

**From:** [Cornel Todor](#)  
**To:** [=yCouncil Members](#); [webCityClerk](#)  
**Subject:** Public Comment - Vineyard Academy Project  
**Date:** Monday, May 23, 2022 2:37:40 PM

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CAUTION – EXTERNAL SENDER

My name is Cornel Todor and I reside at [REDACTED] in Brentwood. I would like to express my concern regarding the proposed school on Adams Lane. My two main concerns are:

- Traffic - Since Marsh Creek elementary is across the street and a new housing development was recently approved on Adams lane the additional traffic will create major congestions during drop off and pick up hours. A traffic study must be conducted taking all the aforementioned items into consideration.
- Architectural Impact - The proposed plan includes modular buildings and this should be a non-starter. If a new school is to be built in Brentwood it must be a permanent structure build to the latest building codes and should blend in with the existing surrounding buildings. Period. We have a beautiful city, I hope you agree with me that we should keep it that way, or improve it, not move the other direction.

Thank You

**From:** [Pritchett, David](#)  
**To:** [Web Planning Division](#); [=yPlanningMembers](#); [=yCouncil Members](#)  
**Subject:** Vineyard Academy permit and portables for adding classroom space.  
**Date:** Tuesday, May 24, 2022 12:31:58 PM

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**CAUTION – EXTERNAL SENDER**

To whom it may concern,

I write this email in the hope to convey my appreciation and support for the great work Vineyard Academy has done for our community and my family in particular.

I have twin boys, Landon and Langston, who are 7 years old. I am an immigrant from South Africa who has established myself and my businesses here in Brentwood, CA.

We love living here with the rural farming feel and the charm of our old town that is steeped in history and tradition. Having grown up in a small town in South Africa, I value a small town feel and a small school with an intimate and personal teaching style sporting small classrooms and high quality of education with an emphasis on an academic and Christian curriculum.

Both my boys have excelled at Vineyard Academy and my hope is to keep them in this school until grade 8. They have established friendships and relationships with peers and teachers alike. Rachel, my wife and I absolutely love their learning enthusiasm and accelerated knowledge in every aspect of teaching at VA.

I am disappointed to hear that the permits for the portable units on the Rock Church's property have met resistance. We remain positive and I am confident that the correct course of action is taken to pass the permits for these children, this will allow them to be able to continue to thrive in this environment.

David and Rachel Pritchett

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**David Pritchett**

Publisher, TheHomeMag Northern California



[www.thmnorcal.com](http://www.thmnorcal.com)

9020 Brentwood Blvd., Suite A, Brentwood CA 94513



**From:** [K&B Ramsey](#)  
**To:** [=yCouncil Members](#)  
**Cc:** [info@vineyard-academy.com](mailto:info@vineyard-academy.com)  
**Subject:** City Council Mtg - 5/24/22 - RE: Vineyard Academy - Portable Classrooms Permit  
**Date:** Monday, May 23, 2022 7:06:49 PM  
**Importance:** High

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CAUTION – EXTERNAL SENDER

Council Members:

The formation of this **amazing new private school** has added so many benefits to my child's life, as well as to my family's. It has created a safe place where our son can once again flourish after the unexpected interruption to his education as a result of the pandemic.

We are encouraged to see the school's enrollment growing with each passing year and are excited about the potential of the school's expansion through the use of portable classrooms. Approval of the portables is key to the successful, continued operation and growth of the school. The children need more space for their chairs, desks, and personal belongings, especially as they grow!

My son attended public school for kindergarten through 1<sup>st</sup> grade, which ended prematurely and forced us to transition to distance learning. Distance learning was not conducive to the progression of my son's education, so we chose independent homeschooling for his 2<sup>nd</sup> grade year. While we still feel that independent homeschooling was better than distance learning, it was very isolating for our son and our family. We were elated to be able to place him back into an in-person learning environment that offered small class sizes, dedicated teachers and aids, and a values-based, individualized curriculum for each of its students. This school allowed our son to rejoin in-person classes and progress both his education and his social skills. He completed this past year with straight "A"s and a renewed love of learning! We couldn't be happier!

We respectfully request that you approved the use of portables at Vineyard Academy in Brentwood, California and pave the way for more children to have the same amazing experience our son and our family has had!

Regards,  
Katie Ramsey

**From:** [Shannon](#)  
**To:** [=yCouncil Members](#)  
**Cc:** [Vineyard Academy](#)  
**Subject:** Vineyard Academy portables  
**Date:** Saturday, May 21, 2022 7:00:17 AM

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**CAUTION – EXTERNAL SENDER**

To Whom it May Concern,

I am writing to you on behalf of my husband and I as well as our two children to express the importance of Vineyard Academy and what it has done for not only our family but for so many in our community, and the importance of these portables. In a time in our world where there has been so much uncertainty, so much fear and constant inconsistencies, Vineyard Academy has given our children the stability and sense of safety and normalcy that they need to thrive. They have provided such a positive and supportive faith based environment where our children have grown not only academically and socially but also in their own faith.

Our kids wake up every morning and are so happy to be going to school, sad when the school year has come to an end. We love that VA is so close to home and right in the heart of our community. Our oldest child has had some learning challenges which has caused her to struggle academically in the years past. For the first time in her life, this year has received straight A's on her report card. They have been given the support and guidance that they need to not only succeed in the classroom but also socially and emotionally. They are so happy, they have grown such a strong faith and love for God and learning. When we see so many young children who are struggling right now, struggling in school, socially, emotionally, with newly developed anxieties, we can not help but feel so blessed and forever grateful for what Vineyard Academy and its most amazing staff has given our children and our family.

It truly hurts our hearts to know that there are some that maybe just don't understand the positive impact that this school has made and that they would work tirelessly to try to prolong the process of us receiving the portables. We only wish we could share our stories with them, enlighten them with the knowledge of what a true gift Vineyard Academy is to this community. We need more of THIS in our world. We need Vineyard Academy to receive these portables so they can provide the best environment for the children and staff, to fulfill what their vision was intended to do.

I thank you for hearing our hearts and hope that the goodness that this school is will continue to be shared with those in our community by having the space that they were intended to have to provide a wonderful learning environment for all.

Sincerely,  
Shannon Jackson



**From:** [Sinziana Todor](#)  
**To:** [=yCouncil Members](#); [webCityClerk](#)  
**Subject:** Public Comment - Vineyard Academy  
**Date:** Tuesday, May 24, 2022 11:49:08 AM  
**Attachments:** [Planning Commission Letter for april 19.docx](#)

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**CAUTION – EXTERNAL SENDER**

Hello Mayor and City Council members,

Thank you for considering to revisit the decision Planning Commission made on April 19, 2022 around CUP amendment for Vineyard Academy.

I would like to reiterate that I am a strong supporter of school choice, based on the fact that children learn in their own way and need environments that stimulates their individual needs. I would love for Vineyard Academy to be successful and offer new choices in our community.

My concerns around Vineyard Academy are procedural and environmental, not related to the school as an institution.

1. **Traffic:** We need a traffic study as conclusive data is not available, nor was provided by City of Brentwood traffic engineer. Traffic will always be a concern in this area given the big picture - Orchard Grove (51 homes) and Silvergate Apartments (161 units) will be added to the area and bring more children to the public school across the street, increasing traffic. Also the concern is not only for traffic increasing on Adams Lane, Grant Lane and O'Hara Ave, but also Lone Oak Rd which could be used as an alternative route.
2. **Design :** Please request that a permanent building be built, truly matching the church as opposed to temporary trailers. 7 to 10 years is a long time and does not sound temporary. How do we enforce that after 10 years the trailers will be removed and replaced with a permanent structure.
3. **The CUP condition and status is still not clear.** How can a CUP for a preschool can be extended to a school (the K-8 school was in operation for a whole year
4. **Conditions for CUP amendment approval:** I would like to ask you to put in writing the following conditions of approval
  - number of children attending needs to stay at 160. How will this be enforced?
  - School schedule needs to stay as approved, with staggered start time and end time correlated with Marsh Creek Elementary schedule.
  - No traffic entry at any time from Lone Oak Rd - the lot where the trailers are proposed to be installed (not built) has an access entrance from Lone Oak Rd, and that should not be an option. It will disturb and create a dangerous traffic situation for the residents along a 17ft wide country road.
  - Permanent structure to be built as opposed to prefab trailers that do not match the church. There is an argument that public school across the street has portable classrooms, however they are not noticeable. Please see the pictures attached. On this empty lot it will be very visible structure, in plain view.
  - if a permanent structure is not an option, please put a condition for these trailers to be removed after 7 - 10 years as specified in the application. Also, mature and big

trees need to be installed right away on the perimeter to mash the part of the trailers protruding over the fence line (which will be half of the height 6-7 ft based on the plans presented).

Thank you for your attention to this matter.

Sinziana Todor  
Brentwood Resident





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Hello,

I would like to start by stating that I am not against the Vineyard Academy Christian School and its program, and I am strong proponent of school choice. However, I have several concerns related to the application to amend 2009 CUP08-31 and allow operation Vineyard Academy Christian School.

## 1. Traffic

I am aware that around any school location there will always be traffic. However, in this scenario the traffic is already here, so how can we avoid making it worse? I would like the Planning Commission to ask for a traffic study to better guide and support your decision making. Here are few things to consider:

- You are asked to approve “construction of a modular building for classrooms at The Rock Church”. This is located across the street from busy Marsh Creek Elementary School. In other words, you are being asked to approve 2 schools across the street from each other, with a total student population around 1,000 students. We have a similar scenario on the west side of the city - Adams Middle School next to Heritage HS- and we all know about the major issues on American Avenue. Why would city of Brentwood planning would want to replicate the same disaster at this proposed location?
- Why this location? This is a private school and students from everywhere can attend. I know for a fact that there are students residing in Shadow Lakes and neighboring cities, so why not locate this school in a central location, along a major street, as opposed to bringing all traffic in a residential area and impacting existing neighborhoods. Here are few examples to benchmark this location against similar schools’ locations:
  - The Goddard School – Technology Way – industrial area accessed from 2 main arteries – Sand Creek Road and Brentwood Blvd
  - Kiddie Academy of Brentwood – accessed from Brentwood Blvd
  - Golden Hill Christian School – accessed from Lone Tree Way
  - Montessori School – accessed from Balfour Road
  - Heritage Baptist Academy in Antioch – accessed from Lone Tree/Heidorn Ranch Rd
  - Stratford School – Pleasanton – located in a business park - 4576 Willow Rd Pleasanton, CA 94588
  - Valley Christian School, 7500 Inspiration Drive, Dublin, CA 94568 – located off major throughfare Dublin Blvd.
- On the south side of the design looks like there will be a road connecting Adams Lane to Lone Oak Road – what is the purpose of the road, what type of improvements will be done around it? If it connects to Lone Oak Road and ultimately bring school traffic on a 17 ft wide road, I would like to ask for traffic mitigation measures and traffic calming measures to be implemented to alleviate impacts on the existing neighborhood along Lone Oak Rd.
- Traffic congestion in this area will be further impacted by development. Silvergate Apartments is currently being built (166 units), Adams Lane/Orchard Grove (51 single family homes), new elementary school on Lone Tree Way, not even a mile away. This big picture view should be

considered as your decision will not be made just for today, but it will impact the future of this area.

## 2. Inconsistency in documentation

– the letter sent by the applicant to the Planning commission on 7/21/2021 indicates student population of 161 students, with potential growth to 200 students, and 15 staff members. The letter attached in the agenda packet, dated 1/19/2022 mentions “Enrollment is currently 160 students, and this will be our maximum enrollment. There will be 14 staff members”. Can we get a clear number of students and staff, and understand how can student population and staff growth beyond what the school is committed in these letters, can be enforced by the city?

- 2009 CUP08-31 was approved for APN 016-040-007. This APN does not exist today as per Contra Costa County Assessor documentation.

**The single parcel composing the project site is identified by the Contra Costa County Assessor as Assessor’s Parcel Number 016-040-007. The project area has historically been used for agricultural purposes and only has a single accessory structure near the northeast corner of the project site.**

Currently, looks like there are 2 lots at the location indicated in the application. One lot is under APN 016-04-009 (zoned PD5, where The Rock Church is located), and the lot in scope for the amended CUP and new/extended school site is Currently the APN for church lot is under APN 016-04-011 (zoned R-1). How can a CUP granted for a different APN be amended and applied for a different parcel – in this case APN 016-04-011 (zoned R-1)?

- The letters submitted by the applicant on 7/21/2021 and 1/19/2022 show their intention to expand by “two portable classrooms added”. However, the design presented shows 6 portable classrooms and a bathroom with 2 units will be added. This is very confusing and conflicting information, and the public reading the agenda packet don’t know what to expect.
- 2009 CUP08-31 was approved for “the operation of a preschool center” now the amendment is asking for K -8 – very unclear. As you know, this school was active at the location since 8/9/2021, does that mean they illegally operated for more than a year? How can City of Brentwood allow this, shouldn’t the CUP or any amendments be obtained before business operations begin? Only this aspect should be considered a violation of the original CUP and revoke it right away.

3. **Notification of residents** – did not see anything posted on the lot until about a week ago and did not receive any notifications in the mail. Why? Just because it is a CUP? It is a brand-new construction that will change the overall appearance of the area, not to mention inconsistent with the permanent structures (church, residential neighborhoods, Marsh Creek Elementary School) surrounding it. Letting the community know about it should have been a priority and required to allow appropriate time for everyone to be notified and get educated about it.

4. **Zoning and Housing Element** – the lot where the school structure is proposed is zoned R1. If we allow it to be used for a school, the city will need to increase density in some other lots to meet state-imposed requirements for housing production numbers. Is the commission ready to make this change and put additional density burden on a different area of the city?

5. **Environmental Concern** - According to Negative Declaration included, the land was used for agricultural purposes. Based on the history of the area, there could be soil contamination with pesticides. It does not look like this was explored and studied as part of Negative Declaration and CEQA analysis. It is a well-known fact that pesticides, in particular DDT have a negative impact on human health, and they persist in soil for a long period of time. I believe that the responsible thing to do is to order soil analysis to avoid endangering the health of children and staff at this school.

The single parcel composing the project site is identified by the Contra Costa County Assessor as Assessor's Parcel Number 016-040-007. The project area has historically been used for agricultural purposes and only has a single accessory structure near the northeast corner of the project site.

Social media posts and comments indicate children of local business owners and city employees frequent this school. This should not be criteria for approving this CUP amendment application, and for any other application for that matter. I hope you will not take into consideration any pressure from special interest groups in your decision making.



If you followed the discussions around the HWY 4 sound wall, you would notice that the city was put in a position to fix previous planning commission and council mistakes. Please do the right thing, ask for all studies necessary to make the best decision not just for today, but for the future as well.

Thank you for your time and consideration.

Sinziana Todor

**Brentwood Resident**





May 24, 2022

SHAWN J. ZOVOD  
Direct Dial: (415) 955-5017  
Email:

**VIA EMAIL**

[jbryant@brentwoodca.gov](mailto:jbryant@brentwoodca.gov)

Joel R. Bryant, Mayor  
City of Brentwood  
150 City Park Way  
Brentwood, CA 94513

**Re: Sunset Exploration, Inc.'s Comment Letter Concerning Proposed Urgency Ordinance Extending the Moratorium on New Oil and Gas Development Within the City of Brentwood**

Dear Mayor Bryant:

Our firm represents Sunset Exploration, Inc. (Sunset), a long-established private oil and gas exploration company with oil and gas interests in the historic Brentwood Oil Field, East Brentwood Gas Field, and South Oakley Gas Field, which are located partially within the City of Brentwood (City). On behalf of Sunset and its owner Bob Nunn, we write to comment on the City's attempt to ban new oil and gas development in the City. The City's efforts appear to be a solution in need of problem.

On April 12, 2022, the City Council placed a moratorium on new oil and gas development in the City for 45 days, or longer if staff needs more time to prepare proposed permanent regulations. The City's moratorium acknowledges that it "would technically allow currently permitted and existing wells to remain in operation" (see City Council Agenda Item No. 1, dated April 12, 2022), and the recent staff report acknowledges Sunset's existing permit, which will not be subject to any new or extended ordinance. Sunset possesses an existing oil and natural gas permit to extract oil and gas from an 80.2 acre parcel located within the City, and *vested rights to continue oil and gas production* on its parcel irrespective of any moratorium or any new City ordinance.<sup>1</sup>

Although the City has released very little information about its intentions to-date, the public notice indicates the City is also considering further regulatory measures to implement a "long-term solution, such as (but not limited to) increased buffer distances in sensitive areas, and

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<sup>1</sup> One of these wells is currently plugged but viable and it may resume production under Sunset's existing permit.

potentially instituting a permanent ban on oil and gas production altogether in City limits.” (See City Action Item 2660, dated April 12, 2022.) Furthermore, the City Council’s Meeting Agenda for May 24, 2022, indicates it will consider adopting a further urgency ordinance extending the present moratorium for a period of 10 months and 15 days, prolonging what was supposed to be a 45-day moratorium to a year-long ban.

The City does not have any new oil and gas production permit applications pending before it, nor has the City processed any applications for new oil and gas development for many years. Thus, it is not clear what, if any, basis the City has for determining the necessity of adopting a year-long “temporary” moratorium. Oil production in the Brentwood Oil Field does not utilize secondary recovery (i.e., “fracking”), so this is also a non-issue and certainly does not justify extending the temporary moratorium. Sunset’s existing permits would be unaffected by an extended moratorium, or permanent ban, and should not be a factor in the City’s decision.

The City should strongly consider the potential consequences of its actions, both on the residents of Brentwood and more broadly. By all measures, energy demands in the City—and throughout the State of California—continue to rise. Thousands of residents within the City currently rely on natural gas, and new homes also will be served by natural gas.

California is the second largest consumer of petroleum in the United States, importing 92% of its natural gas needs and 63% of its crude oil needs from outside the State. Many sources, including the California Air Resources Board (“CARB”)—the clean air agency for this State—have documented that these foreign fuels are often much dirtier than the gas and oil produced in California and in the Brentwood area, resulting in increased emissions.<sup>2</sup> And importing foreign or Alaskan produced oil by way of tanker ship creates emissions just from transportation. A ban on oil and gas production without any corresponding curtailment of energy consumption in the City is bad public policy for the simple reason that it would have little, if any, impact on the system as a whole and would continue to shift the burdens of this City’s energy consumption to those outside its borders.<sup>3</sup> Any permanent ban on oil and gas development is therefore shortsighted, unsound public policy, and likely unenforceable.

In addition to the policy implications of shifting the burden of the City’s oil and natural gas consumption to other communities, any moratorium or permanent ban on oil and gas

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<sup>2</sup> Please refer to the enclosed PowerPoint Presentation, which compiles and summarizes publicly-available CARB data. Further information can be found at [https://www.bakersfield.com/news/economists-rip-californias-plan-to-cut-in-state-oil-production/article\\_01c21516-0d86-11ea-81a3-5f2d7a838ed2.html](https://www.bakersfield.com/news/economists-rip-californias-plan-to-cut-in-state-oil-production/article_01c21516-0d86-11ea-81a3-5f2d7a838ed2.html), also enclosed.

<sup>3</sup> According to Amazon Watch, a nonprofit organization founded to protect the rainforest and advance the rights of indigenous peoples in the Amazon Basin, California is the world’s largest consumer of oil from the Amazon rainforest, consuming 50% of the Amazon oil exported globally, resulting in deforestation, pollution, violations of Indigenous peoples rights, and contributing to climate change. Please refer to <https://amazonwatch.org/news/2021/1202-linked-fates>. This article is enclosed herewith.

production in the City is unlawful. Oil and natural gas operations are governed by state and federal regulations. Under California law, “if otherwise valid local legislation conflicts with state law, it is preempted by such law and is void.” (*Sherwin-Williams Co. v. City of Los Angeles* (1993) 4 Cal.4th 893, 897.) Local legislation conflicts with state law where “it duplicates, contradicts, or enters an area fully occupied by general law, either express or by legislative implication.” The California Code of Regulation, for example, vests the State Oil and Gas Supervisor with “extensive authority” concerning the maintenance and monitoring of production facilities, safety systems, and equipment. (See 14 California Code of Regulations section 1777.) Public Resources Code section 3106 also sets forth principles governing state oversight of oil and gas operations and interpretation of oil and gas leases. These authorities are only some of the examples of the extent to which the field of oil and gas operations are preempted, and therefore cannot be abridged by the City.

Indeed, relying on some of the above preemption authority, the Sixth District Court of Appeal recently set aside a similar ordinance in Monterey County seeking to ban new oil and gas wells. (*Chevron U.S.A., Inc., et al. v. County of Monterey*, Appellate Case No. H45791 [Monterey County Super. Ct. No. 16CV003978 (review granted by the California Supreme Court).) In rejecting the argument that local regulation of oil and gas drilling is within the police power of local entities, the court of appeal unanimously overturned the county ordinance because it was preempted by Public Resources Code section 3106. “If a local regulation conflicts with a state law,” wrote Justice Elia, “the local regulation exceeds the local entity’s power.” If challenged, the same fate would most likely await this City’s moratorium or any permanent ban on all oil and gas production for the same reasons.

Furthermore, even if found to be lawful, any permanent ban on oil and gas production cannot be used to prevent Sunset from continuing oil and gas development under its existing permit without just compensation. A governmental entitlement, such as a permit, constitutes a protected property right under the federal and California constitutions. Sunset’s vested oil and gas extraction rights under its permit are fundamental, deriving from constitutional guarantees that property may not be taken without due process of law. Eliminating private property rights by banning all oil and gas development may be an unconstitutional taking, and the City cannot take away those protected property rights without paying just compensation.

In view of the foregoing issues, the City should strongly reconsider its current path. We would also urge the City Council to exercise proper legislative restraint in formulating any “long-term solutions” so that existing property rights are accounted for and not trampled over.

The Nunn family has a long history of supporting the City and its residents, and takes the health and well-being of the City’s residents very seriously. Sunset has operated oil and gas wells in the Brentwood oil field for decades without any adverse effects to groundwater or other resources, and future operations will do the same. Secondary recovery (fracking) has never occurred in connection with Sunset’s oil wells within or near Brentwood. Indeed, one of the benefits of Sunset’s oil reserves is that it is not necessary to conduct secondary recovery.

Mayor Bryant  
May 24, 2022  
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As always, Mr. Nunn will consider any ordinance regarding oil and gas operations and will continue to adhere to all best practices. To that end, Mr. Nunn will continue to work with you and City staff to address reasonable City concerns.

We appreciate the City's thoughtful consideration of the issues raised in this letter.

Very truly yours,



Shawn J. Zovod

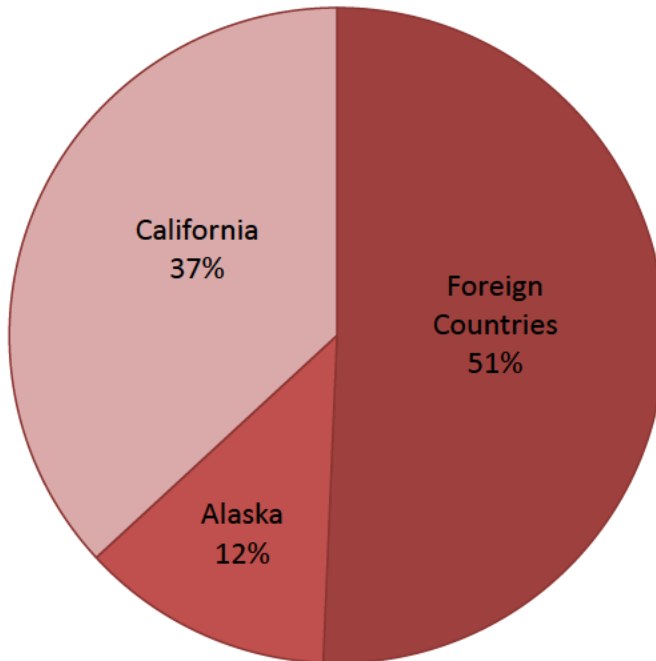
SJZ/PJS

Enclosures (3)

cc: Vice Mayor Johnny Rodriguez, Vice Mayor (by email: [jrodriguez@brentwoodca.gov](mailto:jrodriguez@brentwoodca.gov))  
City Manager Tim Ogden (by email: [togden@brentwoodca.gov](mailto:togden@brentwoodca.gov))  
City of Brentwood City Council (by email: [citycouncil@brentwoodca.gov](mailto:citycouncil@brentwoodca.gov))  
Erik Nolthenius, Community Planning Director (by email  
[enolthenius@brentwoodca.gov](mailto:enolthenius@brentwoodca.gov))  
Damien Brower, Esq., City Attorney (by email: [dbrower@brentwoodca.gov](mailto:dbrower@brentwoodca.gov))  
Robert E. Nunn (by email: [REDACTED])  
Philip J. Sciranka, Esq. (by email [REDACTED])

# **Enclosure 1**

### Crude Oil Supply Sources to California Refineries



- California appetite for oil is substantial and driven almost entirely by transportation fuels
- Annual oil demand is approximately 620 million barrels
- Only 37% of California's annual oil appetite is produced in California
- There are no pipelines that supply oil into California so the remaining 63% of oil is delivered by tanker each year (550-700 oil tankers annually)
- Railcar delivery to California is expanding, but is only currently around 1.2 million barrels/year or 0.002%

# Carbon Intensity of Imported Sources of Oil

- When considering foreign sources of oil there are a number of key factors that affect the carbon intensity
- Several foreign sources of oil can be produced with much less energy use however their CI is mostly affected by VVF (venting, flaring & fugitives) and transportation
- For example, Iraq has higher CIs mostly because the production methods have a lot of VVF related emissions
- On the other hand, Saudi Arabia has a much lower CI and their oil is easier to produce and their production methods better capture VVF emissions

Import Source	Barrels	% of Imports	CI (gCO <sub>2</sub> /MJ)
SAUDI ARABIA	78,153,000	20.92%	6.79
ECUADOR	54,222,000	14.51%	8.77
IRAQ	52,526,000	14.06%	12.08
COLOMBIA	34,279,000	9.17%	6.49
ANGOLA	14,931,000	4.00%	8.47
CANADA	14,245,000	3.81%	18.99
BRAZIL	10,137,000	2.71%	7.00
RUSSIA	9,528,000	2.55%	12.09
KUWAIT	4,659,000	1.25%	5.65
PERU	2,566,000	0.69%	6.05
VENEZUELA	2,370,000	0.63%	21.98
OMAN	1,645,000	0.44%	12.30
ALGERIA	1,310,000	0.35%	11.40
OTHERS	6,719,000	1.80%	11.40
ALASKA	86,362,000	23.11%	12.81
	<b>373,652,000</b>	<b>100.00%</b>	<b>10.058</b>



# Typical marine oil tanker delivering 63% of California's oil





# Carbon Intensity of California Oil Production

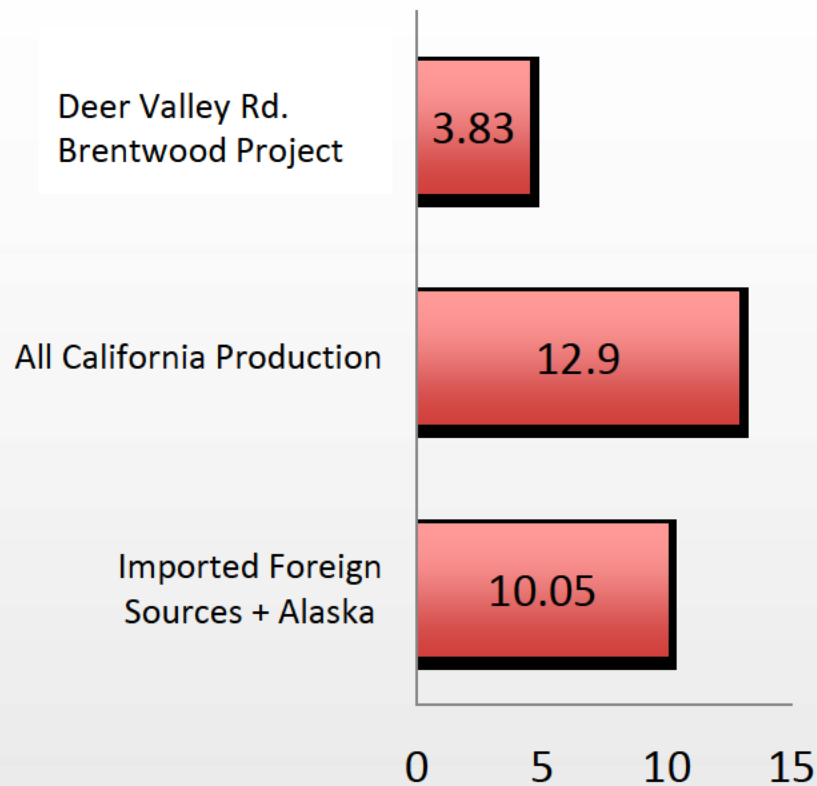


- Ironically, production of crude oil in California does not always result in a lower CI compared to the average CI for imported sources
- The weighted average CI for all of California oil production is **12.9 gCO<sub>2</sub>/MJ** which is slightly higher than the weighted average of imports
- California production has a very broad range in carbon intensity
- The top ten producing fields range from 4.27 to 28.82 in CI
- Key factors affecting this CI range can be predominantly characterized by production methods (e.g. steam flood methods are very energy intensive and will have a higher CI)

## Top Producing Fields in California

Field	Production (BOPD)	CI (gCO <sub>2</sub> e/MJ)
Midway-Sunset	88,788	21.18
Kern River	75,004	9.55
Belridge, South	72,522	14.49
Cymric	42,399	19.91
Wilmington	36,577	6.36
Elk Hills	35,548	5.36
Lost Hills	31,321	11.40
San Ardo	16,571	28.82
Coalinga	15,448	25.36
<b>Brentwood</b>	<b>200</b>	<b>3.83</b>

### Comparison of Carbon Intensity by Source



- The estimated carbon intensity of the existing Brentwood Project is **62% less** than imported foreign sources + Alaska and **70% less** than all California production
- Major differences in these CIs can be mostly characterized by the following factors:
  - Imported foreign sources + Alaska are mostly affected by VFF (venting, flaring & fugitives) and transportation
  - California's onshore production has higher CI and is mostly affected by water cut and energy intensive production methods such as steam flood

# Brentwood Greenhouse Gas Savings in Context



With the difference in carbon intensity and direct displacement of imports total GHG saving associated with Sunset's current Deer Valley Rd. Project is 60,000 tons of CO2 over the life of the project and 1,000 – 6,000 tons of CO2 annually.

	Deer Valley Rd. Project CO2 Savings	Savings in the Context of Vehicle Carbon Footprint Annually*	Savings in the Context of Carbon Footprint per Capita for a California Annually**
Life of Project (15 Years)	60,000 tons CO2	5,000 cars	2,777 people
Annually	1,000 – 6,000 tons CO2	333 cars	185 people

\* Annual vehicle CO2 emissions for a average passenger vehicle is approximately 5 tons

\*\* Per capita CO2 emission for an average Californian is approximately 9 tons

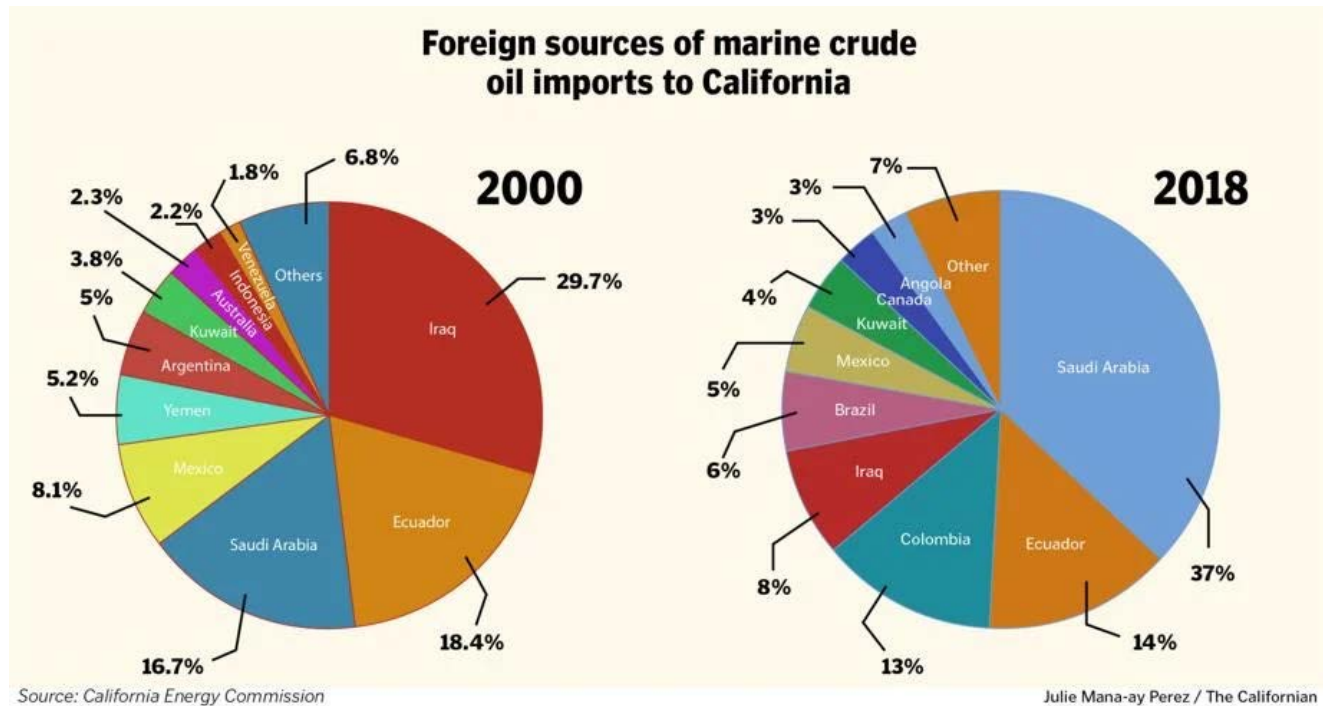
## **Enclosure 2**

# Economists rip California's plan to cut in-state oil production

[bakersfield.com/news/economists-rip-californias-plan-to-cut-in-state-oil-production/article\\_01c21516-0d86-11ea-81a3-5f2d7a838ed2.html](http://bakersfield.com/news/economists-rip-californias-plan-to-cut-in-state-oil-production/article_01c21516-0d86-11ea-81a3-5f2d7a838ed2.html)

BY JOHN COX [jcox@bakersfield.com](mailto:jcox@bakersfield.com)

November 25, 2019



California's plan to curtail in-state oil production as a way of reducing greenhouse-gas emissions relies on questionable economics and might not be the wisest path to achieving climate-change benefits, according to several economists familiar with the proposal.

They contend that cutting the state's oil supply will simply force California refiners to import more foreign petroleum using tankers, which burn some of the world's most polluting fuel.

The state's policy would yield some modest benefits, economists say: Reducing the world's oil supply would cause fuel prices to rise incrementally and prompt some consumers to use less gasoline. Also, California's oil has a relatively high carbon content and so turning to other sources would probably mean cleaner emissions overall.

But economists and others point out there's an additional price to be paid for buying more oil from overseas. California's petroleum industry must abide by some of the strictest health, safety and environmental regulations in the world, so in that respect increasing imports may be a step backward.

## SUPPLY OR DEMAND

A smarter approach, some economists assert, would be to leave supply alone and focus on cutting demand for petroleum, such as continuing to promote the use of electric vehicles.

"If California consumers continue to demand the same amount of gasoline, it will just come from elsewhere," said Stanford University economist Charles D. Kolstad, whose work has focused on environmental economics, regulation, climate change and energy markets.

Last week, California's official policy of trying to achieve carbon neutrality by 2045 hit home in Kern County with the unveiling of a three-pronged plan to expand Gov. Gavin Newsom's oil crackdown.

The state Division of Oil, Gas and Geothermal Resources on Tuesday announced a moratorium on new permits for high pressure steam injections in California oil fields, as well as additional layers of scrutiny for the permitting of "frack" jobs in the state and the likelihood of new regulations to safeguard people living near oil and gas activities.

DOGGR's announcement of the three initiatives made prominent reference to California's goal of managing the decline of oil production and consumption in the state.

Other states would not easily be able to make up the difference if California's oil supply declines faster than demand. There are no oil pipelines traversing the Rockies, and petroleum shipments into the state by train comprised less than 1 percent of California's supply in 2018 despite a price differential favoring out of state crude.

## **FOREIGN OIL**

---

Instead, observers say the most likely outcome would be still-greater reliance on foreign oil.

California's oil supply to refineries in 1998 consisted of about 49 percent in state production, 34 percent Alaskan crude and 16 percent foreign oil.

Those proportions changed dramatically during the subsequent 20 years. In 2018, in state production made up 31 percent of California's refinery feedstock, Alaskan oil accounted for 11 percent and foreign producers provided 58 percent.

Local politicians see the state's efforts to cut its oil supply as not only exporting jobs and money but also financially supporting countries less vigilant about health and safety.

"Today's announcement," state Sen. Shannon Grove, R-Bakersfield, said in a news release issued shortly after DOGGR released its regulatory plan, "simply means the Golden State will rely on more of our oil supply shipped in from foreign countries whose environmental policies and humanitarian treatment are far below California's standards."

Some California economists take a similarly dim view of the state's plan to end native oil production.

## MORAL SUPERIORITY

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One such critic is Mark Evans, professor emeritus of economics at Cal State Bakersfield. A longtime observer of Kern's economy, he acknowledged something should be done to lower global carbon emissions but that eliminating oil drilling in California "only affects where it's produced."

"To say how moral you are by simply buying the (oil) from Saudi Arabia instead of here may feel good, but it's not doing anything in terms of the real global problem," Evans said. He said transporting greater quantities of oil around the globe, and therefore increasing the use of the dirty bunker fuel that powers tankers, would bring a net increase in emissions.

Meanwhile, he asserted Kern would suffer a "shock to the economy" under the state's anti-oil policy, losing what one recent study says are 23,900 direct and indirect petroleum-related jobs in the county. The local housing market would also be hurt, as would state and local oil tax revenues estimated at \$925 million annually.

Another view holds that California oil production is already in decline — as is the state's demand for gasoline — and so the state's policy is little more than a continuation of existing trends.

## NATURAL DECLINE?

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Gordon Schremp, senior fuels specialist at the California Energy Commission, pointed out that production from California's aging oil fields has fallen 23 percent since 2011, even as other states' production is rising. He said the state's rate of gasoline consumption is down more than 1 percent from 2018.

Both trajectories are expected to continue, along with shifting consumer attitudes about living near their places of employment, Schremp added.

"We'll see what happens going forward, but I think ... consumers are making choices on new vehicle choices and making choices on where to live and all those things are having an impact on demand" for gasoline, he said.

Stanford economics professor Frank A. Wolak, noting conventional and unconventional oil resources in the state remain to be exploited, disputed the assertion that California oil production is bound to decline as steadily as it has.

He pointed out that in-state oil supply is declining much faster than demand, and that while California refiners buy more oil from outside the state, consumers are buying more gasoline refined in other states.

"Both of these factors are likely to lead to more greenhouse gas emissions moving this oil and gasoline to California," he said by email.

## PRICE INCENTIVE

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Kolstad, who also teaches economics at Stanford, said banning or reducing California oil production without changing demand will leave global production unchanged.

That would mean the price of oil — a global commodity whose value is generally independent of local conditions — would not increase appreciably, thereby undercutting the goal of environmental activists hoping higher prices will spur a widespread migration to electric vehicles.

Kolstad's argument is basically that it would be wiser to concentrate on cutting demand, not supply.

"It would be far more effective to take steps to reduce California oil consumption, which is one of the consequences of the state's pushing electric vehicles," he wrote.

In August of last year, UC Berkeley economics professor Severin Borenstein posted a blog titled "Should California Keep Its Oil in the Ground?" In it, he made the point that California produces less than half of 1 percent of the world's oil supply. Taking that out of the picture, he argued, would only "slightly increase" global prices.

## MINIMAL CHANGE

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Borenstein's blog referred to a 2018 study by the Stockholm Environment Institute titled "How limiting oil production could help California meet its climate goals." That report found that, for every barrel of California oil taken out of production, somewhere between two-tenths and six-tenths of a barrel would not be made up elsewhere.

SEI said this deficit would elicit a small but measurable increase in global prices, which was viewed as a positive outcome for persuading people to use less oil.

The resulting lost income for California oil producers, stated in terms of greenhouse-gas emissions eliminated, would be between \$110 and \$330 per ton. As Borenstein noted, that's many times more expensive than some other methods for achieving emission reductions.

Moreover, Borenstein calculated that this strategy of cutting California oil production would basically shift petroleum sales revenue — \$510 for every ton of emissions abated — to oil producers outside the state and the country.

As for the argument by SEI and others that California would be acting as a role model for other governments considering scaling back their oil production, Borenstein was skeptical that foreign oil-producing regimes, at least, will follow suit.

He, like other economists, advised focusing more on reducing demand than cutting supply.



"Instead of taxing the world's oil consumers to hand that money to a small group of rich and largely anti democratic leaders, California should be focused on developing alternatives that make it easier for consumers to break their addiction," he wrote.

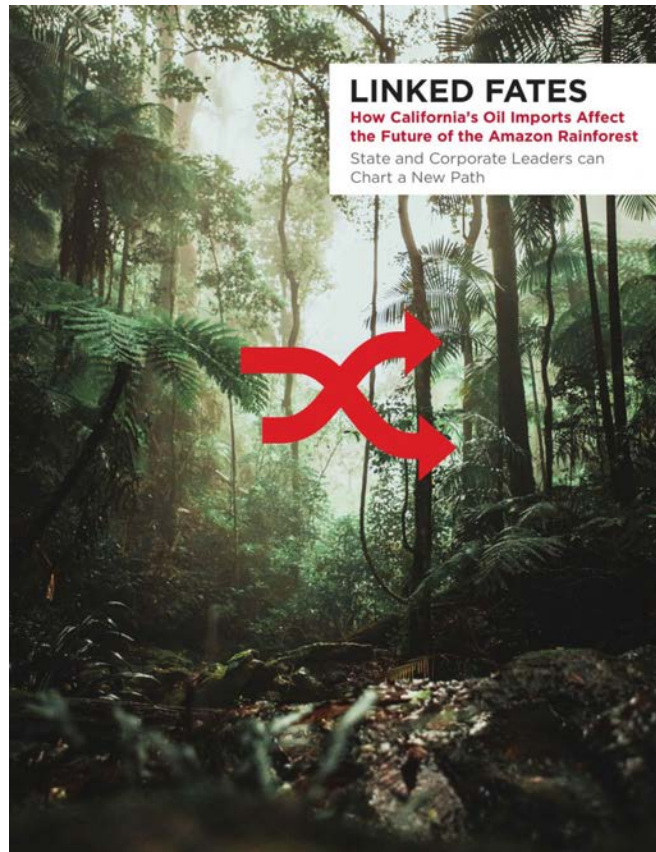
"A good place to start," he continued, "would be with California's own growing addiction."

## **Enclosure 3**

# Linked Fates

 [amazonwatch.org/news/2021/1202-linked-fates](https://amazonwatch.org/news/2021/1202-linked-fates)

December 2, 2021



[Download as PDF \(22 MB\)](#) | [Summary for policymakers](#) | [Resumen ejecutivo en español](#)

## State and corporate leaders can chart a new path

New research from Stand.earth and Amazon Watch shows that California is the world's largest consumer of oil from the Amazon rainforest. Linked Fates shows in detail how California converts 50% of the Amazon oil exported globally into fuel for airports, corporations such as Amazon.com, trucking fleets such as PepsiCo., and retail gas giants such as COSTCO come from oil extracted in the Amazon – where the oil industry causes deforestation and pollution, violates Indigenous peoples rights, spreads corruption, and contributes to climate change.

“Oil drilling in our Amazon has brought contamination, disease, deforestation, destruction of our cultures, and the colonization of our territories. It is an existential threat for us and violates our fundamental rights as Indigenous peoples. We are calling for an end to all new extraction on our lands, and as our ancestors and science now affirm, we must keep fossil fuels in the ground, in accordance with the commitments of the Paris Agreement and at COP26 in Glasgow.”

*Nemo Andy Guiquita, Waorani Indigenous leader of Women and Health of CONFENIAE*

## The oil flow

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Our research reveals that an average of 89% of the annual crude oil exported from the Amazon comes from Ecuador, 66% of that goes to the U.S. 1 in 9 gallons of fuel pumped in 2020 in California come from the Amazon, and in Southern California, the average is 1 in 7 gallons.

Marathon, Chevron, and Valero are the top three refiners of oil from the Amazon, all in California. Of the Amazon crude that goes to the U.S., 27% goes to Marathon, 22% goes to Valero, and 17% goes to Chevron. Chevron’s role is particularly notable, since the company is connected to some of the oil industry’s worst impacts in the Amazon, as well as in California. **The company has spent nearly \$2 billion fighting its court-ordered mandate to pay \$9.5 billion in clean up and community reparations costs that it is responsible for in Ecuador.**

**Los Angeles International Airport consumes more oil from the Amazon than any other airport in the world – an average of 1 in 6 gallons of jet fuel pumped at LAX comes from the Amazon.**

## Where does the Amazon crude go?

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- 123 MILLION GALLONS of jet fuel from the Amazon rainforest was consumed by major airlines at LAX and SFO in 2020. The Top airlines are American Airlines, Delta, United, Southwest, Alaska Airlines.
- 13 MILLION GALLONS of diesel from the Amazon rainforest was consumed by food and beverage delivery services in 2020. The top companies are Pepsi, Sysco, U.S. Foods, Reyes Holdings, and UNFI.
- 39 MILLION GALLONS of diesel from the Amazon rainforest was consumed by parcel delivery services in 2020. The top companies are Amazon.com, UPS, and FedEx.
- 43 MILLION GALLONS of diesel and gasoline from the Amazon rainforest was consumed by major supermarkets for their fleets and retail fuel stations in 2020. The top supermarkets are Walmart, Costco, Kroger, and Albertsons/Safeway.

- 1.9 BILLION GALLONS of gas and diesel from the Amazon rainforest was sold by major oil companies in California in 2019. The top retailers include Arco, Chevron, Shell, 76 (Phillips 66), and Valero. Unbranded gas is the largest share of gas sold in the state, illustrating that real change will require state action to reduce gasoline consumption, not just actions by brands.

## The solutions

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**Companies using Amazon oil are responsible for eliminating fossil fuels,** including those destroying the Amazon rainforest. Corporate leaders need to:

- Call for no new oil expansion in the Amazon
- Develop fuel sourcing policies that are transparent and traceable
- Set aggressive goals for electric vehicle use and other strategies designed to reduce fossil fuel consumption

**Government leaders need to be a force for change, with new policies, regulations, and commitments:**

- Commit California to a policy/regulatory agenda that ensures that California is not contributing to the expansion of oil drilling in the Amazon.
- Create a multi agency commission to map out how the state can achieve this goal (without any increase of domestic Californian production)
- Present a plan for California to reduce and/or eliminate its consumption of crude from the Amazon.
- Commit California to new fuel efficiency standards, push for electrification of fleets that consume the most Amazon oil, expansion of EVs broadly, and public transportation goals to reduce domestic consumption equivalent to Amazon oil import totals.
- Ban new domestic production or within 3200 feet of buffer areas

### Short URL

New research shows that California is the world's largest consumer of oil from the Amazon rainforest. California converts 50% of the Amazon oil exported globally into fuel for airports, corporations such as Amazon.com, trucking fleets such as PepsiCo, and retail gas giants such as COSTCO. This new investigation expands upon our previous research...

Corporate polluters have used offsets as an excuse to keep emitting, but there's little evidence that offsets are actually slowing climate change. What's more, offset programs have enabled land-grabbing and violations of Indigenous rights in the Amazon.

**From:** [Amaya Wooding](#)  
**To:** [webCityClerk](#)  
**Subject:** Public comment 5/24/22 F.2.1 - Tobacco  
**Date:** Tuesday, May 24, 2022 10:59:35 AM

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CAUTION – EXTERNAL SENDER

Dear Brentwood City Council,

1 in 4 juniors in the Liberty Union High School District reported having ever tried a vaping device on the 2020-21 California Healthy Kids Survey.

Numerous options are available to cities seeking to counter the tobacco industry's multi-billion-dollar effort to addict youth to nicotine. While flavored tobacco has received the highest-profile attention, there are other strategies, such as:

- Ending the sale of e-cigarettes
- Setting a minimum sale price for tobacco products
- Setting a minimum pack size for tobacco products
- Not allowing redemption of coupons for tobacco products
- Not allowing pharmacies to sell tobacco products
- Not allowing new tobacco retailers near youth areas like parks and schools
- Not allowing new tobacco retailers near existing tobacco retailers
- Capping the number of tobacco retail licenses issued
- Ensuring a minimum number of compliance checks annually at each retailer

While location- or used-based restrictions may be included in zoning ordinances, these measures are also frequently structured as provisions of a tobacco retail license (TRL) required of every retailer that seeks to sell tobacco in a particular jurisdiction. Strong TRLs come with an annual fee that fully covers the cost of administering and enforcing the program. Over 200 cities/counties around the state use TRLs to ensure local compliance.

Thank you,

Amaya Wooding (she/her)  
Project Coordinator, LGBTQ Minus Tobacco

**From:** [Isabelle Kirske](#)  
**To:** [webCityClerk](#)  
**Subject:** Public Comment Item F.2.1  
**Date:** Tuesday, May 24, 2022 11:14:13 AM  
**Attachments:** [image.png](#)  
[Brentwood 5.24.22 Public Comment Item F.2.1.pdf](#)

---

**CAUTION – EXTERNAL SENDER**

To Whom It May Concern,

My name is Isabelle Kirske and I am a Senior Health Education Specialist for the Contra Costa Health Services Tobacco Prevention Program. Please see my attached public comment for item F.2.1 on the agenda for today, 5.24.2022. I have also included it below:

5/24/2022

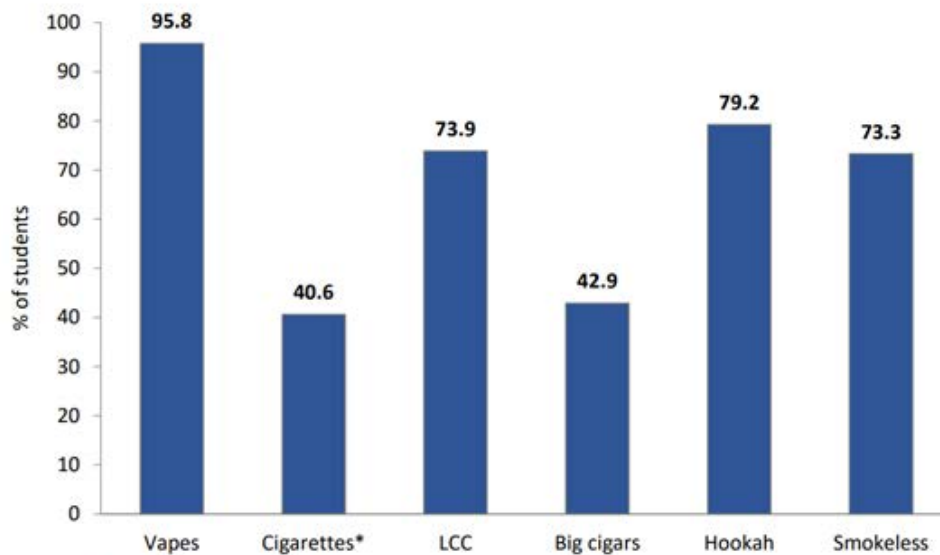
Dear Mayor Bryant and Honorable Council Members,

My name is Isabelle Kirske and I am a Senior Health Education Specialist for the Contra Costa Health Services Tobacco Prevention Program. Thank you for your commitment to protect youth from a lifetime of tobacco addiction.

Prohibiting the sale of electronic smoking devices and e-liquids in Brentwood is a significant step forward to deter youth vaping cannabis and tobacco use. Use of substances at a young age when the brain is still developing can lead to a lifetime of addiction. When fewer vaping products are sold in a community, young people have less access to these harmful substances because they are not able to purchase vape devices directly from stores and have reduced access to vaping products via handoffs from older family members and friends.

In a 2019-2020 study, the vast majority (92.0%) of high school students in Contra Costa County who were current tobacco users reported using a flavored tobacco product. That includes flavored vape products, little cigars/cigarillos, and flavored hookah. See Figure 3 below. (Zhu S-H, Wang J, Braden K, Trinidad DR, and Zhuang Y-L, 2021).

**Figure 3. Proportion using flavored tobacco products among those high school students who were current users of a given tobacco product**



Note: Refer to Table C in Appendix C – Supplementary Tables to view estimates with confidence intervals.  
Abbreviations: LCC = little cigars or cigarillos.  
\*Menthol was the only available flavor for cigarettes.

In Brentwood, the Liberty Union School District’s 2020- 2021 California Healthy Kids Survey showed that one in four 11<sup>th</sup> grade Liberty Union students reported ever having vaped, and 45% reported it was fairly or very easy to obtain vape products.

The City of Brentwood has 39 retailers, and some of them are located within walking distance of local schools and other youth-sensitive areas. With ~ 30% of Brentwood residents under 21, youth and young adults are exposed to predatory tobacco marketing walking home from school. A 2021 meta-analysis found that low levels of tobacco retailer density and decreased proximity to tobacco retailers is associated with lower use of tobacco products (Lee JGL, Kong AY, Sewell KB, Golden SD, Combs TB, Ribisl KM, Henriksen L., 2021).

In 2017, Contra Costa County adopted tobacco retailer zoning restrictions to prohibit new tobacco retailers from being established within youth sensitive areas and prohibit new tobacco stores from opening within 500 feet of other tobacco stores. Additionally, the sale of all flavored tobacco products (including menthol cigarettes) was prohibited from being sold near youth sensitive areas. In 2019, one of the amendments to the tobacco ordinance, included, expanding the flavor ban to all tobacco retailers in unincorporated County to make it more equitable for retailers. It is important to keep in mind that in order for the adopted policy to be effective it also needs an enforcement



mechanism in place. The County's ordinance has an annual fee that gets put towards the enforcement of the ordinance.

The County's tobacco retail policy is a comprehensive model policy in the Bay Area, and throughout the State. The Tobacco Prevention Program is a resource and is readily available to share materials and best practices to assist with retailer training, implementation, and enforcement of this policy.

Thank you.

Sincerely,

Isabelle Kirske  
Senior Health Education Specialist  
Tobacco Prevention Program  
Contra Costa Health Services

References: \_

-  
Zhu S-H, Wang J, Braden K, Trinidad DR, Zhuang Y-L (2021). Tobacco Use Among High School Students in Contra Costa County: Findings from the 2019–20 California Student Tobacco Survey. San Diego, California: Center for Research and Intervention in Tobacco Control (CRITC), University of California San Diego

Lee JGL, Kong AY, Sewell KB, Golden SD, Combs TB, Ribisl KM, Henriksen L. Associations of tobacco retailer density and proximity with adult tobacco use behaviours and health outcomes: a meta-analysis. *Tob Control*. 2021 Sep 3:tobaccocontrol-2021-056717. doi: 10.1136/tobaccocontrol-2021-056717. Epub ahead of print. PMID: 34479990.

**Isabelle Kirske**  
Senior Health Education Specialist  
Tobacco Prevention Program  
Community Wellness and Prevention Program  
Contra Costa Health Services  
Email: Isabelle.Kirske@cchealth.org  
Phone: 925-313-6216-Working remotely  
*Pronouns: She/Her/Hers*

**Thank you for reaching out to the Tobacco Prevention Program. Responses may be delayed due to staffs assistance with COVID-19 response. We appreciate your patience during this time.**

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5/24/2022

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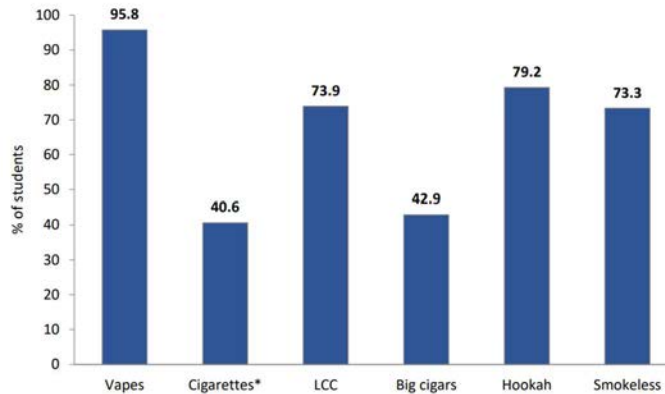
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Thank you.

Sincerely,

Isabelle Kirske

Senior Health Education Specialist  
Tobacco Prevention Program  
Contra Costa Health Services

References:

Zhu S-H, Wang J, Braden K, Trinidad DR, Zhuang Y-L (2021). Tobacco Use Among High School Students in Contra Costa County: Findings from the 2019–20 California Student Tobacco Survey. San Diego, California: Center for Research and Intervention in Tobacco Control (CRITC), University of California San Diego

ANNA M. ROTH RN, MS, MPH  
HEALTH SERVICES DIRECTOR

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ORI TZVIELI, MD, MPH  
DIRECTOR OF PUBLIC HEALTH



CONTRA COSTA  
PUBLIC HEALTH

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Community Wellness and  
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597 Center Avenue  
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94553-4670

Lee JGL, Kong AY, Sewell KB, Golden SD, Combs TB, Ribisl KM, Henriksen L.  
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and health outcomes: a meta-analysis. *Tob Control*. 2021 Sep 3:tobaccocontrol-2021-  
056717. doi: 10.1136/tobaccocontrol-2021-056717. Epub ahead of print. PMID:  
34479990.

**From:** [Mulder, Bruce](#)  
**To:** [=yCouncil Members](#)  
**Cc:** [=yDepartment Directors](#)  
**Subject:** Agenda Item C.6.  
**Date:** Monday, May 23, 2022 3:44:46 PM

---

Good afternoon Mayor and Council,

Council Member Rarey had the following questions regarding agenda item C.6:

Is there supposed to be a resolution for agenda item C.6? Also, as Kati Short was the City's longest serving Poet Laureate, will we also be recognizing her with the title of Poet Laureate Emeritus?

Response:

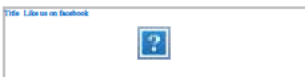
Staff checked with Margaret Wimberly, City Clerk and typically all commission/committee appointments have been by Council motion and not by Resolution. The staff report does reference Kati Short as Poet Laureate Emeritus, thus recognizing her as such. If you would like to pull the item to recognize Ms. Gianna Baldazo for her appointment as our next Poet Laureate and also recognize Ms. Kati Short, Poet Laureate Emeritus for her service from July 2010 to December 2021, that would be appropriate.

Thanks,

Bruce



**Bruce Mulder, Director of Parks & Recreation**  
Parks & Recreation  
35 Oak Street  
Brentwood, CA 94513-1164  
Phone: 925.516.5365  
Fax: 925.516.5447  
[bmulder@brentwoodca.gov](mailto:bmulder@brentwoodca.gov)



**From:** [Mulder, Bruce](#)  
**To:** [=yCouncil Members](#)  
**Cc:** [=yDepartment Directors](#); [Farro, Kris](#)  
**Subject:** Agenda Item C.7  
**Date:** Tuesday, May 24, 2022 9:01:10 AM  
**Attachments:** [Copy of Senior Club Fee Waiver Summary.pdf](#)

---

Good morning Mayor and Council,

Council Member Mendoza had the following question regarding Agenda Item C.7:

Do we have the all in number for the latest 5 years for the senior center. Funding, waivers, anything else?

Response:

Attached is a spreadsheet that provides a summary of the fee waivers for the Brentwood Senior Citizens Club over the past five years.

Please contact me directly if you have further questions.

Thanks,

Bruce



**Bruce Mulder, Director of Parks & Recreation**  
Parks & Recreation  
35 Oak Street  
Brentwood, CA 94513-1164  
Phone: 925.516.5365  
Fax: 925.516.5447  
[bmulder@brentwoodca.gov](mailto:bmulder@brentwoodca.gov)





**Brentwood Senior Citizen Club**

Fiscal Year	Council Approved	Actuals	Notes
FY 17/18	\$92,982.40	N/A	Used another registration system. Will need more time to get this number
FY 18/19	\$96,394.85	\$95,970.63	
FY 19/20	\$99,894.85	\$90,845.00	
FY 20/21	\$99,894.85	\$0.00	COVID-19
FY 21/22	\$99,894.85	\$27,026.82	July 1, 2021 - April 30, 2022. Senior Center reopened from COVID in October 2021 and was closed during the month January and the first two weeks of February.

**From:** [Mulder, Bruce](#)  
**To:** [=yCouncil Members](#)  
**Cc:** [=yDepartment Directors](#)  
**Subject:** Agenda Item C.8  
**Date:** Tuesday, May 24, 2022 3:50:00 PM

---

Good afternoon Mayor and City Council,

Council Member Rarey had the following question regarding Agenda Item C.8:

Why do LLADs 99-3 (Spa L), 99-5 (Deer Ridge Country Club) and 03-2 (Meritage Lone Tree) have running balances over \$130,000 and LLADs 02-2 (Oak Street) and 02-3 (Apricot Way) have running balances over \$80,000? Shouldn't we be reducing those LLADs for the next fiscal year based on at least a portion of those overages?

Response:

Staff reviewed this question with Francisco and Associates and they have responded with the following explanation:

It appears the balances referenced by Council Member Rarey are related to the amounts held/collected for Operating Reserves, which equal 50% of the "In-Tract Improvement Operating Expenses" and the "Incidental Expenses" for each LLAD. The 50% in Operating Reserves is needed for each LLAD to cover expenses for the first half of the fiscal year since the City does not receive its first installment of assessment revenue until January/February in the same manner as the City's share of ad-valorem property taxes. Maintaining a fully funded Operating Reserve (50%) eliminates the need for the City to transfer funds from non-LLAD accounts to pay for operational expenses during the first half of the fiscal year and provides each LLAD with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

This approach is consistently applied among the LLADs as funding allows. However, there may be some rounding where the Operating Reserve target of 50% does not tie out exactly, meaning because of rounding it may be off by \$1 or so. The only other circumstance that comes to mind where the 50% target may not apply to an Operating Reserve, is that some of the newer LLADs may not be able to fully fund the Operating Reserve in the first year. For this reason, it may take multiple years for the funds to accumulate to fully fund (50%) the operating reserve. There are 3 LLADs where the Engineer's Report does not show a fully funded Operating Reserve (LLADs 19-3, 21-1, and 21-2).

Please respond to me directly if you have further questions.

Thanks,

Bruce



**Bruce Mulder, Director of Parks & Recreation**

Parks & Recreation

35 Oak Street

Brentwood, CA 94513-1164

Phone: 925.516.5365

Fax: 925.516.5447

[bmulder@brentwoodca.gov](mailto:bmulder@brentwoodca.gov)

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**From:** [Morris, Alexis](#)  
**To:** [=yCouncil Members](#)  
**Cc:** [=yDepartment Directors](#); [Wisinski, Katherine](#); [Nolthenius, Erik](#); [De Castro, Crystal](#)  
**Subject:** Councilmember Questions Regarding Agenda Item D.1  
**Date:** Tuesday, May 24, 2022 4:22:05 PM

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Honorable Mayor and City Council:

Good afternoon. This afternoon Councilmember Rarey discussed several questions regarding the Vineyard Academy project with staff. The questions and responses are provided below for your reference.

Thank you.

1. *Why did staff use the Commercial/Industrial Guidelines to review this project? Wouldn't using guidelines for public facilities be more appropriate?* As the project is not a residential project it was reviewed under the Commercial/Industrial Design Guidelines (Building Design Guidelines Section 1). We are not aware of any semi-public facility guidelines to compare the project to.
2. *In the materials it states that the applicant declined to build a masonry wall. How can they do that if it is necessary or required?* We did not find a reference in the materials to the applicant declining to build a masonry wall. Staff has never discussed a masonry wall with the applicant for this project. The masonry wall reference that I did find was part of the 2009 PC report for the original church project. The report describes that the masonry wall would be installed to along the common property line shared with the residence on Lone Oak. The design was to be reviewed by staff prior to grading for the parsonage, which has not been constructed. There is no timeline for the construction of the parsonage. Please see the excerpted text below:

Although no walls or fences are expressly required by the Brentwood Municipal Code, the possibility has been discussed with the applicant, who has agreed to provide a 6-foot tall masonry wall along the common property line shared with the residences at 1931 and 1971 Lone Oak Road at the east end of the project site. This design solution will help to mitigate the noise, light, and glare impact that the proposed project will have on the neighboring residential units. The design of this wall has been conditioned to return to staff for final review and approval prior to the issuance of a grading permit for this project. This barrier should be composed of colored dual split-face blocks with a decorative trim cap incorporated into the design. The site plan also calls out an existing post fence along the southerly property line that is designated for removal. The 10-acre parcel to the south is used for grazing proposes and would require reinstallation of a new fence in the future. A condition of approval has been added requiring the applicant to work with the neighboring property owner to ensure that adequate fencing is maintained to secure the livestock.

3. *Is the church planning on building future phases and parking in the area of the Vineyard Academy modular building?* In 2009 the Church had shown conceptual, future plans for a building on the project site (in the location of the proposed modular) in their plan submittal. However, it was not part of the project and it was only a possible future phase. The project approval was only for the church and the parsonage - any new buildings beyond what was originally approved will require a design review and/or a conditional use permit, at the minimum. To date, the church has not approached the City about constructing a future phase.



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**From:** [Morris, Alexis](#)  
**To:** [=yCouncil Members](#)  
**Cc:** [Nolthenius, Erik](#); [Wisinski, Katherine](#)  
**Subject:** Response to Inquiry for Agenda Item D.1  
**Date:** Tuesday, May 24, 2022 3:01:55 PM

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Honorable Mayor and City Council:

Good afternoon. Council member Mendoza requested a link to the City's Commercial/Industrial Design Guidelines. The Commercial and Industrial Design Guidelines (Building Design Guidelines Section 1) were used in the review of the Vineyard Academy project's proposed modular building. The link is provided below for your reference.

<https://www.brentwoodca.gov/home/showpublisheddocument/2884/637794857420070000>

Thank you.



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