BOARD OF SUPERVISORS

Regular Meeting

COUNTRY 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

DONNA ZIEGLER
COUNTY COUNSEL

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.
9:30 A.M.

CALL TO ORDER AND SALUTE TO FLAG

APPROVAL OF MINUTES

a) REGULAR MEETING: TUESDAY, SEPTEMBER 20, 2011
b) SPECIAL MEETING: TUESDAY, SEPTEMBER 27, 2011
c) REGULAR MEETING: TUESDAY, OCTOBER 4, 2011

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

a) Agency Negotiators: Mary Welch and Cynthia Baron - Employee Organization: Union of American Physicians and Dentist
b) Agency Negotiators: Mary Welch and Cynthia Baron - Employee Organization: All Labor Organizations
c) 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: In re Palmdale Hills Property, LLC and Related Debtors (Sun Cal Oak Knoll LLC), Central District of California Bankruptcy Court (Santa Ana Division), Case Nos. 8:08-bk-17206-ES and 8:08-bk-17588-ES
b) Name of Case: County of Alameda v. City of Oakland, Superior Court of California, County of Alameda, Case No. RG09460907

10:45 A.M. - SET MATTERS

1. CONSENT CALENDAR (See Appendix, Item Numbers 20 – 33)

10:45 A.M. - REGULAR CALENDAR

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

BOARD OF SUPERVISORS’ REMARKS
PROCLAMATIONS/COMMENDATIONS

2. Supervisor Carson – Proclaim October 2011 as “LGBT History Month”  
   Attachment 2

2A. Supervisor Carson – Proclaim October 20, 2011 as “Conflict Resolution Day”  
   Attachment 2A

PUBLIC ASSISTANCE

3. Social Services Agency – Authorize a new service agreement (Master Contract No. 900035, Procurement No. 6965) with Chabot-Las Positas Community College District (Principal: Lorenzo Legaspi; Location: Pleasanton) for delivery of Title IV-E training services, 7/1/11 – 6/30/12 ($4,298,075) with authority to renew annually for two additional fiscal years through 6/30/14, delegate authority to the Agency Director to sign and execute the contract under the master contracting process; and approve an increase in fiscal year 2011-2012 appropriation in the amount of $1,020,408 – CAO Recommends: Approve – (4/5 Vote)  
   Attachment 3

4. Social Services Agency – Approve the following recommendations for funding amendments and related time extensions to awarded contracts resulting from the fiscal year 2007-2010 Request for Proposal for the Refugee Employment and Social Adjustment Services to continue uninterrupted delivery of Refugee Services; and authorize the Agency Director to execute the contract amendments under the master contracting process:

   A. Purchase Order No. 8573, Master Contract No. 900139, Procurement No. 4638 with Catholic Charities of the East Bay (Principal: Solomon Belette; Location: Oakland) increasing the current award from $445,000 to $565,000 ($120,000 increase), extending the term from 10/31/11 to 4/30/12, an additional six months;
   B. Purchase Order No. 8574, Master Contract No. 900142, Procurement No. 4637 with Lao Family Community Development (Principal: Chaosarn Chao; Location: Oakland) increasing the current award from $457,000 to $577,000 ($120,000 increase), extending the term from 10/31/11 to 4/30/12 an additional six months; and
   C. Purchase Order No. 8643, Master Contract No. 900142, Procurement No. 4819 with Lao Family Community Development (Principal: Chaosarn Chao; Location: Oakland) increasing the current award from $155,312 to $200,312 ($45,000 increase), extending the term from 10/31/11 to 4/30/12 an additional six months;

   – CAO Recommends: Approve  
   Attachment 4

4A. Social Services Agency and District Attorney – Approve the Alameda County Budget Justification for fraud prevention, detection, referral, investigation and additional program integrity activities to be submitted to the California Department of Social Services for the State’s In-Home Supportive Services program fraud prevention program – CAO Recommends: Approve  
   Attachment 4A

HEALTH CARE SERVICES

5. Behavioral Health Care Services – Approve and authorize the execution of Procurement No. 6914 with California Elder Mental Health and Aging Coalition (Principal: Amelia Viviana; Location: Vista) to provide technical assistance, training, coaching and program evaluation services using the materials provided in the ‘Get Connected Tool Kit’, 10/1/11 – 6/30/12 ($46,200) – CAO Recommends: Approve  
   Attachment 5
6. **Environmental Health Services** – Authorize the Purchasing Agent to enter into a purchase order (Procurement No. 7049) with Everbridge, Inc. (Principal: Jamie Ellertson; Location: Glendale) for rapid/mass distribution of service notifications related to food recall notification, 7/1/11 – 6/30/12 ($7,900) – CAO Recommends: Approve Attachment 6

7. **Health Care Services Agency** – Approve the renewal of a contract (Procurement No. 6997) with Niroga Institute (Principal: Bidyut K. Bose; Location: Oakland) to provide yoga, breathing techniques and meditation practices at the Alameda County Juvenile Justice Center, 7/1/11 – 6/30/12 ($80,000) – CAO Recommends: Approve Attachment 7

8. **Public Health Department** – Approve the following recommendations:

   A. Approve fund transfer in the amount of $18,000 from the AIDS Trust Fund to be executed by the Office of AIDS Administration, revenue account to fund HIV prevention and support services;
   B. Approve and authorize the Auditor-Controller to increase appropriation and revenue in the amount of $18,000;
   C. Approve an amendment to Master Contract No. 900078, Procurement No. 7022 with Community Health for Asian Americans (Principal: Beatrice Lee; Location: Oakland) to provide HIV prevention and support services to the HIV positive Burmese population, 10/1/11 – 6/30/12 ($18,000);
   D. Approve an amendment to Master Contract No. 900233, Procurement No. 7020 with HIV Education & Prevention Project of Alameda County (Principal: Joy Rucker; Location: Oakland) to provide expanded HIV testing services, 10/1/11 – 6/30/12 ($38,126);
   E. Approve an amendment to Master Contract No. 900116, Procurement No. 7021 with La Clinica de la Raza (Principal: Jane Garcia; Location: Oakland) to provide expanded HIV testing services, 10/1/11 – 6/30/12 ($60,707);
   F. Approve and authorize the execution of Fiscal Agent Agreement, Procurement No. 6175 between Contra Costa County and Alameda County Office of AIDS Administration to provide HIV/AIDS care and treatment services under the Ryan White Part A program, 3/1/11 – 2/29/12 ($1,593,990);
   G. Approve and authorize the execution of the First Amendment to Agreement, Procurement No. 6174 with Tri-Young Business Solutions (Principal: Julie Young; Location: Phoenix, Arizona) to provide technical assistance to the Oakland Transitional Grant Area through a revision of the propriety CAREWare database client reporting system; and
   H. Authorize the Department Director to sign the Master Contract Exhibit A & B amendments – CAO Recommends: Approve - (4/5 Vote) Attachment 8

**GENERAL ADMINISTRATION**

9. **Human Resource Services** – First reading and introduction of a Salary Ordinance amendment adding a new footnote in the Sheriff’s Office – CAO Recommends: Approve Attachment 9

9A. **County Counsel** – Approve amendments to the Amended and Restated Joint Powers Agreement of the Associated Community Action Program (ACAP) that restructure ACAP’s duties, functions and Board to be consistent with its current operations which are limited to winding down its operations; and authorize the Board President to execute the agreement – CAO Recommends: Approve Attachment 9A

9B. **County Counsel** – Approve a Legal Services Agreement (Contract No. 7061) with Stockbauer Weinhart Jaffe, LLP (Principal: Barry Glaser; Location: Los Angeles) based on negotiated fees for legal services regarding the bankruptcy litigation related to the development of the Oak Knolls Naval Medical Center property; and authorize the County Counsel to execute the agreement – CAO Recommends: Approve Attachment 9B
10. **County Administrator** – Accept and approve Alameda County’s Response to the 2010-2011 Grand Jury Final Report; and authorize the President to sign a letter on behalf of the Board of Supervisors formally transmitting Alameda County’s Response to the Honorable Jon R. Rolefson, Presiding Judge, Superior Court of California, County of Alameda
   Attachment 10

10A. **County Administrator** – Adopt the Affirmative Action Plan (AAP) for Alameda County for 2010
   Attachment 10A

11. **County Administrator and General Services Agency** – Authorize the Purchasing Agent to negotiate a Third Amendment to extend Master Contract No. 900448, Procurement No. 3113 with Sedgwick Claims Management Services, Inc. (Principal: Jay Ayala; Location: Oakland) to provide Workers’ Compensation Third Party Administrator services for the County Administrator’s Office and Risk Management Unit, extending the term for one-year from 1/1/12 to 12/31/12 allowing for the extension by mutual agreement, increasing the amount from $5,702,711 to $7,681,211 ($1,978,500 increase) – CAO Recommends: Approve
   Attachment 11

**PUBLIC PROTECTION**

12. **District Attorney** – Adopt a resolution to Execute and Submit Grant Award Agreement in response to the Request-for-Application for the Unserved/Underserved Advocacy and Outreach Program, 10/1/11 – 9/30/12 ($156,250); and designate and authorize the District Attorney to submit a Request-for-Application response and execute a grant award agreement – CAO Recommends: Approve
   Attachment 12

13. **Sheriff** – Approve the request to waive the competitive bidding process due to the lengthy time it will take to develop a Request for Proposal for bid process and authorize the General Services Agency to issue a purchase order, Contract No. 6491 with Reis Environmental (Principal: Clinton McDaniel; Location: Commerce City, Colorado) for a point chemical agent detector utilizing infrared spectroscopy, in an amount not to exceed $101,995 – CAO Recommends: Approve
   Attachment 13

**PUBLIC WORKS**

14. **Public Works Agency** – Adopt the resolution for the temporary closure of portions of Mabel Avenue, Redwood Road, Santa Maria Avenue and Wilson Avenue in Castro Valley on Friday, 10/21/11 between the hours of 12:00 p.m. and 3:00 p.m. at the request of Castro Valley High School for their annual parade; and direct the Agency Director to allow Castro Valley High School to post necessary road closure and detour signs and barricades under the direction of the Sheriff’s Department or California Highway Patrol – CAO Recommends: Approve
   Attachment 14

15. **Public Works Agency** – Adopt the resolution for the temporary closure of portions of Paseo Del Campo, Paseo Grande, Paseo Largavista, Via Arriba, Via Conejo, Via Del Sol, Via Media, Via Paro and Via Pinale in San Lorenzo on Saturday, 10/29/11 between the hours of 9:00 a.m. and 12:00 p.m. at the request of San Lorenzo Village Home Association for their Halloween Parade; and direct the Agency Director to allow the San Lorenzo Village Homes Association to post necessary road closure and detour signs and barricades under the direction of the Sheriff’s Department or California Highway Patrol – CAO Recommends: Approve
   Attachment 15
16. **Public Works Agency** – Find that it would be competitively unavailing to follow the usual public bidding procedures for the additional work in connection with the project for the installation of Rock Slope Protection System and Pipe Culvert on Tesla Road, mile marker 9.81, Livermore, Alameda County, Specification No. 2103; and authorize the Agency Director to execute Contract Change Order No. 1 to Contract 6554 with Glissman Excavating (Principal: Timothy Glissman; Location: Loomis) increasing the amount from $186,844.57 to $227,045.80 ($40,201.23 increase) with no associated term extension – CAO Recommends: Approve

   Attachment 16

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

17. **Public Works Agency** – Find there is need to continue the action required by the emergency at a landslide location along San Lorenzo Creek, 200 feet upstream of Second Street in Hayward, Alameda County, Flood Control District Zone 2; accept the Status Report provided in the summary discussion as required by the Board adopted Resolution (R-2011-204); and find that the next Status Report No. 9 is scheduled for November 1, 2011 for review and consideration – CAO Recommends: Approve – (4/5 Vote)

   Attachment 17

18. **Public Works Agency** – Find that it would be competitively unavailing to follow the usual public bidding procedures for the additional work in connection with the project for the construction of a Major Underground Storm Drain Pipe System (Line S) along Lacoste Street, 64th Street, Overland Avenue and 62nd Street in the cities of Emeryville and Oakland, Alameda County, Flood Control Zone 12, Specification No. 12-190; and authorize the Agency Director to execute Contract Change Order No. 2 to Contract No. 5220 with Mountain Cascade, Inc. (Principal: Michael D. Fuller; Location: Livermore) increasing the amount from $7,659,083 to $10,024,083 ($2,365,000 increase) with no associates term extension – CAO Recommends: Approve

   Attachment 18

**11:00 A.M. - SET MATTER**

**PUBLIC ASSISTANCE**

19. **Social Services Agency** – Recognize and congratulate the recipients of the 2011 Excellence in Human Relations Award selected by the Alameda County Human Relations Commission:

   A. Dr. Romesh Japra, Fremont (Representing District 1);
   B. Lorraine and Michael Ritchie, Union City (Representing District 2);
   C. East Bay Asian Youth Center Neighborhood Organizing Committee, Oakland (Representing District 3);
   D. Reverend Michael Yoshii, Alameda (Representing District 3);
   E. Reverend Dr. Arlene K. Nehring, Cherryland (Representing District 4);
   F. Monica Anderson (M.I.S.S.E.Y.), Oakland (Representing District 5); and
   G. Youth Radio, Oakland (Representing District 5)

   Attachment 19
PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

ADJOURNMENT

NEXT MEETINGS:

1  OCTOBER 25, 2011  BOARD RETREAT
2  NOVEMBER 1, 2011  REGULAR CALENDAR
3  NOVEMBER 8, 2011  CANCELLED (HOLIDAY)
4  NOVEMBER 15, 2011  BOARD RETREAT
5  NOVEMBER 22, 2011  REGULAR CALENDAR
APPENDIX

CONSENT CALENDAR
(ANY BOARD MEMBER MAY PULL ANY CONSENT ITEM FOR DISCUSSION OR SEPARATE VOTE)

PUBLIC ASSISTANCE

20. Social Services Agency – Approve the 2011-2012 Alameda County Area Agency on Aging Annual Area Plan Update and authorize execution of the Letter of Transmittal to meet the requirements of the Older Americans Act and the California Department of Aging

Attachment 20

HEALTH CARE SERVICES

21. Behavioral Health Care Services – Approve a master contract augmentation (Master Contract No. 900097, Procurement No. 6579) for Options Recovery Services (Principal: Bobby Miller; Location: Berkeley) to support increased facility and staffing costs for outpatient substance services in the West Oakland area, 7/1/11 – 6/30/12, increasing the amount from $311,293 to $347,457 ($36,164 increase); and authorize the Agency Director to negotiate and sign contract exhibits

Attachment 21

22. Behavioral Health Care Services – Approve the following recommendations:

A. Approve a master contract augmentation (Master Contract No. 900106, Procurement No. 6395) for Ann Martin Children’s Center (Principal: David Theis; Location: Piedmont) to expand outpatient services to youth residing in Alameda County, 7/1/11 – 6/30/12, increasing the amount from $3,339,343 to $3,525,659 ($186,316 increase);
B. Authorize the Agency Director to negotiate and sign the contract exhibits; and
C. Approve and authorize the Auditor-Controller to increase appropriations with offsetting revenues – (4/5 Vote)

Attachment 22

23. Public Health Department – Approve the following recommendations:

A. Accept the Grant Agreement (Grant No. 20623529) from Kaiser Hospitals to support the Building Blocks Collaborative efforts to promote healthy eating and active living in the Southern Alameda County area, 9/1/11 – 7/1/12 ($30,000);
B. Delegate the Director the authority to finalize and execute the Grant Agreement;
C. Authorize the Auditor-Controller to increase appropriation and revenue;
D. Approve an amendment to Master Contract No. 900128, Procurement No. 7018 with Brighter Beginnings (Principal: Barbara McCullough; Location: Oakland) to deliver healthy nutrition and cooking classes to teen parents of young children in the Southern Alameda County community, 11/1/11 – 6/30/12 ($9,750);
E. Approve an amendment to Master Contract No. 900816, Procurement No. 7019 with Niroga Institute, Inc. (principal: Bidyut Bose; Location: Oakland) to deliver stress management classes, including yoga and breathing targeted to women and parents of young children in the Southern Alameda County community; and
F. Authorize the Director to sign the Master Contract Exhibit A & B amendments – (4/5 Vote)

Attachment 23
24. Public Health Department – Receive a report on continuing existence of a local State of Emergency relative to the transmission of HIV and other blood-borne pathogens through contaminated needles
Attachment 24

GENERAL ADMINISTRATION

25. Community Development Agency – Authorize and approve Amendment No. 1 to the Alameda County HOME Consortium fiscal year 2010 subrecipient agreement for federal HOME funds with the City of Livermore (Contract No. 5409) to provide affordable housing services, reducing the amount from $204,133 to $142,635.60 ($61,497.40 decrease) with no change in the term ending (6/30/15)
Attachment 25

26. General Services Agency – Approve and authorize the Auditor-Controller to issue retroactive payment for safety equipment purchased for GSA communications staff at a one-time cost of $1,318
Attachment 26

27. Registrar of Voters – Authorize the transfer of a vacant, unfunded Supply Clerk II position from the Registrar of Voters Department to the Information Technology Department
Attachment 27

28. Registrar of Voters – Authorize the Registrar of Voters to sign the agreement between the Secretary of State and Alameda County to participate in the Post-Election Audit Program, beginning 11/1/11 or upon approval through 2/29/12
Attachment 28

PUBLIC PROTECTION

29. Sheriff – Approve and execute the contract agreement with Wente Vineyards (Principal: Brendan Finley; Location: Livermore) to provide law enforcement services for an event on 9/10/11, Wente Vineyard will compensate Alameda County Sheriff’s Office in the amount of $1,458
Attachment 29

SITTING AS THE ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

30. Public Works Agency – Approve and execute Modification No. 1 to Contract No. 4475 with MacKay & Somps, Inc. (Principal: Bob LaShells; Location: Pleasanton) to provide engineering services for the San Leandro Creek Concrete Channel Wall Rehabilitation Study and Design in Flood Control Zone 12, Emeryville, extending the contract term from 12/20/11 to 12/31/13 with no change in contract amount
Attachment 30

BOARDS AND COMMISSIONS

31. Supervisor Carson – Appoint Conway B. Jones Jr. to the Veterans Affairs Commission, term ending 10/18/14
Attachment 31

32. Supervisor Haggerty – Appoint Ritam Priya to the Public Health Commission, term ending 10/18/13
Attachment 32
33. Supervisor Lockyer – Appoint Andrew Wilson III to the Airport Land Use Commission, term ending 10/4/15
Continued from Tuesday, 10/4/11 (Item #43)
Attachment 33

END OF CONSENT

OUT-OF-STATE TRAVEL

33A. Board of Supervisors – Supervisor, District 3 – “National Children’s Health Insurance Summit Conference” – Chicago, Illinois, 10/31/11 – 11/3/11 (No County Cost)
Attachment 33A

34. General Services Agency – Assistant Director – “2011 Global Solar Summit in Beijing” – Beijing, China, 11/8/11 – 11/12/11 ($200)
Attachment 34

Attachment 35

36. Public Health Department – Health Care Program Administrator II – Annual Retreat and Meeting of National Health Care for the Homeless Governing Council – Nashville, Tennessee, 10/13/11 – 10/15/11 (No County Cost)
Attachment 36

Attachment 37

38. Social Services Agency – 2 Program Managers – Youth Advocates in Team Decision Making (TDM)/Peer Support meeting – New York City, New York, 10/25/11 – 10/28/11 ($125 each)
Attachment 38

Attachment 39