Regular Meeting

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

SCOTT HAGGERTY
GAIL STEELE
ALICE LAI-BITKER, PRESIDENT
NATE MILEY, VICE-PRESIDENT
KEITH CARSON

SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

Tuesday, May 18, 2010

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 10:30 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, APRIL 27, 2010

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

a) Agency Negotiators: Mary Welch and Keith Fleming - 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: Prusse, et al. v. County of Alameda, et al., Superior Court of the State of California, County of Alameda, Case No.: RG0838021

10:30 A.M. - SET MATTERS

1. CONSENT CALENDAR (See Appendix, Item Numbers 28 – 43)

10:30 A.M. - REGULAR CALENDAR

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

BOARD OF SUPERVISORS’ REMARKS

PROCLAMATION/COMMENDATION

2. Supervisor Steele – Proclaim May 2010 as “Mental Health Month”
Attachment
PUBLIC ASSISTANCE

3. *Social Services Agency* – Approve and authorize a total of 35 Title IV-E Waiver funded project positions for fiscal year 2009-2010 and associated pay units totaling $3.7 million in fiscal year 2010-2011 to improve the performance of the child welfare system – CAO Recommends: Approve

Attachment

4. *Social Services Agency* – Authorize the Agency to provide a grant supplement of $150 for each school-aged child in a CalWORKs-eligible household; and increase the appropriation and revenues by $2.88 million and transfer $0.72 million of appropriation and revenue to allow Cal WORKs families to buy food for school aged children during the summer – CAO Recommends: Approve – (4/5 Vote)

Attachment

HEALTH CARE SERVICES

5. *Behavioral Health Care Services* – Accept the PATH (Federal McKinney Projects for Assistance in Transition from Homelessness) grant award for homeless services provided by the current Mobile Team under Crisis response Program, 7/1/09 – 6/30/10 ($263,554); and approve related budget adjustments – CAO Recommends: Approve – (4/5 Vote)

Attachment

6. *Environmental Health Department* – Authorize the execution of standard agreement No. 10-001-0250 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, 7/1/10 – 6/30/11 ($955,157); and approve a waiver of the policy that all indirect costs must be reimbursed – CAO Recommends: Approve

Attachment

7. *Environmental Health Department* – Authorize the Department of Environmental Health Services to submit an application for the California Integrated Waste Management Board Enforcement Assistance Grants for support of the solid waste landfill permit and inspection program and adopt a resolution authorizing the Director of Environmental Health Services to apply for a five-year grant, 7/1/10 – 6/30/15 – CAO Recommends: Approve

Attachment

8. *Health Care Services Agency* – Approve a standard agreement (Procurement No. 5120) with Oakland Unified School District (Principal: Tony Smith; Location: Oakland) to write the final strategic plan for the Mental Health Integration Partnership, 3/1/10 – 8/31/10 ($10,000) – CAO Recommends: Approve

Attachment

9. *Health Care Services Agency* – Approve a standard agreement (Procurement No. 5117) with Oakland Small Schools Foundation (Principal: Julie Besaha; Location: Oakland) utilizing District Three Measure A “Other” funds to provide behavioral health services to students in ASCEND Elementary, ARISE High School and LIFE Academy of Health and Bio-Science, 3/1/10 – 6/30/10 ($15,000) – CAO Recommends: Approve

Attachment
10. *Health Care Services Agency* – Approve the following recommendations:

A. Approve a standard agreement (Procurement No. 5114) with Urban Strategies (Principal: Junious Williams; Location: Oakland) to provide the Children and Youth Initiatives with planning services necessary to develop an Alameda County comprehensive juvenile re-entry blueprint, 3/1/10 – 9/30/10 ($15,000);

B. Approve an amendment to the current standard agreement (Procurement No. 3992) with Bay Area Partnership for Children and Youth (Principal: Jennifer Peck; Location: Oakland) in order to maintain contracted strategic planning and fund development services, extending the contract term from 6/30/10 – 1/31/11, and increasing the amount from $45,000 to $102,500 ($57,500 increase); and

C. Approve related budget adjustments
   – CAO Recommends: Approve – (4/5 Vote)

11. *Health Care Services Agency* – Approve a standard agreement (Contract No. 5137) with Alameda Family Services (Principal: Irene Kudarauskas; Location: Alameda) to provide emergency shelter and support services to Alameda County youth ages 13-18 through its DreamCatcher Program, 1/1/10 – 6/30/10 ($50,000); and approve related budget adjustments – CAO Recommends: Approve – (4/5 Vote)

12. *Public Health Department* – Approve the following recommendations for the Public Health Department:

A. Approve and authorize the execution of Master Contract No. 900744, Procurement No. 5098 with Attitudinal Healing Connection, a community-based non-profit organization (Principal: Kokomon Clottee; Location: Oakland) to provide community outreach, community engagement and community planning process, 4/1/10 – 6/30/10 ($38,998.40);

B. Approve in principle a standard agreement (Procurement No. 5122) with First 5 Alameda County (Principal: Mark Friedman; Location: San Leandro) to provide enhancements to their case management and claims system (ECCChange), 5/1/10 – 12/31/10 ($200,000);

C. Approve and authorize the Auditor-Controller to make appropriation and revenue adjustments; and

D. Authorize the Agency Director to sign the master contract Exhibit A & B
   – CAO Recommends: Approve – (4/5 Vote)

**GENERAL ADMINISTRATION**

12A. *Supervisor Miley* – Approve the use of $4,100 of District Four’s Fiscal Management Reward Funds to support the following:

A. Global Glimpse (Principal: Mary White; Location: Oakland) to provide sponsorship for an Oakland youth to attend a summer immersion trip ($400);

B. Rowell Ranch Rodeo, Inc. (Principal: Russell Fields; Location: Dublin) to provide a petting zoo for children and health screenings for attendees of the Rowell Ranch Event in Castro Valley ($1,200); and

C. Avalon Village (Principal: Jill Cabceceiros; Location: Alameda) to provide independent living housing assistance for active adults over 55 years ($2,500)
13. **Community Development Agency** – Accept the grant of $875,000 from the U.S. Department of Housing and Urban Development for healthy homes activities in low-income housing; authorize the Agency Director upon review and approval by County Counsel to execute a three-year contract; and authorize the Auditor-Controller to increase appropriations with offsetting revenues to commence healthy homes activities under this grant during 2009-2010, beginning 5/15/10; and approve related budget adjustments– CAO Recommends: Approve – (4/5 Vote) 
Attachment

14. **Community Development Agency** – Authorize and approve a resolution adopting the Alameda County HOME Consortium fiscal year 2010-2014 Consolidated Plan and Urban County fiscal year 2010 Action Plan – CAO Recommends: Approve 
Attachment

15. **General Services Agency** – Authorize the Agency to advertise for bid the Access Ramp Installation and Restrooms Remodel Project in the Las Vistas Facility Training Building, San Leandro (Project No. CPPADA09017172A); apply the Enhanced Construction Outreach Program to the project; and authorize the Agency Director to receive bids for this project and to present a summary of the bid results and an award recommendation to the Board – CAO Recommends: Approve 
Attachment

16. **General Services Agency** – Approve the following recommendations related to the Castro Valley Library, Project No. CPP10E100240000:

   A. Accept the proposal of and award a contract (Master Contract No. 900747, Procurement No. 5131) to Sun Light and Power (Principal: Gary Gerber; Location: Berkeley) for the complete design and construction of the Solar Power System ($1,660,876);
   
   B. Authorize the Agency Director to prepare the proper energy services contract documents and bond forms for completion by the Contractor, have said documents reviewed and approved by County Counsel, and upon approval of the grant funding have the contract documents executed by the Board President;
   
   C. Authorize the Agency Director to prepare a 10-year Maintenance and Guaranteed Output Agreement to commence upon acceptance of the solar power installation, have said document reviewed and approved by County Counsel and executed by the Agency Director;
   
   D. Make the finding that the project’s anticipated energy cost savings are greater than the project costs and that the terms of the award are in the best interest of Alameda County;
   
   E. Approve the encumbrance of an additional $40,000 as a Supplemental Work Allowance for a total encumbered amount of $1,700,876 and authorize the Agency Director to issue change orders as necessary against the Supplemental Work Allowance;
   
   F. Amend the fiscal year 2009-2014 Capital Improvement Plan to add the Castro Valley Library Solar Power Project to Category I, Projects Approved and Underway and transfer $522,985 from the designated energy fund to the Capital Projects budget; and
   
   G. Authorize and direct the Auditor-Controller to make the budgetary adjustments – CAO Recommends: Approve – (4/5 Vote) 
Attachment

17. **Human Resource Services** – Authorize the Director of Human Resource Services to execute the renewal of Contract No. 3136 with the State of California, Office of Administrative Hearings (Location: Oakland) to conduct Civil Service Commission appeal hearings, 6/10 through 7/14 ($200,000) – CAO Recommends: Approve 
Attachment

18. **StopWaste.Org** – Request annual adjustment to Measure D Landfill Surcharge – CAO Recommends: Approve 
Attachment
19. **Fire Department** – Approve the following recommendations:

   A. Approve and authorize the execution of an agreement with the City of Union City for the provision of fire and emergency medical response to the residents of Union City, 7/1/10 – 6/30/15;
   B. Approve and authorize the addition of 41 full-time equivalent funded Fire Department positions, effective as of 7/1/10 due to the consolidation;
   C. Approve and authorize the addition of 2 Fire Department Mechanics, effective as of 6/1/10, no additional appropriation for fiscal year 2009-2010; and
   D. Approve and authorize an increase to appropriations in the amount of $8,692,866 for fiscal year 2010-2011 and an increase of $8,692,866 in revenue

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

   **Attachment**

**PUBLIC WORKS**

20. **Public Works Agency** – Second reading and adoption of an ordinance amending the Alameda County Public Works Traffic Code relating to Vehicles and Traffic which include one change to Chapter 1, Article 7, relating to No Parking Zones and No Stopping Zones and one change to Chapter 1, Article 21 relating to No Parking Zones for Street Sweeping Only in the Castro Valley and San Lorenzo areas – Continued from Tuesday, 5/4/10 (Item #14) for second reading

   **Attachment**

21. **Public Works Agency** – Accept the bid and award Contract No. 5130 to PC&N Construction, Inc. (Principal: Clifford Plum; Location: Byron) in the amount of $26,010 for the metal beam guard railing installation on Altamont Pass Road in Livermore, Murray Township, Specification No. 2140; authorize the Board President to sign said contract upon review by County Counsel, said work to be completed within twenty working days from the date of receipt of Notice to Proceed; and approve the encumbrance of an additional $2,601 as a Supplemental Work Allowance for a total encumbered amount of $28,611 for the project and authorize the Agency Director to approve contract changes as necessary against the Supplemental Work Allowance – CAO Recommends: Approve

   **Attachment**

22. **Public Works Agency** – Authorize and direct the Agency Director to report a decrease of 0.654 miles in the maintained mileage of County roadways, and to furnish all required maps and descriptions concerning the mileage of County-maintained roadways in the County of Alameda to the Department of Transportation, Division of Highways, State of California – CAO Recommends: Approve

   **Attachment**

23. **Public Works Agency** – Adopt and approve a resolution establishing the temporary closure of portions of Calaveras Road, East Vallecitos Road, Mines Road, South Livermore Avenue and Tesla Road in the unincorporated Alameda County during the Amgen Bike Tour of California on 5/19/10 – CAO Recommends: Approve

   **Attachment**
FLOOD CONTROL

24. Public Works Agency – Approve and adopt a resolution accepting California Department of Water Resources State funding in the amount of $173,000 for the geotechnical evaluation of Alameda Creek, Zone 5 levees; authorize and approve the execution of the Funding Agreement with the State; and authorize the Agency Director to administer the Funding Agreement which includes signing requests for disbursement of State funds – CAO Recommends: Approve

Attachment

25. Public Works Agency – Approve and authorize the Auditor-Controller to draw a direct claim warrant in the amount of $25,000 for a deposit payable to Alameda County Water District for the engineering design and relocation of a portion of a 8-inch asbestos cement water main in conjunction with Alameda County Flood Control and Water Conservation District’s improvement at the Zone 5, Line B, Freeway I-880 crossing, and upon completion pay any additional costs as deemed necessary and approved by the District – CAO Recommends: Approve

Attachment

26. Public Works Agency – Approve the execution of Agreement No. 5079 between Alameda County Flood Control and Water Conservation District and DHI Water & Environment, Inc. (Principal: Robert Annear; Location: Portland, Oregon) to provide specialized sediment transport analysis services for Alameda Creek Zone 5, Line A, Old Alameda Creek Zone 3A, Line A and San Lorenzo Creek Zone 2, Line B, 5/11/10 – 5/10/13 ($720,000) – CAO Recommends: Approve

Attachment

SITTING AS THE INDUSTRIAL DEVELOPMENT AUTHORITY

27. County Administrator – Adopt a resolution authorizing the issuance and sale of up to $8,000,000 of tax-exempt Recovery Zone Facility Bonds for Dale Hardware, Inc., for the purpose of making a loan to the Applicant, or another entity to be formed by the Applicant, for the purpose of the proposed financing and its successors and assigns, and authorize the execution and approval of related documents, agreements and actions

Attachment

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

ADJOURNMENT

NEXT MEETINGS:

1 MAY 25, 2010 REGULAR CALENDAR
2 JUNE 1, 2010 RECESS - HOLIDAY
3 JUNE 8, 2010 REGULAR CALENDAR
APPENDIX

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

PUBLIC ASSISTANCE

28. Social Services Agency – Authorize the Auditor-Controller to make the necessary appropriation and revenue budget adjustments in the amount of $1,296,846 to align the fiscal year 2009-2010 budget to continue funding the Title IV-E training contract for direct service and management training for foster care families, group home providers, social services child welfare staff and parent advocates – (4/5 Vote)

Attachment

29. Social Services Agency – Approve and authorize the execution of an amendment to fiscal year 2009-2010 Older Americans Act and Older Californians Act Grant Agreement No. AP-01910-09 with the California Department of Aging to continue providing community supportive services; authorize an additional appropriation of $547,931 completely offset by additional revenue; approve contract increases to 29 subcontracts, increasing the amount from $4,718,003 to $5,240,208 ($522,205 increase); and authorize the Agency Director to sign the contract amendments under the master contracting process

Attachment

HEALTH CARE SERVICES

30. Public Health Department – Approve an amendment to Master Contract No. 900160, Procurement No. 4959 with the City of Albany for Albany Police Department to lower the rate of local merchants selling tobacco to youth, 12/1/09 – 6/30/10, increasing the amount from $78,760 to $80,760 ($2,000 increase); and authorize the Public Health Director to sign the master contract Exhibit A & B amendments

Attachment

GENERAL ADMINISTRATION

30A. Supervisor Miley – Authorize and direct the Auditor-Controller to increase appropriations and revenue by $5,000 to District 4 offset by funds in the Violence Prevention trust to fund Empowering Young Men to Succeed in support of violence prevention strategies in fiscal year 2009-2010 – (4/5 Vote)

Attachment

31. Auditor-Controller – Authorize the replacement of two stale dated warrants ($341.96)

Attachment
32. **Auditor-Controller and General Services Agency** – Authorize the Purchasing Agent to negotiate and sign an amendment to Master Contract No. 900063, Procurement Nos. 1561, 4684, 1562 and 3801 with the following vendors to provide audit services, extending the contract term from 5/16/10 to 5/15/12, and increasing the amount from $550,000 to $950,000 ($400,000 increase):

   A. Patel & Associates (Principal: Ramesh Patel; Location: Oakland)
   B. C.G. Uhlenberg, LLP (Principal: Jeffrey Ira; Location: Fremont)
   C. Williams, Adley & Company, LLP (Principal: Brent Copeland; Location: Oakland); and
   D. Grant & Smith formally known as Ravinder Singh & Associates (Principal: Ravinder Singh; Location: Oakland)

   [Attachment]

33. **General Services Agency** – Authorize the Agency Director to issue a contract amendment (Contract No. 2399) with VBN Architects (Principal: Timothy L. Craig; Location: Oakland) to provide additional consulting services for completion of the Highland Hospital Make Ready work at the Highland Hospital Campus, with no change in the contract term, increasing the amount from $243,530 to $254,130 ($10,600 increase)

   [Attachment]

34. **Treasurer-Tax Collector** – Approve the Investment Report for March 31, 2010

   [Attachment]

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**PUBLIC PROTECTION**

35. **District Attorney** – Adopt a resolution to apply for funds from the California Victim Compensation and Government Claims Board for the Criminal Restitution Compact Program, 7/1/10 – 6/30/11 ($270,784); and authorize the District Attorney to execute and submit a standard agreement amendment

   [Attachment]

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**PUBLIC WORKS**

36. **Public Works Agency** – Approve and authorize the execution of an amendment to the Memorandum of Understanding with Zone 7 (Principal: Jill Duerig; Location: Livermore) to provide flood control maintenance services to Zone 7, extending the contract term from 6/30/10 to 6/30/11, and increasing the amount from $400,000 to $800,000 ($400,000 increase)

   [Attachment]

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**PERSONNEL, ADMINISTRATION AND LEGISLATION BOARD COMMITTEE**

37. PAL Board Committee Recommends: Approve legislation items referred to the full Board of Supervisors

   A. HR 1675: Fran Melville Supportive Housing Investment Act of 2009 (Murphy)
      Recommendation: Support

   B. HR 4247: Keeping All Students Safe Act (Miler)
      Recommendation: Support
C. AB 2147: Safe Routes to Schools Construction Program (Perez)
   Recommendation: Support

D. SB 1210: Taxation: Sweetened Beverage Tax (Florez)
   Recommendation: Support

E. SB 1255: Schools Nutrition: Beverages (Padilla)
   Recommendation: Support

F. SB 1413: Schools: Food Service Areas: Water (Leno)
   Recommendation: Support

Attachment

BOARDS AND COMMISSIONS

38. Supervisor Haggerty – Accept the resignation of Clark T. Gunson from the Human Relations Commission
   Attachment

39. Supervisor Miley – Reappoint Ophelia Long to the Civil Service Commission, term ending 1/14/15
   Attachment

40. Supervisor Miley – Reappoint Ora Watson to the Consumer Affairs Commission, term ending 6/20/12
   Attachment

41. Supervisor Miley – Reappoint Alane L Friedrich to the Mental Health Advisory Board, term ending 5/1/13
   Attachment

42. Supervisor Miley – Reappoint Jewell Spalding to the West County Board of Zoning Adjustments, term ending
    4/30/14
   Attachment

43. Supervisor Miley – Reappoint Kathy Gil to the West County Board of Zoning Adjustments, term ending 4/30/14
   Attachment

END OF CONSENT

OUT-OF-STATE TRAVEL

44. Community Development Agency – Deputy Director – 1st Annual National Safe and Healthy Housing Coalition
    Meeting – Washington, D.C., 5/23/10 – 5/25/10 ($1,000)
    Attachment

45. District Attorney – District Attorney, Deputy District Attorney and Inspector II – Grants/Meeting with Federal
    Agencies/Police Officers Memorial – Washington, D.C., 5/9/10 – 5/15/10 ($2,322 each)
    Attachment
46. **District Attorney** – Inspector II – Grants/Meeting with Federal Agencies/Police Officers Memorial – Washington, D.C., 5/12/10 – 5/15/10 ($1,224)
   Attachment

47. **District Attorney** – 2 Deputy District Attorneys and Victim Witness Senior Advocate – “Investigating and Prosecuting Sexual Assault in Native American Communities Conference” – St. Paul, Minnesota, 5/18/10 – 5/21/10 (No County Cost)
   Attachment

48. **Health Care Services Agency** – Centers for Disease Control Fellow – “National Association of City and County Health Officials Annual 2010 Conference” – Memphis, Tennessee, 7/13/10 – 7/16/10 ($2,179)
   Attachment

49. **Health Care Services Agency** – 2 Ancillary Support Workers – Fostering Futures – National Court Appointed Special Advocates – Chicago, Illinois, 5/2/10 – 5/4/10 (No County Cost)
   Attachment

50. **Health Care Services Agency** – Supervising Program Specialist – National Court Appointed Special Advocates Urban Initiatives Meeting – Portland, Oregon, 6/14/10 – 6/17/10 (No County Cost)
   Attachment

   Attachment

52. **Sheriff Department** – 4 Sergeants – “National Police Memorial Week Conference” – Washington, D.C., 5/10/10 – 5/16/10 (No County Cost)
   Attachment

   Attachment

   Attachment