AGENDA INCLUDING ADDENDUM

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, MAY 10, 2011

COUNTY ADMINISTRATION BUILDING
SUPERVISORS’ CHAMBER
1221 OAK STREET
FIFTH FLOOR, ROOM 512
OAKLAND, CALIFORNIA

SCOTT HAGGERTY
DISTRICT 1
NADIA LOCKYER
DISTRICT 2
WILMA CHAN
DISTRICT 3
NATE MILEY, PRESIDENT
DISTRICT 4
KEITH CARSON, VICE-PRESIDENT
DISTRICT 5

SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

MISSION

TO ENRICH THE LIVES OF ALAMEDA COUNTY RESIDENTS THROUGH VISIONARY POLICIES AND ACCESSIBLE, RESPONSIVE, AND EFFECTIVE SERVICES.

VISION

ALAMEDA COUNTY IS RECOGNIZED AS ONE OF THE BEST COUNTIES IN WHICH TO LIVE, WORK AND DO BUSINESS.

The Board of Supervisors welcomes you to its meetings and your interest is appreciated. If you wish to speak on a matter on the agenda or during public input, please fill out a speaker slip at the front of the Chambers and turn it in to the Clerk as soon as possible. When addressing the Board, please give your name for the record prior to your presentation. If you wish to speak on a matter not on the agenda, please wait until the President calls for public input at the end of the Regular Calendar. NOTE: Only matters within the Board of Supervisors’ jurisdiction may be addressed. Time limitations shall be at the discretion of the President of the Board.

Pursuant to Board Policy: (1) Signs or demonstrations are prohibited during Board meetings; (2) Any Board Member may request a two-week continuance on any item appearing for the first time; (3) All agenda items shall be received by the County Administrator prior to 3 p.m. on Tuesday two weeks before the meeting date or earlier when a Holiday intervenes.

Hearing difficulty? Please ask the Clerk for use of a personal sound receiver. The Board of Supervisors’ meetings are wheelchair accessible. Call (510) 208-4949 (voice) or (510) 834-6754 (TDD) to request a sign-language interpreter. Five working days’ notice is required. If you have questions regarding the agenda, please call (510) 208-4949.

Attention: The Alameda County internet address is www.acgov.org. All regular Board of Supervisors’ meetings held in the Board Chamber can be heard live on the Board’s web page. In order to log on, please do the following: click on the County’s homepage as noted above and click on the “Board of Supervisors Meeting - LIVE! Broadcast” link. You may also access archived audio recordings, meeting agenda and minutes, as well as meeting dates on the Board’s web page http://www.acgov.org/board/index.htm. All documents are archived on the web page for a period of 6 months.

Normally, the Board meets on Tuesdays and their meeting begins no earlier than 10:45 a.m. and may begin later, depending on the Closed Session, which normally begins at 9:30 a.m.

NOTE: Addendum includes the addition of one regular item #5A; a Title Correction to item #16 and a Heading Correction
AGENDA INCLUDING ADDENDUM

9:30 A.M.

CALL TO ORDER AND SALUTE TO FLAG

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

a) Agency Negotiators: Mary Welch and Cynthia Baron - Employee Organization: All Labor Organizations
b) Agency Negotiator: Mary Welch - Employee Organization: Unrepresented Management

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

a) Initiation of litigation pursuant to Subdivision (c) of Government Code § 54956.9: (Five Cases)
b) Significant exposure to litigation pursuant to Subdivision (b) of Government Code § 54956.9: (Four Cases)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a) Name of Case: County of Alameda v. City of Oakland, Superior Court of California, County of Alameda, Case No.: RG09460907
b) Name of Case: Government Contracts Compliance Advocates, Inc. v. County of Alameda, et al., Superior Court of California, County of Alameda, Case No.: RG11562358
c) Name of Case: Nordyke v. King, et al., United State Court of Appeals for the Ninth Circuit, Case No.: 07-15763

10:45 A.M. - SET MATTERS

1. CONSENT CALENDAR (See Appendix, Item Numbers 32 – 47)

10:45 A.M. - REGULAR CALENDAR

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

BOARD OF SUPERVISORS' REMARKS

PROCLAMATIONS/COMMENDATIONS

2. President Miley – Proclaim May 8 – 14, 2011 as “Mental Health Awareness Week”
   Attachment 2
3. President Miley – Proclaim May 2011 as “ Older American Month”
   Attachment 3
4. **President Miley** – Proclaim May 2011 as “Foster Care Month”
   Attachment 4

5. **Supervisor Carson** – Proclaim May 2011 as “Asian Pacific American Heritage Month”
   Attachment 5

5A. **Supervisor Carson** – Proclaim May 6 – 15, 2011 as “Affordable Housing Week”
   Attachment 5A

6. **Supervisor Chan** – Proclamation in Support of Smoke-Free Hospitals and Healthcare Campuses – Continued from Tuesday, 4/26/11 (Item #2)
   Attachment 6

**PUBLIC ASSISTANCE**

7. **Social Services Agency** – Approve the results of the fiscal year 2010-2011 Parent Engagement Program Request for Proposal process and related award to A Better Way; and approve and authorize the execution of a new community-based organization contract (Master Contract No. 900874, Procurement No. 6249) and related contract exhibits with A Better Way (Principal: Shahnaz Mazandarani; Location: Berkeley) for the Parent Engagement Program service delivery, for an initial award of $203,586 for the term 5/1/11 – 6/30/11 with authority to renew for two additional years, fiscal year 2011-2012 ($1,486,400) and fiscal year 2012-2013 ($1,486,400) for a total amount not to exceed $3,176,386 – CAO Recommends: Approve
   Attachment 7

**HEALTH CARE SERVICES**

8. **Behavioral Health Care Services** – Approve the following recommendations:

   A. Accept the extension of the Department of Rehabilitation American Recovery and Reinvestment Act of 2009 award in order to continue to provide services to existing consumers participating in employment services and business linkages cooperative programs, extending the contract term from 9/30/10 to 12/31/10 in order to utilize remaining funds;

   B. Approve an additional allocation of $49,999 from the Department of Rehabilitation in order to utilize all additional funding and serve continuing consumers participating in cooperative programs, 1/1/11 – 6/30/11;

   C. Authorize the Director of Behavioral Health Services to execute the contract; and

   D. Approve and Authorize the Auditor-Controller to make appropriation and revenue adjustments from the award for 2010-2011

   – CAO Recommends: Approve – (4/5 Vote)
   Attachment 8

9. **Environmental Health Department** – Authorize the Department to submit applications for and receive CalRecycle Household Hazardous Waste Grants for the support of the Household Hazardous Waste Collection Program for households and small businesses; and adopt a resolution authorizing the Director of Health Care Services to apply for and accept any future CalRecycle Household Hazardous Waste grants awarded – CAO Recommends: Approve
   Attachment 9
10. *Environmental Health Department* – Authorize the Vector Control Service Program to host and fund a Bed Bug Symposium to present information on the biology, ecology, disease transmission potential, inspection, monitoring, public education and management of this pest; and authorize expenditures not to exceed $5,000 for this half-day symposium at the San Leandro Marina Community Center for facility rental, refreshments, lunch and reimbursement for three guest speakers who will travel from other states or outside of Alameda County – CAO Recommends: Approve
Attachment 10

11. *Environmental Health Department* – Authorize the execution of standard agreement No. 11-002-250 with the State of California Water Resources Control Board to accept an award to continue the State funded Local Oversight Program within the Department of Environmental Health, 7/1/11 – 6/30/12 ($1,292,943); and approve a waiver of the policy that all indirect costs must be reimbursed – CAO Recommends: Approve
Attachment 11

12. *Environmental Health Services* – Receive the 2010 Annual Report for the County Service Area VC-1984-1, Vector Control Services District, which describes the historical and the proposed benefit assessments for real property parcels within the CSA and the proposed services to be provided; direct the Clerk of the Board to publish the required notices concerning the proposed fiscal year 2011-2012 benefit assessment and public hearing; and set a public hearing at 9:30 a.m. on 6/20/11 for the purpose of adopting the recommended fiscal year 2011-2012 budget for the CSA and establishing the 2011-2012 assessment rates with no change in the rates – CAO Recommends: Approve
Attachment 12

13. *Public Health Department* – Receive the Annual Report for the County Service Area EM-1983-1, Emergency Medical Services District, to establish fiscal year 2011-2012 special tax and supplemental assessment rates; direct the Clerk of the Board to publish the required notices concerning the proposed fiscal year 2011-2012 special tax rate; and set a public hearing at 9:30 a.m. on 6/20/11 to hear and consider the report and the recommended increase from $26.42 to $26.87 ($0.45 increase) per benefit unit; and authorize the Auditor-Controller and the Tax Collector to take all required actions necessary to implement the tax rate adjustments and collection – CAO Recommends: Approve
Attachment 13

14. *Public Health Department* – Accept Grant Agreement No. 20102184 from the California Endowment in the amount of $100,000 to develop a new multi-media format for a public health television program to increase its audience and raise awareness about community health issues in Alameda County, 3/1/11 – 2/29/12; and authorize the Auditor-Controller to increase appropriation and revenue – CAO Recommends: Approve – (4/5 Vote)
Attachment 14

15. *Public Health Department* – Accept and authorize the execution of Standard Agreement No. EMS-1093 between the California State Emergency Medical Services Authority and the Public Health Department, Emergency Medical Services to provide regional disaster medical health coordination service, 5/1/11 – 6/30/11 ($21,666); and authorize the Auditor-Controller to increase appropriation and revenue – CAO Recommends: Approve – (4/5 Vote)
Attachment 15
GENERAL ADMINISTRATION

16. Community Development Agency – Authorize the following contracts for the Shelter Plus Care (S+C) Tenant-based Rental Assistance Program for the provision of permanent supportive housing for homeless people disabled by serious mental illness, chronic alcohol and other drug problems and/or AIDS and related disorders in the total amount of $4,150,003 from the U.S. Department of Housing and Urban Developments S+C Gant, 3/1/11 – 2/29/12:

A. City of Berkeley, Contract No. 6099, $234,416;
B. Housing Authority of the County of Alameda, Contract No. 6104 (Principal: Christine Gouig; Location: Hayward), $1,683,824;
C. Oakland Housing Authority, Contract No. 6101 (Principal: Eric Johnson; Location: Oakland), $2,231,763; and
D. Delegate authority to the Agency Director to reallocate funds between contracts within the grant and extend contracts by amendment, as needed to ensure attainment of program objectives and to maximize the grant, provided the total amount of funding between these contracts remains the same and within the limits of the Housing and Urban Development grant, upon review and approval of County Counsel with delegation of authority ending 2/29/12

– CAO Recommends: Approve Attachment 16

17. Community Development Agency – Accept the Annual Report for the Alameda County Lead Poisoning Prevention Program, which includes recommended service charges for fiscal year 2011-2012; and schedule at 9:30 a.m. on 6/20/11 to consider the Annual Report and proposed service charges – CAO Recommends: Approve Attachment 17

18. Community Development Agency – Approve the execution of Amendment No. 10-0053-SF with the State of California Department of Food and Agriculture for insect pest trapping activities to detect for the presence of the Asian Citrus Psyllid within Alameda County, 10/1/10 – 9/30/11 ($47,226) – CAO Recommends: Approve Attachment 18

19. General Services Agency – Approve the execution of an agreement (Master Contract No. 900877) with the Dublin San Ramon Services District for the installation of two emergency water service connections for use if the existing water supply is disrupted ($10,427) – CAO Recommends: Approve Attachment 19

20. General Services Agency and Human Resource Services – Second reading and adoption of an Ordinance amending the Administrative Code to adopt new Policies for Use of County-Owned Vehicles – Continued from Tuesday, 4/26/11 (Item #18) Attachment 20

PUBLIC PROTECTION

22. *Public Defender* – Adopt a resolution to increase fees for indigent defense services; and authorize the Public Defender to seek implementation by the Superior Court of a uniform fee assessment for reimbursement of indigent defense services – CAO Recommends: Approve

Attachment 22

23. *Fire Department* – Accept the report for the Alameda County Fire Department Supplemental Paramedic Special Tax recommending an adjustment of 1.70% based on the Bay Area Consumer Price Index, effective 7/1/11; set a public hearing on 6/20/11 to hear and consider the report and the recommended increase from $13.99 to $14.23 ($0.24 increase) per benefit unit in the Supplemental Paramedic Special Tax – CAO Recommends: Approve

Attachment 23

PUBLIC WORKS

24. *Public Works Agency* – Accept the County Service Area’s Annual Reports which describes the parcels of real property within the County Service Areas and proposed service charges for fiscal year 2011-2012; and schedule the meeting on 6/20/11 to review and consider the Annual Reports and proposed service charges:

   A. Five Canyons County Service Area PW-1994-1;
   B. Castle Homes County Service Area R-1982-1;
   C. Morva Drive/Morva County Service Area R-1982-2;
   D. Castlewood County Service Area R-1967-1; and
   E. Street Lighting County Service Area SL-1970-1

– CAO Recommends: Approve

Attachment 24

25. *Public Works Agency* – Accept the Final Map Tract 7486; and authorize the execution of a tract developer contract with Willard and Sandra Schnieder for the construction of tract improvements for six lots in the unincorporated area of Castro Valley, Eden Township ($70,500) – CAO Recommends: Approve

Attachment 25

26. *Public Works Agency* – Accept the Final Map and the improvements of Tract 7928, located at 235-257 Grove Way, Hayward, Eden Township, unincorporated Alameda County; and authorize the execution of a contract and frontage improvement agreement with the Jimenez 1994 Trust (Principal: Rafael A. Jimenez; Location: Hayward) for the tract

Attachment 26

27. *Public Works Agency* – Receive the Annual Report for the Clean Water Protection Fee for fiscal year 2011-2012; set a public hearing at 9:30 a.m. on 6/20/11 to hear and consider the Annual Report and proposed fees; and adopt a resolution confirming the Annual Report and any adjustments made as a result of the hearing and establish the fees for fiscal year 2011-2012 – CAO Recommends: Approve

Attachment 27

28. *Public Works Agency* – Approve and authorize the execution of a Memorandum of Understanding with the Alameda County Resource Conservation District for the County’s contribution of $50,000 to fund a portion of the Arroyo de la Laguna Stream Restoration Project at Verona Bridge – CAO Recommends: Approve

Attachment 28
SITTING AS THE ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

29. **Public Works Agency** – Approve and authorize the execution of a Memorandum of Understanding with the Alameda County Resource Conservation District for the District’s contribution of $50,000 to fund a portion of the Arroyo de la Laguna Stream Restoration Project at Verona Bridge – CAO Recommends: Approve Attachment 29

30. **Public Works Agency** – Accept the bid and award Contract No. 6254 to Ghilotti Construction Co., Inc. (Principal: Richard W. Ghilotti; Location: Santa Rosa) for the floodwall improvements along Line D between Industrial Parkway Southwest and Huntwood Avenue in Hayward, Zone 3A, Specification No. FC 3A-109; authorize the execution of the contract upon review by County Counsel, said work to be completed within one hundred fifty calendar days from receipts of the Notice to Proceed; and approve the encumbrance of an additional $463,046 as a Supplemental Work Allowance for a total encumbered amount of $5,093,506 for the project and authorize the Agency Director to approve contract changes as necessary against the Supplemental Work Allowance – CAO Recommends: Approve Attachment 30

31. **Public Works Agency** – Accept the Annual Report for the Alameda County Flood Control and Water Conservation District Benefit Assessment Program for fiscal year 2011-2012; which describes the parcels of real property within the District and proposed assessments and set a public hearing at 9:30 a.m. on 6/20/11 to hear and consider the report; direct the Clerk to publish the notice of hearing once a week for two successive weeks; and adopt a resolution confirming the Annual Engineer’s Report and any adjustments made as result of the hearing and establish the assessments for fiscal year 2011-2012 – CAO Recommends: Approve Attachment 31

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

ADJOURNMENT

NEXT MEETINGS:

1. MAY 17, 2011                  BOARD RETREAT AND PLANNING MEETING
2. MAY 24, 2011                  REGULAR CALENDAR
3. MAY 31, 2011                  HOLIDAY
PUBLIC ASSISTANCE

32. Social Services Agency – Approve and authorize execution of Amendment No. 1 to Alternative Payment Contract No. CAPP-0000, Project No. 01-2401-00-0 with the California Department of Education for Child Care and Development services, 7/1/10 – 6/30/11
Attachment 32

HEALTH CARE SERVICES

33. Behavioral Health Care Services – Approve a master contract augmentation (Master Contract No. 900126; Procurement No. 5451) with the Regents of the University of California dba University of California, San Francisco Psychiatry for training and program evaluation services, 7/1/10 – 6/30/11, increasing the amount from $132,085 to $238,259 ($106,174 increase); and authorize the Behavioral Health Care Services Director to negotiate and sign the contract exhibits
Attachment 33

34. Health Care Services Agency – Approve the following time-only standard agreement amendments:

   A. Dental Health Foundation, Procurement No. 5008 (Principal: Wynne Grossman; Location: Oakland) to complete the deliverables of the contract, extending the contract term from 11/30/10 to 9/30/11 with no change in the contract amount; and
   B. Bay Area Partnership for Children and Youth, Procurement No. 3992 (Principal: Jennifer Peck; Location: Oakland) for strategic planning and fund development services, extending the contract term from 1/31/11 to 12/31/11 with no change in the contract amount
Attachment 34

GENERAL ADMINISTRATION

35. Community Development Agency –Authorize the execution of Amendment No. 5 to Contract No. 2122 with Goldfarb & Lipman, LLP (Principal: Polly V. Marshall; Location: Oakland) for provision of legal services related to the Walker House project, with no change in the contract term, increasing the amount from $215,070 to $232,070 ($17,000 increase)
Attachment 35

36. Community Development Agency – Authorize the execution of Amendment No. 1 to Contract No. 1400 with Hayward Area Parks and Recreation District (Principal: Rita Shue; Location: Hayward) in Community Development Block Grant funds for the Meek Estate Park Educational Pavilion and Americans with Disability Act accessible bathrooms, extending the contract term to 9/30/11 with no change in the contract amount
Attachment 36

37. Community Development Agency – Authorize and approve a resolution adopting the fiscal year 2011 Action Plan for both the Alameda County HOME Consortium and the Alameda County Urban County
Attachment 37
38. **Treasurer-Tax Collector** – Approve the Investment Report for March 31, 2011
   Attachment 38

39. **County Administrator and General Services Agency** – Authorize the Purchasing Agent to negotiate and sign amendments to increase Master Contract No. 900359 with the following law firms to provide legal defense representation as required by the Risk management Unit, 6/1/11 to 5/31/12, increasing the amount from $15,000,000 to $20,000,000 ($5,000,000 increase):
   
   A. Andrada and Associates, LLP, Procurement No. 2870 (Principal: Randall Andrada; Location: Oakland);
   B. Patton, Wolan and Carlise, Procurement No. 2872 (Principal: Steve Wolan; Location: Oakland);
   C. Haapala, Altura, Thompson and Abern, LLP, Procurement No. 2871 (Principal: Clyde A. Thompson; Location: Oakland);
   D. Boornazian, Jensen and Garthe, Procurement No. 2876 (Principal: Gregory J. Rockwell; Location: Oakland);
   E. Bertrand, Fox and Elliot, Procurement No. 2873 (Principal: Gregory M. Fox; Location: San Francisco);
   F. Foster and Associates, Procurement No. 2869 (Principal: Michael W. Foster; Location: Oakland); and
   G. The Narayan Law Firm, Procurement No. 2865 (Principal: Sadhana D. Narayan; Location: Oakland)
   Attachment 39

**PUBLIC WORKS**

40. **Public Works Agency** – Adopt and approve a resolution establishing the temporary closure of portions of Cross Road, Mines Road, Patterson Pass Road and Telsa Road in the unincorporated Alameda County on 5/18/11 for the Amgen Tour of California
   Attachment 40

41. **Public Works Agency** – Adopt a resolution that approves Project Plans and Specifications No. 2103 for the installation of Rock Slope Protection System and Pipe Culvert on Tesla Road at mile marker 9.81 in unincorporated Livermore; and authorize the Clerk of the Board to advertise for bids with bids to be received by the Agency Director
   Attachment 41

**SITTING AS THE ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

42. **Public Works Agency** – Adopt a resolution that approves Project Plans and Specifications No. FC 5-205 for levee remedial work along Alameda Creek North Levee from 250’ Downstream of Union Pacific Railroad to Alvarado Boulevard in Fremont, Zone 5; and authorize the Clerk of the Board to advertise for bids for construction of the Project with bids to be received by the Agency Director
   Attachment 42

43. **Public Works Agency** – Adopt a resolution to find a 9,265 square foot access easement from Line D in Zone 6, within the city of Fremont to be surplus; approve the conveyance of said parcel to Richard Peery and John Arrillaga, Trustees in exchange for a replacement access easement of an equivalent utility; and authorize the execution of a Quitclaim Deed to make said conveyance to Peery/Arrillaga
   Attachment 43
44. Public Works Agency – Adopt a resolution to find a 3,929 square foot parcel of real property from Line C in Zone 6, within the city of Fremont to be surplus; approve the conveyance of said parcel to Richard Peery and John Arrillaga, Trustees in exchange for a storm drain and access easements of equivalent value of said real property; and authorize the execution of a Quitclaim Deed to make said conveyance to Peery/Arrillaga
Attachment 44

PERSONNEL, ADMINISTRATION AND LEGISLATION BOARD COMMITTEE

45. PAL Board Committee Recommends: Approve legislation items referred to the full Board of Supervisors
   A. AB 1178: Solid Waste: Place of Origin (Ma)
      Recommendation: Oppose
      Attachment 45

BOARDS AND COMMISSIONS

46. Supervisor Carson - Appoint Laura Mason to the Alameda County Mental Health Board, term ending 5/10/13
Attachment 46

47. Health Care Services Agency – Accept the resignation of Deborah Pitts-Cameron from the Measure A Oversight Committee
Attachment 47

END OF CONSENT

OUT-OF-STATE TRAVEL

Attachment 48

Attachment 49

Attachment 50

Attachment 51

Attachment 52
   Attachment 53

   Attachment 54

   Attachment 55

   Attachment 56

56A. **Sheriff** – Deputy – Federal Bureau of Investigations, Hazardous Devices School Recertification Class – Huntsville, Alabama, 5/16/11 – 5/20/11 ($1,000)
   Attachment 56A

57. **Sheriff** – Captain, Lieutenant, Sergeant, and 2 Sheriff Technicians – “Commission on Accreditation for Law Enforcement Agencies Conference” – Cincinnati, Ohio, 7/29/11 – 7/31/11 ($1,326 each)
   Attachment 57

   Attachment 58

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