



## BOARD OF SUPERVISORS

### Regular Meeting

Tuesday, May 24, 2005

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

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

SUSAN S. MURANISHI  
COUNTY ADMINISTRATOR

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 **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.

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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 SPECIAL MEETING: TUESDAY, APRIL 26, 2005**  
**SPECIAL MEETING: TUESDAY, MAY 10, 2005 AND**  
**REGULAR MEETING: TUESDAY, MAY 17, 2005**

**CLOSED SESSION**

**CONFERENCE WITH LABOR NEGOTIATORS**

Agency Negotiators: Denise Eaton-May and Keith Fleming  
Employee Organization: Alameda County Management Employees Association

Agency Negotiators: Denise Eaton-May and Keith Fleming  
Employee Organizations: All Labor Organizations

Agency Negotiators: Denise Eaton-May and Keith Fleming  
Employee Organization: Deputy Sheriff's Association

Agency Negotiators: Denise Eaton-May  
Employee Organization: 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: County of Alameda v. Torres (ACSC Case no. HG04-14606)

**DEPARTMENT HEAD EVALUATION**

Fire Chief

**10:00 A.M. - SET MATTERS**

1. **CONSENT CALENDAR (See Appendix, Item Numbers 20 - 39)**

## **10:00 A.M. - REGULAR CALENDAR**

### **BOARD OF SUPERVISORS' REMARKS**

#### **COMMENDATIONS – SET AT 11:00 A.M.**

*Supervisor Haggerty:*

2. Commend Police Officer Randy Paulson of the Pleasanton Police Department for his dedication and commitment to his profession
3. Commend Deputy Todd Gore of the Dublin Police Services for his dedication and commitment to his profession

#### **GENERAL ADMINISTRATION**

4. *Supervisors Miley and Steele* – Recommending approval of resolution supporting AB 19 Religious Freedom and Civil Marriage Protection Act

#### **PUBLIC ASSISTANCE**

5. *Social Services Agency* – Authorize the Auditor-Controller to issue a purchase order and approve payment to the North County Self-Sufficiency Corporation (Principal: Alan Dones; Location: Oakland) for a one-time construction related wiring cost at the North County Self-Sufficiency Center (\$400,000) – CAO Recommends: Approve

#### **IN-HOME SUPPORT SERVICES PUBLIC AUTHORITY**

*Social Services Agency:*

6. Authorize the execution of a contract with RTZ Associates, Inc. (Principal: Michael Zawadski; Location: Oakland) to provide software development, lease and support services for the Centralized Registry database for the Public Authority for In-Home Support Services, 6/1/05 – 6/30/06 (\$17,485 total - \$5,099 for fiscal year 2004-2005 and \$12,386 for fiscal year 2005-2006) – CAO Recommends: Approve
7. Authorize the execution of a contract with Refined Technologies, Inc. (Principal: Greg Eby; Location: San Jose) to provide software development, lease and support services for the administration of the provider health benefits for the Public Authority for In-Home Support Services, 5/18/05 – 6/30/06 (\$19,625) – CAO Recommends: Approve

#### **HEALTH CARE SERVICES**

8. Approve the Memorandum of Understanding with the Alameda County Office of Education pertaining to the enactment of funding and other provisions of Senate Bill 1895 for Behavioral Health Care Services to provide mental health services identified within a student's Individualized Education Plan, 7/1/04 – 6/30/05 – CAO Recommends: Approve

9. Approve in principle master contract amendments for community-based organizations and other contracts for Public Health Department, Office of AIDS Administration and Emergency Medical Services:
  - A. Master Contract C-93-0696 with CAL-PEP (Principal: Gloria Lockett; Location: Oakland) to fund the HIV Testing Day Campaign, extending the term from 2/28/05 to 6/30/05, and increasing the amount from \$5,000 to \$20,000 (\$15,000 increase)
  - B. Master Contract C-2002-329 with Lawrence Livermore National Laboratory (Principal: Regents of the University of California; Location: Livermore) to provide consolidated fire and medical 911 dispatch services for Public Health Emergency Medical Services, with no change in the term, and increasing the amount from \$1,800,000 to \$2,118,000 (\$318,000 increase)
 – CAO Recommends: Approve
  
10. Approve the following recommendations to continue the expansion of Early Periodic Screening, Diagnosis and Treatment services, Round #2 for Medi-Cal eligible children:
  - A. Approve in principle contracting with providers selected in EPSDT, second round selection process:
    1. A Better Way (Principal: Shahnaz Mazadarani; Location: Berkeley)
    2. Adolescent Treatment Centers (Principal: Tom Gerstel; Location: Oakland)
    3. Alameda County Medical Center
    4. Alternative Family Services (Principal: Jay A. Berlin; Location: Petaluma)
    5. Asian Community Mental Health Board, Inc. (Principal: Betty Hong; Location: Oakland)
    6. Center for Family Counseling (Principal: Paula Barber; Location: Oakland)
    7. Change thru Xanthos, Inc. (Principal: Irene Kudaruskas; Location: Alameda)
    8. Children’s Hospital & Research Center at Oakland (Principal: David Bertauski; Location: Oakland)
    9. City of Fremont – Youth & Family Services
    10. East Bay Agency for Children (Principal: Steve Eckert; Location: Oakland)
    11. Fred Finch Youth Center (Principal: John Steinfirsh; Location: Oakland)
    12. Girls Inc. (Principal: Pat Loons; Location: Oakland)
    13. New Bridge Foundation (Principal: Kosta Markakis; Location: Albany)
    14. The Perinatal Council (Principal: Barbara Bunn-McCullough, PhD; Location: Oakland)
    15. Seneca Center (Principal: Ken Berrick; Location: San Leandro)
    16. Through the Looking Glass (Principal: Megan Kirshbaum, PhD; Location: Oakland)
    17. Tiburcio Vasquez Health Center, Inc. (Principal: Jose Joel Garcia; Location: Hayward)
 – CAO Recommends: Approve
  - B. Approve to establish five additional positions to support the administration using a portion of the already approved Tobacco Master Settlement or other non-general fund sources designated to support the expansion; and
  - C. Approve related budget adjustments with \$6,794,949 in appropriations and \$6,462,346 in revenues
 – CAO Recommends: Approve – (4/5 Vote)

**GENERAL ADMINISTRATION**

*Community Development Agency:*

11. Authorize and direct the execution of a contract with Resources for Community Development (Principal: Daniel Sawislak; Location: Berkeley) for \$20,400 in Urban County HOME funds for the Miramar/Mariposa Apartments, 32 units of supportive housing for formerly homeless individuals and families, 5/1/05 – 12/31/06 – CAO Recommends: Approve

12. Authorize the execution of a two-year renewal contract from 8/1/05 – 7/31/07 with the California Department of Transportation, Office of Procurement and Contracts, for the control of ground squirrels and other burrowing rodents within Caltrans highway right of way in Alameda County (\$120,000) – CAO Recommends: Approve

*General Services Agency:*

13. Authorize the Agency Director to increase the amount of the construction contract with RoSa Construction Co., Inc. (Principal: Robert Reil; Location: Hayward) for tenant improvements on the third floor at Courthouse Square, 24085 Amador Street, Hayward, Project No. CPP99C517900000, increasing the amount from \$255,958 to \$265,577 (\$9,619 increase); and accept work of same – CAO Recommends: Approve
14. Approve the following recommendations related to the remodel of the third through fifth floor restrooms of the Administration Building, 1221 Oak Street, Oakland, Project No. CPPADA05004390A (\$472,234):
- A. Accept the bid and award a contract to RoSa Construction Co., Inc. (Robert Reil; Location: Hayward);
  - B. Approve the encumbrance of an additional \$47,200 as a Supplemental Work Allowance for a total encumbered amount of \$519,434, and authorize the Agency Director to issue change orders, as necessary, against the Supplemental Work Allowance; and
  - C. Authorize the Agency Director to prepare documents for completion by the contractor, have said documents reviewed and approved by County Counsel for execution by the Board
- CAO Recommends: Approve

**TRANSPORTATION/PLANNING BOARD COMMITTEE**

15. First reading and introduction of an ordinance adding Chapter 6.108 to Title 6 of the Ordinance Code of the County of Alameda relating to Medical Marijuana Dispensaries

**PUBLIC WORKS**

16. Adopt a resolution to accept the bid and award a contract to Fanfa, Inc. (Principal: Joseph G. Fanfa; Location: San Lorenzo) for the construction of curb and gutter, driveways and sidewalk on Alma Avenue and Redwood Road in Castro Valley, Specification No. 2014; and authorize the President to sign upon review by County Counsel (\$143,842.13) – CAO Recommends: Approve
17. Accept the bid and award a contract to DeSilva Gates Construction (Principals: Edwin O. DeSilva and Richard B. Gates; Location: Dublin) for the resurfacing of portions of various roadways in the unincorporated area of Alameda County, Specification No. 1996; and authorize the President to sign upon review by County Counsel (\$1,503,534) – CAO Recommends: Approve
18. Accept the Art Commission's recommendations of the fiscal year 2004-2005 County Supervisors' ARTSFUND grants program awards (\$60,000); and authorize and direct the Auditor-Controller to issue warrants payable to the 60 grant recipients – CAO Recommends: Approve

**GENERAL ADMINISTRATION**

- 18A. Confirmation of appointment of Daniel Boggan, Jr. to the Alameda County Medical Center Board of Trustees, term ending 5/17/08

**10:30 A.M. - SET MATTER**

**BOARD OF SUPERVISORS' APPRECIATION PROGRAM**

19. *Board of Supervisors* – Annual recognition of employees with 30 years of County service as of 12/31/04

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

**GENERAL ADMINISTRATION**

Please see Items 2 and 3

**COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION**

**PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)**

**ADJOURNMENT**

<b>NEXT MEETINGS:</b>	<b>MAY 26, 2005</b>	PLANNING CALENDAR
	<b>MAY 31, 2005</b>	COUNTY HOLIDAY
	<b>JUNE 2, 2005</b>	PLANNING CALENDAR
	<b>JUNE 7, 2005</b>	REGULAR CALENDAR
	<b>JUNE 7, 2005, 10:00 A.M.</b>	PRESENTATION OF PROPOSED BUDGET
	<b>JUNE 14, 2005</b>	CANCELED FOR BOARD RETREAT
	<b>JUNE 20, 2005, 9:30 A.M.</b>	BUDGET HEARING – PUBLIC ASSISTANCE, PUBLIC PROTECTION
	<b>JUNE 21, 2005</b>	REGULAR CALENDAR
	<b>JUNE 24, 2005, 9:00 A.M.</b>	BUDGET HEARING – HEALTH CARE, GENERAL GOVERNMENT, OTHER ISSUES/FINAL ADJUSTMENTS
	<b>JUNE 27, 2005, 10:00 A.M.</b>	FINAL DELIBERATIONS
	<b>JUNE 28, 2005</b>	REGULAR CALENDAR
	<b>JUNE 28, 2005, 2:00 P.M.</b>	FINAL BUDGET ADOPTION

## APPENDIX

### **CONSENT CALENDAR - ITEM NUMBERS 20 - 39**

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

#### **PUBLIC ASSISTANCE**

##### *Social Services Agency:*

20. Approve and authorize the Purchasing Agent to execute an amendment to an existing purchase order with Diversified Personnel Services for Celeste Robinson to provide additional database programming services, 7/1/04 – 6/30/05, increasing the amount from \$65,000 to \$69,292 (\$4,292 increase)
21. Approve an amendment to a master contract (C-95-0025) with Eden Information and Referral, Inc. (Principal: Barbara Bernstein; Location: Hayward) for after-hours emergency response services to complaints of child abuse and neglect, 7/1/04 – 6/30/05, increasing the amount from \$56,067 to \$60,179 (\$4,112 increase); and authorize the Agency Director to execute the amendment under the master contract process

#### **HEALTH CARE SERVICES**

22. Approve an amended professional services agreement with Michael Willis Architects, Inc. (Principal: Carlton Smith; Location: Oakland) to provide additional architectural design services necessary to build a school-based health center at McClymonds High School in Oakland, 11/9/05 – 1/31/05, increasing the amount from \$35,000 to \$52,655.52 (\$17,655.52 increase)
23. Adopt a resolution to receive the annual report and set hearing at 9:00 a.m. on 6/24/05 for County Service Area, EM-1983-1, Emergency Medical Services to adopt the proposed adjustment to the special tax rate and approve the supplemental assessment for the City of Emeryville

#### **GENERAL ADMINISTRATION**

24. *Auditor's Agency* – Approve claims for refund of documentary transfer tax as recommended by the Auditor-Controller:
  - A. East Bay Logistics (\$1,800)
  - B. Daniel and Belia Franko (\$1,100)
25. *Community Development Agency* – Approve and authorize the execution of a time-extension-only contract amendment with Office Information Systems (Principal: Richard Ozer; Location: Oakland) for continuation of services related to loan portfolio database program services, extending the term from 6/30/05 to 12/31/05, with no change in the total contract amount
26. *County Counsel* – Approve and authorize the execution of a fourth amendment to Contract No. C-98-104 with Meyers, Nave, Riback, Silver & Wilson (Principal: David W. Skinner; Location: Oakland) for legal services in connection with finalizing eminent domain actions for the I-580/I-680 Interchange in the cities of Dublin and Pleasanton, increasing the amount from \$750,000 to \$770,000 (\$20,000 increase)

27. *General Services Agency* – Accept the work of VNS Construction (Principal: Thanh Le; Location: Oakland) for the Court Office of Information Technology, 7751 Edgewater Drive Oakland, Project No. CPP04X305900000
28. *General Services Agency and Risk Management* – Approve an employee claim for replacement of damaged personal property (\$674)
29. *Treasurer-Tax Collector* – Receive Investment Report, April 2005

### **PUBLIC PROTECTION**

30. *Fire Department* – Adopt a resolution to accept the annual report and set a public hearing at 9:30 a.m. on 6/20/05 to adopt the proposed adjustment to the supplemental paramedic special tax

### **PUBLIC WORKS**

31. Approve the following recommendations related to the slurry seal surfacing of approximately 6.62 kilometers of various roadways in the unincorporated areas of Alameda County, Specification No. 2012:
  - A. Adopt a resolution to receive and reject all bids; and
  - B. Authorize the Clerk of the Board to re-advertise for the project, Specification No. 2024, to be received by the Director of Public Works on Tuesday, 6/21/05, with a report of the bidders and the respective amounts of their bids presented to the Board at a later date

### **FLOOD CONTROL**

32. Approve and authorize the execution of modification no. 3 to a contract agreement C-2004-83 with Philip Williams and Associates, Ltd. (Principal: Steven Terusaki; Location: San Francisco) to perform additional hydraulic analyses with no change in the contract term, and increasing the amount from \$117,679 to \$124,679 (\$7,000 increase)
33. Authorize the execution of a contract modification of C-2002-4814 with Cal Engineering and Geology Inc. (Principals: Phillip Gregory and Mitchell Wolfe; Location: Dublin) for on-call geotechnical engineering and geologic services with no change in the scope of services or rates or the end date of 6/30/07, and increasing the amount from \$40,000 to \$50,000 (\$10,000 increase for the fiscal year 2004-2005 expenditures)
34. Receive and reject the only bid received for the reconstruction of reinforced concrete structure with an automatic drainage check valve on the Snell Street storm drainage line to Line J in Oakland, a Zone No. 12 project, Specification No. FC 12-179; and authorize the Agency to evaluate the project scope for possible revision and re-advertisement at a later date

## **BOARDS AND COMMISSIONS**

### *President Carson:*

35. Reappoint or appoint the following to the Alameda County Agricultural Advisory Committee
- A. Joe Ferreira, term ending 5/24/08
  - B. Paul Banke, term ending 11/30/07
  - C. Elizabeth Hill, term ending 11/30/07
  - D. Colleen Lenihan, term ending 5/24/08
  - E. Virginia Coelho, term ending 5/24/08
36. Reappoint the following to the Oakland-Alameda County Joint Powers Authority, term ending 4/17/07
- A. Sherman Balch
  - B. Mary Warren

### *Supervisor Haggerty:*

37. Accept resignation of John Innes from the Alameda County Fair Association Board of Directors
38. Approve interim appointment of Frank Imhoff to the Alameda County Fair Association Board of Directors
39. *Supervisor Lai-Bitker* – Reappoint Ernest Delli Gatti to the Oakland Airport Noise Management Forum, term ending 9/10/06

## **END OF CONSENT**

## **OUT-OF-STATE TRAVEL**

*Health Care Services Agency* – Director, Office of Financial Services and Financial Services Officer – “9<sup>th</sup> Annual Compliance Strategies Conference” – Practical Solution to Stay on the Right Side of Health Care Laws and Regulations – Las Vegas, Nevada, 6/1/05 – 6/30/05 (\$2,200 total Net County Cost)

*Fire Department* – Fire Chief – International Association of Fire Chiefs: Fire Rescue International – Denver, Colorado, 8/13/05 – 8/14/05 (No Net County Cost)

*Library* – Acting County Librarian – “American Library Association/Urban Library Council Annual Conference” – Chicago, Illinois, 6/22/05 – 6/25/05 (No Net County Cost)

### *Sheriff:*

Division Commander, Detentions and Corrections Division – Large Jail Network meeting – Longmont, Colorado, 7/10/05 – 7/12/05 (\$212 Net County Cost)

Acting Supervising Criminalist – Federal Bureau of Investigation Gunshot Residue Symposium – Quantico, Virginia, 5/30/05 – 6/3/05 (No Net County Cost)

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