AGENDA INCLUDING ADDENDUM

BOARD OF SUPERVISORS

Regular Meeting

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

Tuesday, February 7, 2012

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 on the agenda 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: The Addendum includes one withdrawn item #15A
AGENDA INCLUDING ADDENDUM

9:30 A.M.

CALL TO ORDER AND SALUTE TO FLAG

APPROVAL OF MINUTES

a) REGULAR MEETING: TUESDAY, JANUARY 10, 2012

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: McCormick, et al. vs. County of Alameda, et al., California Court of Appeal, First Appellate District, Case No. A126818

10:45 A.M. - SET MATTERS

1. CONSENT CALENDAR (See Appendix, Item Numbers 30 – 42)

10:45 A.M. - REGULAR CALENDAR

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

BOARD OF SUPERVISORS’ REMARKS
AGENDA INCLUDING ADDENDUM

PROCLAMATION/COMMENDATION

2. Supervisor Carson – Proclaim February 2012 as “Black History Month”
   Attachment 2

PUBLIC ASSISTANCE

3. Social Services Agency – Approve the following recommendations to implement the Refugee Targeted Assistance Discretionary Program:
   
   A. Accept a funding grant from the U.S. Department of Health and Human Services/Office of Refugee Resettlement in the amount of $30,058 for provision of intensive language training combined with employment services for newly arrived refugees in Alameda County for Federal fiscal year 2011-2012;
   B. Approve a new services agreement (Procurement No. 7135) with Lao Family Community Development (Principal: Chaosarn Chao; Location: Oakland) under community-based organization Master Contract No. 900142, 11/1/11 – 9/30/12 ($30,058) and delegate to the Agency Director the authority to sign and execute the agreement under the master contract process; and
   C. Authorize an additional appropriation of $30,058 completely offset by additional revenue
   – CAO Recommends: Approve – (4/5 Vote)
   Attachment 3

4. Social Services Agency – Accept a grant of $14,500 from the United Way of the Bay Area to provide free tax preparation services as a United Way of the Bay Area Volunteer Income Tax Assistance site for fiscal year 2011-2012 to conduct the (Earn It! Keep It! Save It! Earned Income Tax Credit Campaign); authorize the Agency Director to sign and execute the new agreement for the 2012 Campaign; and approve the program expenditure budget of $39,000 – CAO Recommends: Approve
   Attachment 4

5. Social Services Agency and Health Care Services Agency – Approve the following recommendations to implement the Refugee Targeted Assistance Program in Alameda County during Federal fiscal year 2011-2012:
   
   A. Accept a funding grant from the U.S. Department of Health and Human Services/Office of Refugee Resettlement in the amount of $239,647 for provision of intensive language training combined with employment services for newly arrived refugees in Alameda County for Federal fiscal year 2011-2012 with funding renewals through Federal fiscal year 2013-2014;
   B. Approve an new services agreement (Procurement No. 7285) with Catholic Charities of the East Bay (Principal: Solomon Belette; Location: Oakland) under community-based organization Master Contract No. 900139, for provision of employment and administrative support services to newly arrived refugees, 2/1/12 – 9/30/12 ($269,647) with authority to renew for two additional Federal fiscal years and delegate to the Social Services Agency Director the authority to sign and execute the agreement under the master contract process;
   C. Approve the sole sourcing of the new services agreement with Catholic Charities of the East Bay (Procurement No. 7285) on the basis that they were selected as the lead fiscal agency for the intended project by a broad coalition of members of the local refugee service provider community, the East Bay Refugee Forum, during a series of community meetings and submitted a united proposal for coordinated community-based service delivery; and
   D. Authorize an additional appropriation of $269,647 completely offset by additional revenue
   – CAO Recommends: Approve – (4/5 Vote)
   Attachment 5
HEALTH CARE SERVICES

6. **Health Care Services Agency** – Authorize the Agency Director to negotiate and execute a contract with St. Rose Hospital (Principal: Michael Mahoney; Location: Hayward) in order to fund the salary of their Chief Turn Around Officer, 1/1/12 – 6/30/13 ($325,000); and approve related budget adjustments – CAO Recommends: Approve – (4/5 Vote) Attachment 6

GENERAL ADMINISTRATION

7. **Auditor-Controller/Arts Commission** – Approve Procurement Contract No. 7218 with artist Joaquin Alexander Newman (Location: Oakland) and Procurement Contract No. 7219 with artist Eduardo Pineda (Location: Berkeley) to design, build and install public artwork integrated into the amphitheater seating and courtyard flooring at the future Ashland Youth Center, 2/8/12 – 3/31/15 ($85,000) and by mutual agreement, allows for the option to renew for additional one-year terms for up to a maximum of two years – CAO Recommends: Approve Attachment 7

8. **Auditor-Controller** – Waive existing Purchasing policies and procedure regarding procurement and delegate the Auditor-Controller the authority to solicit proposals, negotiate fees and contracts, with licensed Certified Public Accounting firms to provide the audits necessary for compliance with the statutory requirements outlined in ABX1 26 for the audit of Redevelopment Agencies/Successor Agencies – CAO Recommends: Approve Attachment 8

9. **Community Development Agency** – Authorize and execute Procurement No. 7212 with the City of Oakland to provide lead evaluations and lead hazard control in 15 low-income residential units in Oakland, 2/7/12 – 12/31/14 ($92,360) – CAO Recommends: Approve Attachment 9

10. **Community Development Agency** – Authorize and execute Procurement No. 7214 with the City of Alameda to provide lead evaluations and lead hazard control in 15 low-income residential units in Alameda, 2/7/12 – 12/31/14 ($107,360) – CAO Recommends: Approve Attachment 10

11. **Community Development Agency** – Authorize the Auditor-Controller to increase appropriations by $6,220,000 within the Housing and Community Development Department to continue Neighborhood Stabilization Program – American Recovery and Reinvestment Act activities – CAO Recommends: Approve Attachment 11

12. **Community Development Agency** – Authorize and execute renewal contracts with the following community-based organizations to fund supportive services for homeless people with disabilities under the Supportive Housing Program’s Reciprocal Integrated Service for Empowerment Project, 11/1/11 – 10/31/12 ($169,000):

   A. Abode Services, Procurement No. 6089 (Principal: Louis Chicoine; Location: Fremont), $65,327;
   B. Building Opportunities for Self-Sufficiency, Procurement No. 6078 (Principal: boona cheema; Location: Berkeley), $52,958; and
   C. Second Chance, Inc., Procurement No. 6076 (Principal: Mark McConville; Location: Newark), $51,615

   – CAO Recommends: Approve Attachment 12
13. **General Services Agency** – Accept the bid and award a contract (Master Contract No. 900965, Procurement No. 7283) to PARC Services, Inc. (Principal: John Godkin; Location: Livermore) for the Hazardous Materials Abatement and Demolition project at the East County Hall of Justice site, Gleason Drive and Hacienda Drive, Dublin, ($233,990); approve the encumbrance of an additional $23,399 as a Supplemental Work Allowance plus an additional $100,000 to address unexpected environmental and site conditions for a total encumbered amount of $357,389 and authorize the Agency Director to issue change orders, as necessary against the Supplemental Work Allowance and additional contingency; and authorize the Agency Director to prepare the proper contract documents and bond forms for completion by the Contractor, have said documents reviewed and approved by County Counsel and executed by the Board President – CAO Recommends: Approve

Attachment 13

14. **General Services Agency** – Approve and adopt a resolution to declare the subject property as not required for County use; declare the subject property as surplus; and authorize the sale of certain County-Owned property, under Government Code Section 25365 and Section 52444, consisting of a seven-story office building located at 2015 Shattuck Avenue (aka 2120 University Avenue), Berkeley – CAO Recommends: Approve

Attachment 14

15. **Human Resource Services** – Second reading and adoption of a salary ordinance amendment adding one new job classification in the Public Works Agency and adding one new footnote in the Health Care Services Agency – Continued from Tuesday, 1/24/12 (Item #24) for second reading

Attachment 15

15A. Withdrawn by department

16. **Library** – Approve and execute a contract agreement between the City of Albany and the Alameda County Library to provide 25.5 additional hours of service each week at the Albany Library, 7/1/11 – 6/30/12 ($690,895) – CAO Recommends: Approve

Attachment 16

17. **Treasurer-Tax Collector** – Approve the Treasurer’s Annual Investment Policy for the year 2012 – CAO Recommends: Approve

Attachment 17

18. **County Administrator** – Authorize the execution of an amendment to extend and increase Contract No. 2649 with David Donn Consulting, Inc. (Principal David A. Donn; Location: San Francisco) for workers’ compensation managed care vendor performance monitoring and evaluation consulting services, 1/1/12 – 12/31/12, during the current term, increasing the amount from $555,000 to $579,800 ($24,800 increase) and during the extension term, increasing the amount from $579,800 to $682,400 ($102,600 increase). This amendment also allows for another one-year extension by mutual agreement

Attachment 18

**PUBLIC PROTECTION**

19. **Sheriff** – Authorize the Sheriff to sign the fourth amendment between the County of Alameda and the City and County of San Francisco for the distribution of fiscal year 2009 Urban Area Security Initiative regional funds for fiscal year 2011-2012 in the amount of $4,875,888; and authorize an increase in appropriations in the amount of $50,861 offset by revenue – CAO Recommends: Approve

Attachment 19
PUBLIC WORKS

20. *Public Works Agency* – Adopt and approve a resolution to accept the improvements by HWR, LLC., in Tract 7270 located at 25329 and 25415 Second Street, Hayward, unincorporated Alameda County; release the Performance Guarantee Bond in the amount of $941,900; release the Labor and Materials Guarantee Bond in the amount of $470,800; and accept a Maintenance Guarantee Bond in the amount of $235,475 submitted by the subdivider HWR, LLC – CAO Recommends:  Approve

Attachment 20

21. *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 improvement of Lewelling Boulevard and East Lewelling Boulevard, Phase I, from Interstate 880 to Meekland Avenue in the unincorporated area of Alameda County, Specification No. 1926; and authorize the Agency Director to execute Contract Change Order No. 1 to Procurement No. 4733 with Gallagher and Burk, Inc. (Principal:  David DeSilva; Location:  Oakland) with time extension to the contract period to be determined by the Agency Director, and increasing the amount from $10,219,893 to $10,649,893 ($430,000 increase) – CAO Recommends:  Approve – (4/5 Vote)

Attachment 21

22. *Public Works Agency* – Accept the bid and award Procurement Contract No. 7288 to Sea Pac Engineering, Inc. (Principal:  John Lee; Location:  Los Angeles) for the repair, remodel and renovation on Public Works Agency facilities on an as-needed basis, 3/1/12 – 2/28/13, in an amount of at least $50,000 and not to exceed $1,000,000; and authorize the Agency Director to prepare the proper contract documents and bond forms for completion by the contractor, have said documents reviewed and approved by County Counsel and executed by the Board President – CAO Recommends:  Approve

Attachment 22

SITTING AS THE ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

23. *Public Works Agency* – Adopt the resolution that approves Project Plans and Specifications No. FC 5-200 for the improvements of Line M between Alameda Creek and Union Pacific Railroad, in Union City, Alameda County, Flood Control District Zone 5; and authorize and direct the Clerk of the Board to advertise for bids for construction of the Project with bids to be received by the Agency Director – CAO Recommends:  Approve

Attachment 23

24. *Public Works Agency* – Adopt the resolution that approves Project Plans and Specifications No. FC 2-189 for levee remedial work along Sulphur Creek, between Pump Station and Vicinity of Union Pacific Railroad, in Hayward, Alameda County, Flood Control District Zone 2; and authorize and direct the Clerk of the Board to advertise for bids for construction of the Project with bids to be received by the Agency Director – CAO Recommends:  Approve

Attachment 24

25. *Public Works Agency* – Accept the bid and award Procurement Contract No. 7287 to Agbayani Construction Corporation (Principal:  Vincent D. Agbayani; Location:  Daly City) for the maintenance of Flood Control District facilities and channel protection work on an as-needed basis, 3/1/12 – 2/28/13, in an amount of at least $50,000 and not to exceed $1,000,000; and authorize the Agency Director to prepare the proper contract documents and bond forms for completion by the contractor, have said documents reviewed and approved by County Counsel and executed by the Board President – CAO Recommends:  Approve

Attachment 25
26. *Public Works Agency* – Approve the following recommendations:

   A. Adopt a resolution to find an emergency for the removal of underwater debris and marine growth from the Lake Merritt Pump Station in Oakland requiring work that could not be completed with delay caused by competitive bidding;

   B. Execute Purchase Order No. 5244, Procurement Contract No. 7025 with Coastal Diving (Principal: Dave Buller; Location: Alameda) for the removal of underwater debris and marine growth from Lake Merritt Pump Station in Oakland, 11/29/11 – 12/31/11, in the amount not to exceed $88,440

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

   Attachment 26

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

**PROCLAMATION/COMMENDATION**

27. *Supervisor Carson* – Commendations recognizing 30 Oakland Unified School District Students for their academic excellence on receiving perfect scores on the STAR test (Standardized Testing and Reporting)

   Attachment 27

**PUBLIC WORKS**

28. *Public Works Agency* – Public hearing to consider the evidence presented at the hearing on Notice of Intention to Condemn Real Property, Soil Nail Easements and Temporary Construction Easements and adopt the resolutions of necessity which authorizes County Counsel to commence and maintain a proceeding in eminent domain to acquire parcels of real property, soil nail easements and temporary construction easements necessary for the Alameda County Transportation Commission’s project to construct freeway improvements for the Interstate 580 West Bound High Occupancy Vehicle Lane Project in Dublin, Pleasanton and Livermore from the following properties:

   A. R/W No. 62041, Schmidig Family LP
   B. R/W No. 62042, Chang
   C. R/W No. 62045, Stockbridge BHV Emerald Place Land Co LLC
   D. R/W No. 62046, Chamberlin Associates
   E. R/W No. 62048, Lin

   – (4/5 Vote)

   Attachment 28
29. Public Works Agency – Public hearings to consider the proposal to separate the Castle Homes County Service Area R-1982-1, Zone 1 into two distinct zones to meet increase service demands, and, contingent upon splitting Zone 1, separately to consider raising the maximum and annual service charge rates for properties in the newly-configured Zone 1:

   A. Public Hearing open to all registered voters residing within the boundaries of the current Zone 1:
      a. Hear and consider any protests to the proposal to split Zone 1 into two zones, and receive all written protests; and
      b. Determine whether a majority protest exists
   B. In the absence of a majority protest in the public hearing in item A, conduct public hearing open only to property owners of the proposed new Zone 1 (China Court):
      a. Hear and consider any protests to increasing the service charge in the proposed new Zone 1 from the present levels to $750 for undeveloped parcels and $1,500 for developed parcels, and set the annual service charge for fiscal year 2013-2014 at less than the maximum amount at $500 for undeveloped parcels and $1,000 for developed parcels, and received all written protests; and
      b. Determine whether a majority protest exists
   C. Authorize the Director of Public Works to conduct an election by mail ballot to submit to property owners in the proposed new Zone 1 the increased service charge in item B not less than 45 days from today; and
   D. Direct the Director of Public Works to present the election results at the Board’s May 1, 2012 meeting

Attachment 29

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

ADJOURNMENT

NEXT MEETINGS:

1 February 14, 2012 CANCELLED – HOLIDAY
2 February 21, 2012 CANCELLED – HOLIDAY
3 February 28, 2012 REGULAR CALENDAR
HEALTH CARE SERVICES

30. Health Care Services Agency – Authorize the Agency Director to negotiate and execute a contract amendment (Procurement No. 6895) with Eden Youth and Family Center (Principal: Dave McKeown; Location: Hayward) in order to provide infrastructure support at their Early Childhood Development Center, 8/1/11 – 7/31/12 ($79,000); and approve related budget adjustments – (4/5 Vote)
Attachment 30

31. Health Care Services Agency and General Services Agency – Authorize the Purchasing Agent to negotiate a first amendment to extend and increase Master Contract No. 900534, Procurement No. 4048 with JB and Associates (Principal: Sukla De; Location: Fremont) to provide the Environmental Health Department with technical consulting services for compliance with underground and above ground toxic material identification, remediation and clean-up under Certified Unified Program Agency, 7/1/12 – 6/30/14, increasing the amount from $208,650 to $467,590 ($258,940 increase). The contract allows for this extension by mutual agreement
Attachment 31

32. 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 32

GENERAL ADMINISTRATION

33. Supervisor Chan – Approve a $15,000 allocation from District Three Fiscal Management Reward savings to provide staff for the program of the Alameda Collaborative for Children, Youth and their Families for fiscal year 2011-2012
Attachment 33

34. Community Development Agency – Authorize and approve Amendment No. 1 to Procurement No. 6085 with Abode Services (Principal: Louis D. Chicoine; Location: Fremont) for transitional rental assistance under the Housing/Jobs Linkages Program, extending the contract term from 2/29/12 to 8/31/12, and increasing the amount from $422,199 to $582,669 ($160,470 increase)
Attachment 34

35. General Services Agency – Authorize the Purchasing Agent to execute change orders to increase each of the Blanket Purchase Orders for as-needed environmental consulting services, Project No. CPH12H500100000, 7/1/11 – 6/30/12 ($160,200):

A. RGA Environmental, Inc., Procurement No. 7278 (Principal: JoAnn Copperrud; Location: Emeryville), increasing the amount from $24,900 to $50,000 ($25,100 increase);
B. ACC Environmental, Inc., Procurement No. 7279 (Principal: James Wilson; Location: Oakland), increasing the amount from $24,900 to $50,000 ($25,100 increase);
C. Sensible Environmental Solutions, Inc., Procurement No. 7280 (Principal: Robert Sutton; Location: Oakland), increasing the amount from $20,000 to $50,000 ($30,000 increase);
D. IHI Environmental, Procurement No. 7281 (Principal: Donald E. Marano; Location: Emeryville), increasing the amount from $10,000 to $50,000 ($40,000 increase); and
E. Vista Environmental, Inc., Procurement No. 7282 (Principal: Charles R. Bove; Location: Oakland), increasing the amount from $10,000 to $50,000 ($40,000 increase)

Attachment 35

36. General Services Agency, Health Care Services Agency, Probation Department and Social Services Agency – Approve and authorize the Purchasing Agent to execute a first amendment to increase and extend Master Contract No. 900475, Procurement No. 3827 with A-Para Transit Corporation (Principal: Shiv Kumar; Location: Hayward) to provide client transportation services required by Alameda County, 4/1/12 – 3/31/14, increasing the amount from $885,000 to $1,245,000 ($360,000 increase). The contract allows for this extension by mutual agreement

Attachment 36


Attachment 37


Attachment 38

BOARDS AND COMMISSIONS

39. President Miley – Accept the resignation of Peggy Kraus from the Workforce Investment Board

Attachment 39

40. President Miley – Accept the resignation of Eduardo Martinez from the Workforce Investment Board – Youth Policy Council

Attachment 40

41. President Miley – Appoint Councilmember Jacqueline Asher to the Housing Authority/Housing Commission, term ending 12/31/13

Attachment 41

41A. President Miley – Appoint Andrew Johnstone to the Alameda County Art Commission, term ending 9/14/14

Attachment 41A

42. Supervisor Carson – Appoint Michael C. Jacob to the Planning Commission, term ending 12/31/15

Attachment 42

42A. Supervisor Haggerty – Reappoint Frank J. Imhof to the Planning Commission, term ending 12/31/15

Attachment 42A

END OF CONSENT

OUT-OF-STATE TRAVEL

43. Community Development Agency – Supervising Industrial Hygienist Engineer – 2012 Healthy Homes Training Center and Network Annual Meeting – New Orleans, Louisiana, 2/6/12 – 2/9/12 (No County Cost)

Attachment 43

44. Fire Department – Geographic Information System Analyst – Fire Service Geographic Information System Maps and Applications Information Model Technical Workshop – Atlanta, Georgia, 1/18/12 – 1/21/12 (No County Cost)

Attachment 44
45. Health Care Services Agency – Director, Family Health Services and Maternal Paternal, Child and Adolescent Health – “2012 National Summit on Quality in Home Visiting Programs Conference” – Washington, D.C., 2/14/12 – 2/16/12 ($1,500)
   Attachment 45

   Attachment 46

47. Probation Department – Chief Probation Officer – Forest Ridge Youth Services – Estherville, Iowa, 2/21/12 – 2/23/12 ($500)
   Attachment 47

   Attachment 48

49. Public Works Agency – Agency Director – “American Public Works Association International Public Works Congress and Exposition” – Lexington, Kentucky – 4/1/12 – 4/5/12 ($2,000)
   Attachment 49

50. Sheriff – Deputy Sheriff – International Wireless Communication Exposition – Las Vegas, Nevada, 2/19/12 – 2/24/12 ($200)
   Attachment 50

   Attachment 51