agenda
6:30 P.M.

HOSTED BY THE CITY OF HERCULES

Hercules Community Center
2001 Refugio Valley Road
Hercules

Call to Order, Pledge of Allegiance and Roll Call:

1. Approval of Minutes of April 2, 2009, meeting held in Walnut Creek
2. **Presentation:**

Honorable John Chiang, Controller
State of California

Mr. Chiang is responsible for managing California's payments and meeting its payment obligations through a time of extreme economic uncertainty. Although the State recently adopted a new budget, the road to California's recovery will be long and Controller Chiang will discuss the work needed to put California's fiscal house in order.

3. **Regional Water Quality Control Board Proposed Clean Water Permit:** Don Freitas, Executive Director of the Contra Costa Clean Water Program, will highlight the proposed changes in the municipal discharge permit, its costs to cities and the call for action to oppose these changes at a meeting of the San Francisco Bay Regional Water Quality Control Board hearing in Oakland on May 13, 2009.
4. **2009 Conference Advocacy Program:** Review and approve Executive Committee Proposed Advocacy Program for 2009 (see attached memorandum).

5. **Recent Board of Supervisor Budget Action Prompts Letter from District Attorney to Police Chiefs re Matters That Will Not Be Considered for Prosecution:** See attached letter from the District Attorney. Because this action impacts all cities and towns this item is placed on the agenda to determine if the Conference wants to coordinate a response to the District Attorney and the Board of Supervisors.
6. Chair's Time
7. League of California Cities Update: Eric Figueroa, Regional Representative
8. Mayors' Time
9. County Supervisor's Time
10. Public Communications
11. Welcome to Hercules by Mayor Joe Eddy McDonald
12. Adjourn to June 4th meeting in Orinda

Agenda deadline for June 4 meeting is 5:00 p.m., Wednesday, May 20th

FUTURE MEETINGS:

June	Orinda	State Lt. Governor John Garamendi
July	Brentwood	Congressman Jerry McNerney
August	Concord	Senator Mark DeSaulnier
September	San Ramon	San Francisco Mayor Gavin Newsom (invited)
October	Oakley	Assemblywoman Joan Buchanan
November	Moraga	Assemblywoman Nancy Skinner

MINUTES
APRIL 2, 2009
CONTRA COSTA COUNTY MAYORS' CONFERENCE
Leshner Center for the Arts, 1601 Civic Drive
City of Walnut Creek

CALL TO ORDER / PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30 p.m. in Walnut Creek, California, by Chair Robert Taylor. The Pledge of Allegiance was led by Walnut Creek Mayor Pro Tem Sue Rainey.

ROLL CALL OF CITY DELEGATES:

Mayor Davis, Antioch
Mayor Taylor, Brentwood
Mayor Pierce, Clayton
Mayor Hoffmeister, Concord
Vice Mayor Doyle, Danville
Councilmember Jones, El Cerrito
Councilmember Balico, Hercules
Mayor Tatzin, Lafayette
Mayor Schroder, Martinez
Mayor Trotter, Moraga
Mayor Rios, Oakley
Mayor Severson, Orinda
Mayor Horton, Pinole
Mayor Parent, Pittsburg
Mayor Harris, Pleasant Hill
Mayor McLaughlin, Richmond
Councilmember Valdez, San Pablo
Mayor Wilson, San Ramon
Mayor Skrel, Walnut Creek

1. Approval of Minutes of March 5, 2009, meeting held in Clayton

MOTION was made, seconded and carried unanimously to approve the minutes of the Conference meeting held on March 5, 2009, in Clayton.

2. **Presentation: Wes Lujan, Director of Public Affairs, Union Pacific Railroad
Matt Davis, Port of Oakland**

Wes Lujan, representing Union Pacific Railroad, and Matt Davis, Port of Oakland, presented an overview of the operations and capital investment program for the Union Pacific Railroad and

the Port of Oakland and upcoming system expansions impacting Contra Costa County. The presentation was followed by an informative question and answer period.

3. **2009/2010 Transportation Development Act (TDA) Funding Recommendations:** Each year the Conference considers funding recommendations for Transportation Development Act funding from the City-County Engineering Advisory Committee.

Executive Director Blubaugh introduced the item as prepared and presented by the City-County Engineering Advisory Committee.

MOTION was made, seconded and carried unanimously to **approve the City-County Engineering Advisory Committee's recommendations for 2009/2010 Transportation Development Act Funding.**

4. **Appointment: Association of Bay Area Governments (ABAG) Executive Committee Alternate Members:** At the March meeting of the Conference two vacancies to this Committee were announced. One appointment can be made effective immediately due to a vacancy created when Clayton Mayor Julie Pierce was appointed to the full member position. The second Alternate vacancy will occur on June 30 when the term of Martinez Councilmember Janet Kennedy expires. Nominations have been received from David Hudson, San Ramon Council Member, and Ben Johnson, Pittsburg Councilmember. (See attached material).

MOTION was made, seconded and carried unanimously to **apply Conference policy and appoint Councilmember Hudson, effectively immediately, and appoint Councilmember Johnson to a term to commence upon the expiration of Councilmember Kennedy's term; both terms will be through June 30, 2011.**

5. Chair's Time:

6. League of California Cities Update

Eric Figueroa, League Regional Representative, thanked all who participated in the recent Bocce Ball tournament. He also highlighted the upcoming League Legislative Action Day scheduled for April 15th in Sacramento.

7. Mayors' Time:

Chair Taylor reported that at the next meeting the Conference would be discussing issues relating to the Regional Water Quality Control Board's actions relative to adoption of the Municipal Water Permit. He requested that Mayors note on their calendars the Board's scheduled May 13th hearing on the matter.

Martinez Mayor Rob Schroder reported that he was being considered for appointment as a local government representative to the Regional Water Quality Control Board.

8. County Supervisor's Time

Supervisors Uilkema and Piepho welcomed the Conference to Walnut Creek which is located in Supervisorial Districts 2, 3, and 4. They updated the Conference on the Board's actions regarding adoption of the County budget and encouraged Conference delegates to stay active in Municipal Water Permit issues.

9. Public Communications: No Items

10. Welcome to Walnut Creek by Mayor Skrel

Mayor Skrel welcomed the Conference to the City of Walnut Creek and introduced current and former Walnut Creek Mayors, Councilmembers, Mayors and City staff.

11. Adjourn to May 7 meeting in Hercules

The meeting was adjourned at 7:35 p.m. to the next regular Conference meeting scheduled for April 2, 2009 in Walnut Creek.

Respectfully submitted,

Don Blubaugh
Executive Director



May 7, 2009

TO: Contra Costa Mayors' Conference

From: Conference Executive Committee

ADVOCACY PROGRAM FOR 2009 (Initial Effort)

Several months ago it was reported at a Conference meeting and later in e-mail form to all mayors the notion of creating an advocacy program for the Conference to support or oppose legislation, administrative regulations and mandates effecting cities in Contra Costa. This idea flowed from the annual meeting of the mayors that occurred in January of this year.

It was noted that a full blown effort would commence in the fall of 2009 for the 2010 legislative year but a small introductory effort would be undertaken in 2009.

Opinions for this first effort were sought from all 19 agencies via an e-mail to all mayors. Few agencies offered suggestions. Those that were submitted were reviewed by the Conference Executive Committee at its meeting on April 2.

The Executive Committee suggests approval of the following to guide our advocacy efforts for the remainder of this year:

- Monitor and evaluate the impacts on SB375 (Steinberg) on local agencies to (1) insure its implementation is clear and not cumbersome, (2) that provisions on transit-oriented development may not apply to all agencies, and (3) assure retention of local control in land use decisions.
- Monitor impacts of AB 32 (Climate Change) on local agencies, and where appropriate work with the private sector and other Contra Costa cities on program implementation
- Protect local revenues and oppose unfunded mandates, in particular efforts by the San Francisco Bay Regional Water Quality Control Board's to mandate costly new programs on member cities.



ROBERT J. KOCHLY
District Attorney
900 Ward Street, Fourth Floor
Martinez, California 94553

MEMORANDUM

TO: Contra Costa County Police Chiefs' Association

FROM: Robert J. Kochly
District Attorney

DATE: April 20, 2009

SUBJECT: New District Attorney Filing Policies

In my 35 years as a prosecutor in Contra Costa County, I have always tried to maintain a "can do" attitude in the face of cutbacks and increased demand for our services. During the last several years, I have proudly proclaimed that the Contra Costa County District Attorney's Office has accomplished "more with less".

Unfortunately, we have now reached a point where we cannot maintain the status quo, and I am faced with the reality of informing all of our law enforcement partners that we will definitely be doing "less with less" as a prosecution agency. With the budget cuts imposed on my office last month, we will be laying off six deputy district attorneys effective April 30th, and 11 more deputy district attorneys will have to be let go at the end of this calendar year. We can no longer continue to prosecute all crimes as we have in the past.

On the felony level, we will be reorganizing and downsizing many of our prosecution units. For the most part the changes on the felony level will be in how some cases are handled after they are filed. On the misdemeanor side, the changes will be much more drastic. We will attempt to continue filing and prosecuting certain "core" misdemeanor offenses, assuming the courts cooperate with revisions in their calendars that will enable us to meet our court appearance obligations with a severely reduced attorney staff.

The changes I am about to outline will apply to all cases delivered to the District Attorney's Office for filing consideration on or after Monday, May 4, 2009.

For felonies, the changes involve only drug cases. We will no longer accept for review, nor will we file, any simple possession cases where the *net* weight (excluding packaging) of the controlled substance or the quantity of pills is below the following thresholds:

1. methamphetamine - 1.0 grams;
2. cocaine - 1.0 grams;
3. heroin - 0.5 grams;

4. vicodin, oxycontin, MDMA, valium, etc. - 5 pills

In addition, out-of-custody felony drug cases which are now being reviewed by our Drug Prosecution Unit at 900 Ward Street, Martinez, should be submitted for review to the appropriate branch felony filing deputy at our Richmond office or our 10 Douglas Drive, Martinez, office.

For misdemeanors, we will continue to review and file the following types of cases:

1. All DUI cases;
2. All domestic violence misdemeanors, including domestic violence restraining order violations;
3. Misdemeanor weapons cases *if* the weapon is a firearm (e.g., 417, 12025, 12031). Conversely, we will no longer review or file any non-firearm misdemeanor weapons cases (e.g., 653k, nunchuks, dirk or dagger, billy, etc.);
4. Misdemeanor vehicular manslaughter cases;
5. Misdemeanor sex crimes, such as 314.1, 647.6, and misdemeanor 290 violations. These cases, regardless of where the crime occurred, should be delivered to our Sexual Assault Unit at 900 Ward Street, Martinez, for review;
6. Misdemeanors involving police officer victims (e.g., 148, 69, 243(b)) will be reviewed on a case-by-case basis for filing, but must be presented in person to the appropriate misdemeanor filing deputy by your agency (no drop-offs);
7. Cases of assault with a weapon and some degree of injury will be reviewed on a case-by-case basis for filing, but must also be presented in person to the appropriate misdemeanor filing deputy by your agency (no drop-offs).

Of necessity, we will not be reviewing or filing a number of categories of misdemeanor offenses as partially described below. With respect to these types of cases, we ask that they not even be submitted by your agency. If they are submitted, they will be screened out by category by support staff and returned to your department without review by a deputy district attorney.

1. Misdemeanor drug offenses of any kind;
2. H&S 11550 and PC 647f cases;
3. All non-DUI driving or traffic offenses (e.g., 14601's of any kind, 20002's, 23103's, 23109's, etc.);
4. Misdemeanor property crimes (e.g., 484, 487, 503, 459, 470, 594, etc.);
5. Simple assault or battery cases
6. Trespassing or loitering cases;
7. All other misdemeanor crimes not specifically enumerated.

We will continue to review and file charges otherwise eliminated in the above list if they are part of the same case involving crimes we are continuing to prosecute (e.g., 14601 will be filed **along with** a DUI charge when appropriate). These new policies apply only to offenses involving adults. For the time being, filing and prosecution policies for juvenile offenders remains status quo.

Please disseminate these new policies throughout your department. There will undoubtedly be many questions raised, and unforeseen situations will arise. We stand ready to answer your questions and concerns and to assist in this difficult and drastic transition.

RJK:ped

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