

BOARD OF SUPERVISORS

Regular Meeting Tuesday, August 30, 2005

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

> SUSAN S. MURANISHI COUNTY ADMINISTRATOR

SCOTT HAGGERTY, VICE-PRESIDENT
GAIL STEELE
ALICE LAI-BITKER
NATE MILEY
KEITH CARSON. PRESIDENT
DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RICHARD E. WINNIE COUNTY COUNSEL

MISSION STATEMENT

THE BOARD OF SUPERVISORS OF ALAMEDA COUNTY, THROUGH THE DEDICATION, EXCELLENCE, AND DIVERSITY OF ITS EMPLOYEES, IS COMMITTED TO SERVE THE NEEDS OF THE COMMUNITY AND TO ENHANCE THE QUALITY OF LIFE

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 <u>not</u> on the agenda, please wait until the President calls for public input at the end of the Regular Calendar. <u>NOTE:</u> 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 <u>two-week</u> 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.

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Normally, the Board meets on Tuesdays and their meeting begins no earlier than 10:00 a.m. and may begin later, depending on the Closed Session, which normally begins at 9:00 a.m.

9:00 A.M.

CALL TO ORDER AND SALUTE TO FLAG

APPROVE MINUTES OF REGULAR MEETING: TUESDAY, AUGUST 9, 2005

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators: Denise Eaton-May and Keith Fleming

Employee Organizations: All Labor Organizations

Agency Negotiators: Denise Eaton-May and Keith Fleming

Employee Organization: Alameda County Management Employees Association

Agency Negotiators: Denise Eaton-May and Keith Fleming

Employee Organization: Alameda County Management Employees Association; Probation

Peace Officers Association

Agency Negotiators: Denise Eaton-May

Employee Organizations: Unrepresented Management

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Initiation of litigation pursuant to Subdivision (c) of Government Code § 54956.9: (Five Cases)

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

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Name of Case: M.A. Mortenson Company v. County of Alameda, Superior Court, County of Santa Clara, No. 04-CV-021227

10:00 A.M. - SET MATTERS

1. CONSENT CALENDAR (See Appendix, Item Numbers 24 - 50)

10:00 A.M. - REGULAR CALENDAR

BOARD OF SUPERVISORS' REMARKS

HEALTH CARE SERVICES

2. Approve a master contract augmentation for the Alameda County Network of Mental Health Clients (Principal: Nancy Thomas; Location: Oakland) for the BEST NOW Program to provide additional Consumer Learning About Service to Peers training, 7/1/05 – 6/30/06, increasing the amount from \$679,334 to \$701,334 (\$22,000 increase) – CAO Recommends: Approve

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- 3. Approve the following recommendations to continue to administer the Waste Tire Enforcement grant from the California Integrated Waste Management Board, and perform enforcement/compliance and/or surveillance activities at waste tire facilities in support of the solid waste landfill permit and inspection program of Alameda County's Environmental Health Services, Office of Solid Waste Management:
 - A. Accept the award of \$189,352 for the solid waste landfill permit 6/30/05 6/30/06;
 - B. Approve and authorize the execution of the grant
 - C. Authorize the Auditor-Controller to make the necessary budget adjustments
 - CAO Recommends: Approve (4/5 Vote)
- 4. Approve a contract agreement with Mental Health Management dba Canyon Manor (Principal: Richard Evatz; Location: Novato) to provide skilled nursing services, 7/1/05 6/30/06 (\$80,600) CAO Recommends: Approve
- 5. Approve and authorize the execution of a contract with the State of California Department of Mental Health Conditional Release Program to provide community mental health treatment and supervision to judicially committed individuals, 7/1/05 6/30/06 (\$623,000) CAO Recommends: Approve
- 6. Approve and authorize the execution of a contract with CMC Training and Consulting, Inc. (Principal: Catherine M. Wool; Location: Oakland) to provide Behavioral Health Care Services with customized software application training, 7/1/05 6/30/06 (\$76,950) CAO Recommends: Approve
- 7. Approve a contract agreement with the Family Violence Law Center (Principal: Julie Arno; Location: Oakland), fiscal agent for the CalWORKs Domestic Violence Collaborative, to provide CalWORKs counseling services, 7/1/05 6/30/06 (\$60,000) CAO Recommends: Approve

GENERAL ADMINISTRATION

- 7A. *President Carson* Approve a Memorandum of Understanding between the Alameda County Social Services Agency and the Berkeley Unified School District to provide for the implementation of Express Lane Eligibility which allows parents to apply for Medi-Cal for their school-age children
- 8. *Supervisor Lai-Bitker* Approve an increase in appropriations offset by Fiscal Management Reward Program savings to augment the following Community focused programs and outreach and authorize the Auditor-Controller to make necessary budget adjustments (\$20,578):
 - A. Exercise bands for senior participants in County senior programs (\$9,978);
 - B. Posters announcing the Family Justice Center (\$4,375);
 - C. Three month student intern position in District 3 to provide Chinese community outreach (\$3,500);
 - D. Six month student internship in District 3 to assist staff in organizing senior programs (\$2,100); and
 - E. Bone density testing for osteoporosis by the Foundation for Osteoporosis Research and Education (\$625)

General Services Agency:

8A. Authorize the Purchasing Agent to negotiate and sign a contract with SBC DataComm (Principal: Rhonda J. Lutz; Location: Oakland) to provide cabling services, 11/1/05 – 10/31/08 (\$2,442,523) – Continued from Tuesday, 8/9/05 (Item #19)

- 9. Approve the following recommendations related to the acceptance of responses to Request for Proposal for Juvenile Justice Center furniture, Project No. CPP99C517400000 (\$1,848,881):
 - A. Authorize the Purchasing Agent to negotiate, and the President of the Board to sign documents with the following three furniture vendors supplying furnishings for the new Juvenile Justice Center, 10/1/05 9/30/07:
 - 1. Pivot Interiors (Principal: Jennifer Burton; Location: Pleasanton)
 - 2. Unisource Solutions (Principal: Pam Rosendale; Location: San Leandro)
 - 3. Vanguard Legato Group (Principal: Frank Abajian; Location: San Leandro)
 - B. Approve the encumbrance of an additional \$184,888 as a Supplemental Work Allowance for a total encumbered amount of \$2,033,769; and authorize the Purchasing Agent to issue change orders, as necessary, against the Supplemental Work Allowance
 - CAO Recommends: Approve

Human Resource Services:

- 10. Second reading and adoption of a salary ordinance amendment establishing a new class in the Health Care Services Agency, amending footnotes in the General Services Agency and Auditor's Agency and establishing a footnote in the Probation Department **Continued from Tuesday, 8/9/05 (Item #23) for second reading**
- Second reading and adoption of a salary ordinance amendment (1) increasing salaries for unrepresented management and related classes, unrepresented non-management classes related to SEIU, and deferring salary increases for seven classes in the District Attorney's Office and four classes in the Public Defender's Office, and (2) revising Article 7 Section 7-5 "Paid Leave," Section 7-6 "Job-Related Expenses Reimbursement Plan," and Section 7-10 "Cafeteria Benefit Plan: Amount of Allocable Money;" and an ordinance amending Section 3.20.060, "Cumulative sick leave plan," Section 3.20.070, "Cumulative sick leave plan for employees regularly scheduled to work less than full time," Section 3.20.140, "Conversion of sick leave to vacation leave," and Section 3.28.130, "Deductions from pay or leave balances for absences of less than a day," of the Alameda County Administrative Code; and increasing health plan co-pays for all unrepresented managers to \$15 Continued from Tuesday, 8/9/05 (Item #25) for second reading
- 12. First reading and introduction of a salary ordinance amendment establishing a new class in the Sheriff's Office, with salary administration criteria and revising a footnote in the Social Services Agency CAO Recommends: Approve
- Approve and authorize the Purchasing Agent to sign an amendment to extend the existing contract with TALX Corporation (Principal: William W. Canfield; Location: St. Louis, Missouri) to provide unemployment insurance administration services, 5/1/05 4/30/06, increasing the amount from \$25,266.24 to \$34,613.78 (\$9,347.54 increase) CAO Recommends: Approve
- 14. Adopt new salary rates for unrepresented managers in the Alameda County Fire Department CAO Recommends: Approve
- 14A. *County Administrator* Authorize the execution of an amended agreement with CS STARS LLC, and indirect wholly-owned subsidiary of Marsh USA Inc. (Principal: Phillip Luecht; Location: San Francisco) for Marsh's STARS Risk Management Information System, extending the contract term from 9/10/05 12/10/05, increasing the amount from \$164,779 to 174,262 (\$9,483 increase)
- 15. Registrar of Voters Authorize the General Services Agency to issue a Request for Proposal for a voting system to meet State verified paper audit trail and Federal Help America Vote Act requirements by January 1, 2006 CAO Recommends: Approve

SITTING AS THE REDEVELOPMENT AGENCY

16. *Community Development Agency* – Approve an Owner Participation Agreement with Don and Tomi Van Eeghen (Location: San Lorenzo) for a façade improvement loan to their retail business located with the Redevelopment Area of Hesperian Boulevard (\$102,948) – CAO Recommends: Approve

PUBLIC PROTECTION

17. *District Attorney* – Adopt a resolution designating and authorizing the District Attorney to execute and submit a proposal to the Archstone Foundation for the Elder Abuse & Neglect Initiative, 1/1/06 – 12/31/07 (\$744,365) – CAO Recommends: Approve

Sheriff:

- 18. Approve mid-year position, pay unit, appropriation and revenue adjustments for court security support services provided by one Financial Services Specialist and one Accounting Specialist positions, effective 7/1/05 (\$197,428) CAO Recommends: Approve (4/5 Vote)
- 19. Approve mid-year budget and pay unit adjustments for an increase in appropriations to fund eleven pay units for one Sergeant position in the Detention and Corrections Administration to coordinate volunteer services for the inmates at the Santa Rita and Glenn E. Dyer Detention facilities, effective 8/1/05 CAO Recommends: Approve (4/5 Vote)
- 20. Approve and authorize the Sheriff to sign a contract with Identix (Principal: Joseph Atick; Location: Minnetonka, Minnesota) to maintain the Livescan machines for the CAL-ID system, 7/1/05 6/30/06 (\$120,500) CAO Recommends: Approve
- 21. Approve mid-year pay unit, appropriation and revenue adjustments to fund one Lieutenant position at the Eden Township Substation for the Alameda County Narcotics Task Force CAO Recommends: Approve (4/5 Vote)

PUBLIC WORKS

- 22. Second reading and adoption of an ordinance amending the Alameda County Public Works Traffic Code relating to Vehicles and Traffic, which include five changes to Chapter 1, Article 7, relating to no parking zones and no stopping zones; one change to Chapter 1, Article 9, relating to limited parking zones; one change to Chapter 1, Article 12, relating to bus zones; and two changes to Chapter 1, Article 20, relating to disabled persons and veterans parking zones in Ashland, Hayward, Castro Valley, San Leandro and San Lorenzo areas Continued from Tuesday, 8/9/05 (Item #33) for second reading
- 23. Receive bids and award a contract to Dawson Construction (Principal: Ralph Dawson; Location: Vallejo) for the repair of damaged sidewalks, driveways, curbs and gutters at various locations in San Lorenzo, Hayward, and Castro Valley; and authorize the execution of the contract upon review by Public Works Department and County Counsel (\$107,145.50) CAO Recommends: Approve

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

ADJOURNMENT

NEXT MEETINGS: SEPTEMBER 6, 2005 CANCELED – HOLIDAY

SEPTEMBER 13, 2005 CANCELED

SEPTEMBER 20, 2005 REGULAR CALENDAR PLANNING CALENDAR

SEPTEMBER 27, 2005 BOARD RETREAT

OCTOBER 4, 2005

OCTOBER 11, 2005

OCTOBER 18, 2005

OCTOBER 25, 2005

REGULAR CALENDAR

REGULAR CALENDAR

REGULAR CALENDAR

BOARD RETREAT

OCTOBER 27, 2005 PLANNING CALENDAR

APPENDIX

CONSENT CALENDAR - ITEM NUMBERS 24 - 50

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

HEALTH CARE SERVICES

- 24. Approve and authorize the execution of a contract renewal with the City of Berkeley to continue the provision of vector control services, 7/1/05 6/30/06 (\$234,381)
- 25. Approve and authorize the execution of a contract renewal with the U.S. Department of Agriculture's Animal and Plant Health Inspection Services to continue the provision of wildlife consultation and suppression services, 7/1/05 6/30/06 (\$43,500)
- 26. Approve the designation of the Heritage Psychiatric Health Facility (Principal Alan Ledford, Ph.D.; Location: Oakland) as a Category I Full Designation for the purpose of Involuntary 5150 Admissions
- 27. Authorize the Department of Behavioral Health Care to hold annual recognition dinner events, not to exceed \$2,500, for members of the Mental Health Advisory Board and volunteers who contribute their time, efforts and skills towards pursuing the functions of Advisory Board
- 28. Approve mid-year position, pay unit, appropriation and revenue adjustments for four newly created Health Insurance Technician positions, effective 9/12/05, in order to convert three full-time employees positions from the Temporary Assignment Pool (4/5 Vote)
- 29. Approve a contract with Alameda County Medical Center for space renovation, staffing, and equipment necessary to establish a Pre-Registration Unit for the Highland Outpatient clinics, 8/1/05 7/31/06 (\$519,380); and approve related budget adjustments (4/5 Vote)
- 30. Approve a standard agreement with the City of Hayward to continue the mental health-counseling component to non Medi-Cal eligible students participating in the Hayward OUR KIDS program, 9/1/05 8/31/06 (\$264,193)
- 31. Approve a time-only three-month contract amendment with inFocus Consulting and Development, LLC (Principal: Christine Stoner-Mertz; Location: Oakland) to provide CalWORKs consultation to Behavioral Health Care Services, extending the term from 8/1/05 through 10/31/05, with no change in the contract amount

GENERAL ADMINISTRATION

Auditor's Agency:

- 32. Approve an increase of returned check service charges to the statutory limit of \$25.00 for the first check passed on insufficient funds and \$35.00 for each subsequent check on insufficient funds according to the provisions of California Civil Code 1719 for all County departments
- Authorize the Auditor-Controller to execute the No Fee agreement with the 1st United Services Credit Union to process the direct deposit of employee's net pay to the Federal Reserve Bank; and amend the No Fee agreement with updated language as maybe required in the future to comply with Automated Clearing House Rules
- 34. Adopt the Countywide and Debt Service Tax Rates for fiscal year 2005-2006

Community Development Agency:

- Authorize the Agency Director to execute renewal contracts, as approved by County Counsel, with community-based organizations to fund supportive services and operating costs for the provision of housing and housing-related services under the Housing Opportunities for People with AIDS Program, 9/1/05 2/28/06:
 - A. Ark of Refuge (Principal: Bishop Yvette Flunder; Location: Oakland) for case management services at Walker House (\$84,069);
 - B. Building Opportunities for Self-Sufficiency (Principal: boona cheema; Location: Oakland) for short and long-term housing and case management services at Hale La'ulima and Rosa Parks House (\$35,600);
 - C. East Oakland Community Project (Principal: Wendy Jackson; Location: Oakland) for emergency shelter supportive services (\$45,250);
 - D. Eden Information and Referral (Principal: Barbara Bernstein; Location: Hayward) for the AIDS Housing and Information Project (\$37,504);
 - E. Providence House (Principal: Timothy A. Zaricznyj; Location: Oakland) for psychological and counseling services (\$25,000); and
 - F. Resources for Community Development (Principal: Daniel Sawislak; Location: Berkeley) for on-site intensive case management services and off-site supportive services and resources at four scattered sites in Alameda County: The Harrison Residence in Oakland; Marlon Riggs Apartments in Oakland; Bay Bridge Apartments in Emeryville; and Dwight Way Apartments in Berkeley (\$32,426.50)
- Approve the following recommendations for professional planning services to complete the Alameda County Eden Area General Plan Update and the Eden Area General Plan Environmental Impact Report with Wolfe Mason Associates dba Design, Community & Environment (Principal: David Early; Location: Berkeley), extending the terms of two contracts from 9/30/05 to 9/30/06:
 - A. Approve and authorize the execution of a contract amendment for the completion of the Eden Area General Plan Update, with no change in the contract amount of \$377,822
 - B. Approve and authorize the execution of a contract amendment for the completion of the Eden Area General Plan Environmental Impact Report, with no change in the contract amount of \$150.000
 - C. Authorize and direct the Agency Director to take all actions necessary to implement the contract, including execution of contract amendments with no monetary value
- 37. Human Resource Services Approve classification actions taken by the Civil Service Commission on 8/3/05
- 38. *Information Technology Department* Approve fiscal year 2005-2006 budget adjustments to provide technology services for various departments (\$6,038 for fiscal year 2005-2006 and \$6,216 for subsequent years) (4/5 Vote)

PUBLIC PROTECTION

Sheriff:

- 39. Approve a one-time internal technical revenue and appropriation adjustments to move identified positions and funds within the department's operational needs for fiscal year 2006 (4/5 Vote)
- 40. Approve a three-year Memorandum of Understanding between Alameda County and the Cities of Dublin, Livermore and Pleasanton to provide continued management and operation of the East County Animal Shelter by the Sheriff's Office, 7/1/05 6/30/08

PUBLIC WORKS

- 41. Approve partial refund of fees collected on building permit fees to Wayne A. Blackard (\$1,432.09); and direct the Auditor-Controller to issue a warrant
- 42. Approve a resolution authorizing the Public Works Agency's submission of a funding grant application to the Bay Area Air Quality Management District through the 2005-2006 Transportation for Clean Air Regional funding program for the South Livermore Avenue-Tesla Road Bicycle Lane Gap Closure project (\$445,455)

PERSONNEL, ADMINISTRATION AND LEGISLATION (PAL) BOARD COMMITTEE

- 43. PAL Board Committee Recommends: Approve legislation issues referred to the full Board of Supervisors
 - A. H.R. 1157 (Sanders) Freedom to Read Protection Act Recommendation: Support
 - B. H.R. 3131 (Upton) To Amend the Public Health Service Act with Respect to the Healthy Start Initiative

Recommendation: Support

- C. S. 1389 (Specter) USA Patriot Act Improvement and Reauthorization Act Recommendation: Oppose Unless Amended
- D. SB 803 (Ducheny) Ongoing Substance Abuse and Crime Prevention Act of 2005 Recommendation: (Pending PAL approval on 8/29/05)
- E. ACA 17 (Mullin) Elections: Voting Age Recommendation: (Pending PAL approval on 8/29/05)

BOARDS AND COMMISSIONS

President Carson:

- 44. Reappoint the following to the Airport Land Use Commission:
 - A. L.B. "Woody" Pereira, term ending 6/19/09
 - B. Joseph Chan, term ending 9/1/09
- 45. Reappoint Kristi Schutjer-Mance to the Commission on the Status of Women, term ending 5/31/07

Supervisor Lai-Bitker:

- 46. Reappoint Dom Dicolen to the Public Health Advisory Committee, term ending 6/30/07
- 47. Appoint Anthony E. Forrette to the Alameda County Mental Health Board, term ending 8/30/08
- 48. Supervisor Miley Reappoint John Ryzanych to the Castro Valley Redevelopment Citizens Advisory Committee, term ending 8/5/07

- 49. *Alameda County Workforce Investment Board* Appoint R. Karl Hebenstreit to the Workforce Investment Board, term ending 3/31/06
- 50. *First Five Alameda County* Approve the following recommendations regarding candidates to fill vacancies on the First Five Alameda County Commission, terms ending 7/26/09:
 - A. Reappoint current Commissioners:
 - 1. Keith Carson
 - 2. Dave Kears
 - 3. Chet Hewitt
 - B. Appoint Albert Wang

END OF CONSENT

OUT-OF-STATE TRAVEL

District Attorney:

Senior Deputy District Attorney – DNA fingerprinting and Civil Liberties – Cambridge, Massachusetts, 9/15/05 – 9/17/05 (No Net County Cost)

Chief Assistant District Attorney – President's Family Justice Center Initiative Learning Exchange – Indianapolis, Indiana, 9/19/05 – 9/23/05 (No Net County Cost)

General Services Agency – Director – "GreenBuild International Conference & Expo" – Atlanta, Georgia, 11/9/05 – 11/11/05 (No Net County Cost)

Health Care Services Agency:

Health Officer, Public Health Department – National Association of City and County Health Officials Social Justice Commission Meeting – Washington, D.C., 9/8/05 – 9/9/05 (No Net County Cost)

Health Care Administrator, Public Health Department, Office of AIDS – Communities Advocating Emergency AIDS Relief Coalition Business Meeting and Advisory Days – Washington, D.C., 9/13/05 – 9/16/05 (\$1,832 Net County Cost)

Physician III, Behavioral Health Care Services – "18th Annual U.S. Psychiatric & Mental Health Congress" – Las Vegas, Nevada, 11/8/05 – 11/10/05 (\$349 Net County Cost)

Director, Public Health Department – Collaborative Work in Zimbabwe – Zimbabwe, Africa, 9/7/05 – 9/22/05 (No Net County Cost)

Information Technology Department – Programmer Analyst and Senior Computer Operator – StreamWeaver Development Using Visual Engineer training – Lisle, Illinois, 9/12/05 – 9/16/05 (\$4,700 per person Net County Cost)

Probation – Acting Director, 2 Deputy Probation Officers and Unit Supervisor, Adult Services – "Clearing the Path for Girls and Women: A Call for Action"- Bloomington, Minnesota, 10/17/05 – 10/19/05 (\$1,165.65 per person Net County Cost)

Sheriff:

Identification Supervisor (2), Central Identification Bureau – Courtroom Testimony Techniques and Demystifying Palm Prints training – Monmouth, Oregon, 9/12/05 – 9/16/05 (\$1,191.65 per person Net County Cost)

Criminalist II and Criminalist III, Countywide Services – Crime Lab – "16th International Symposium on Human Identification" – Grapevine, Texas, 9/24/05 – 9/30/05 (No Net County Cost)

Lieutenant, MOMS Program Director and Program Assistant – Detentions & Corrections Administration – "Clearing the Path for Girls and Women: A Call for Action"- Bloomington, Minnesota, 10/15/05 – 10/19/05 (No Net County Cost)

Social Services Agency – Web Systems Director, Information Services Department – "American Public Human Services Association-Information Services Management Conference" – Greensboro, North Carolina, 8/28/05 – 8/31/05 (\$1,800 Net County Cost)

Treasurer-Tax Collector – Assistant Treasurer, Staff Services Assistant and Administrative Specialist II, Deferred Compensation Plan Unit – "National Association of Government Defined Contribution Administrators Annual Conference" – Miami, Florida, 9/18/05 – 9/21/05 (No Net County Cost)

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