

SUMMARY ACTION MINUTES



BOARD OF SUPERVISORS

Regular Meeting

Tuesday, April 28, 2009

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

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

RICHARD E. WINNIE
COUNTY COUNSEL

MISSION

TO ENRICH THE LIVES OF ALAMEDA COUNTY RESIDENTS THROUGH VISIONARY POLICIES AND ACCESSIBLE, RESPONSIVE, AND EFFECTIVE SERVICES.

VISION

ALAMEDA COUNTY IS RECOGNIZED AS ONE OF THE BEST COUNTIES IN WHICH TO LIVE, WORK AND DO BUSINESS.

The Board of Supervisors welcomes you to its meetings and your interest is appreciated. If you wish to speak on a matter on the agenda or during public input, please fill out a speaker slip at the front of the Chambers and turn it in to the Clerk as soon as possible. When addressing the Board, please give your name for the record prior to your presentation. If you wish to speak on a matter **not** on the agenda, please wait until the President calls for public input at the end of the Regular Calendar. **NOTE:** Only matters within the Board of Supervisors' jurisdiction may be addressed. Time limitations shall be at the discretion of the President of the Board.

Pursuant to Board Policy: (1) Signs or demonstrations are prohibited during Board meetings; (2) Any Board Member may request a **two-week** continuance on any item appearing for the first time; (3) All agenda items shall be received by the County Administrator prior to 3 p.m. on Tuesday **two** weeks before the meeting date or earlier when a Holiday intervenes.

Hearing difficulty? Please ask the Clerk for use of a personal sound receiver. The Board of Supervisors' meetings are wheelchair accessible. Call (510) 208-4949 (voice) or (510) 834-6754 (TDD) to request a sign-language interpreter. Five working days' notice is required. If you have questions regarding the agenda, please call (510) 208-4949.

Attention: The Alameda County internet address is www.acgov.org. All regular Board of Supervisors' meetings held in the Board Chamber can be heard live on the Board's web page. In order to log on, please do the following: click on the County's homepage as noted above and click on the "[Board of Supervisors Meeting - LIVE! Broadcast](#)" link. You may also access archived audio recordings, meeting agenda and minutes, as well as meeting dates on the Board's web page <http://www.acgov.org/board/index.htm>. All documents are archived on the web page for a period of 6 months.

Normally, the Board meets on Tuesdays and their **meeting begins no earlier than 10:30 a.m.** and may begin later, depending on the Closed Session, which normally begins at 9:30 a.m.

SUMMARY ACTION MINUTES

9:30 A.M.

CALL TO ORDER AND SALUTE TO FLAG

1423 5 **APPROVED MINUTES OF SPECIAL MEETING: TUESDAY, APRIL 7, 2009**
X **REGULAR MEETING: TUESDAY, MARCH 31, 2009**

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator:	Mary Welch
Employee Organization:	Unrepresented Management
Agency Negotiator:	Mary Welch
Employee Organizations:	All Labor Organizations
Agency Negotiators:	Mary Welch and Darrell Murray
Employee Organization:	Probation Peace Officers Association
Agency Negotiators:	Mary Welch and Darrell Murray
Employee Organization:	Teamsters Union Local 856
Agency Negotiators:	Mary Welch and Glenn Berkheimer
Employee Organizations:	International Association of Firefighters, Local 55A and 55B

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. Sempra Energy, et al, Superior Court of San Diego, Case No.4221-00033

SITTING AS THE ALAMEDA COUNTY REDEVELOPMENT AGENCY

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Properties and Owners:
Assessor's Parcel Nos.: 080C-0479-023-01, 080C-0479-023-02, and 080C-0479-022-00
Address: 16309 and 16325 and 16331 Kent Avenue San Lorenzo, CA 94580
Owner: Thomas M. Eplin and Ella S. Eplin

SUMMARY ACTION MINUTES

Assessor's Parcel No.: 080C-0479-006-09
Address: 16349 E 14th St, San Lorenzo, CA 94580
Owner: Oscar Neira

Assessor's Parcel No.: 080C-0479-006-08
Address: 16346 E 14th Street, San Lorenzo, CA 94580
Owner: Maria E Valencia

Assessor's Parcel No.: 413-0083-065
Address: 18651 Via Toledo in San Lorenzo, CA 94580
Owner: Protestant Episcopal Bishop of California, a sole corporation

Assessor's Parcel No.: 413-0035-010-00
Address: 278 Hampton Road Cherryland, CA 94804
Owner: Sherry Chen, and Li Juan Zhao

Agency Negotiators: Chris Bazar, Agency Director
Eileen Dalton, Redevelopment Agency Director

Under Negotiation: Price and terms of payment

10:30 A.M. - SET MATTERS

- 1. **CONSENT CALENDAR (See Appendix, Item Numbers 42 – 68)**
- 1243 5 **Approved as recommended**
- X

10:30 A.M. - REGULAR CALENDAR

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

None

BOARD OF SUPERVISORS' REMARKS

Supervisor Haggerty requested that Dr. Tony Iton, Public Health Officer give a brief update on the Swine flu epidemic and requested that he report back to the Board on Tuesday, 5/5/09 with another update

SUMMARY ACTION MINUTES

PROCLAMATION/COMMENDATION

2. *Public Works Agency* – Adopt a resolution proclaiming May 17-23, 2009 as “National Public Works Week”

[Attachment](#)

4123 5 Approved as recommended

FILE 24273

X

PUBLIC ASSISTANCE

3. *Social Services Agency* – Authorize the Auditor-Controller to reimburse mileage expense for temporary staff and volunteers providing services to support the Ombudsman Program not to exceed \$15,000 – CAO Recommends: Approve

[Attachment](#)

4123 5 Approved as recommended

FILE 24610

X

HEALTH CARE SERVICES

4. Approve the following recommendations for Behavioral Health Care Services:

- A. Approve a new master contract boilerplate (Master Contract No. 900604, Procurement No. 3908) with Multi-Lingual Counseling, Inc. (Principal: Roya Sakhai; Location: Oakland) to provide mental health services for children and adults;
- B. Approve the negotiation of Master Contract Exhibits A and B, effective 5/1/09 – 6/30/10 (\$1,283,333);
- C. Authorize the Director of Behavioral Health Care Services to negotiate and execute the contract exhibits; and
- D. Approve and authorize the Auditor-Controller to increase appropriations with offsetting revenues – CAO Recommends: Approve – (4/5 Vote)

[Attachment](#)

4123 5 Approved as recommended

FILE 24611

X

C-900604

R-2009-149F

5. Approve \$7,000 from the State AIDS Education and Prevention grant to co-sponsor with SalvaSIDA the Cinco de Mayo – HIV/AIDS Awareness event on 5/3/09 to increase awareness of HIV/AIDS transmission and status within Alameda County’s Latino population – CAO Recommends: Approve

[Attachment](#)

4123 5 Approved as recommended

FILE 24612

X

SUMMARY ACTION MINUTES

GENERAL ADMINISTRATION

Community Development Agency:

- 6. Conditional Use Permit, C-8555, Teresita Laguna – Appeal of Teresita Laguna from the decision of the West Board of Zoning Adjustments to deny the application to allow the continued operation of a 22 bed Residential Care Facility, in an R-1 (Single Family Residence) District, located at 268 Lewelling Boulevard, south side, approximately 100 feet east of Tracy Street, , unincorporated, San Lorenzo area of Alameda County, designated Assessor’s Parcel Number: 413-0093-002-00. Board of Zoning Adjustments (West): Deny the project.
Board of Supervisors meeting: Continued for 6 months; instruct code enforcement to red tag building
Planning Staff recommendation: Continue item for 120 days pending completion of building improvements – **Continued from Tuesday, 4/14/09, Planning (Item #3)**

4123 5 **Continued to Tuesday, 5/12/09 (Planning)** **FILE 24613**
X

- 7. Approve delegation of authority to the Agency Director upon review and approval from County Counsel to amend contract work plans and budgets as needed to the three existing contracts with community-based organizations under the Housing Opportunities for Person with AIDS – Project Independence Program, 2/1/06 – 12/31/09 within the limits of the U.S. Department of Housing and Urban Development grant award (\$1,425,362):
 - A. Ark of Refuge, Contract No.1112 (Principal: Bishop Yvette Flunder; Location: Oakland) that provides rent subsidy for people living with HIV/AIDS through Project Independence with no changes in the contract term, decreasing the amount from \$459,057 to \$444,582, (\$14,475 decrease);
 - B. AIDS Project of the East Bay, Contract No.1109 (Principal: Alvin Quamina; Location: Oakland) that provides rent subsidy for people living with HIV/AIDS through Project Independence with no changes in the contract term, increasing the amount from \$459,057 to \$515,540 (\$56,484 increase); and
 - C. Tri-City Health Center, Contract No.1108 (Principal: Kathy Lievre; Location: Fremont) that provides rent subsidy for people living with HIV/AIDS through Project Independence with no changes in the contract term, decreasing the amount from \$459,057 to \$417,048 (\$42,009 decrease)

– CAO Recommends: Approve
[Attachment](#)
4123 5 **Approved as recommended** **FILE 24614**
X **C-1112**
C-1109
C-1108

General Services Agency:

- 8. Accept and approve the Local Planning Council County Priorities Report Form CD-3022LPC as required by the Child Development Division of the California Department of Education – Social Services Board Committee and CAO Recommends: Approve

[Attachment](#)
4123 5 **Approved as recommended** **FILE 24615**
X

SUMMARY ACTION MINUTES

9. Authorize the General Services Agency to re-bid the make-ready work at the Highland Hospital Campus in accordance with the County’s Enhances Construction Outreach Program, Project No. CPP05C204300000 and return to the Board with a recommendation for award – CAO
Recommends: Approve
[Attachment](#)
4123 5 **Approved as recommended** FILE 24616
X
10. Accept the bid of and award a contract (Contract No. 3900) to Sposeto Engineering, Inc. (Principal: John Sposeto; Location: Union City) for the median modifications project associated with the Castro Valley Library (\$39,600); approve the encumbrance of an additional \$3,960 as a Supplemental Work Allowance for a total encumbered amount of \$43,560 and authorize the Agency Director to issue change orders as necessary against the Supplemental Work Allowance; and authorize the Agency Director to prepare the proper contract documents and bond forms for completion by the Contractor, have documents reviewed and approved by County Counsel and executed by the Agency Director – CAO Recommends: Approve
[Attachment](#)
4123 5 **Approved as recommended** FILE 24617
X C-3900
11. *General Services Agency, Auditor-Controller, County Counsel and Department of Child Support Services –* Authorize the Purchasing Agent to negotiate and sign Master Contract No. 900385 with the following vendors to provide service of process required by Alameda County Auditor-Controller Central Collections, the Department of Child Support Services and the Office of County Counsel, 6/1/09 – 5/31/12, with the option to extend for additional terms not to exceed a maximum of two years (\$535,000):
A. Professional Process Service (Principal: Jeanne Kosta; Location: Oakland); and
B. Interceptor Legal Support Service, Inc. (Principal: David Bardellini; Location: Oakland)
[Attachment](#)
4123 5 **Approved as recommended** FILE 24618
X C-900385
12. *Human Resource Services –* Second reading and adoption of a salary ordinance amendment increasing salaries for Building Trades represented and related classes, SEIU related classes, job classes in the General Services Agency, Probation Department, County Administrator’s Office and Public Defender, and amending footnotes in the Public Works Agency and Article 7, Paid Leave – **Continued from Tuesday, 4/14/09 (Item #16) for second reading**
[Attachment](#)
1423 5 **Read title, waived reading of ordinance in its entirety and adopted Ordinance** FILE 24564
X **O-2009-15** O-2009-15
13. *Human Resource Services and General Services Agency –* Authorize the Purchasing Agent to negotiate and sign Master Contract No. 900521 with Hay Group, Inc. (Principal: James J. McPhillips; Location: San Francisco) to provide health and welfare consulting services as required by Alameda County Human Resource Services Department, 5/1/09 – 4/30/12 (\$683,381) and by mutual agreement allows for an option to renew for two additional one-year terms – CAO Recommends: Approve
[Attachment](#)
4123 5 **Continued to a future date** FILE 24619
X C-900521

SUMMARY ACTION MINUTES

13A. *Treasurer-Tax Collector* – Report on status of negotiations with Prudential Insurance Company for extension of deferred compensation plan third-party administrator services – **Continued from Tuesday, 4/14/09 (Item #17) and continued to Tuesday, 5/5/09**

4123 5 Continued to Tuesday, 5/5/09

FILE 24814

X

County Administrator:

14. A. Approve the selection of the following firms as members of the County’s financial services pools for the 4/1/09 – 3/31/11:

Bond Counsels:

1. Alexis M. Chiu, Law Offices (Principal: Alexis M. Chiu; Location: San Francisco)
2. Curls Bartling PC (Principal: Ericka Curls Bartling; Location: Oakland)
3. Garcia Calderon Ruiz, LLP (Principal: Rogelio M. Ruiz; Location: San Jose)
4. Hawkins, Delafield & Wood LLP (Principal: Sean Tierney; Location: San Francisco)
5. Kutak Rock LLP (Principal: Micahel K. Reppe; Location: Denver, Colorado)
6. Lofton & Jennings (Principal: William M. Lofton; Location: San Francisco)
7. Nixon Peabody LLP (Principal: Richard M. Jones; Location: Los Angeles)
8. Orrick, Herrington & Sutcliffe, LLP (Principal: Mary Collins; Location: San Francisco)

Financial Advisors:

9. CSG Advisors (Principal: Gene Slater; Location: San Francisco)
10. Gardner, Underwood & Bacon (Principal: Lisa Smith; Location: Los Angeles)
11. KNN Public Finance (Principal: David Brodsky; Location: Oakland)
12. Public Financial Management Inc. (Principal: Peter Miller; Location: San Francisco)
13. TKG & Associates (Principal: Charlotte Knight-Marshall; Location: San Francisco)

Underwriters:

14. Backstrom, McCarley, Berry & Co. (Principal: Vincent McCarley; Location: Oakland)
15. Bank of America (Principal: Michael Gomez; Location: San Francisco)
16. Barclays Capital (Principal: Lori Kho; Location: Los Angeles)
17. Blaylock Robert Van, LLC (Principal: Michael G. James; Location: Oakland)
18. Citigroup (Principal: Tony Hughes; Location: San Francisco)
19. Jefferies First Albany (Principal: Samuel L. Smalls; Location: Sacramento)
20. Goldman Sachs (Principal: Ian Parker; Location: San Francisco)
21. Grigsby & Associates, Inc. (Principal: Calvin Grigsby; Location: San Francisco)
22. Jackson Securities (Principal: Dawn D. Turner; Location: San Francisco)
23. JPMorgan (Principal: Gary Hall; Location: San Francisco)
24. Loop Capital Markets (Principal: Cody Press; Location: Los Angeles)
25. M.R. Beal & Company (Principal: Bernard Beal; Location: New York)
26. RBC Capital Markets (Principal: Celeste Davis; Location: San Francisco)
27. Siebert Branford Shank & Co., LLC (Principal: Napoleon Brandford III; Location: Oakland)
28. SL Hare Capital, Inc. (Principal: Syngon L. Hare; Location: Los Angeles)
29. Stone & Youngberg (Principal: Scott Sollers; Location: San Francisco)
30. Wachovia Securities (Principal: Lawrence J. Richardson; Location: Chicago, Illinois)
31. Wedbush Morgan Securities (Principal: Rob Larkins; Location: San Francisco)

SUMMARY ACTION MINUTES

- B. Approve the continuation of these pools for up two additional years upon consultation with the County Administrator’s Office Finance Advisory Committee;
- C. Authorize the County Administrator’s Office Finance Advisory Committee to select from among these firms on a project-by-project basis; and
- D. Authorize the County Administrator’s Office to negotiate agreements with the selected firms as necessary for completion of financing-related assignments

[Attachment](#)

4123 5 **Approved as recommended**

FILE 24620

X

PUBLIC PROTECTION

Probation:

15. Approve the following for the Multi-Agency Juvenile Justice Coordinating Council Plan:
- A. Approve and authorize the Chief Probation Officer to enter into an agreement with the California Corrections Standards Authority for continuation funding through Juvenile Justice Crime Prevention Act (SB 736) in the amount of \$3,898,817 for the period 10/1/09 – 9/30/10;
 - B. Adopt a resolution to continue the Juvenile Justice Coordinating Council with the Chief Probation Officer as Chair, making assurances of compliance with the required terms for funding;
 - C. Approve the Juvenile Justice Crime Prevention Act expenditure plan in the amount of \$4,620,518 for the period 7/1/09 – 6/30/10;
 - D. Approve and authorize the execution of Master Contract No. 900598, Procurement No. 3906 with Project Re-Connect (Principal: Doug Harris; Location: Oakland) to provide uninterrupted services for the Juvenile Justice Crime Prevention Act Community Probation Program, 7/1/09 – 6/30/10, funding in the amount of \$30,000;
 - E. Approve in principle the funding for community-based organizations master contracts (Master Contract No. 900070) for fiscal year 2009-2010 with Grant Foundation for Motivation, dba Kevin Grant Consulting (Principal: Kevin Grant; Location: San Leandro), \$74,500; and
 - F. Approve and authorize the Chief Probation Officer to execute the contracts
– CAO Recommends: Approve

[Attachment](#)

4123 5 **Approved as recommended**

FILE 24621

X

R-2009-150

C-900598

C-900070

16. Authorize the Chief Probation Officer to apply to the Office of Justice Programs for Second Chance Act Prisoner Reentry Initiative Grant, 7/1/09 – 6/30/10 in the amount of \$750,000; and authorize the Chief Probation Officer to sign the grant agreement and related amendments – CAO Recommends: Approve

[Attachment](#)

4123 5 **Approved as recommended**

FILE 24622

X

SUMMARY ACTION MINUTES

17. *Sheriff* – Approve the budget adjustments to transfer \$3,890,029 from the appropriation for contingency to the operating department for Board-approved contractual obligations; and authorize the Auditor-Controller and the County Administrator’s Office to make the necessary budget adjustments – CAO Recommends: Approve – (4/5 Vote)
[Attachment](#)
- 4123 5 **Approved as recommended** FILE 24623
X R-2009-151F

PUBLIC WORKS

18. First reading and introduction of an ordinance adding Section 460 “Green Building Program” to the Alameda County Municipal Code Chapter 15.08 Building Ordinance to set standards for green construction that applies to private development, and certain residential and non-residential type projects – **Continued from Tuesday, 4/14/09 (Item #25)**
[Attachment](#)
- 4123 5 **Read title, waived reading of ordinance in its entirety and continued to Tuesday, 5/5/09 for second reading** FILE 24526
X
19. Approve and adopt a resolution to accept the improvements by Forest Circle, LLC (Principal: Kevin Herman; Location: Pleasant Hill) to Tract 7709, located at 20560 and 20574 Forest Avenue, Eden Township; release the Performance Surety Bond and Labor and Materials Surety Bond; and accept the Maintenance Guarantee Bond submitted by the subdivider – CAO Recommends: Approve
[Attachment](#)
- 4123 5 **Approved as recommended** FILE 24624
X R-2009-152
20. Adopt a resolution establishing the temporary closure of a portion of 167th Avenue between East 14th Street (SR-185) and Los Banos Street in the Ashland area on Saturday 5/2/09, during the Cinco De Mayo and Community Resource Fair at the request of Mercy Housing Bermuda Gardens Apartments – CAO Recommends: Approve
[Attachment](#)
- 4123 5 **Approved as recommended** FILE 24625
X R-2009-153
21. Approve and authorize the execution of a contract (Contract No. 3813) with YEI Engineers, Inc. (Principal: Douglas Yung; Location: Oakland) to review and examine existing electrical systems and produce a complete set of as-built drawings for the Park Street Drawbridge services, 4/28/09 – 8/31/09 (\$58,110) – CAO Recommends: Approve
[Attachment](#)
- 4123 5 **Approved as recommended** FILE 24626
X C-3813
22. Approve and adopt a resolution that approves the project for the improvement of Lewelling Boulevard and East Lewelling Boulevard Phase I from Interstate 880 to Meekland Avenue in Eden Township (Lewelling Widening Project), Specification No. 1926; and authorize the Clerk of the Board to advertise for bids with a report of the bidders and the respective amounts of their bids to be presented to the Board at a later date – CAO Recommends: Approve
[Attachment](#)
- 4123 5 **Approved as recommended** FILE 24627
X R-2009-154

SUMMARY ACTION MINUTES

23. Accept the bid and award Contract No. 3911 with A-1 Septic Construction (Principal: Joseph Madison; Location: Castro Valley) for the amount of \$52,702 based on the unit prices stated in its bid proposal for the repair of damaged and displaced curbs, gutters and sidewalks in Eden Township, Specification No. 2127; authorize the execution of said contract upon review by County Counsel, said work to be completed within ninety calendar days from the date of receipts of Notice to Proceed; and approve the encumbrance of an additional \$5,270 as a Supplemental Work Allowance for a total encumbered amount of \$57,972 for the project; and authorize the Agency Director to issue change orders as necessary against the Supplemental Work Allowance – CAO Recommends: Approve

[Attachment](#)

4123 5
X **Approved as recommended**

FILE 24628
C-3911

24. Accept the bid of award Contract No. 3914 with Top Grade Construction (Principal: William L. Gates; Location: Livermore) for the amount of \$2,021,620.20 based on the unit prices stated in its bid proposal for the resurfacing of Buena Vista Avenue, Hartman Road, May School Road and Livermore Avenue, Specification No. 2020; authorize the execution of contract upon review by County Counsel, said work to be completed within sixty calendar days from the date of receipt of Notice to Proceed; and approve the encumbrance of an additional \$202,162 as a Supplemental Work Allowance for a total encumbered amount \$2,223,782.20 for the project; and authorize the Agency Director to issue change orders as necessary against the Supplemental Work Allowance – CAO Recommends: Approve

[Attachment](#)

4123 5
X **Approved as recommended**

FILE 24629
C-3914

25. Approve and adopt a resolution to execute Agreement No. X09-5933 (100) for the State Match Program with the State of California for certain eligible highway improvements within the unincorporated area (\$100,000) – CAO Recommends: Approve

[Attachment](#)

4123 5
X **Approved as recommended**

FILE 24631
R-2009-155
C-2009-62

26. Adopt the resolution to approve and authorize the execution of Program Supplement No. N060 to the Agency-State Agreement for Federal-Aid Projects No. 04-5933R with the California Department of Transportation for the construction of rock-fall safety netting on Palomares Road, Washington Township (\$87,010) – CAO Recommends: Approve

[Attachment](#)

4123 5
X **Approved as recommended**

FILE 24632
R-2009-156
C-2009-63

27. *Public Works Agency and County Counsel* – Approve and authorize the execution of a contract amendment to Contract 1088 with McDonough Holland and Allen PC (Principal: Edward J. Quinn, Jr.; Location: Oakland) to provide legal services for eminent domain actions for the Lewelling Boulevard Widening Project, with no change in the contract term, increasing the amount from \$700,000 to \$1,550,000 (\$850,000 increase) – CAO Recommends: Approve

[Attachment](#)

4123 5
X **Approved as recommended**

FILE 24633
C-1088

SUMMARY ACTION MINUTES

28. *Public Works Agency and General Services Agency* – Authorize the Purchasing Agent to negotiate and sign Master Contract No. 900515 with Cummins West (Principal: Jerry Moechkel; Location: San Leandro) to provide and install diesel particulate filters on Alameda County’s fleet of heavy duty diesel trucks, 5/15/09 – 5/14/12 (\$434,953) – CAO Recommends: Approve

[Attachment](#)

4123 5 **Approved as recommended**

X

FILE 24634

C-900515

FLOOD CONTROL

29. Adopt a resolution to accept and authorize recordation of grant of access easement dated 3/30/09 from Warm Springs Village Partners, LLC (Principal: Jeffrey P. McMullen; Location: Pleasanton) conveying to the Flood Control District a 2.56 acre access easement for Lines A and A-1, Zone 6, R/W – No. 8225 in the City of Fremont – CAO Recommends: Approve

[Attachment](#)

4123 5 **Approved as recommended**

X

FILE 24635

R-2009-157

30. Approve and authorize the execution of a cooperative agreement between Alameda County Flood Control and Water Conversation District and the City of Oakland to fund the construction of a portion of the Lion Creek (Zone 12) Restoration Project between Union Pacific Railroad to upstream of Lion Way, Oakland – CAO Recommends: Approve

[Attachment](#)

4123 5 **Approved as recommended**

X

FILE 24636

C-2009-59

31. Adopt a resolution that approves the plans and specifications No. FC 12-180 for the Lion Creek (Line J) restoration between Union Pacific Railroad and upstream Lion Way in Oakland, Zone No. 12 Project; and authorize the Clerk of the Board to advertise for bids for construction of the project – CAO Recommends: Approve

[Attachment](#)

4123 5 **Approved as recommended**

X

FILE 24637

R-2009-158

32. Approve and execute an agreement between Alameda County Flood Control and Water Conservation District and State of California acting through the Department of Transportation (Caltrans) for Caltrans to fund up to \$120,000 for the maintenance activities involving sediment removal related to Ward Creek, (Zone 3A, Line D) Bridge in Hayward – CAO Recommends: Approve

[Attachment](#)

4123 5 **Approved as recommended**

X

FILE 24638

C-2009-60

SUMMARY ACTION MINUTES

33. Approve the following recommendations for the desilting of Line A, from the 20 Tide Gate Structure to the Union Pacific Railroad, and upstream of Freeway 1-880 in Hayward, Flood Control District Zone 3A:
- A. Approve and adopt the Mitigated Negative Declaration;
 - B. Adopt the Mitigation and Monitoring Plan for the project plans and specifications No. FC 3A-105;
 - C. Adopt the resolution that approves the project plans and specifications No. FC 3A-105; and
 - D. Authorize and direct the Clerk of the Board to advertise for bids for construction of the project
- CAO Recommends: Approve

[Attachment](#)

4123 5 Approved as recommended

FILE 24639

X

R-2009-159

34. Approve and authorize the General Manager of the Alameda County Flood Control and Water Conservation District to execute an agreement with the Alameda County Water District for removing Rubber Dam No. 2 and modify its foundation in the Alameda Creek Flood Control Channel – CAO Recommends: Approve

[Attachment](#)

4123 5 Approved as recommended

FILE 24640

X

C-2009-61

11:00 A.M. - SET MATTERS

PROCLAMATION/COMMENDATION

35. *Board of Supervisors and the Superior Court of California, Alameda County* – Proclaim May 2009 as “Law Month” and Present the 2009 Liberty Bell Award to the Alameda County Independent Living Skills Program

[Attachment](#)

Presented

FILE 24273

BOARD OF SUPERVISORS’ APPRECIATION PROGRAM

36. *President Lai-Bitker* – Recognizing the following employees for their daily contributions in conducting County business and providing public service:

- A. Julio A. Cisneros, Sheriff’s Office
- B. Elena A. Duenas, County Counsel
- C. Janice M. Reeves, Social Services Agency

Recognized

FILE 24272

SUMMARY ACTION MINUTES

GENERAL ADMINISTRATION

37. *General Services Agency* – Presentation of the City Solar Award to Alameda County by NorCal Solar for being highest ranked County in the Bay Area for total watts of solar power installed. The 18.1 megawatts of solar power generated in Alameda County, includes solar power installations on government buildings, commercial and institutional facilities, and private residences

[Attachment](#)

Presented

FILE 24641

County Administrator:

38. Public hearing (TEFRA) for the issuance of a maximum of \$20,000,000 in tax-exempt revenue bonds through the California Statewide Communities Development Authority (“California Communities”) to assist in financing the costs of the acquisition of real property and capital improvements for St. Marks Apartments, Oakland; and adopt the approving resolution

[Attachment](#)

1243 5 **Opened and closed public hearing and approved as recommended**

X

FILE 24642

R-2009-160

39. Public hearing (TEFRA) for the issuance of a maximum of \$50,000,000 in tax-exempt revenue bonds through the ABAG Finance Authority to assist in financing the costs of the expansion and seismic upgrade of St. Rose Hospital, Hayward; and adopt the approving resolution

[Attachment](#)

2413 5 **Opened and closed public hearing and approved as recommended**

X

FILE 24643

R-2009-161

PUBLIC PROTECTION

40. *Sheriff* – Public hearing to consider the adoption of a resolution modifying Crime Lab services and photographic fees and establishing a new fee schedule for printing and reprographics services, effective 7/1/09 – (4/5 Vote)

[Attachment](#)

1243 5 **Opened and closed public hearing and approved as recommended**

X

FILE 24644

R-2009-162

SUMMARY ACTION MINUTES

GENERAL ADMINISTRATION

41. *Community Development Agency* – Approve the following recommendations for the Sutter Medical Center Castro Valley Project:
- A. Receive the staff report and public testimony;
 - B. Consider the full record of proceedings;
 - C. Approve the Project;
[Attachment](#)
 - D. Adopt a resolution certifying the Environmental Impact Report and adopting California Environmental Quality Act findings (including a statement of overriding considerations and a mitigation monitoring and report program);
[Attachment D1](#)
[Attachment D2](#)
[Attachment D3](#)
 - E. Adopt a resolution amending the Castro Valley Plan;
[Attachment](#)
 - F. Adopt a resolution and first reading and introduction of an ordinance amending the Castro Valley Central Business District Specific Plan and set the matter for a second reading on Tuesday, 5/5/09; and
[Attachment](#)
 - G. Adopt a resolution and an ordinance to establish a Planned Development zoning district and a Land Use and Development Plan in connection therewith
[Attachment G1](#)
[Attachment G2](#)

– CAO Recommends: Approve

Continued to Tuesday, 5/12/09 (Planning)

FILE 24645

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

Martha Kuhl spoke regarding the Sutter Medical Center Castro Valley Project

Sonya Howes and Michael How spoke concerning the Sutter Medical Center and closure of the San Leandro Hospital

ADJOURNED

SUMMARY ACTION MINUTES

APPENDIX

CONSENT CALENDAR - ITEM NUMBERS 42 – 68

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

1423 5 **Approved as recommended**
X

PUBLIC ASSISTANCE

Social Services Agency:

42. Approve the following budget appropriation and amendments to fiscal year 2008-2009 Transitional Housing Program contracts:
- A. Approve an additional appropriation of \$411,600 from the State Transitional Housing Program-Plus allocation for fiscal year 2008-2009; and
 - B. Approve amendments to current fiscal year 2008-2009 master community-based organization contracts increasing the total amount from \$1,886,4000 to \$2,298,000 for enhanced housing and support services to emancipated youth through Transitional Housing Program Plus and authorize the Agency Director to execute the amendments under the master contracting process
- (4/5 Vote)
[Attachment](#)
- FILE 24646
R-2009-163F**
43. Approve and authorize the execution of fiscal year 2008-2009 Health Insurance Counseling and Advocacy Program Grant Agreement with the State of California Department of Aging:
- A. Approve and authorize execution of fiscal year 2008-2009 Health Insurance Counseling and Advocacy Program Grant Agreement No. HI-0809-09, A2, increasing the amount from \$355,890 to \$386,677 (\$30,787 increase);
 - B. Authorize an additional appropriation of \$30,787 completely offset by additional revenue; and
 - C. Approve a funding amendment increase of \$4,396 to the subcontract Procurement No. 2038, Master Contract No. 900189, Purchase Order No. 6654 with Legal Assistance for Seniors, Inc. (Principal: Mary Vradelisl; Location: Oakland) for a new award level of \$360,286 and authorize the Agency Director to sign the contract amendment under the master contracting process
- (4/5 Vote)
[Attachment](#)
- FILE 24647
C-2009-64
C-2038
C-900189
R-2009-164F**

SUMMARY ACTION MINUTES

44. Approve an amendment to community-based organization Master Contract No. 900142, Procurement No. 2958 with Lao Family Community Development (Principal: Chaosarn Chao; Location: Oakland) for continued delivery of CalWORKs Work Experience/Community Services, 8/1/08 – 6/30/09, increasing the amount from \$315,000 to \$334,200 (\$19,200 increase); and authorize the Agency Director to execute the amendment under the master contracting process
[Attachment](#)
- FILE 24648**
C-900142
C-2958
45. Approve and authorize the execution of an amendment to a standard agreement (Procurement No. 3319, Purchase Order No. 7651) with International Business Machines (Principal: Sam Palmisano; Location: Sacramento) for continued data warehouse service development, 9/15/08 – 6/30/09, increasing the amount from \$1,351,286.89 to \$1,700,286.89 (\$349,000 increase)
[Attachment](#)
- FILE 24649**
C-3319
C-7651

SITTING AS THE IN-HOME SUPPORT SERVICES PUBLIC AUTHORITY

46. *Social Services Agency* – Approve the job description and salary scale for the Administrative Supervisor position, a non-civil service position, 5/1/09 – 6/30/10
[Attachment](#)
- FILE 24650**

HEALTH CARE SERVICES

47. Approve a master contract augmentation (Master Contract No. 900135, Procurement No. 3223) for La Familia Counseling Service aka Southern Alameda Committee for Raza Mental Health (Principal: Hector E. Mendez; Location: Hayward) for the provision of outpatient services, 7/1/08 – 6/30/09, increasing the amount from \$1,844,738 to \$2,099,268 (\$254,530 increase); authorize the Director of Behavioral Health Care Services to negotiate and sign revised contracts exhibits; and authorize the Auditor-Controller to increase appropriations with offsetting revenues – (4/5 Vote)
[Attachment](#)
- FILE 24651**
C-900135
C-3223
R-2009-165F
48. Approve a one-time only funding master contract augmentation (Master Contract No. 900353) for Youth UpRising (Principal: Olis Simmons; Location: Oakland) utilizing Mental Health Services Act funds for mental health outreach and engagement services, 7/1/08 – 6/30/09, increasing the amount from \$237,575 to \$295,575 (\$58,000 increase); and authorize the Director of Behavioral Health Care Services to negotiate and sign contract exhibits
[Attachment](#)
- FILE 24652**
C-900353

SUMMARY ACTION MINUTES

49. Approve a master contract augmentation (Master Contract No. 900136, Procurement No. 3225) for the Mental Health Association of Alameda County (Principal: Steve Bischoff; Location: Oakland) to cover stipend payments to individuals for participating in the planning process and reimbursements to participants, speakers and trainers for their participation in the African American Utilization Study, 7/1/08 – 6/30/09, increasing the amount from \$2,803,171 to \$2,878,171 (\$75,000 increase); and authorize the Director of Behavioral Health Care Services to negotiate and sign contract exhibits
[Attachment](#)
- FILE 24653
C-900136
C-3225**
50. Approve the services-as needed master contracts augmentations to provide additional outpatient services to youth residing in Alameda County and authorize the Director of Behavioral Health Care Services to negotiate and sign the contracts:
- A. Alternative Family Services, Master Contract No. 00008, Procurement No. 3154 (Principal: Jay Berlin; Location: Santa Rosa), increasing the amount from \$62,193,156 to \$62,443,156 (\$250,000);
- B. FamilyPaths, Inc., Master Contract No. 00008, Procurement No. 3169 (Principal: Marcella Reeves; Location: Oakland), increasing the amount from \$62,443,156 to \$62,989,843 (\$546,687); and
- C. Approve and authorize the Auditor-Controller to increase appropriations with offsetting revenues – (4/5 Vote)
[Attachment](#)
- FILE 24656
C-00008
C-3154
C-3169
R-2009-166F**
51. Receive the annual report and set public hearing at 9:30 a.m. on 6/9/09 for County Services Area, VC-1984-I, Vector Control Services District
[Attachment](#)
- FILE 24654**

SUMMARY ACTION MINUTES

52. Approve master contract augmentations to provide mental health services to CalWORKs recipients, 7/1/08 – 6/30/09 (\$189,109) and authorize the Director of Behavioral Health Care Services to sign and execute revised contract exhibits:
- A. Anka, Master Contract No. 900065, Procurement No. 3199 (Principal: Michael Barrington; Location: Concord), increasing the amount from \$57,109 to \$87,836 (\$30,727 increase);
 - B. Asian Community Mental Health Board, Inc., Master Contract No. 900053, Procurement No. 3202 (Principal: John Fong; Location: Oakland), increasing the amount from \$368,037 to \$387,375 (\$19,338 increase);
 - C. Asian Pacific, Master Contract No. 900075, Procurement No. 3203 (Principal: Beatrice Lee; Location: Oakland), increasing the amount from \$45,741 to \$52,511 (\$6,770 increase);
 - D. Building Futures with Women and Children, Master Contract No. 900133, Procurement No. 3208 (Principal: Elizabeth Varela; Location: San Leandro), increasing the amount from \$45,371 to \$68,613 (\$23,242 increase);
 - E. City of Fremont, Master Contract No. 900111, Procurement No. 3212 (Principal: Judy Schwartz; Location: Fremont), increasing the amount from \$191,609 to \$234,076 (\$42,467 increase);
 - F. Family Service Counseling and Community Resource Center, Master Contract No. 900032, Procurement No. 3218 (Principal: Ewoyn Gorman; Location: San Leandro), increasing the amount from \$209,826 to \$234,091 (\$24,265 increase);
 - G. Portia Bell Hume, Master Contract No. 900076, Procurement No. 3229 (Principal: Joty Sikand; Location: Concord), increasing the amount from \$306,561 to \$348,861 (\$42,300 increase)

[Attachment](#)

**FILE 24655
C-900065
C-3199
C-900053
C-3202
C-900075
C-3203
C-900133
C-3208
C-900111
C-3212
C-900032
C-3218
C-900076
C-3229**

53. Approve and authorize the execution of a contract amendment to Contract No. FSS2008-09-09 between First 5 Alameda County and the Public Health Department, Child Health Disability and Prevention Program to provide consultation and referral for children identified as having developmental and/or social-emotional risk, 7/1/08 – 6/30/09, increasing the amount from \$20,000 to \$40,000 (\$20,000 increase); and authorize the Auditor-Controller to make the necessary appropriation and revenue adjustments – (4/5 Vote)

[Attachment](#)

**FILE 24657
C-2009-65
R-2009-167F**

SUMMARY ACTION MINUTES

54. Approve and authorize the execution of the Fiscal Agent Agreement amendment (Procurement No. 2848 and Purchase Order No. PHSVC4667) between Contra Costa County and the Public Health Department, Office of AIDS for Ryan White Part A program to provide comprehensive HIV/AIDS Care and Treatment services, 3/1/08 – 2/28/09, increasing the amount from \$1,225,000 to \$1,246,796 (\$21,796 increase)

[Attachment](#)

**FILE 24658
C-2848**

GENERAL ADMINISTRATION

Auditor-Controller:

55. Authorize the replacement of a stale-dated warrant (\$5,158.06)

[Attachment](#)

FILE 24830

56. Authorize the replacement of two stale-dated warrants (\$247)

[Attachment](#)

FILE 24830

57. *Community Development Agency* – Approve and authorize the execution of an amendment to Contract No. 3 with California State University, Sacramento (Principal: Suzanne Swartz; Location: Sacramento) for additional facilitation and staffing services related to windfarm operations for the Altamont Pass Wind Resource Area Scientific Review Committee, extending the term from 7/31/09 to 10/31/09, and increasing the amount from \$226,825.14 to \$327,515.45 (\$100,690.31 increase)

[Attachment](#)

**FILE 24659
C-3**

58. *General Services Agency* – Adopt a resolution appointing Stanley Fung, Principal Civil Engineer, Public Works Agency to serve as hearing officer to conduct a hearing under the Subletting and Subcontracting Fair Practices Act to make a recommendation concerning the protest by a listed subcontractor who was substituted by a non-listed subcontractor

[Attachment](#)

**FILE 24660
R-2009-168**

59. *Human Resource Services* – Approve classification actions taken by the Civil Service Commission on 4/8/09

[Attachment](#)

FILE 24305

60. *Treasurer-Tax Collector* – Receive the Report of Receipts and Disbursements for March 31, 2009

[Attachment](#)

FILE 24779

SUMMARY ACTION MINUTES

PUBLIC PROTECTION

61. *Probation* – Approve and accept donation from Teamsters in the amount of \$250 to be used for Probation Juvenile Division training; and authorize the Auditor-Controller to make the necessary budget adjustments – (4/5 Vote)
[Attachment](#)
- FILE 24661**
R-2009-169F
62. *Probation and General Services Agency* – Authorize the Purchasing Agent to negotiate and sign an amendment to extend Master Contract No. 900469 with National Safety Compliance, Inc. (Principal: Sean Wysock; Location: Pleasanton) to provide drug testing cups and laboratory services to the Probation Department, 6/7/09 – 6/6/10, increasing the amount from \$328,824 to \$413,824 (\$85,000 increase)
[Attachment](#)
- FILE 24662**
C-900469
- Sheriff:*
63. Approve and authorize the General Services Agency Purchasing Department to increase Purchase Order No. 5580 with Chromosomal Laboratories (Principal: Vladimir Bolin; Location: Phoenix, Arizona) to provide specialized DNA testing for current cases and cold cases, 4/1/09 – 6/30/09, increasing the amount from \$45,000 to \$85,000 (\$40,000 increase)
[Attachment](#)
- FILE 24663**
C-5580
64. Authorize the Sheriff to accept a donation of two motorcycles from the Hillsborough Police Department for the Regional Training Center
[Attachment](#)
- FILE 24664**
65. Approve the following recommendations to receive funding of \$10,916,367 from the Department of Justice Office of Community Policing Services Hiring Recovery Program grant, 7/1/09 – 6/30/12:
- A. Designate and authorize the Sheriff, by title to apply for and accept the funding;
 - B. Designate and authorize the Sheriff and Finance Manager, by title, to sign the Certification of Assurance of Compliance forms; and
 - C. Approve a Resolution of Support for the 2009 Community Policing Services program application
- [Attachment](#)
- FILE 24665**
R-2009-170

SUMMARY ACTION MINUTES

FLOOD CONTROL

66. Approve and adopt the resolution that facilitates the funding of the multi-phase Alameda Creek Watershed Flow Studies in the Alameda Creek Watershed by the Alameda County Flood Control and Water Conservation District; and approve the execution of an amendment to the Memorandum of Understanding between the Alameda County Flood Control and Water Conservation District and Alameda Creek Fisheries Workgroup (\$40,000)

[Attachment](#)

**FILE 24666
R-2009-171**

PERSONNEL, ADMINISTRATION AND LEGISLATION BOARD COMMITTEE

- 66A. PAL Board Committee Recommends: Approve legislation issues referred to the full Board of Supervisors
- A. HR 179: Community AIDS and Hepatitis Prevention Act (Serrano)
Recommendation: Support
 - B. S21: Prevention First Act (Reid)
Recommendation: Support
 - C. AB 312: San Francisco Bay Area Rapid Transit District: Office of Citizens Complaints
Recommendation: Support
 - D. AB 346: Joint Use School Facilities (Torlakson)
Recommendation: Support
 - E. Proposition 1A: State Budget Changes California's Budget Process Limits State Spending Increases "Rainy Day" Budget Stabilization Fund
Recommendation: Oppose
 - F. Endorse the Child Care Planning Council's Recommendations for Child Care and Development Funding related to the American Recovery and Reinvestment Act

[Attachment](#)

FILE 22964

BOARDS AND COMMISSIONS

- 66B. *President Lai-Bitker* – Appoint the following to the San Lorenzo Redevelopment Citizens Advisory Committee, term ending 4/28/13:

- A. Wulf Bieschke
- B. Kathy Martins
- C. Mahesh Grogi, Alternate

[Attachment](#)

FILE 24269

SUMMARY ACTION MINUTES

67. *Supervisor Miley* – Appoint the following to the Child Care Planning Council Steering Committee, term ending 12/31/10:

- A. Lisa Erickson
- B. Betty Lin

[Attachment](#)

FILE 24269

68. *Supervisor Steele* – Reappoint Rochelle Elias to the Alameda County Mental Health Advisory Board, term ending 2/21/12

[Attachment](#)

FILE 24269

END OF CONSENT

OUT-OF-STATE TRAVEL

Fire Department – Fire Chief – “International Association of Fire Chiefs Fire Rescue International 2009: Leadership for Tough Times Conference” – Dallas, Texas, 8/26/09 – 8/30/09 (\$1,900)

[Attachment](#)

Health Care Services Agency – Deputy Director – Robert Wood Johnson Foundation meeting – Portland, Maine, 5/7/09 – 5/8/09 (No County Cost)

[Attachment](#)

Sheriff:

Lieutenant and Sheriff – Anti-Terrorism Symposium – New York, New York, 4/27/09 – 4/30/09 (\$992 each)

[Attachment](#)

Sergeant – Free Acquisition Seminar for General Services Agency Customers – Reno, Nevada, 5/6/09 – 5/6/09 (\$136)

[Attachment](#)

Undersheriff – “2009 National Urban Area Security Initiative Conference” – Charlotte, North Carolina, 6/7/09 – 6/12/09 (\$2,338)

[Attachment](#)

Social Services Agency:

Resource Parent Liaison – “National Foster Parent Education Conference” – Reno, Nevada, 5/4/09 – 5/9/09 (\$1,200)

[Attachment](#)

SUMMARY ACTION MINUTES

Division Director – “Elva8 Spring Learning Institute Conference” – Albuquerque, New Mexico,
5/17/09 – 5/21/09 (\$380)
[Attachment](#)

FILE 24270

No further business appearing, the meeting is adjourned.

REVIEWED BY: _____
PRESIDENT, BOARD OF SUPERVISORS

REVIEWED BY: _____
CLERK, BOARD OF SUPERVISORS

**** KEY ****

Left Margin Notes

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|----------|-----------------------------|-----------|--------------------|
| 1 | Supervisor Haggerty | A | Abstained |
| 2 | Supervisor Steele | X | Excused |
| 3 | President Lai-Bitker | N | No |
| 4 | Supervisor Miley | BO | Board Order |
| 5 | Supervisor Carson | | |

Right Margin Notes

- | | |
|------------|-------------------|
| C | Contract |
| O | Ordinance |
| R | Resolution |
| LIB | Library |

File #24261
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