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MEASURE X AND THE MEASURE X COMMUNITY ADVISORY BOARD

A COMPREHENSIVE REPORT ON THE HISTORY, STEWARDSHIP, AND USE OF FUNDS GENERATED BY CONTRA COSTA COUNTY'S FIRST COUNTYWIDE SALES TAX

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WRITTEN BY REBECCA BROWN
PRESIDENT AND FOUNDER, FURTHER THE WORK
rebecca@furtherthework.com / www.furtherthework.com

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"There is no power for change greater than a community discovering what it cares about." [i]

Margaret J. Wheatley

I. Summary and Key Findings

This report is intended to serve as the authoritative account of the history, purposes, and processes related to Measure X, a 20-year, half-percent sales tax measure passed by voters in Contra Costa County in November 2020. The first countywide sales tax established in Contra Costa, this new tax is expected to generate incremental revenue estimated at $100 million annually for the next twenty years.

Measure X revenues are generated by sales taxes paid by everyone who buys or sells goods in the county. What this means, in practice, is that regardless of an individual's status – wealthy or poor, citizen or undocumented resident, retired or working or living with the support of public benefits – everyone who buys or sells goods and services in Contra Costa County contributes to the revenues generated by Measure X.

And the revenues generated by Measure X are substantial. In the initial funding cycle that ended February 2022, the Contra Costa County Board of Supervisors (BOS) allocated a total of $322,045,200, representing essentially the first 2.5 years of revenues generated by Measure X.

As with any sales tax, Measure X is a regressive method of generating revenue, meaning that it imposes a disproportionate burden on low-income people, families, and communities than on those with higher incomes. This stands in contrast to progressive taxes (such as income taxes), in which the average tax burden is designed to increase as incomes rise.

Any new funding stream of this scale represents a substantial opportunity for any county; but given the fact that Measure X revenues are generated through a county-wide sales tax, the use of these revenues warrants especially careful and transparent stewardship.

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[i] As quoted in the "Measure X Community Advisory Board Report to the Contra Costa County Board of Supervisors," dated October 12, 2021

To advise the county's elected leaders on the community needs and recommended use of Measure X funds, in February 2021 the BOS established the Measure X Community Advisory Board (MXCAB), a body of 17 Members and 10 Alternates selected for their diverse expertise, experiences, and interests, and united in their commitment to serve the community. The MXCAB is itself the legacy of prior collaborative bodies, including the Sales Tax Ad Hoc Committee and the subsequent Sales Tax Working Group, both of which helped bring the ballot measure to reality.

As the official advisory body charged with overseeing the use of Measure X revenues, MXCAB is uniquely responsible for understanding, analyzing, recommending, and reporting on the use of the revenues derived from Measure X. Indeed, the MXCAB's duty for ongoing oversight is encoded in its bylaws, adopted by the BOS, which charge MXCAB with "overseeing an annual assessment of community needs… creating detailed priority lists of the top ten service gaps.... [and] providing an annual report on the outcomes and impacts of the allocated funds."[1]

MXCAB's members have taken this responsibility seriously from the first moment they were selected by the BOS. First seated in April 2021, in short order the MXCAB created a vision to guide its work, established operating principles, and outlined a community engagement process to illuminate and prioritize community needs. Launching an exhaustive, six-month sprint, the MXCAB conducted a demanding, complex, and intensive effort to learn, discern, and understand the pressing and often heartbreaking needs of ordinary people and public and nonprofit agencies; sift information and sort priorities; and make detailed and documented funding recommendations to the BOS.

Throughout these months, the MXCAB's work was staffed by senior members of the Contra Costa County Administrator's Office; collectively, CAO staff managed substantial administrative duties while attending the MXCAB's meetings, assembling reams of information, and providing the BOS with ongoing updates and reports.

The MXCAB submitted its report and recommendations to the BOS on October 12, 2021. After receiving the report, the BOS considered and decided upon Measure X allocations during its meetings from November 2021 through February 2022.

This compressed timeline – just 15 months from ballot to allocations – imposed herculean burdens on everyone involved. All of the stakeholders – elected officials, appointed staff, volunteer members of the MXCAB, and the many agencies, organizations, and community members who participated in this process – can be credited with working diligently to inform the use of Measure X funds.

Given the complexities of the task and timeline, it should come as no surprise that the process was often contentious and the outcomes imperfect. Whatever the benefits that Measure X may yield, the work thus far has been hard, frequently messy, often thankless, and sometimes painful. As this report amply demonstrates, there is substantial room for improvement in managing, allocating, and reporting on Measure X funds.

A survey of MXCAB members – conducted from November 1 through November 6, 2022, to support the development of this report – asked respondents to provide information "about your experience of serving on the Committee; your thoughts on the processes and outcomes of your work; and your recommendations for how to maximize the value of the MXCAB and of Measure X funding in the future."

Overall, the survey's respondents affirmed their commitment to transparent stewardship of Measure X revenues; offered high rates of satisfaction regarding the MXCAB's leadership and internal workings; and expressed appreciation for the MXCAB's commitment to learning, service, and inclusivity.

But while the survey results indicate high rates of satisfaction with the MXCAB's own methods, values, and purpose, its results are sharply critical of the BOS and the CAO and indicate deep dissatisfaction with the processes and outcomes of the Measure X funding decisions.

The survey's methodology and responses are more fully detailed in Section VII of this report, and its complete results can be found at https://bit.ly/MXCABSurvey. But its most consequential and instructive findings can be summarized into three categories:

1. Apparent and Unexplained Disregard of MXCAB Recommendations: To shape its recommendations for the use of Measure X revenues, the MXCAB devoted months of work to receive and consider dozens of informational presentations offered by a comprehensive array of both individuals and organizations who serve the residents of Contra Costa County. However, and as detailed in Section VI of this report, the BOS ultimately allocated less than half of Measure X revenues (41.5%) to areas recommended by MXCAB, while offering no meaningful explanation as to why or how these decisions were made.

   Further, the BOS provided limited transparency in articulating its decision to award 49.8% of all Measure X revenue to fund multiple projects of just one entity: the Contra Costa County Regional Medical Center. This perceived lack of transparency and accountability has had substantial and lasting impact on MXCAB members' perceptions of the credibility and trustworthiness of the BOS regarding their stewardship of Measure X funds and regarding their attitudes towards the MXCAB itself. One survey respondent, expressing a common sentiment, wrote that the hardest thing about the MXCAB's work was "watching the BOS fail to utilize the recommendations, disregard 90% of the work we did, and then begin to treat X-funds like a slush fund for their pet projects and individual political capital."

2. Perceived Lack of Good Faith & Legitimacy: Over the course of its work, and especially in the year since the MXCAB submitted its recommendations report to the BOS in October 2021, many members of the MXCAB have concluded that the county disregarded the MXCAB's work or used the MXCAB itself as a bad-faith pretext. As a representative respondent put it, "It became clear the MXCAB was created simply to align external political forces to support a new tax measure." As another explained, "Overall, I do not feel that the County and the CAO value what MXCAB members – and by extension the community – have to say about what is important to fund."

3. Conflicts Related to Roles and Authorities: Throughout the work of the MXCAB, a tug of war between the County Administrator's Office (CAO) and the MXCAB regarding the MXCAB's authority and autonomy became increasingly evident, fraught, and consequential, erupting into a full-scale breakdown in the fall of 2022. In these months, the strained relationship between MXCAB and CAO was evident in numerous events and documents, such as the CAO's refusal to

abide by the agreed-upon process for joint MXCAB/CAO review of this report in its draft version or to release the draft to MXCAB as promised; the CAO's unilateral decision to cancel an important MXCAB meeting against the Chair's express request and in defiance of her authority; the CAO's threat to claim a breach of contract against the contractor retained to produce it; a formal letter of complaint sent by the MXCAB Chair to the CAO; and a motion unanimously passed by the MXCAB at its meeting on October 19, 2022, to redress the actions taken or threatened by the CAO. MXCAB members expressed the consequences of this dynamic in their survey responses, explaining that "the new CAO's direction to quash the transparency really left everyone feeling like all of our hard work…was done and buried." Another raised concerns about the CAO's potential impact on the allocations decided by the BOS, writing, "[T]here was no accountability for CAO – We need to discuss CAO's functions and responsibilities…. How much influence did they have on the BOS decisions?"

The findings in this report illuminate the importance of ensuring that when elected leaders cultivate community involvement by establishing and promoting bodies such as MXCAB, they are wise to prepare themselves, their agency leaders, and their staff to expect, accept, support, and meaningfully incorporate the community input they have solicited and encouraged.

Because Measure X constitutes an important and substantial new source of revenue for the county, it is imperative that the county's elected and appointed leaders affirmatively commit to accepting the diversity of viewpoints, challenging conversations, and meaningful considerations of community desires that should inform the use of such a revenue stream.

That the members of the body established by the BOS express such distrust of their elected and appointed leaders should be recognized as a clarion call for immediate response. By documenting the path of Measure X to this point, this report strives to help light the way for all those committed to its stewardship. It establishes a comprehensive and accessible record of the history and development of Measure X; documents the processes, actions, and recommendations made by the MXCAB and the processes and decisions made by the BOS in allocating Measure X revenues; provides ready analysis to support MXCAB's oversight of Measure X, including and the production of annual reports on the impacts of Measure X funds; and serves as a template for documentation and analysis to inform future efforts.

II. Methods and Elements

A. Methods

To produce this report, Further The Work used multiple methods, including review of hundreds of relevant documents, analysis of publicly available financial information related to Measure X, review of video recordings meetings of the MXCAB and BOS, and individual conversations with several MXCAB members. To ensure that this report provides a comprehensive record of the context for the MXCAB's work, the author also reviewed publicly available materials that led to the formation of the MXCAB (specifically, the formation of the Potential Sales Tax Measure Ad Hoc Committee in November 2019 and the Sales Tax Working Group in December 2019), which contributed to the composition, charge, intention, and activities of the MXCAB. All meeting agendas and related materials for Measure X (including meetings of MXCAB, the Finance Committee, and the full Board of Supervisors) can be found online on the Contra Costa County Public Meetings Agenda Center.[2]

In addition to these methods, FTW conducted an online survey of all MXCAB members, alternates, and former members to gather qualitative information regarding the MXCAB process and experience to inform recommendations for future such work. Such qualitative data represent an essential element of a comprehensive record and report on the work of MXCAB.

Conducted between November 1 and November 6, 2022, the survey asked respondents "about your experience of serving on the Committee; your thoughts on the processes and outcomes of your work; and your recommendations for how to maximize the value of the MXCAB and of Measure X funding in the future." Responses were anonymous. The survey instrument accompanies this report as an Appendix. A discussion of the survey and some of its key findings are found in Section VII of this report, and the full responses can be found in an online dashboard at https://bit.ly/MXCABSurvey.

B. Elements

In addition to its narrative summary of the MXCAB's processes, actions, and conclusions, this report contains multiple elements that are of equal importance to a comprehensive record and analysis of the MXCAB's work and which are listed and included in the Appendix. Rather than ancillary items of

passing value, these documentary and analytic materials are integral to a comprehensive account of the MXCAB's work.

We take the opportunity here to mention a set of documents that hold special value to a comprehensive understanding of the MXCAB's processes, recommendations, and outcomes. These documents are contained within a single Excel workbook, "*Measure X Comprehensive Analytic and Documentary Record,*" which is available online at bit.ly/MeasureXAnalytic Record. Several elements of this workbook are of note:

- Recommendations and Allocations: This document constitutes the most comprehensive record and analysis produced to date of the MXCAB's recommendations and the funding allocations as ultimately determined by the Board of Supervisors. It lists each of the program areas identified by MXCAB; records each area's MXCAB ranking and associated goal; lists the Host department for each area as determined by the county; records each item according to three possible conditions (recommended by MXCAB and funded by BOS/ recommended by MXCAB but not funded by BOS/ funded by BOS but not recommended by MXCAB); provides a line-item accounting for every area approved for funding in each of the three time-frames established by the county: One-time (for immediate distribution), Year 1 (4/1/22-6/30/23), and Ongoing (beginning July 1, 2023); and provides totals and percentages of Measure X revenues as allocated to each program area.

- Timeline: Built as a chronological record of all meetings relevant to the MXCAB's work, this document also provides direct links to relevant materials related to each meeting listed. Although these materials are hosted on the county's official website as part of the county's repository of official public records,[3] the process of searching for relevant materials is time-consuming, requires some measure of expertise in conducting online searches, and risks yielding incomplete results. To aid ease of access, we have assembled all the MXCAB's (English-language) public materials into one comprehensive structured chronology with brief summaries of each meeting's topics and actions, accompanied by direct links to relevant documents.

- List of Principal Documents: As a refined companion to the more robust Timeline, the List of Principal Documents provides a ready reference guide to documents of particular importance,

such as the Vision and Operating Principles, Bylaws, MXCAB's Report to the Board, the MXCAB roster and record of attendance, and links to the presentations received by the MXCAB.

- Allocations Analyses and Charts: The workbook contains both tabular and graphic information about Measure X funding allocations, including a list of allocations by program as a percentage of total Measure X revenues, annotated with MXCAB priority rankings; an accompanying chart of Measure X that visually represents these allocations; and a pie chart that represents allocations of Measure X revenue by each of the five goal areas as established by MXCAB.

- Additional Reference Information: For ready reference, we have also developed worksheets that provide records of the presentations received by MXCAB; presentations made by MXCAB to other community forums; MXCAB's priority rankings; and a roster of MXCAB members and alternates, along with their terms of service.

III. Background, Charge, and Timeline of Measure X and the MXCAB

A. Summary Timeline for Development and Use of Measure X Revenues

The timeline by which Measure X began as a concept through full allocation of its projected revenues date can be understood as four phases, summarized here for convenient reference:[ii]

- Phase 1/Consider and Achieve a Countywide Sales Tax: The timeline by which the matter of a countywide sales tax proceeded from initial concept through approval by the voters was slightly less than 18 months (May 21, 2019-November 3, 2020).

- Phase 2/Establish Measure X Advisory and Oversight Body: Thereafter, the process to establish MXCAB to provide recommendations and ongoing overside spanned less than three months (January 19, 2021-April 6, 2021).

[ii] A detailed timeline documenting all public meetings and materials related to Measure X, the work of the Measure X Community Advisory Board, and of the related work of the Board of Supervisors accompanies this report as an Appendix.

- Phase 3/Produce Measure X Needs Assessment & MXCAB Recommendations: Working on an accelerated timeline of just under six months (April 13, 2021-October 12, 2021), the MXCAB conducted a robust information-gathering process, reviewed and prioritized dozens of areas of potential interest, and produced and submitted a report of its work and recommendations to the Board of Supervisors.

- Phase 4/Allocations of Measure X Revenues by the Board of Supervisors: Between October 19, 2021, when it approved the first allocation of Measure X funds (to establish a Sustainability Fund, which had not been recommended by the MXCAB), and February 22, 2022 (when the BOS allocated a remaining balance of $15,567,000, the BOS fully allocated all Measure X funds as projected through June 30, 2024, a total of $322,045,200.

B. Origin and Development of Measure X and the Measure X Community Advisory Board

On November 3, 2020, voters in Contra Costa County approved Measure X, a Countywide, 20-year, half-cent sales tax. The ballot measure language stated that the intent of Measure X was "to keep Contra Costa's regional hospital open and staffed; fund community health centers, emergency response; support crucial safety-net services; invest in early childhood services; protect vulnerable populations; and for other essential county services."[4]

As indicated in Phase 1 above, this vote was the result of an 18-month process. But to understand the origin and charge of the MXCAB, it is useful to recap in more detail the path that led not only to the evolution of Measure X but to the formation of the body charged with its initial and ongoing oversight.

In November 2019, the BOS began to discuss the possibility of advancing a county sales tax to generate additional and ongoing General Fund revenue for Contra Costa County. To explore this prospect, the Board embarked on a multi-step process over the course of several months, beginning by establishing a committee known as the *Potential Sales Tax Measure Ad Hoc Committee*. First convened on November 18, 2019, the Potential Sales Tax Measure Ad Hoc Committee was in turn authorized by the BOS with establishing and stewarding a larger body: the Sales Tax Working Group, consisting of representatives of community-based organizations, labor organizations, and members

of the public.

The Sales Tax Working Group first convened on December 2, 2019. Tasked with the development and formulation of an initial Needs Assessment for Contra Costa County to inform a potential sales tax ballot measure, the Sales Tax Working Group conducted an accelerated assessment of the county's needs. Between December 2019 and February 2020, the Sales Tax Working Group met on six occasions. During this time, the group retained Telegraph LLC, a communications firm, to advise the Working Group and to assist with the formulation of an initial Needs Assessment Report.

Organizing their findings into four thematic areas (health and emergency services, safety net services, housing, and early childhood services), the Sales Tax Working Group presented its Needs Assessment Report[5] to the Potential Sales Tax Measure Ad Hoc Committee on May 13, 2020.

Informed by this report, on July 28, 2020, the BOS introduced Ordinance No. 2020-22, intended to establish a countywide transactions and use tax. On August 4, 2020, the BOS adopted a resolution to submit the sales tax ordinance to voters via a ballot measure.

As placed on the ballot, Contra Costa County Measure X proposed authorizing an incremental county-wide sales tax of 0.5% for 20 years to generate what was estimated as $81 million annually; as described, the tax would support essential services, including the regional hospital, community health centers, emergency response, safety-net services, early childhood services and protection of vulnerable populations.[6] On November 3, 2020, the voters of Contra Costa County passed Measure X with 58.45% of the vote (50% required).

With the measure approved, on January 19, 2021, the BOS considered the creation of a Community Advisory Committee to advise the BOS on the use of the annual revenues received under Measure X funding and directed the County Administrator to provide the BOS with a proposed process to solicit applications and seat members of the Committee.

On February 2, 2021, the BOS approved the formation of a Community Advisory Board to advise the Board on the use of Measure X transactions and use tax funds.[iii] The BOS detailed several specific responsibilities for this body, which warrant detail and attention here: Develop and oversee an annual assessment of community needs; create detailed priority lists of the top ten service gaps; use the assessment to make priority recommendations to the BOS; and provide an annual report on the outcomes and impacts of the allocated funds. The BOS directed staff of the County Administrator's Office to develop recommendations related to composition, recruitment, and responsibilities for this Committee.

At its meeting of February 9, 2021, the BOS confirmed the CAO's recommendations for composition of the 17-member committee, with 10 seats appointed by County Supervisors (two appointments per district) and seven at-large seats appointed by the Finance Committee of the Board of Supervisors, in addition to 10 Alternate members. At this meeting, the Board also approved the outreach process as proposed by the CAO.[iv]

On February 11, 2021, the Clerk of the Board issued a media release to recruit candidates for the MXCAB; applicants were directed to the county's established on-line application form for County Boards and Commissions.[7] The county received 119 applications.

At its meeting on March 1, 2021, the Finance Committee reviewed a draft set of bylaws for the MXCAB as prepared by the CAO and provided direction regarding modifications; these draft bylaws were drawn from those that had been used by the Sales Tax Working Group.

On March 29, 2021, the Finance Committee of the BOS reviewed proposed appointments, invited applicants to make a public comment regarding their qualifications, and nominated members and alternates for approval by the Board of Supervisors.

[iii] A detailed timeline of the origin of Measure X and of the Measure X Community Advisory Board is included in this report as an Appendix.
[iv] The outreach and selection process was detailed in the February 9, 2021, meeting of the Board of Supervisors: the Clerk of the Board would solicit applications; each Supervisor would select three nominees (two nominees and one alternate nominee); these, along with all other applications, would be forwarded to the Finance Committee for approval of the district appointments and the at-large appointments.

C. Bylaws for the Measure X Community Advisory Board

On April 6, 2021, the BOS adopted the bylaws the CAO had drafted for the MXCAB; per these bylaws, the MXCAB is charged with four responsibilities:

- Oversee an annual assessment of community needs, focusing primarily on the priority areas identified in the Measure X Needs Assessment, including emergency response (fire/medical), health care, safety net services, preventative care, affordable housing, and support for early childhood, youth, families, and seniors;

- Create detailed priority lists of the top ten service gaps (county- and community-provided) based on the results from the Needs Assessment;

- Use the Needs Assessment to make general funding priority recommendations to the BOS on 95% of the revenue generated by Measure X; and

- Provide an Annual Report on the outcomes and impact of allocated funds.

The bylaws also direct that the MXCAB "shall initially meet as needed and thereafter shall meet quarterly," as determined by the Chair of the MXCAB.[8]

Having approved the bylaws, and consistent with the bylaws' terms, at the same meeting the BOS appointed the MXCAB's 17 inaugural Members and 10 Alternates.

IV. MXCAB: Processes, Actions, and Conclusions

A. Situational Considerations

As MXCAB notes, the Needs Assessment produced by the Sales Tax Working Group was completed in May 2020, before the tidal wave of the COVID-19 pandemic, racial reckoning, and other significant events radically reshaped the environment for both the nation and the residents of Contra Costa County. Given these rapid and momentous changes, as well as the economic shudders and new funding streams associated with the pandemic, the MXCAB recognized the need to substantively

augment the earlier report by conducting a comprehensive new review of community needs, strengths, and resources and to identify potential strategies to address those needs, as the basis for its eventual funding recommendations.

B. Formative Processes

Convening for the first time on April 13, 2021, the MXCAB went on to hold 25 public meetings (via Zoom) before submitting its recommendations report to the BOS for consideration at its meeting on October 12, 2021.[9] At this first meeting, the members of MXCAB received the county's standard training for members of Boards and Commissions; reviewed the May 2020 Needs Assessment developed by the Sales Tax Working Group; elected its Chair and Vice Chair (Mariana Moore and BK Williams, respectively); and set an accelerated meeting schedule to hear and discuss multiple presentations to provide insight into County needs and priorities.

Between April 21 and May 5, 2021, the MXCAB undertook several areas of work that helped chart the course and set the tone for the body's collective work; chief among these was its Vision Statement and its Operating Principles.[10]

1. Vision Statement

"Contra Costa County will have the necessary funds to invest in and sustain a robust system of care and the social and public services necessary to support a vibrant community and ensure that all county residents have equitable opportunities to thrive."

2. Operating Principles

"Assumptions and commitments that inform our work together:

a. Shared responsibility to practice the values of equity, justice, inclusion, and compassion.
b. Sustaining a strong social safety net is important for the health and prosperity of all.
c. Investments will prioritize prevention as well as addressing current system gaps.
d. Investments will help leverage other funding sources when feasible.
e. Needs and issues are intersectional and interconnected. Think about needs and services

from the point of view of residents.

f. Name inequities and disparities and be specific in naming and recognizing those who are most harmed by them, especially Black and Latinx residents, disabled people, and poor people.
g. Economic opportunity and equity are at the heart of our purpose.
h. Seek transformative solutions, in addition to filling current service gaps.
i. Fostering a culture of inclusion, welcoming, and belonging demonstrates our commitment to equity and will improve our work process and outcomes."

3. Commitment to Language Access

At its second meeting (April 21, 2021), the Advisory Board addressed the matter of language access and equity; reflecting their commitment to advance equitable access, the MXCAB thereafter developed and submitted a request for funding to provide interpretation services in Spanish and American Sign Language for all MXCAB meetings, as well as translation of the meeting agendas and other materials related to MXCAB. The BOS approved this request on May 18, 2021. Both interpretation services were utilized frequently by members of the public, enabling their participation in Advisory Board presentations and deliberations.

By its fourth meeting, on May 5, 2021, the MXCAB had accomplished multiple formative tasks:

1. Approved its vision statement and operating principles
2. Authorized the submission of a request for funding to the BOS to support language access
3. Received a presentation on county budgeting processes from the county
4. Received a presentation on equitable recovery in Contra Costa from the national research institute PolicyLink
5. Developed an initial schedule for holding a series of focused presentations and discussions on multiple areas of potential need
6. Successfully advocated for County funding to provide American Sign Language and Spanish-language interpretation at MXCAB meetings, along with Spanish translation of MXCAB meeting materials to further language access and equity[11]
7. Begun discussing the process for ranking priorities and developing recommendations for the

BOS

Building on the areas of interest identified in the language of Measure X and on the four thematic areas identified in the Sales Tax Workgroup's Needs Assessment of May 2020, the MXCAB organized its funding priorities into five goal areas, each accompanied by a statement of intent:

- Goal #1/Mental Well-Being: We strive to be a community that supports the mental and behavioral health well-being of all residents, through prevention, crisis response services, intersectional supports, and innovative cross-sector approaches.

- Goal #2/Equity in Action: We strive to be a community that prioritizes equity and removes structural barriers that cause inequities and poverty, so that all residents can thrive.

- Goal #3/Healthy Communities: We strive to be a community in which all residents have access to affordable, timely, culturally responsive healthcare; adequate housing; high-quality childcare; and nutritious food, all of which has become more urgent as we address the ravages of the pandemic.

- Goal #4/Intergenerational Thriving: We strive to be a community that intentionally strengthens and provides support for all residents and for family members of all generations, including children, youth, and older adults.

- Goal #5/Welcoming & Safe Community: We strive to be a community where all residents feel safe and welcome and receive emergency help when they need it.

C. Information-Gathering

Having completed these formative steps, the MXCAB began the process of soliciting, receiving, and reviewing information on areas of potential need, as expressed by community stakeholders.

To build shared insight into community priorities in the context of a world struggling to reckon with the seismic shifts catalyzed by the pandemic, the MXCAB established an intensive schedule of presentations regarding an array of topics of interest, with each presentation featuring a panel that

variously comprised county program staff, community-based service providers, and residents directly affected by the issues being discussed. Receiving, discussing, and prioritizing the needs and interests expressed in these presentations constituted the bulk of the MXCAB's work in this phase.

Between May 12 and August 4, 2021, MXCAB scheduled and received presentations grouped into 11 thematic areas:

5/12/21	Seniors and Persons with Disabilities and Veterans
5/19/21	Community Safety: Fire Protection
5/26/21	Early Childhood
6/9/21	Youth and Young Adults
6/23/21	Mental & Behavioral Health/Disabled People
6/30/21	Housing & Homelessness
7/7//21	Community Safety: Justice Systems
7/14/22	Safety Net Services
7/21/21	Immigration/Racial Equity Across Systems
7/28/21	Library, Arts & Culture, Agriculture
8/4/21	Environment & Transportation

In the end, 94 subject matter experts, community members, and other stakeholders shared their expertise and requests with the MXCAB and the public, submitting more than $350 million in total funding requests.

D. Prioritization and Decision-Making

Even as the MXCAB heard from dozens of presenters, attempted to absorb an immense amount of information on a compressed timeline, and continued to solicit additional community engagement,[12,13] it was also devoting attention to questions of how to begin to record, sort, analyze, and prioritize the needs being presented to them.

Over the course of its work, MXCAB developed and internally tested multiple methods of sorting and ranking, including: the Measure X Interim Evaluation Summary (7/21/21);[14] the Cervantes Tracking Sheet,[15] the Hanville Tracking Sheet Matrix,[16] and the Williams Needs Matrix.[17] By the time it met on August 13, 2021, the MXCAB had begun documenting topics, programs, and funding requests in several documents: a Thematic Summary, a Presentation Summary, and a Funding Request Summary,

all dated August 9, 2021.[18,19]

At its meeting on August 18, 2021, the MXCAB conducted online straw polls of MXCAB members to begin the process of sorting and gauging initial priorities. Using quintile rankings (5 being strongest), MXCAB rated each issue area in three ways: 1. Rank the appropriateness and importance of investing Measure X funds in this **issue area**; 2. Rank appropriateness and importance of investing Measure X funds to serve this **population**; 3. Rate the importance of investing Measure X funds **this year** (rather than later). Results of these initial polls[20] were then presented and discussed.

MXCAB continued this process of sorting and discussing at a subsequent meeting held just two days later, on August 20, 2021, where it reviewed results of its poll that ranked each issue on four measures of urgency (top priority for this year, secondary priority for this year, not sure, not this year).[21] The MXCAB continued this process of sorting and discussion at the four meetings it held between August 25 and September 17, 2021.

Having received dozens of presentations and engaged in multiple rounds of sorting and decision-making, by September 17th MXCAB turned its attention to the task of producing its report of recommendations to the BOS. Just three weeks later, on October 6, 2021, the MXCAB finalized the *Measure X Community Advisory Board Report to the Contra Costa County Board of Supervisors*.[22] This document included a summary of the MXCAB's history, context, and guiding principles; summarized its needs assessment process; and detailed its funding recommendations, including the ranked priority for each recommendation, organized within the five original goals it had articulated at the start: mental well-being, equity in action, healthy communities, intergenerational thriving, and a welcoming and safe community.

In finalizing its recommendations, the MXCAB also articulated six cross-cutting considerations to inform the Board's funding decisions, which are listed here but which are expressed more fully within their report:

1. Prioritizing community-based strengths, wisdom, and services
2. Addressing racism
3. Addressing trauma

4. Bold and transformative focus
5. Prioritizing Measure X funds in the context of the overall County budget
6. Balancing hospital-related needs with "other urgent community needs identified by the MXCAB

The MXCAB presented its report, accompanied by a PowerPoint presentation,[23] to the BOS at its meeting on October 12, 2021. Following that meeting, the BOS' decision-making process for Measure X allocations continued for several months, during which time the MXCAB continued to meet monthly to track the process and continue its mission to advise the BOS. As detailed in Section VI, below, the BOS completed the process to determine Measure X allocations at its meeting on February 22, 2022.

E. Continuing Work of the Measure X Community Advisory Board

In the months since the BOS completed its work to determine the allocations for the first round of Measure X funds, the MXCAB has continued to meet monthly (except in cases where meetings have been cancelled by the CAO, such as the meeting scheduled for September 28, 2022).

During these months, the MXCAB has devoted substantial attention to two principal areas of work: Advocating for and stewarding the process to produce this report on Measure X and the MXCAB's processes; and advocating and preparing for conversations with the CAO and BOS regarding MXCAB's duties, authorities, processes, and needs. It should be noted that these areas of focus are born of the MXCAB's experiences to date, as indicated in the results of the survey conducted to solicit their input.

V. Allocating Measure X Funds: Timeline and Processes

Section V of this report outlines four phases of the evolution of Measure X in Contra Costa County, beginning with the emergent interest in passing a sales tax measure in May 2019 through the final allocations of the first round of Measure X revenue in February 2022. But within that larger span of time, it is appropriate to examine the phases and processes in the span of four months between October 2021 and February 2022, during which time the BOS made its decisions on the use of Measure X revenue, including one of its most consequential actions: its decision to allocate nearly 50% of Measure X revenue, or $160 million, to underwrite projects (principally, capital projects) for

one entity, the Contra Costa Regional Medical Center (CCRMC).

A. Preparatory Phase: October 2021

- October 12, 2021: BOS received the *Measure X Community Advisory Board Report to the Contra Costa County Board of Supervisors*.[24]

- October 19, 2021: BOS received staff report and recommendations to allocate $3 million in Measure X funds to establish a Contra Costa County Sustainability Fund to support environmental sustainability and climate change goals[25]; this use had not been proposed in the MXCAB's report.

B. Decisional Phase: November 2021-February 2022

- November 16, 2021: BOS considered and addressed multiple matters regarding Measure X: reviewed projections of estimated revenues; established a funding cycle of three to five years; and established administrative procedures necessary to manage Measure X funds. The BOS also received the CAO's proposed allocations for Measure X funds; by the close of the meeting, the BOS approved allocations totaling $311,387,000, almost entirely in line with the expenditure proposal submitted by the CAO.[26]

- A note on additional requests: During discussion of the Measure X item at this meeting, individual members of the BOS requested follow-up information on six areas of interest that were not reflected in the MXCAB report or presented for potential funding at this meeting but that might be considered for funding "should future allocation opportunities arise": Animal Services (dead animal pick-up), Childcare, Childhood Mental Health, Children with Disabilities, the Northern Waterfront Initiative, and Assistance for Crime Victims.[27] It should be noted that at its meeting on February 22, 2022, the BOS approved an additional allocation of $18,510,000 to fund many of these as well as other projects, as noted in the Recommendations and Allocations document that accompanies this report. These elements are discussed in Section VIII, Service Gaps, below.

- December 6, 2021: The Finance Committee discussed processes and recommendations for funding additional programs with remaining sources. According to the county's public record of action for this meeting, Supervisor Mitchoff, as Chair of the Finance Committee, "assured the

group that any future allocation of Measure X funds would be made very publicly, even if adopted as part of the county budget process."[28]

- December 14, 2021: The BOS received presentation on the request for $75 million to fund Contra Costa Regional Medical Center capital project, which had not been included in the MXCAB recommendations, and voted to allocate $70 million in addition to the $5 million to fund the psychiatric emergency request that had been approved on 11/16/21

- February 22, 2022: The BOS discussed and voted on use of $15,567,000 in heretofore unallocated Measure X funding.

C. Administrative Phase: March 2022 through August 2022

Throughout this period, BOS discussions of Measure X revenue principally addressed administrative matters, such as identifying host agencies and advising bodies for Measure X allocations and identifying and approving a contractor to write a report on Measure X and MXCAB.

D. Tracking, Transparency, and Authorities Phase: September 2022 to Date (November 2022)

This period marked a tumultuous phase for the MXCAB, CAO, and BOS, as they struggled with conflicting perceptions of MXCAB's authority, scope, and processes. These conflicts involved questions of authority to develop agendas and convene meeting of the MXCAB; the authorities of the respective partners regarding the development and release of this report; and suggestions by MXCAB that its work be administratively supported in a department other than the County Administrator's Office.

Such developmental struggles are not uncommon, especially in high-value projects that involve both community members and public agencies that hold substantial authority over policies and budgets; however, proper stewardship and transparency of the use and assessment of Measure X revenues depends on a resolution that respects the purposes for which MXCAB was ostensibly established.

VI. ALLOCATIONS OF MEASURE X FUNDS

A comprehensive, comparative accounting and analysis of the MXCAB's recommendations and the funding decisions by the BOS is included with this report as an accompanying Excel workbook. However, for convenient reference about these outcomes, we provide two essential tables:

Table 1: ALLOCATIONS OF MEASURE X FUNDS, SORTED BY MXCAB'S RANKED PRIORITIES (note that some program areas received tied MXCAB rankings)

Program Area	% of Measure X Revenues	MXCAB Rank
A3 Contra Costa Community Crisis Initiative	7.76%	1
EPSDT Leverage Fund for Children's Mental Health Services	1.01%	2
East County Fire – Build/Reopen and Staff Fire Stations (via annexation)	6.43%	3
Office of Racial Equity and Social Justice ("Racial Equity and Social Programs")	0.06%	4
Develop Additional Childcare Providers	0.93%	5
Contra Costa CARES - Expanded/Comprehensive Healthcare for Uninsured	0.47%	5
Children with Disabilities/ Childcare Support	0.28%	5
Community-based mental health (at-risk populations)	0.00%	5
Services for children with disabilities	0.00%	5
Local Housing Trust Fund (Including Funding for Homeless Housing/Services)	6.83%	6
Accessible Transportation Strategic Plan Implementation	0.87%	7
Tenant legal services & support (county/community)	0.00%	8
Contra Costa County Fire - Build/Reopen and Staff Fire Stations	2.67%	9
Early Childhood Educators/Childcare (See MXCAB Family Support Services)	2.48%	9
Permanent Supportive Housing (Net of Match)	1.61%	9
County Youth Centers - East and Central County	4.74%	10
Substance abuse treatment (community-based)	0.00%	11
East County community-based equity center	0.00%	12
Public Defender front-end advocacy teams	0.00%	12
Community-based aging services	0.00%	13
Mental health for Asian American/Pacific Islanders (AAPI)	0.00%	14
Stand Together CoCo: removal defense, social services	0.00%	14
Guaranteed income pilot	0.00%	15
Fire/Wildland Mitigation/Fuel Reduction	2.79%	16
Community-based and schools-based arts programs	0.02%	17
Youth/young adult permanent housing subsidies	0.00%	18
Community land trust	0.00%	19

Reentry support services (community-based)	0.00%	20
Employment services (community-based)	0.00%	21
Master Plan for Aging/Local Community Based Aging Services	1.01%	22
Library Literacy Programs/Arts & Culture Commission	0.12%	22
Community-based mental health for LGBTQ+	0.00%	22
East County multi-agency center for disabled	0.00%	22
Safety net community-based food distribution	0.00%	23
Community Based Restorative Justice	0.62%	24
Restorative justice (community-based)	0.00%	24
Immigration legal services	0.00%	25
Abuse prevention & support	0.00%	25
Crime victims' rights groups, e.g., Get Vocal	0.00%	25
Innovation Fund (Pilots and Innovative Projects)	0.62%	26
San Ramon Valley FPD Behavioral Health Crisis Response Pilot Program	0.23%	26
Training & employment services (community-based)	0.00%	26
Family support services (county-provided)	0.00%	26
Discretionary funds for CPS & foster youth	0.00%	26
Community-based asylum support for LGBTQ+ & other immigrants	0.00%	27
Rental assistance for immigrants	0.00%	27
Reimagine public safety initiative (countywide)	0.00%	28
Seasonal fire staffing	0.00%	28
Multicultural AAPI/Nepali wellness center	0.00%	29
Contra Costa Regional Medical Center (all requests)	49.84%	NA
Climate Sustainability-Sustainability Trust	1.55%	NA
Body Worn and In-Car Cameras - Sworn Staff	1.34%	NA
Library Building Improvements	1.24%	NA
Pinole Fire – Increase Service (via contract or annexation)	1.23%	NA
County Facilities Deferred Maintenance	1.16%	NA
Illegal Dumping Initiative	0.37%	NA
Family Navigators	0.36%	NA
Climate Equity and Resilience Investment in Conservation and Development	0.31%	NA
Refugee Resettlement Resources	0.31%	NA
Sales Tax Consulting Administrative Expense	0.14%	NA
Language Access Equity for Measure X Meetings	0.03%	NA
Start Up Costs for Library Foundation	0.02%	NA
Measure X Needs Assessment Report Writer	0.01%	NA
Total Measure X funds allocated to program areas not recommended by MXCAB	**58.46%**	
Total Measure X funds allocated to program areas recommended by MXCAB	**41.54%**	

As **Table 1** indicates, more than half of all Measure X funds allocated by the BOS – 58.46% – went to project areas not ranked or recommended for funding by the MXCAB. Only 41.54% of all Measure X allocations reflected recommendations made by the MXCAB.

To sort these data another way, **Table 2**, below, lists each program area's funding allocation as a percentage of total Measure X funds allocated by the BOS.

Table 2: ALLOCATIONS OF MEASURE X FUNDS, SORTED BY PERCENTAGE OF TOTAL ALLOCATIONS (note that some program areas received tied MXCAB rankings)

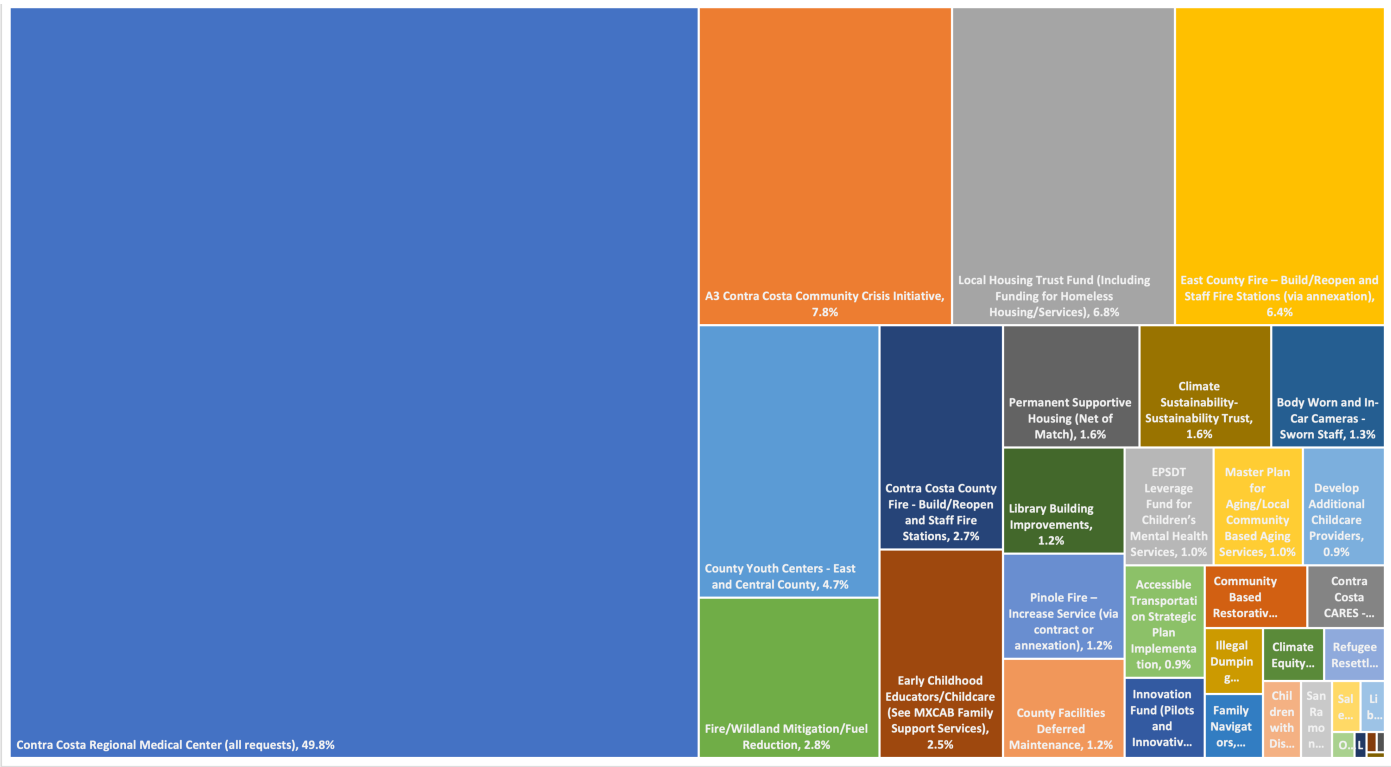
Program Area	% of Measure X Revenues	MXCAB Rank
Contra Costa Regional Medical Center (all requests)	49.84%	NA
A3 Contra Costa Community Crisis Initiative	7.76%	1
Local Housing Trust Fund (incl Homeless Housing/Services)	6.83%	6
East County Fire: Build/Reopen and Staff Fire Stations via annexation	6.43%	3
County Youth Centers - East and Central County	4.74%	10
Fire/Wildland Mitigation/Fuel Reduction	2.79%	16
Contra Costa County Fire - Build/Reopen and Staff Fire Stations	2.67%	9
Early Childhood Educators/Childcare (See MXCAB Family Support Services)	2.548	9
Permanent Supportive Housing (Net of Match)	1.61%	9
Climate Sustainability-Sustainability Trust	1.55%	NA
Body Worn and In-Car Cameras - Sworn Staff	1.34%	NA
Library Building Improvements	1.24%	NA
Pinole Fire – Increase Service (via contract or annexation)	1.23%	NA
County Facilities Deferred Maintenance	1.16%	NA
EPSDT Leverage Fund for Children's Mental Health Services	1.01%	2
Master Plan for Aging/Local Community Based Aging Services	1.01%	22
Develop Additional Childcare Providers	0.93%	5
Accessible Transportation Strategic Plan Implementation	0.87%	7
Innovation Fund (Pilots and Innovative Projects)	0.62%	26
Community Based Restorative Justice	0.62%	24
Contra Costa CARES: Expanded/Comprehensive Healthcare for Uninsured	0.47%	5
Illegal Dumping Initiative	0.37%	NA
Family Navigators	0.36%	NA
Climate Equity and Resilience Investment in Conservation and Development	0.31%	NA

Refugee Resettlement Resources	0.31%	NA
Children with Disabilities/ Childcare Support	0.28%	5
San Ramon Valley FPD Behavioral Health Crisis Response Pilot Program	0.23%	26
Sales Tax Consulting Administrative Expense	0.14%	NA
Library Literacy Programs	0.12%	22
Office of Racial Equity and Social Justice ("Racial Equity and Social Programs")	0.06%	4
Language Access Equity for Measure X Meetings	0.03%	NA
Start Up Costs for Library Foundation	0.00%	NA
Arts and Culture Programs	0.00%	17
Measure X Needs Assessment Report Writer	0.00%	NA
Community-based mental health (at-risk populations)	0.00%	5
Substance abuse treatment (community-based)	0.00%	11
Mental health for Asian American/Pacific Islanders (AAPI)	0.00%	14
Community-based mental health for LGBTQ+	0.00%	22
East County community-based equity center	0.00%	12
Stand Together CoCo: removal defense, social services	0.00%	14
Immigration legal services	0.00%	25
Community-based asylum support for LGBTQ+ & other immigrants	0.00%	27
Tenant legal services & support (county/community)	0.00%	8
Youth/young adult permanent housing subsidies	0.00%	18
Safety net community-based food distribution	0.00%	23
Training & employment services (community-based)	0.00%	26
Community land trust	0.00%	19
Services for children with disabilities	0.00%	5
Community-based aging services	0.00%	13
Guaranteed income pilot	0.00%	15
East County multi-agency center for disabled	0.00%	22
Restorative justice (community-based)	0.00%	24
Family support services (county-provided)	0.00%	26
Discretionary funds for CPS & foster youth	0.00%	26
Public Defender front-end advocacy teams	0.00%	12
Reentry support services (community-based)	0.00%	20
Employment services (community-based)	0.00%	21
Abuse prevention & support	0.00%	25
Rental assistance for immigrants	0.00%	27

Reimagine public safety initiative (countywide)	0.00%	28
Seasonal fire staffing (28*)	0.00%	29
Multicultural AAPI/Nepali wellness center	0.00%	28
Crime victims' rights groups, e.g., Get Vocal	0.00%	25

As **Table 2** makes clear, the lion's share of all Measure X funding allocated by the BOS – 49.84% of Measure X funds – were awarded to one entity: Contra Costa Regional Medical Center and Hospitals (CCRMC), which is operated by Contra Costa County's Health Services Division (HSD). All told, the BOS allocated $160 million to CCRMC to underwrite a variety of initiatives: $80 million to fund capital projects,[29] $40 million in first-year funding, and $40 million, annually, in ongoing funding.[30]

The following chart provides a visual representation of these funding allocations by percentage, serving as a graphic counterpart to the information detailed in Table 2.



Without offering any opinion about the value or necessity of funding the CCRMC to this degree, this funding decision is relevant to this report for three reasons: scale, implications, and trust.

A. Scale

At nearly 50% of Measure X revenues, the size of the allocations made to CCRMC dwarfed all others. By comparison, and as **Table** 1 detailed, no other program's allocation approached even 10%; only the allocations for Community Crisis Initiative (7.8%), the Local Housing Trust Fund (6.8%) and East County Fire/Build & Reopen (6.4%) exceeded even five percent of total revenues.

While MXCAB's recommendations report of October 2021 "recognized that the need for a strong hospital and clinic system were key elements in the Measure X ballot measure language [and that] it is imperative that [the CCRMC] remains financially viable," the report also made a specific request regarding CCRMC: "We do ask that the Board of Supervisors balance that potential funding decision with other urgent community needs and priorities as identified by the Advisory Board and described in this report."

B. Implications

By absorbing nearly 50% of allocations for Measure X revenues, the funding granted to CCRMC had immediate and undeniable implications on other projects that had been carefully identified, ranked, and recommended by MXCAB during its rigorous, months-long process.

As detailed in the Recommendations and Allocations analysis that accompanies this report, 68 priorities were considered for funding under Measure X; of these, 50 (74%) were proposed by MXCAB while 18 were not. Of the program areas recommended by MXCAB, only 22 (44%) received any Measure X allocations.

Note that a deeply detailed comparative financial analysis of Measure X recommendations and allocations is included in the accompanying Excel workbook, *Measure X Comprehensive Analytic and Documentary Record*. As it details, 42.23% of Measure X revenues were allocated to priority areas identified by MXCAB.

C. TRUST

The process by which the BOS considered and then decided allocations for CCRMC has had substantial and lasting impact on MXCAB members perceptions of the credibility and trustworthiness of the CAO and BOS regarding their stewardship of Measure X funds and their attitudes towards the MXCAB itself.

Although the Chief Executive Officer for Contra Costa Health Services Department (HSD) made an informational presentation to MXCAB regarding the county's health services on June 16, 2021,[31] this presentation primarily offered a cursory overview of CCRMC's role and services. To the degree that it mentioned any areas of needs – Ambulatory Services, Hospital Services, and Hospital Capital Investment – they were described only in the most generic and superficial terms. The presentation provided no financial information at all: No information about current budgets and gaps; no detail regarding existing or potential funding; and no indication whatsoever of the purpose or scale of any intended requests for Measure X funds, other than three single bullet points: Support ongoing clinical work, increase support to scale work to reach more patients, support investment in infrastructure

From the documentary record, it appears that HSD provided more detailed or substantial requests for capital and/or operating funds only after the MXCAB submitted its list of ranked recommendations (which did not include funding for HSD) to the BOS in October 2021. Given the scale of this request and its potential value to meaningfully inform MXCAB of this area of potential need, it is notable that HSD provided a fuller proposal for consideration only after the fact, and directly to BOS.

However, even the materials provided to the BOS to articulate proposed uses offered no information about current funding or potential for other sources of funds that might offset some of the impact on Measure X revenues.

It should be noted that HSD was not the only entity whose requests for Measure X were submitted outside of the MXCAB process. The CAO's recommendation to establish the Sustainability Fund was presented directly to the BOS on October 19, 2021, ahead of any other request and outside the MXCAB process. During this same meeting, and as discussed more fully in Section VIII, Service Gaps, members of the BOS took the opportunity to request that staff provide follow-up information on six

programs of particular interest to individual supervisors: Animal Services' dead animal pick-up; Childcare; Childhood Mental Health; Children with Disabilities; the Northern Waterfront Economic Development Initiative; and Assistance to Crime Victims.

These requests were considered by the BOS at its meeting on November 16, 2021; during this meeting, the Sheriff's Office also took the opportunity to submit two proposals directly to the BOS, which allocated a total of $4.402 million for body-worn cameras but denied a request totaling $12.360 million for increased patrols to unincorporated areas in Contra Costa County. These requests, decisions, and processes are detailed in the *Measure X Comprehensive Analytic and Documentary Record*, which accompanies this report.

Finally, the BOS provided no explanation, rationale, or insight regarding how it determined not to fund various program areas recommended by MXCAB, nor did it provide assurances for reviewing or revising such investments in future years.

D. Consequences

However unintended, the harmful consequences of the scale, impacts, and processes related to the Board's decision to award $160 million to CCRMC and to award further funds to last-minute applicants – even as the Board denied funding for many of the MXCAB's recommended priorities – cannot be ignored.

From the responses to the survey conducted for this report (discussed in Section VII, below), it is entirely evident that for many members of MXCAB, the actions of the BOS in making its Measure X decisions represented an egregious breach of trust, demonstrating an inexcusably disrespectful disregard for the MXCAB's diligence, recommendations, and value while rendering hollow any claims of transparency and partnership professed by the BOS or the CAO towards the MXCAB.

As the survey indicates, the sense of betrayal felt by many members of the MXCAB has only intensified in the year since the MXCAB submitted its report. Sparked initially by frustrations about the process and outcomes of funding allocations, continuing tensions have been clear and increasing, fueled by perceptions of the Board's and CAO's ongoing lack of accountability regarding the MXCAB's experiences and frustrations.

These tensions have been further exacerbated by what is seen by many on MXCAB as the increasingly disrespectful attempt at autocratic dominance demonstrated by senior members of the CAO who staff the MXCAB.

The strained relationship between MXCAB and CAO has resulted in multiple areas of conflict, as evidenced in numerous events and documents, such as the CAO's unilateral decision to cancel an important MXCAB meeting against the Chair's express request and in defiance of her authority; a letter of complaint sent by the MXCAB Chair to the CAO; the CAO's refusal to abide by the agreed-upon process for joint MXCAB/CAO review of this report in its draft version; the CAO's refusal even to inform the MXCAB of the existence of the draft report; the CAO's threat to assert breach of contract claims against the contractor retained to produce it; and a motion unanimously passed by the MXCAB at its meeting on October 19, 2022, to redress these actions taken or threatened by the CAO.

Each of these conflicts stems from the same source: A struggle over roles and authorities, aggravated by perceived violations of transparency and trust demonstrated by the CAO and BOS.

The survey conducted for this report, as detailed below, inarguably documents the current fractured relationship between the MXCAB and the County's leaders.

But however distressing these results may be, it is both imperative and possible that Contra Costa County's leaders – elected and appointed – acknowledge the distrust, disrespect, and betrayal felt by many members of the MXCAB (and the larger community) and make concerted, transparent, and consistent efforts to repair these harms, beginning perhaps by recognizing the importance of the MXCAB's work, affirming the legitimacy of their frustrations, and recommitting to honoring MXCAB's role in stewarding the use and tracking the outcomes of Measure X funds, which, as a sales tax revenue source, is directly generated by the residents and businesses of Contra Costa County.

Many of the recommendations found in *Section IX, Recommendations for Measure X Funds and MXCAB Processes*, below, offer opportunities to remedy these difficulties and foster more meaningful partnership between Contra Costa County and the members of MXCAB.

VII. MXCAB Members' Experiences: A Survey

A. Survey Methods

From November 1 through November 6, 2022, FTW conducted an online survey of MXCAB members and alternates; the survey instrument is included as an Appendix to this report.

The survey asked respondents to provide information "about your experience of serving on the Committee; your thoughts on the processes and outcomes of your work; and your recommendations for how to maximize the value of the MXCAB and of Measure X funding in the future."

The survey posed 25 questions organized into four domains:

- *Experiences as a MXCAB Member/Alternate*, which asked about respondents' understanding of the MXCAB purpose; experiences in participating in MXCAB discussions; perceptions of the Chair, Co-Chair, and CAO staff; and best/most difficult thing about serving on the MXCAB

- *Recommendations Process and Board Decisions*, which asked about the efficacy and value of the information-gathering process; importance of language access; decision-making methods; expectations about the funding cycle; and likelihood of recommending MXCAB service to friends of colleagues, using a Net Promoter Score

- *Considerations for Future Processes*, which asked about satisfaction with the outcomes of the MXCAB's work; asked for input on what worked well and areas for improvement for MXCAB processes; and recommendations for how to improve MXCAB and Measure X decision-making in the future

- *Demographics*, which included race, gender, regional location, and membership type (member, former, alternate)

Seventeen of the 27 MXCAB members or alternates completed the survey, a 63% completion rate. This extensive survey required a substantial time commitment; its average completion time was 21 minutes. Nonetheless, 100% of respondents who began the survey fully completed it, a remarkably high completion rate indicating respondents' level of commitment to providing input.

B. KEY FINDINGS

The complete and anonymous results of the survey are available at https://bit.ly/MXCABSurvey, but key findings warrant inclusion in this report:

1. Purpose

When asked, "When you joined MXCAB, what did you hope the Committee would accomplish," and given nine options for response, 95% of respondents included "establish a transparent, informed, and inclusive decision-making process to allocate Measure X funds" among their answers.

2. MXCAB Leadership and Participation

Eighty-five percent of respondents felt that other members of the MXCAB listened to and valued what they had to say.

When asked, "How satisfied were you with how the Chair led the MXCAB," 80% of respondents selected "consistently" on seven aspects of leadership (timely, prepared, inclusive/non-biased, professional/cordial, responsive, effective, and collaborative). Respondents who rated the Vice Chair expressed similar levels of satisfaction, although a higher percentage of respondents offered "no opinion," which may reflect the structurally secondary role of a Vice Chair.

3. Staffing by the County Administrator's Office

When asked, "How satisfied were you with how staff of the CAO worked with the MXCAB," respondents scored this question at below 50% on all seven of the same aspects of leadership on which the MXCAB Chair and Vice Chair were rated so highly.

4. Opportunities for Improvement

When asked, "What would be the best ways for MXCAB to improve its processes in the future," and provided with six potential responses plus an "other" free-text box, 100% included "Greater clarity and agreement with County regarding MXCAB's scope and authorities, making any relevant updates to bylaws" in their responses, followed by "Structured process for the MXCAB to receive information and rank priorities," with 80% selecting that response.

C. Narrative Responses

Several questions provided free-text fields to allow respondents to offer narrative input. These narrative responses are available in the online results at https://bit.ly/MXCABSurvey, but representative responses to the questions of the "best" and the "most difficult" thing about serving on the MXCAB warrant mention here.

1. "Best thing" – Experiences of service, inclusivity, learning

In response to the question, "What was the best thing about your experience on the MXCAB," several respondents mentioned experiences of engagement, service, and knowledge development: "The collective learning that emerged from community input…and inclusivity." "I am more educated about resources, how to talk about how the county works in managing programs." "Seeing a large and diverse group of people come together…for the greater good of the entire county." These were consistent themes in the responses to this question.

2. "Most difficult thing" - Perceptions of lack of trust, transparency, and impact

In response to the question, "What was the most difficult thing about your experience on the MXCAB," themes related to lack of trust, transparency, and impact were apparent: "The priorities we recommended were ignored for the most part." "I feel like the BOS had already decided who and what they wanted to support, and that the MXCAB was to rubber stamp them." "Dealing with the lack of transparency…. [the county] does not seem interested in any kind of a collaborative process to give feedback on how it will all be implemented." "Watching the BOS fail

to utilize the recommendations, disregard 90% of the work we did, and then begin to treat X-funds like a slush fund for their pet projects and individual political capital."

D. Net Promoter Score

The Net Promoter Score (NPS) is a widely accepted research metric that uses a single survey question asking respondents to rate on a scale of 1 to 10 the likelihood that they would recommend a company, product, or a service to a friend or colleague.[32] In the MXCAB survey, we asked, "How likely is it that you would recommend serving on MXCAB to a friend or colleague" using an NPS rubric.

Resulting in an NPS of negative 59, this is a deeply worrisome result; indeed, it is hard to earn an NPS more negative than this one.

Some of the narrative responses accompanying the NPS spoke to positive experiences: "It is an empowering and privileged role to influence change." "The opportunity to be part of identifying and supporting programs…was an honor and a privilege." However, as would be expected from a such a score, many of the written responses were sharply critical, principally clustered around three areas of concern, some of which intersect:

1. *Effort, resources, timeline, and appreciation*: "The process took a lot of time – little recognition from CAO or BOS for our contributions." "It was a hell of a lot of work." "The process just felt overwhelming…and very little acknowledgement of what it meant to do this work during the pandemic."

2. *Lack of good faith*: A commonly expressed sense that the county disregarded the work of the body or used it as a pretext: "Wasted effort…it became clear the MXCAB was created simply to align external political forces to support a new tax measure." "Because it feels like a sham." "As per usual the County drove an unhealthy and unrealistic process and timeline all the while holding on to the power to make the decisions." "Overall I do not feel that the County and the CAO value what MXCAB members – and by extension – the community – have to say about what is important to fund." "The ultimate decisions seemed arbitrary."

3. *Dissatisfaction with CAO and CAO staff assigned to the MXCAB*: "The turn from the new CAO's direction to quash the transparency really left everyone feeling like all of our hard work…was done and buried." "[The prior CAO staffer for MXCAB] at least allowed our committee to meet and responded to the Chair. [Current CAO staffer for MXCAB] did not and inappropriately made unilateral decisions about the agenda and whether MXCAB could even meet at all." "The CAO met behind closed doors…and developed proposed budgets [without explanation]." "[T]here was no accountability for CAO – We need to discuss CAO's functions and responsibilities…. How much influence did they have on the BOS decisions?"

VIII. Service Gaps Identified Outside of MXCAB Process

A. Additional Areas Proposed by Members of the Board of Supervisors

As previously discussed, the BOS received the MXCAB report and recommendations at the Board's meeting on October 12, 2021. During its discussion of recommendations and potential allocations, individual members of the BOS took the opportunity to request that staff provide follow-up information on six programs of particular interest to individual Supervisors: Animal Services' dead animal pick-up; Childcare; Childhood Mental Health; Children with Disabilities; the Northern Waterfront Economic Development Initiative; and Assistance to Crime Victims.[33]

In response to this direction from the BOS, at the Board's subsequent meeting on November 16, 2021, CAO staff included a document, entitled "Attachment D,"[34] which provided summary reports and recommendations developed by the CAO regarding the six areas of interest as identified by individual Supervisors.

As detailed in the *Measure X Comprehensive Analytic and Documentary Record* that accompanies this report, at this meeting the BOS considered allocating funding to these six areas, while also considering other requests submitted the BOS over the course of several months. On February 22, 2022, the BOS allocated Measure X funds in response to these requests. Both the requests and the funding decisions are detailed in the accompanying Recommendations and Allocations document, which itemizes all allocations using three categories:

- Recommended by MXCAB and Funded by BOS
- Recommended by MXCAB and Not Funded by BOS
- Not recommended by MXCAB but Funded by BOS

For convenient reference, the following two tables summarize the funding decisions made by the BOS on February 22, 2022. The tables identify each allocation as either *consistent* with or *not readily consistent* with MXCAB recommendations.

B. Additional Allocations Consistent with MXCAB Recommendations

February 22, 2022: Additional Funded Programs Not Named by MXCAB but Consistent with Its Recommendations				
Additional Funded Program	**Consistent with MXCAB Goal**	**Consistent with MXCAB Recommendation**	**Initial allocation**	**Ongoing funding**
Family Navigators	Intergenerational Thriving	26: Family Support Services	$584,000	$584,000
Early Childhood Education/Childcare	Intergenerational Thriving	26: Family Support Services 9: Subsidized Childcare	$4,000,000	$4,000,000
Language Access for Measure X	Safe & Welcoming Community	25: Immigration-based legal/social services	$50,000	$25,000
Total			**$4,634,000**	**$4,609,000**

C. Additional Allocations Not Consistent with MXCAB Recommendations

February 22, 2022: Additional Funded Programs Not Named by MXCAB and *Not* Consistent with Its Recommendations			
Funded Program	**Comments**	**Initial allocation**	**Ongoing funding**
Library Building Improvements	Capital project, not readily consistent with MXCAB recommendation for Library Literacy Programs, which was not funded.	$4,000,000	$0
Body-Worn Cameras (Sheriff's Office)	Not readily consistent with any MXCAB recommendation.	$2,561,000	$1,841,000
Climate Sustainability	Not readily consistent with any MXCAB recommendation.	$2,500,000	$2,500,000
Climate Equity and Resilience	Not readily consistent with any MXCAB recommendation.	$500,000	$500,000
County Facilities Deferred Maintenance	Not readily consistent with any MXCAB recommendation.	$3,750,000	$0
Illegal Dumping Initiative	Not readily consistent with any MXCAB recommendation.	$600,000	$600,000
Sales Tax Consulting	Not readily consistent with any MXCAB recommendation.	$265,000	$200,000
Total		**$14,176,000**	**$5,641,000**

D. Interests Identified by Members of Board of Supervisors But Not Funded

The BOS also declined to allocate funding in response to several proposals submitted during this period:

Program	Recommended by MXCAB?	One-Time Request	Ongoing Request	Funded?
Animal Service – Dead Animal Pickup	No	Not specified	Not specified	No
Assistance to Crime Victims	No	Not specified	Not specified	No
Northern Waterfront Initiative/Ferry Service	No	$0	$500,000	No

In "Attachment D," the CAO provided explanations for why these programs were not recommended for funding:

- Animal Services/Dead Animal Pick-Up: "At this time, the [Animal Services] Department is projecting that the increased funding through increased fees will be sufficient to provide the level of these services required by the city agreements."
- Assistance to Crime Victims program as proposed: "This program, which needs further model development, is not included in the proposed expenditure plan at this time."
- Northern Waterfront Initiative: "In anticipation of receiving federal funding, no Measure X funds are recommended at this time."

The CAO provided no explanation for why many programs recommended by MXCAB were not funded; however, details on the MXCAB's recommendations and the BOS decisions can be found in the *Measure X Comprehensive Analytic and Documentary Record* that accompanies this report.

IX. Recommendations for Measure X Funds and MXCAB Processes

The recommendations here reflect the insights gathered during the development of this report and address roles and responsibilities; propose enhanced resources and processes to facilitate the work of the MXCAB; encourage greater commitment to public transparency and accountability; and offer methods to ensure complete and readily accessible documentation related to both MXCAB and Measure X. These recommendations warrant concerted and collaborative attention by the MXCAB, the CAO, and the

BOS, and it is advisable that the relevant parties develop a strategic plan to consider and implement such recommendations, including an annual report on the collective progress towards identified goals.

A. Authorities and Duties

1. Define Oversight Authorities and Relationships between MXCAB and CAO
2. Establish Clear Limits and Givens Shaping MXCAB's Inquiries
3. Determine, Track, and Refine Performance Measures
4. Establish Processing and Timelines for Gathering and Reporting on Annual Metrics
5. Enhance External Communications and Internal Coordination
6. Review and Amend MXCAB Bylaws As Necessary

B. Process Management

1. Authorize Budget to Support MXCAB Work
2. Retain Professional Project Management/Facilitation
3. Establish Decision-Making Methods
4. Maintain and Enhance Equitable Language and Disability Access
5. Establish and Support Subcommittees
6. Develop Onboarding and Orientation Standards and Resources
7. Develop Documentation Standards and Resources

C. Transparency and Ongoing Community Review and Input

1. Establish Inclusive Oversight Standards and Practices
2. Establish Policies and Practices Regarding Revenue Surpluses
3. Publicly Report Revenues Against Projections
4. Improve Performance Measures and Processes

D. Information Management

1. Standardize Format for Presentations

2. Develop Methods For Information Consolidation, Retention, and Ready Reference
3. Develop Process for Informational Updates
4. Develop Web-Based Public Reporting and Document Repository

X. Contextual Financial Information

It is possible to analyze the allocations funded by Measure X revenue in the absence of a more comprehensive understanding of the way in which Measure X revenues are generated (and how they are projected) in the first place. However, as this report is to serve as the authoritative account of the history of this initiative, we offer this contextual financial information as a ready reference. While many may prefer to gloss over such detailed financial analysis, we believe that readers are well served by a reminder that sales tax measures can be a particularly volatile source of revenue, especially vulnerable during periods of economic decline. This is especially of note in the context of the Covid pandemic, which has had massive economic impacts and has substantially disrupted ordinary national and international economic models.

A. Measure X Projected Revenues

On November 16, 2021, HdL Companies,[35] a public agency revenue management consultant to Contra Costa County, provided a report that included a three-year revenue estimate for the sources and projected totals for revenues generated by Measure X.[36]

Industry Group	FY 2020-21 Actuals	FY 2021-22 Projection	FY 2022-23 Projection	FY 2023-24 Projection
Autos & Transportation	$5,523,997	$20,563,997	$21,230,997	32,867,997
Building & Construction	$3,085,608	$12,143,608	$12,219,608	$12,463,608
Business & Industry	$4,388,799	14,683,799	$15,124,799	$15,578,799
Food & Drugs	$1,582,790	$6,440,790	$6,569,790	$6,700,790
Fuel & Service Stations	$2,003,009	$6,875,009	$7,058,009	$7,199,099
General Consumer Goods	$8,149,704	$34,130,704	$35,418,704	$36,481,704
Restaurants & Hotels	$2,690,935	$9,010,935	$9,551,935	$9,885,935
Transfers & Unidentified	$301,132	$1,245,132	$1,245,132	$1,245,132
Total	$27,725,974	$105,093,974	$108,418,974	$111,422, 974
Admin Cost (.09%-.12%)	($254,780)	($1,210,741)	($1,248,978)	($1,281,364)
Total After Admin Cost	**$27,471,184**	**$103,883,233**	**$107,169,995**	**$110,141,609**

It should be mentioned that this table of HdL's projections contains an important note: "Budget estimates relied on HdL's September 2021 Consensus Forecast, various economic models. Statewide,

business remain open as COVID health crisis ebbs and flows; factors reflect ongoing pandemic dynamics on sales plus inflationary influence on prices of goods."

The analytic exercise of calculating anticipated sales tax revenues in the context of an extended economic decline stemming from a protracted pandemic is challenging, at best, as economists well recognized;[37] this calculation is especially complicated by the fact that in early 2022, the nation began to experience the twin phenomena of substantial economic growth and inflationary pressures. Thus, it is reasonable to imagine that the forecast by HdL in Autumn 2021 may have substantially underestimated revenues that would be generated by Measure X in the ensuing 12 months.

Figure 1

	Line Item	Net Revenues
A	FY 2020-21 Actual Revenues	$27,471,000
B	FY 2021-2022 Projected Revenues	$104,000,000
C	FY 2022-2023 Projected Revenues	107,000,000
D	**Total Actual and Projected Revenues, 2020-2023**	**$238,471,000**
E	Reserve (calculated as 25% of one-year's funds, using FY21-22 basis)	($26,000,000)
F	**Projected Total Funds Available for Allocation, 2020-2023**	**$212,471,000**
G	One-Time Allocation (FY20 & FY21): Lines A plus B minus E	$105,471,000
H	**Initial Ongoing Allocation: Line F minus G**	**$107,000,000**

By establishing a Measure X reserve of 25%, the BOS provided a cushion against potential revenue shortfalls, a reasonable caution, given the fluctuating realities of sales tax revenues. However, it appears that the BOS has established no policies governing the disclosure of, management of, and community input regarding potential surpluses.

According to California's Institute for Local Government, "municipal revenues fall into two broad categories: general revenues and functional revenues. Unlike functional revenues (which are restricted by law to a particular use), general revenues can be used for any legitimate public purpose.[38] Revenues generated by Measure X constitute general revenues.

In relation to Contra Costa County's 2022-2023 budget of $4,429 billion,[39] the estimated annual Measure X revenue of $106.266 million represents 2.39 percent of the county's overall annual revenue.[40]

B. MEASURE X PROJECTED EXPENDITURES

As part of its work for Contra Costa County, HdL's expenditure plan made several recommendations related to expenditures of Measure X funds:

- Reserve funds: HdL's expenditure plan recommended establishing a reserve of 25% of annual revenue; using FY 21-22 projected revenues of $104 million as its baseline yielded a proposed reserve of $26 million.

- Allocation series: HdL proposed allocating funds using three definitions:

    - One-time allocations, defined as available for immediate distribution
    - First-year, defined as the 15-month period from April 1, 2022, through June 30, 2023, to align with the county's fiscal year-end of June 30.
    - Ongoing funding allocations budgeted in alignment with the county's established budgeting process and timeline

- Allocation funding period: HdL proposed establishing initial allocations for a period of three to five years.

Consistent with these recommendations, HdL calculated the following definitions and funding projections:

An initial "one-time" expenditure	$128.39 million
April 1, 2022-June 30, 2023, expenditure	$73.731 million
Ongoing annual fiscal year expenditures	$106.266 million
Total	**$308,387,000**

In its meeting on November 16, 2021, the BOS considered and adopted the Measure X sales tax reserve policy and expenditure plan for Measure X revenues.

End Notes

[1] Contra Costa County Measure X Bylaws adopted by the Board of Supervisors on April 21, 2021, http://64.166.146.245/docs/2021/BOS/20210427_1720/45345_Measure%20X%20Community%20Advisory%20Board%20Bylaws%20presented%20to%20BOS%20on%20April%2027%20cc%20approved.pdf

[2] https://www.contracosta.ca.gov/agendacenter

[3] https://www.contracosta.ca.gov/agendacenter

[4] http://64.166.146.245/docs/2021/BOS/20211116_1824/47237%5FMeasure%20X%20background%2Epdf

[5]*Contra Costa County Needs Assessment*, May 2020, https://civicclerk.blob.core.windows.net/stream/ELCERRITOCA/22829304fd.pdf?sv=2015-12-11&sr=b&sig=CMPWNY1JHPw3tyL5j5D%2B3A2n7WH8gEglxEYrpwiXQSE%3D&st=2022-09-10T02%3A05%3A52Z&se=2023-09-10T02%3A10%3A52Z&sp=r&rscc=no-cache&rsct=application%2Fpdf

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[7] https://contra-costa.granicus.com/boards/forms/321/apply/2786847?code=5a8014fe-bb4f-4981-8bcc-841f1ba9966c

[8] Contra Costa County Measure X Community Advisory Board Bylaws, as of 4/6/21, http://64.166.146.245/docs/2021/MXCAB/20210409_1793/45199%5FMeasure%20X%20Community%20Advisory%20Board%20Bylaws%20adopted%20by%20the%20BOS%20on%20April%206%2Epdf

[9] "Funding Recommendations: Measure X Community Advisory Board," Presented to the Contra Costa Board of Supervisors, Mariana Moore and BK Williams, October 12, 2021, http://64.166.146.245/docs/2021/BOS/20211012_1818/47219%5FMXCAB%20recommendations%20to%20BOS%2010%2D12%2D21%20%282%29%2Epdf

[10] Measure X Community Advisory Board Operating Principles, available at http://64.166.146.245/docs/2021/MXCAB/20210428_1799/45397%5FMXCAB%20Operating%20Principles%20%281%29%2Epdf

[11] http://64.166.146.245/agenda_publish.cfm?dsp=agm&seq=45589&rev=0&id=&form_type=AG_MEMO&beg_meetmth=1&beg_meetyr=2021&end_meetmth=12&end_meetyr=2021&mt=ALL&sstr=measure%20x&dept=ALL&hartkeywords=&sortby=f.form_num,%20f.rev_num&fp=ADVSRCH&StartRow=21

[12] MXCAB Outreach flyer, 7/23/21, English-language version, http://64.166.146.245/docs/2021/MXCAB/20210728_1855/46491%5FYour%20Voice%20Matters%207%2D23%2D21%2Epdf

[13] MXCAB Outreach flyer, 7/23/21, Spanish-language version, http://64.166.146.245/docs/2021/MXCAB/20210728_1855/46491%5FMXCAB%20presentation%20schedule%20flyer%5FSpanish%5F7%2D23%2D21%2Epdf

[14] http://64.166.146.245/docs/2021/MXCAB/20210512_1801/45588%5FMXCAB%20Interim%20Presentation%20Evaluation%20Summary%2Epdf

[15] Measure X Community Advisory Board Evaluation Summary/Cervantes Tracking Sheet, 8/4/21, http://64.166.146.245/docs/2021/MXCAB/20210804_1868/46553%5FJC%20Measure%20X%20Evaluation%20Summary%207%2E28%2E21%2Epdf

[16] Hanville Tracking Sheet, 8/4/21, http://64.166.146.245/docs/2021/MXCAB/20210804_1868/46553%5FCH%20July28th%20MEASURE%20X%20ASKS%2Epdf

[17] Williams Needs Matrix, 8/4/21, http://64.166.146.245/docs/2021/MXCAB/20210804_1868/46553%5FBuckets%20%28Potential%29%20Measure%20X%20%2D%20update%207%2D30%2D21%2Epdf

[18] Thematic Summary as of August 9, 2021, http://64.166.146.245/docs/2021/MXCAB/20210813_1875/46641%5FMeasure%20X%20Evaluation%208%2E12%2E21%20%2D%20Thematic%20Summary%2Epdf

[19] Presentation Summary as of August 9, 2021, http://64.166.146.245/docs/2021/MXCAB/20210813_1875/46641%5FMeasure%20X%20Evaluation%208%2E12%2E21%20%2D%20Presentation%20Summary%2Epdf

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[21] Poll assessing issue area by urgency of timing: top priority/secondary priority/ not sure/ not this year, August 20, 2021, http://64.166.146.245/docs/2021/MXCAB/20210825_1880/46664%5F8%2E20%2E2021%20Poll%20Results%20Data%20for%20MXCAB%20rev3%2Epdf

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[23] Measure X Community Advisory Board Report to the Contra Costa County Board of Supervisors, October 6, 2021

[24]http://64.166.146.245/docs/2021/MXCAB/20211006_1900/47039%5FMeasure%20X%20draft%20report%20to%20BOS%2010%2D6%2D21%20%282%29%2Epdf

[25] http://64.166.146.245/public//print/ag_memo_pdf_popup.cfm?seq=47210&rev_num=0&mode=CUSTOM

[26] "Measure X Sales Tax Revenue Allocation Discussion, Recommendations, and Direction," Contra Costa County Board of Supervisors, November 16, 2021, http://64.166.146.245/docs/2021/BOS/20211116_1824/47237%5FMeasure%20X%20background%2Epdf

[27] http://64.166.146.245/docs/2021/BOS/20211116_1824/47237%5FAttachment%20D%20%2D%20Additional%20Programs%20EM%2Epdf

[28] Record of Action, meeting of the Finance Committee of the Board of Supervisors, 12/6/2021, http://64.166.146.245/agenda_publish.cfm?id=&mt=ALL&get_month=12&get_year=2021&dsp=min&seq=1770

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"Contra Costa Regional Medical Center and Health Centers Capital Projects," a request for $80 million in one-time funding: http://64.166.146.245/docs/2021/BOS/20211116_1824/47237%5FAttachment%20B%2E1%20%2D%20Contra%20Costa%20Regional%20Medical%20Center%20%26%20Health%20Centers%20Capital%20Projects%2Epdf

[30]

"Contra Costa Regional Medical Center and Health Centers Capital Projects," a request for $80 million in one-time funding: http://64.166.146.245/docs/2021/BOS/20211116_1824/47237%5FAttachment%20B%2E1%20%2D%20Contra%20Costa%20Regional%20Medical%20Center%20%26%20Health%20Centers%20Capital%20Projects%2Epdf

[31] "Measure X Contra Costa Regional Medical Center, Health Centers & Detention Health," June 16, 2021, http://64.166.146.245/docs/2021/MXCAB/20210616_1812/46036%5F2%20Measure%20X%20CCRMC%20presentation%20June%2016%202021%2Dno%20notes%20ss%20v%2E1%2Epdf

[32] https://en.wikipedia.org/wiki/Net_promoter_score

[33] Measure X Funding Recommendations, November 16, 2021, prepared by staff of the County Administrator's Office, http://64.166.146.245/docs/2021/BOS/20211116_1824/47237%5F11%2D16%20Measure%20X%20Funding%20Recommendations%20%2D%20final%20for%20posting%2Epdf

[34] Attachment D: Additional Program Areas, http://64.166.146.245/docs/2021/BOS/20211116_1824/47237%5FAttachment%20D%20%2D%20Additional%20Programs%20EM%2Epdf

[35] https://www.hdlcompanies.com

[36] "Contra Costa County Measure X 3 Year Transactions and Use Tax Budget Estimate, HdL Companies, submitted to the Contra Costa County Board of Supervisors on November 16, 2021, http://64.166.146.245/docs/2021/BOS/20211116_1824/47237%5FAttachment%20A%20Revenue%20Forecast%20HdL%2Epdf

[37] McKinsey & Company, "Economic conditions outlook, September 2021," https://www.mckinsey.com/~/media/mckinsey/business%20functions/strategy%20and%20corporate%20finance/our%20insights/economic%20conditions%20outlook%20september%202021/economic-conditions-outlook-september-2021.pdf

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[39] Fiscal Year 2022-2023 Budget Adoption, County Administrator's Office, Contra Costa County, May 10, 2022, http://64.166.146.245/docs/2022/BOS/20220510_1944/49323_Attachment%20B_FY22-23%20Budget%20Adoption%20Presentation.pdf

[40] Measure X Community Advisory Board Report to the Contra Costa County Board of Supervisors, October 6, 2021

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XI. APPENDICES

A. SURVEY INSTRUMENT

This online survey of MXCAB members and alternates was conducted by Further The Work from November 1 through November 6, 2022. All responses were anonymous. The survey instrument is included here as an Appendix, but the survey and its responses can be found online at https://bit.ly/MXCABSurvey.

B. MXCAB/CAO/CONTRACTOR DOCUMENTATION (PARTIAL RECORD)

Typically, correspondence between a contractor and the contracting agency has little relevance to the final product delivered by the contractor. However, in the case of this report, the correspondence between the CAO and the contractor are emblematic of the struggles over authorities detailed in Section V(D) of this report.

Further, the MXCAB itself has expressed its frustrations with the CAO in written communications, including a letter to the County Administrator from the MXCAB Chair as well as a formal motion unanimously passed on October 19, 2021, by the MXCAB itself.

Therefore, we include some elements of this voluminous documentary history within this appendix. The complete correspondence is a matter of public record and has been previously provided by the CAO to the MXCAB at its request.

1. 9/15/22: Email from FTW to CAO submitting draft report
2. 9/23/22: Email from MXCAB Chair to County Administrator
3. 9/26/22: Email from FTW to CAO regarding lack of release of draft report
4. 10/4/22: Email from FTW to CAO regarding aspersions cast on draft report
5. 10/18/22: Email from MXCAB Chair to County Administrator
6. 10/21/22: MXCAB Motion of 10/19/21, sent to County Administrator by MXCAB Chair

C. Measure X Comprehensive Analytic and Documentary Record (Excel Workbook)

Accompanying this narrative report, and also available online at https://bit.ly/MeasureXAnalyticRecord, is a comprehensive Excel workbook that contains multiple subordinate elements.

1. Annotated Measure X Timeline with Associated Materials
2. Analysis of Recommendations and Allocations
3. MXCAB Priority Rankings
4. Allocations by Rank and Percentage Allocated
5. Allocations by Goal Area
6. List of Principal Documents related to Measure X
7. List of Presentations Received by MXCAB
8. List of Presentations Made by MXCAB
9. MXCAB Roster

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MXCAB Members - Process and Outcomes Survey

1. Confidential Survey for Contra Costa County MXCAB

Further The Work (an independent, Contra Costa-based consulting agency that focuses on social justice) has been hired to produce a report on the process of developing a needs assessment and recommendations for Measure X funding. Further The Work has designed this confidential survey to gather information from the members, alternates, and former members of the Measure X Community Advisory Board (MXCAB) about the Committee's work. It asks about your experience of serving on the Committee; your thoughts on the processes and outcomes of your work; and your recommendations for how to maximize the value of the MXCAB and of Measure X funding in the future. Your individual responses will be held in strictest confidence by Further The Work, which will share only summary, aggregated, and/or non-identifiable information gathered from this survey. Your voice is invaluable, so we're hoping that every MXCAB member, former member, and alternate will provide input via this survey!

MXCAB Members - Process and Outcomes Survey

2. Experiences as a MXCAB Member/Alternate

In this section, we ask about your experiences serving on the MXCAB: what you anticipated and how the Committee worked.

* 1. Were you a Member or an Alternate on the MXCAB? You may select only one.

- ◯ Member
- ◯ Alternate
- ◯ Former member
- ◯ If you're a former member, please note the dates of your participation here.

2. Members and former members: Are you (or were you) an at-large member or a district appointee?

- ◯ District appointee
- ◯ At large
- ◯ Other (please explain)

* 3. When you joined MXCAB, what did you hope the Committee would accomplish?

	Very important	Somewhat important	Not very important	Not important at all	NA
Establish a transparent, informed, and inclusive decision-making process to allocate Measure X funds	◯	◯	◯	◯	◯
Create a needs assessment that illuminates and documents the needs expressed by stakeholders in Contra Costa	◯	◯	◯	◯	◯
Allocate funding to specific areas of need that I personally feel are very important	◯	◯	◯	◯	◯
Establish a clear, long-term process for determining what to do with MXCAB funds	◯	◯	◯	◯	◯
Educate the community about Measure X	◯	◯	◯	◯	◯
Include and engage the community in shaping the MXCAB's understanding of community needs and priorities	◯	◯	◯	◯	◯
Develop and engage in equitable and inclusive processes to assess community needs and develop funding recommendations	◯	◯	◯	◯	◯
Create accountability for	◯	◯	◯	◯	◯

the Board of Supervisors					
Develop and document shared values and principles to inform the MXCAB's decision-making processes and recommendations	◯	◯	◯	◯	◯

Other (please specify)

* 4. After the MXCAB's first meeting or two, how clear did you feel about the MXCAB's purpose and authorities?

- ◯ Extremely clear
- ◯ Very clear
- ◯ Somewhat clear
- ◯ Not so clear
- ◯ Not at all clear

* 5. When you started, which of the following statements best fits what you saw as the MXCAB's purpose?

- ◯ Gather information to **identify** and **prioritize** community needs to **inform** the Board of Supervisors
- ◯ Gather information to **identify** and **prioritize** community needs and recommend specific funding **amounts** to the Board of Supervisors
- ◯ Gather information to **identify** and **prioritize** community needs for the Board of Supervisors but **without recommending specific funding amounts** to the Board of Supervisors
- ◯ Other (please specify)
- ◯ None of the above

6. As a MXCAB member, how comfortable did you feel voicing your opinions?

- ◯ Extremely comfortable
- ◯ Very comfortable
- ◯ Somewhat comfortable
- ◯ Not so comfortable
- ◯ Not at all comfortable

* 7. To what degree did you feel the MXCAB listened to and valued what you had to say?

- ◯ Always/almost always
- ◯ Sometimes
- ◯ Rarely
- ◯ Never/almost never
- ◯ N/A
- ◯ Other (please specify)

* 8. How satisfied were you with how the **Chair (Mariana Moore)** led the MXCAB?

	Consistently	Generally	Occasionally	Not at all	No opinion
Timely	◯	◯	◯	◯	◯
Prepared	◯	◯	◯	◯	◯
Inclusive/non-biased	◯	◯	◯	◯	◯
Professional, cordial, respectful	◯	◯	◯	◯	◯
Responsive	◯	◯	◯	◯	◯
Effective	◯	◯	◯	◯	◯
Collaborative	◯	◯	◯	◯	◯

Other (please specify)

* 9. How satisfied were you with how the **Vice Chair (BK Williams**) supported the MXCAB?

	Consistently	Generally	Occasionally	Not at all	No opinion
Timely	◯	◯	◯	◯	◯
Prepared	◯	◯	◯	◯	◯
Inclusive/non-biased	◯	◯	◯	◯	◯
Professional, cordial, respectful	◯	◯	◯	◯	◯
Responsive	◯	◯	◯	◯	◯
Effective	◯	◯	◯	◯	◯
Collaborative	◯	◯	◯	◯	◯

Other (please specify)

* 10. How satisfied were you with how **staff of the County Administrator's Office** worked with the MXCAB?

	Consistently	Generally	Occasionally	Not at all	No opinion
Timely	◯	◯	◯	◯	◯
Prepared	◯	◯	◯	◯	◯
Inclusive/non-biased	◯	◯	◯	◯	◯
Professional, cordial, respectful	◯	◯	◯	◯	◯
Responsive	◯	◯	◯	◯	◯
Effective	◯	◯	◯	◯	◯
Collaborative	◯	◯	◯	◯	◯

Other (please specify)

11. What was the best thing about your experience on the MXCAB?

12. What was the most difficult thing about your experience on the MXCAB?

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MXCAB Members - Process and Outcomes Survey

3. Recommendations Process and Board Decisions

In this section, we ask a few questions about how the MXCAB developed its recommendations and about the funding decisions made by the Contra Costa Board of Supervisors.

* 13. To learn about community needs and priorities, the MXCAB invited dozens of individuals and agencies to make presentations about their work and/or lived experience. To what degree was this process effective and helpful?

- ◯ Extremely valuable
- ◯ Very valuable
- ◯ Somewhat valuable
- ◯ Not so valuable
- ◯ Not at all valuable

Other

* 14. What were some of the most valuable things about these presentations?

	Extremely valuable	Somewhat valuable	Of little value	A waste of time	No opinion
Built the **MXCAB's** shared insight into local needs and priorities	◯	◯	◯	◯	◯
Increased **public** awareness of the range of local needs and priorities	◯	◯	◯	◯	◯
Fostered transparency and inclusion	◯	◯	◯	◯	◯
Gathered evidence about local priorities	◯	◯	◯	◯	◯

Other (please specify)

15. In your opinion, how important was it for MXCAB to foster language access (translation and interpretation) for people whose preferred or primary language is Spanish or American Sign Language?

- ◯ Extremely important
- ◯ Very important
- ◯ Somewhat important
- ◯ Not so important
- ◯ Not at all important

Please feel free to comment

* 16. After receiving all presentations, MXCAB members completed two online polls to help identify and sort priorities. How useful was this process?

- ◯ Extremely useful
- ◯ Very useful
- ◯ Somewhat useful
- ◯ Not very useful
- ◯ Not at all useful
- ◯ Please feel free to comment.

17. During the months that the MXCAB was working to gather information and identify priorities, did you think the MXCAB was preparing recommendations for a one-year funding cycle or a two-year funding cycle?

- ☐ One-year funding cycle
- ☐ Two-year funding cycle
- ☐ None of the above

Other (please specify)

18. How likely is it that you would recommend serving on MXCAB to a friend or colleague?

Not at all likely										Extremely likely
0	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**

19. Please explain why you scored the previous question as you did?

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MXCAB Members - Process and Outcomes Survey

4. Considerations for Future Processes

The first round of MXCAB funding has now been allocated: In November and December 2021, the MXCAB completed its needs assessment and made its funding recommendations to the Board of Supervisors, after which the Board made its

funding decisions. In this section, we ask for your thoughts on this process - from developing the MXCAB's recommendations to the funding decisions made by the Board of Supervisors.

* 20. After the MXCAB submitted its recommendations, how satisfied were you with the outcomes of the MXCAB's work?

	Very satisfied	Somewhat satisfied	Somewhat dissatisfied	Very dissatisfied	No opinion
Established a transparent, informed, and inclusive decision-making process to allocate Measure X funds	○	○	○	○	○
Created a needs assessment that illuminated and documented the needs expressed by stakeholders in Contra Costa	○	○	○	○	○
Board's funding decisions were consistent with the recommendations identified by MXCAB	○	○	○	○	○
Established a clear, long-term process for determining what to do with MXCAB funds	○	○	○	○	○
Used this as an opportunity to educate the community about Measure X	○	○	○	○	○
Created accountability for the Board of Supervisors	○	○	○	○	○

Please feel free to comment.

* 21. What worked especially well in the MXCAB process?

	Essential	Useful but not essential	Only moderately valuable	Not important	No opinion
Simultaneous interpretation (Spanish and ASL) of all meetings, and Spanish-language version of meeting agendas	○	○	○	○	○
Collective process to gather and consider a comprehensive array of information about local needs and priorities	○	○	○	○	○
Commitment to expanding community outreach to encourage resident involvement	○	○	○	○	○
Opportunity to engage in community-informed budgeting process	○	○	○	○	○
Bringing together diverse leaders with expertise in various areas to work together toward a common goa	○	○	○	○	○
Collaboratively developing a clear vision and operating principles for MXCAB to guide decision-making	○	○	○	○	○

Other (please specify)

* 22. What would be the best ways for MXCAB to improve its processes in the future?

	Essential	Useful but not essential	Only moderately valuable	Not important	No opinion
More time to conduct outreach and allow entities to develop presentations	◯	◯	◯	◯	◯
Standardized template and process for entities to make presentations	◯	◯	◯	◯	◯
Structured process for the MXCAB to receive information and rank priorities	◯	◯	◯	◯	◯
Resources to retain a facilitator/project manager to support the MXCAB	◯	◯	◯	◯	◯
Greater clarity and agreement with County regarding MXCAB's scope and authorities, making any relevant updates to bylaws	◯	◯	◯	◯	◯
Provide training to MXCAB and County staff regarding participatory processes and community-informed budgeting	◯	◯	◯	◯	◯

Other (please specify)

23. What's your most important recommendation to the County about how to improve the MXCAB's work and the County's Measure X decision-making processes in the future?

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5. Demographics

In this short set of questions, we ask you to share some basic demographic information.

* 24. What is your racial or ethnic identity? (Select all that apply.)

- [ ] African-American/Black
- [ ] East Asian
- [ ] Hispanic/Latinx
- [ ] Middle Eastern
- [ ] American Indian/Alaskan Native
- [ ] Pacific Islander
- [ ] South Asian
- [ ] Southeast Asian
- [ ] White
- [ ] Other (please specify)

* 25. What is your gender?

- ◯ Female
- ◯ Male
- ◯ Non-binary
- ◯ Prefer to self-describe, below
- ◯ Self-described gender:

* 26. If you live in Contra Costa County, which region do you live in?

- ◯ West County (Crockett, El Cerrito, El Sobrante, Hercules, Kensington, North Richmond, Pinole, Richmond, San Pablo)
- ◯ Central/South County (Alamo, Concord, Danville, Lafayette, Martinez, Orinda, Moraga, Pleasant Hill, San Ramon, Walnut Creek)
- ◯ East County (Antioch, Bay Point, Brentwood, Byron, Clayton, Discovery Bay, Knightsen, Pittsburg, Oakley)
- ◯ I don't live in Contra Costa County

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Appendix B: MXCAB/CAO/Contractor Correspondence (partial record)

- 9/15/22: Email from FTW to CAO submitting draft report
- 9/23/22: Email from MXCAB Chair to CAO
- 9/26/22: Email from FTW to CAO regarding CAO's delay in releasing draft report to MXCAB/Public
- 10/4/22: Email from FTW to CAO regarding aspersions cast on draft report
- 10/18/22: Email from MXCAB Chair to County Administrator regarding CAO staff decisions
- 10/21/22: MXCAB motion of 10/19/21, sent to County Administrator and BOS by MXCAB Chair

Enid Mendoza

From: Rebecca Brown <rebecca@furtherthework.com>
Sent: Thursday, September 15, 2022 7:46 PM
To: Enid Mendoza; Mariana Moore; Adam Nguyen
Subject: Draft report on Measure X
Attachments: Measure X Comprehensive Analytic and Documentary Record.xlsx; Measure X report V8.docx; MXCAB Survey Instrument.pdf

Dear Enid, Adam, and Mariana:

Attached, and in accordance with FTW's contract with Contra Costa County, please find the draft version of our Measure X report.

As you can see from the attachments, this draft report comprises three documents:

1. Measure X Report V8, the narrative document. We've set the document permissions to enable you to make comments and edits, which will automatically use track changing. If for some reason it does not automatically default to track changes, plus do use that feature in offering any proposed input.
2. Measure X Comprehensive Analytic and Documentary Record, an excel workbook that contains multiple worksheets; the contents and purpose of this workbook are summarized in the report (pp. 4-6)
3. The survey instrument we developed for this project, and which is referenced in various places within the report and which is to be included in the materials presented to MXCAB for the meeting on 9/28.

A couple of notes on contents:

- The final report may include a larger set of attachments, but we send along the most central ones here.
- As you'll see, the narrative document contains various comments on "Note - to be further developed." This is simply to indicate sections where we intend further development.
- The narrative also contains a number of sidebar comments (using Word's comments feature); these are included intentionally, to call out areas where we would welcome clarification from any of you or where we recognize we need to address the text in some way (using, by citing source material).

A note on process:

- I am very pleased that the rescheduling of the MXCAB meeting allows some time over the coming week for you to digest and respond to this work before the draft report must be publicly released; we have set aside some time in our work plan next week to allow a bit of back and forth, although of course the MXCAB members will benefit from as much advance receipt as possible.
- It is always of paramount importance to us at FTW that our work be entirely accurate and free of errors of fact. I know that this document is densely packed with information, and we will continue to fact-check as we move towards the final version, but I welcome any place where you can point out errors of fact or of meaningful understanding.
- We also want to be sure that the final version of this report constitutes a substantively complete record and analysis that could serve anyone interested in understanding the history, operations, or outcomes of MXCAB's work, so I welcome your insights into any topic or nuance that we may have overlooked; please feel free to note them as sidebar comments.

- If you'd like to offer suggestions or guidance regarding our understanding or representation of the facts, please feel free to note them; we are always interested in considering multiple perspectives.

Finally, this report is collectively recognized as a draft to enable feedback and further development. It has not been externally proofread or gone through our final quality assurance process, so we'd like to ensure that it not be perceived, circulated, or presented as anything other than draft.

With appreciation,

Rebecca

From: Mariana Moore
Sent: Friday, September 23, 2022 4:13 PM
To: Adam Nguyen <adam.nguyen@cao.cccounty.us>
Cc: michelle.e.stewart@comcast.net; Enid Mendoza <Enid.Mendoza@cao.cccounty.us>
Subject: RE: MXCAB report publishing timeline?

Adam,
I strongly disagree with both your reasoning and your approach, not to mention your understanding of roles. As the chair, my role is to establish the agenda for MXCAB meetings, and staff's role is to support it. I ***do*** intend for MXCAB to meet next week. Please send out the agenda for 9/28 as requested. If some of these agenda items function more as interim updates, I am okay with that. This is the third month in a row you have suggested canceling the MXCAB meeting. I am committed to keeping MXCAB and the public informed of our work on a regular, timely basis, and I urge you to commit to this as well.
You should also be aware that Supervisor Gioia specifically requested that MXCAB engage in a discussion of the bylaws and develop specific recommendations to bring to the BOS on November 8th. In my judgment, this will take two MXCAB meetings to initiate and complete, hence my decision to introduce the topic at the September 28 MXCAB meeting. If you ever have questions about any of the agenda items I sent you, I encourage you to reach out to me to ask questions, rather than summarily dismissing agenda items and canceling meetings.
The MXCAB members have already received one rescheduling request (from 9/21 to 9/28). It is unprofessional to ask them to accept yet another delay, particularly as they have clearly indicated that they strongly prefer to maintain our monthly meeting schedule. The community – i.e., the people that you and I and the Board are ultimately accountable to -- is counting on us to be transparent and to share information in a timely manner. I am committed to doing so.
Lastly, it might benefit both of us to schedule a monthly agenda check-in by phone or zoom, as I think it is sometimes difficult to have these conversations over email alone. Please let me know if you are interested in doing so, and we can set up a standing meeting. My observation is that you and I have developed a positive working relationship during your time here, and I am committed to maintaining that.
Sincerely,
Mariana

From: Adam Nguyen <adam.nguyen@cao.cccounty.us>
Sent: Friday, September 23, 2022 3:37 PM
To: Mariana Moore <MMoore@richmondcf.org>
Cc: michelle.e.stewart@comcast.net; Enid Mendoza <Enid.Mendoza@cao.cccounty.us>
Subject: RE: MXCAB report publishing timeline?

Hi Mariana – Based on the proposed agenda, the 9/28 meeting has been canceled. The draft needs assessment report is not ready for distribution, and as mentioned previously we'll be working with the contractor over the coming weeks to revise the document to fall within scope. The draft performance metrics are still being worked on, and are expected to be presented at the 10/19 MXCAB meeting. They will also be presented at the 11/8 Board of Supervisors meeting, including updates on Measure X funded projects and finances. The role of the MXCAB and bylaws will also be discussed at the 11/8 BOS meeting.

Adam Nguyen
County Finance Director
Contra Costa County
1025 Escobar Street, 4th Floor
Martinez, CA 94553
(925) 655-2048

From: Mariana Moore <MMoore@richmondcf.org>
Sent: Friday, September 23, 2022 8:37 AM
To: Adam Nguyen <adam.nguyen@cao.cccounty.us>
Cc: michelle.e.stewart@comcast.net; Enid Mendoza <Enid.Mendoza@cao.cccounty.us>
Subject: RE: MXCAB report publishing timeline?

Hi Adam,
Here are the agenda items for the 9/28 MXCAB meeting (along with Record of Action and other standing items):

- Discuss MXCAB draft written report
- Update (including confirmed/estimated dates) on pending MX-related discussions at Board of Supervisors (e.g., Innovative Fund, MX Housing Fund, bylaws review, etc.) and Finance Committee
- Progress report on staff discussions with county department heads regarding performance metrics. [Note: We agreed to delay the full update until October's MXCAB meeting, but we'd like a brief update on which department heads you've met with to date, and who's remaining.]
- Update on MX revenues and expenditures to date
- MXCAB role & process
- Review/discuss MXCAB bylaws (Action item)

In terms of the draft report, MXCAB's expectations have consistently been that the draft report will be reviewed at the September meeting, and we plan to honor that commitment. Staff can converse with Ms. Brown on a parallel track if you wish, but we don't want to delay MXCAB's agreed-upon timeline for our own review of the draft report.
Therefore, attachments that should be included with the published agenda include:

- Draft report as submitted by Rebecca Brown
- MXCAB bylaws
- MX income & expense statement

Thank you.
Mariana
--
Mariana Moore, Senior Director
Ensuring Opportunity Campaign to End Poverty in Contra Costa
P: (510) 234-1200, ext. 311
C: (707) 334-2477
E: mmoore@richmondcf.org
M: c/o RCF Connects, 3260 Blume Drive, Suite 110, Richmond CA 94806

endpovertycc.org
@endpovertycc
Pronouns: she/her/hers

From: Mariana Moore
Sent: Thursday, September 22, 2022 9:30 AM
To: Adam Nguyen <adam.nguyen@cao.cccounty.us>
Cc: michelle.e.stewart@comcast.net; Enid Mendoza <Enid.Mendoza@cao.cccounty.us>
Subject: RE: MXCAB report publishing timeline?

Hi Adam,
I will send you a more detailed response in a bit, but meanwhile want to clarify that, as there are a number of agenda items for the 9/28 MXCAB meeting, the meeting will not be canceled. I will send agenda items and other info later today.
Warm regards,
Mariana

From: Adam Nguyen <adam.nguyen@cao.cccounty.us>
Sent: Wednesday, September 21, 2022 12:37 PM
To: Mariana Moore <MMoore@richmondcf.org>
Cc: michelle.e.stewart@comcast.net; Enid Mendoza <Enid.Mendoza@cao.cccounty.us>
Subject: RE: MXCAB report publishing timeline?

Hi Mariana and Michelle –

The County Administrator's Office will be working with the contractor to revise the draft needs assessment report to fall within scope. This will likely take weeks, so the scheduled 9/28 meeting of the MXCAB will be canceled. The final report should be ready for the scheduled 10/18 MXCAB meeting and could be shared in advance then.

Adam Nguyen
County Finance Director
Contra Costa County
1025 Escobar Street, 4th Floor
Martinez, CA 94553
(925) 655-2048

From: Mariana Moore <MMoore@richmondcf.org>
Sent: Tuesday, September 20, 2022 4:51 PM
To: Adam Nguyen <adam.nguyen@cao.cccounty.us>; Enid Mendoza <Enid.Mendoza@cao.cccounty.us>
Cc: michelle.e.stewart@comcast.net
Subject: MXCAB report publishing timeline?

Good afternoon, Adam and Enid,
It would be helpful to know when you envision the MXCAB report being shared with the public once it's

finalized. What are your thoughts on the timing?
Thanks.
Mariana

--
Mariana Moore, Senior Director
Ensuring Opportunity Campaign to End Poverty in Contra Costa
P: (510) 234-1200, ext. 311
C: (707) 334-2477
E: mmoore@richmondcf.org
M: c/o RCF Connects, 3260 Blume Drive, Suite 110, Richmond CA 94806
endpovertycc.org
@endpovertycc
Pronouns: she/her/hers

Adam Nguyen

From: rebecca furtherthework.com <rebecca@furtherthework.com>
Sent: Monday, September 26, 2022 1:48 PM
To: Adam Nguyen; Enid Mendoza; Mariana Moore
Subject: Draft report

Enid and Adam:

This email is to acknowledge receipt of your email sent last Friday at 6 PM. I will respond more fully later today, but I want to take this opportunity to request, in the strongest possible terms, that you refrain from describing this work as incomplete or deficient. It is a draft report that - due to decisions made by your office - has not had benefit of the opportunity to solicit information from the very body charged with doing the work that is the subject of this report. It has been my intent to discuss various elements of this draft, and of your desire not to permit a survey of MXCAB members, at the MXCAB meeting on Wednesday.

I submitted this report to you, on time, on September 15. I notified you at the time that we had set aside hours in our work plan for the week of the 19th so we could receive and discuss any input from you while it was simultaneously under review by MXCAB. Your office failed to provide any response until 6 PM on Friday.

Further, as I understand it, you have declined to share the materials with MXCAB in a process that had been previously discussed and agreed upon, in public. Finally, and without notice to me, and against the wishes of the MXCAB Chair, you canceled the MXCAB meeting that had been planned for this Wednesday.

I will respond later more substantively, but in the meantime, I ask you to refrain from such commentary on a draft document that has been intended to benefit from meaningful input from MXCAB.

I have no intention of participating in a behind the scenes effort to preclude the authorized body from receiving the entirety of the materials I have prepared.

Rebecca

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Enid Mendoza

From: rebecca furtherthework.com <rebecca@furtherthework.com>
Sent: Tuesday, October 4, 2022 2:10 PM
To: Enid Mendoza; Adam Nguyen
Cc: Mariana Moore
Subject: Measure X report
Attachments: CAO edits to MXCAB report - comparison analysis.pdf

Dear Adam & Enid:

This email is in response to yours dated September 23, 2022. Our response can be organized into four categories, but before enumerating them, I want to offer this prefatory note:

It's been my perception, from the very beginning, that some in positions of leadership in Contra Costa are wary of the community's involvement in the use of Measure X funds and the work of the MXCAB; it's been my perception, from watching meetings and reviewing materials, that the CAO has on occasion been notably quick to assert or protect guardrails of influence – with the potentially unintended consequence, perhaps, of limiting transparency and trust.

I recognize that Measure X constitutes an important and substantial new source of revenue for the County, but I would trust that the County is committing to accepting the diversity of viewpoints and the challenging conversations that accompany such a revenue stream. Although AB 109 predates the tenure of many in your office, I'm here to testify that we had similar battles over the years with AB 109 funds.

Our report regarding Measure X and MXCAB contains facts, and facts alone. It neither editorializes nor offers information extraneous to the work and context of Measure X and MXCAB. As with all of FTW's reports, it is intended to provide a comprehensive record of the facts, context, and consequences, serving as a ready and useful resource for both today's readers and those who might find it of interest down the road.

Finally, a note on professionalism: FTW takes its work very seriously, and we are devoted to using our capacities to advance the common good, even when that requires time, effort, and sometimes conflict. It's not for nothing that this company is called Further The Work: our mission is to build better communities. This is especially true for me as a long-time resident of Contra Costa County, and a longtime advocate for its advancement, having raised more than $90MM for projects in this county in the last seven or eight years. My reports are famous for their thoroughness, accuracy, and commitment to transparency. This has been, and will continue to be, our duty for this project.

That said, here are our responses:

1. Contract obligations

In the letter that accompanied your email of 9/23, you deemed our draft report "incomplete" and claimed that it "does not include required elements as described in the scope of services of the contract between CAO and FTW." Can you point out where these required elements are defined and listed? We are unable to find such language in the contract. Further, can you point me to an agreed-upon definition of "draft?"

However, more globally the contract requires FTW to "produce a written report that shall include, but is not limited to, a summary of the community needs assessment processes and actions that led to the determination of the detailed priority lists developed by MXCAB, including its vision and guiding principles" and to submit a draft report to the MXCAB and CAO to provide an opportunity for feedback and comments by September 15, 2022.

With its submission, FTW has affirmatively fulfilled this aspect of our obligation.

2. Claim of incompleteness

When we submitted the draft to you, we invited you to address any errors of fact or understanding on our part. In your response to the draft, you provided none (and you responded to none of the questions we embedded into the document).

However, even as you declared the report deficient, you also used this same report as fodder to produce an alternative version; as you put it in your letter, this repackaged version constitutes "a desirable report template with language already provided by Further The Work."

So, by your own words, you acknowledge that FTW's report was substantially complete and desirable.

Note: In the letter accompanying your revised version, you proposed a six-part framework, as follows:

- Executive Summary
- Background
- Methodology/Information Gathering
- Summary of MXCAB Processes, Actions, and Conclusions (April 2021-October 2021)
- Exploration of Service Needs Gaps
- Conclusion

Once the MXCAB has reviewed the draft report and assuming they concur, we have no objection to organizing the report into a revised structural framework like this, with one caveat: Given that the contract states that the report's contents shall "include but not be limited to" a summary, etc., it is left to FTW to include additional appropriate areas of information, such as those reflected in our robust draft report. Thus, however it's organized, I expect that the final report will include information outside the narrow timeline you indicate in your list (April-Oct 2021). This is among the items that warrant meaningful discussion with MXCAB members themselves.

3. MXCAB input

This brings us to a larger question of MXCAB's involvement in reviewing this report:

The contract between FTW and the CAO says that FTW shall "present a draft report to the MXCAB and the CAO to provide an opportunity for feedback and comments." As I understand it, and although FTW delivered this draft report to the CAO on schedule almost three weeks ago, the County has still not provided it to the MXCAB's members nor made it public.

Further, in redacting and repackaging the report into a "desirable template," your office is at risk of depriving MXCAB of the opportunity to see and weigh in on the full complement of material we've provided.

Yet in public meetings, with CAO staff present, we jointly affirmed to the MXCAB that FTW's draft report would be provided to them for review and discussion. I am puzzled as to why the CAO would fail to act in accordance with those public statements.

It's worth remembering:

- The contract defines the report's base obligation: that the report shall include "but not be limited to" areas of inquiry. Having fulfilled the basic obligation, the report is free to expand to a broader contextual framework.
- The contract neither prescribes nor proscribes methods FTW may use in producing this report.
- The contract does not give the CAO veto power or first-right-of-review that would privilege its input over that of the MXCAB.

Consistent with the contract, when we submitted the report to you on September 15th, it was with the express intention of all involved that the MXCAB would discuss the report at its next meeting. However, after FTW's timely submission of

the draft report, the CAO first postponed the MXCAB meeting to 9/28 and then summarily cancelled it, depriving MXCAB not only of the opportunity to **discuss** the materials but even to **receive** them.

This desire to shy away from MXCAB's meaningful involvement hearkens back to an earlier moment in the development of the report. As you are well aware, in early September FTW developed a survey for intended distribution to MXCAB members, former members, and alternates. However, your office rejected this intended survey as "out of scope." As we explained in a series of emails, it's hard for us to imagine that a report on the MXCAB's process or suggestions for improvement could be considered complete without the opportunity to survey the very members of the body itself.

Having been discouraged from conducting the survey, our report instead included recommendations about conducting such a survey, and we included the survey instrument itself as an attachment to the report. But as we note in section 4, below, the CAO has scrubbed any mention of this survey from the report. I now consider it regrettable that we acceded to the CAO on this matter in the first place.

4. Substantive deletions by CAO

We have produced an automated comparison of the report as delivered to you and as you propose to repackage it (attached – and please disregard the timestamps within the document; they are an artifact of the automated process). As this comparison makes clear, in your response to FTW you offered essentially no feedback or corrections; the very few line-level edits were on the scale of occasionally replacing "Board of Supervisors" with "BOS." We have no objections to line-edits, of course, but it's worth noting that your office made no requests for corrections of fact or understanding.

Rather, and almost exclusively, your office deleted substantial information from the report, reducing it from 7,190 words to 3,285 words (excluding footnotes and endnotes), erasing substantive content within the report itself, and completely eliminating a comprehensive analytic document that accompanies the report. In sum, you deleted all of the following:

- The entire, multi-sheet Excel workbook entitled, "Measure X Comprehensive Analytic and Documentary Record," which contains:
    - An analysis of MXCAB recommendations and final allocations
    - An annotated timeline of all Measure X meetings with embedded links to all relevant materials and records
    - An annotated list of principal documents, again with embedded links to enable ready access
    - List of the presentations made by MXCAB and given by MXCAB
    - Funding allocations by percentage
    - A visual representation of funding allocations by percentage
- The entirety of the narrative section *entitled Use of Measure X Funds: Timeline, Processes, and Allocations*, which detailed the processes and decisions regarding the use of funds
- All of the contextual financial information provided within the narrative
- The draft list of recommendations
- Any reference to the use of a survey
- The proposed survey instrument
- The bulk of the Statement of Purpose
- A list of the additional elements accompanying the report

It is hard to imagine how the MXCAB is to fulfill its mandated charge – which includes "providing an annual report on the outcomes and impacts of the allocated funds" – without being provided with an analysis of the recommendations they made and the funds that were used.

We welcome the opportunity to discuss this with you and the MXCAB Chair and to jointly develop a process to provide these materials to MXCAB and discuss with them in an open forum.

With appreciation,

Rebecca

Rebecca Brown, MA, CFA, CFRE
Founder and President
Further The Work
510.243.122
furtherthework.com
LinkedIn

October 18, 2022

TO: County Administrator Monica Nino

CC: Karen Mitchoff (District IV), Chair, Contra Costa Board of Supervisors
Supervisor John Gioia, District I
Supervisor Candace Andersen, District II
Supervisor Diane Burgis, District III
Supervisor Federal Glover, District V
Adam Nguyen, County Finance Director

FROM: Mariana Moore, Chair, Measure X Community Advisory Board (MXCAB)

RE: Concerns and demands regarding staff interference with MXCAB operations

Dear Ms. Nino,

In my role as Chair of the Measure X Community Advisory Board (MXCAB), during the past several months I have reached out in good faith to the County Administrator's Office to try to address the issues described below. The situation has been getting worse, not better, leaving me with no choice but to escalate my concerns to County leadership. It will benefit all of us who are invested in the success of MXCAB, and who care about the well-being of our community, to resolve these issues and restore transparency, accountability, and integrity to MXCAB's work, on behalf of the community we serve.

Thus I am writing to demand in the strongest of terms that the County Administrator's Office (CAO) immediately and permanently cease their harmful interference with the authority and operations of the Measure X Community Advisory Board (MXCAB).

In recent months, CAO staff have increasingly sought to control the actions of MXCAB's leadership and members, to the extent that it has become impossible for MXCAB to carry out its duties in an effective manner.

Following are examples of the inappropriate and controlling actions undertaken by the CAO in relation to MXCAB:

1. **Unilateral cancellation by CAO of MXCAB's monthly meeting.**

   Example: In my role as Chair, I submitted a list of several topics to agendize for the MXCAB meeting on September 28, 2022; however, the CAO responded with an email summarily stating that the meeting would be canceled. There was no acknowledgment that the Chair, rather than staff, is responsible for determining agendas for advisory board meetings. Through these and similar unilateral actions described below, the CAO is undercutting the valid and important role of this highly visible, deeply committed, indisputably effective community advisory body.

2. **Unilateral elimination of agenda items submitted by the Chair that are related to MXCAB's mission and clearly within its scope of authority.**

Example: The agenda items I submitted for the Sept. 28 meeting included a review of MXCAB's bylaws, in order to consider revisions to recommend to the Board of Supervisors on November 8 for the purpose of clarifying MXCAB's scope and role. Our plan was to hold an initial discussion at the September MXCAB meeting and finalize recommendations at the October MXCAB meeting. Without the courtesy of inquiry or consultation, CAO staff informed me via email that "the role of MXCAB and bylaws will be discussed at the 11/8 BOS meeting" as a justification for canceling the Sept. 28 MXCAB meeting, implying that no discussion on this topic was necessary at the MXCAB meeting. However, it is not the role of the CAO to disrupt or prevent the deliberations process undertaken and agreed to by MXCAB members.

3. **Refusal to share key documents with MXCAB members in a timely fashion.**

   Example: The consultant hired to document the process and outcomes of MXCAB's work to date, including the outcomes of the intensive Community Needs Assessment process undertaken by MXCAB in 2021, has conformed to the agreed-upon timeline to provide a draft report by September 15, 2022, and was prepared to submit the final report by October 15, 2022. It is now October 18, but due to the CAO's continued obstruction and withholding of the draft report, MXCAB members have yet to see or provide input on the draft report, let alone receive the final version. The CAO disregarded project deadlines and ignored repeated requests from the Chair to distribute the draft Community Needs Assessment report in its entirety to MXCAB members in order to secure their input in a timely manner.

4. **Mismanagement of MXCAB's report contract.**

   Example: Further The Work (FTW) is the consultant that the CAO contracted with (with MXCAB's support) to document MXCAB's process and outcomes to date and write the formal Community Needs Assessment report. Over the past two months, the CAO has persistently refused to honor the terms and expectations of the contract with FTW, including refusing to share the draft report in its entirety with MXCAB. FTW met all deadlines and submitted a draft report that is data-driven, comprehensive, impeccably researched, and compellingly written. As noted above, the deadline (October 15) for FTW to finalize the report has come and gone. The CAO has quashed the draft report for over a month, and refuses to release the draft report in its entirety to MXCAB for input. The CAO also used defamatory language in public communications about FTW's performance, e.g., by alleging the "insufficiency" of a draft document -- one that MXCAB members have been unable to review and assess for themselves, due to the non-transparency and non-cooperation of the CAO.

5. **Exclusion of MXCAB Chair from key communications regarding MXCAB's work.**

   Example: As Chair, I have received many requests from MXCAB members and members of the public about the status of the Community Needs Assessment report and when it will be released. I am unable to answer these questions fully, as the CAO routinely and deliberately excludes me from communications with the consultant. As a

result, I am unable to answer basic questions from community stakeholders that I rightly should be fully equipped to respond to as MXCAB Chair.

6. **Dereliction of duty.**

   Example: Despite repeated requests, in writing and verbally, from the MXCAB Chair, the CAO has repeatedly failed to post MXCAB meeting videos on the County's public website. Video recordings are currently missing for the months of April, May, June, and August 2022. Given the importance and visibility of MXCAB's role, and the strong record of attendance by residents, county staff, and community stakeholders since MXCAB's founding, it is a breach of trust and duty for the county to unilaterally decide not to post meeting videos in a timely way and in a publicly accessible location. I have received numerous questions from the public about why these videos are suddenly not being posted. It suppresses public participation, and reflects badly on both MXCAB and on the County as a whole.

The cumulative impact of these actions and inactions by the CAO is significant, and uniformly negative. From the moment of MXCAB's creation, the members worked hard to earn the trust and confidence of voters and other community stakeholders who have a vested interest in the success of MXCAB's work. We did this by establishing and committing to principles and practices that are grounded in transparency, inclusion, and accountability.

MXCAB members collectively invested thousands of hours in leading a robust community needs assessment process designed to be deeply accountable to the community. In the process, Contra Costa earned a reputation as a regional role model for inclusive and transparent public planning processes. This hard-won credibility is now at risk due to the harmful actions by the County Administrator's Office. There is a growing concern that these unfair, non-transparent, and bad faith actions by the CAO will have a chilling effect, not only on MXCAB's work, but on the County's efforts to engage community residents and stakeholders in other planning processes. The level of cynicism and distrust among community stakeholders is already high; the actions of the CAO with regard to MXCAB risk making this distrust immeasurably worse.

Demands:

The CAO must:

1. Immediately **release the draft Community Needs Assessment report in its entirety** to MXCAB so that we can meet our obligation to provide timely feedback and input, and so that the report can be finalized and released promptly.

2. Immediately **cease interfering with the formulation of MXCAB agendas**, in particular the practice of unilaterally canceling meetings or removing agenda items without consulting with the MXCAB Chair.

3. **Include the Chair in all communications about the FTW contract** with MXCAB.

4. **Cease making defamatory statements** about FTW's work.

5. If these issues are not addressed promptly by the CAO, **MXCAB oversight should be shifted to the Board of Supervisors Finance Committee**. Staff support could be provided through a contracted service, or perhaps the work could be staffed by employees from a Supervisor's office, as was the case during the Sales Tax working group's initial needs assessment process.

From: Mariana Moore
Sent: Friday, October 21, 2022 4:53 PM
To: Adam Nguyen <adam.nguyen@cao.cccounty.us>
Cc: Enid.Mendoza@cao.cccounty.us; Monica Nino <Monica.Nino@cao.cccounty.us>
Subject: MXCAB motion adopted on October 19 -- please distribute

Dear Adam,
Below is the Motion that was adopted unanimously by MXCAB at our October 19 meeting. Please include this Motion in the Record of Action for the meeting and also send the motion separately to MXCAB members next week as a more timely follow-up to Wednesday's meeting. Note that a number of items described in the motion will require immediate attention by your office.
On a related note, and regarding subsection #1 of the motion, please keep in mind that the report was supposed to be a draft that was provided on September 15 to solicit input and feedback from both MXCAB and CAO. A report draft was indeed provided by Further the Work to the CAO and the MXCAB chair on September 15, where it then sat in the CAO's office for 30+ days with no distribution to MXCAB members. For staff to claim that the report is "incomplete" is out of integrity with the facts. I ask that your office stop using that language and rescind the threat made to Further the Work of declaring them to be in breach of contract on October 24. Let's work together to get the draft report out to MXCAB members so that the work of finalizing the report can proceed to completion.
Thank you.
Sincerely,
Mariana Moore
MXCAB Chair

MOTION adopted by Measure X Community Advisory Board on October 19, 2022

In order to increase the effectiveness and impact of the Measure X Community Advisory Board (MXCAB), and restore community trust and credibility, MXCAB will take the following actions:

1. Direct MXCAB staff to Immediately release to MXCAB members the Measure X Community Needs Assessment draft report in its entirety as produced by Further The Work, which submitted this draft report on September 15, 2022 for input from both MXCAB and CAO, consistent with its contract.

2. Direct MXCAB staff to immediately provide to MXCAB all written correspondence between County staff and Further The Work that is related to the MXCAB Needs Assessment report or the related contract.

3. Request that the Board of Supervisors direct the CAO to refrain from harassing or retaliating against Further The Work and rescind its threat to claim breach of contract against Further The Work.

4. Request speaking time (beyond public comment) for a MXCAB representative during the presentation about MXCAB to the Board of Supervisors on Nov. 8 (or whatever date is chosen).
5. Present the Board of Supervisors, in advance of the Nov. 8 MXCAB discussion, with MXCAB's recommendations for revising MXCAB's bylaws to ensure clarity of roles, responsibilities, and authority.
6. Request that County staff provide updates on Measure X expenditures and unallocated funds in a consistent and timely way.
7. Consider alternatives for staffing MXCAB in the event that the County Administrator's Office is unable to uphold their responsibilities.
8. Continue to hold monthly MXCAB meetings until such time as MXCAB determines a different schedule is desired.

The Motion was made by Michelle Stewart and seconded by Diana Honig
Vote was 13-0 in favor

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Appendix C: Measure X Comprehensive Analytic and Documentary Record

This document is provided as an Excel workbook. It can be found at bit.ly/MeasureXAnalyticRecord