



BOARD OF SUPERVISORS

Regular Meeting

Tuesday, November 4, 2003

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

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

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
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. Board of Supervisors' meetings are wheelchair accessible. Call (510) 272-6347 (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) 272-6347. The Board's Agenda and Summary Action Minutes are also available via the Internet at: www.acgov.org

Attention: The Alameda County Board of Supervisors' meetings held in the Board Chamber can be heard live on the County's internet (www.acgov.org) In order to log on, please do the following: click on the County's homepage as noted above and click on the "Audio Broadcasts" box.

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. In addition to hearing the Board meetings live, you may hear prior meetings (commencing November 6, 2001) and you may have access to the Board's agenda meeting dates, a list of items for each agenda meeting and meeting minutes at the County's website.

150 YEARS OF SERVICE
1853 – 2003

9:00 A.M.

CALL TO ORDER AND SALUTE TO FLAG

**APPROVE MINUTES OF REGULAR MEETING:
AND MINUTES OF SPECIAL MEETING:**

**TUESDAY, OCTOBER 28, 2003
FRIDAY, OCTOBER 3, 2003**

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiator: Naomi Burns
Employee Organization: Probation Peace Officers Association

Agency Negotiator: Naomi Burns
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: City of Oakland, County of Alameda, and Oakland-Alameda County Coliseum Authority v. Oakland Raiders, a California Limited Partnership, A. D. Football, Inc., a California Corporation, and Does 1 through 50, inclusive, Superior Court of California, County of Sacramento, Case # 97AS06708

Name of Case: Janien Harrison and Willie Posey v. Alameda County, Alameda County Board of Supervisors, Alameda County Medical Center Board of Trustees, Kenneth Cohen and Does 1 through 20, inclusive, Superior Court of California, County of Alameda, Case #HG03101725

Name of Case: County of Alameda v. N.V. Heathorn, et al, Superior Court, County of Alameda, No. 2001-021935

Name of Case: M.A. Mortenson Co. v. County of Alameda, Superior Court, County of Alameda, No. 2063344

Name of Case: Henry and Priscilla Young v. County of Alameda, Alameda County Superior Court Case No. 2001-033447

Name of Case: Nears v. County of Alameda et al, Alameda County Superior Court Case No. 2002-062311

10:00 A.M. - SET MATTERS

1. **CONSENT CALENDAR (See Appendix, Item Numbers 25 – 56)**

10:00 A.M. - REGULAR CALENDAR

PROCLAMATIONS/COMMENDATIONS

President Steele:

2. Presentation of an American flag to the Alameda County Board of Supervisors by Sheriff's Technician Rick Houle
3. Adopt a resolution of Kinship Caregiver needs in preparation for Alameda County public hearing on November 10, 2003

BOARD OF SUPERVISORS' REMARKS

PUBLIC ASSISTANCE

4. *Social Services Agency* – Approve the appropriation of a \$42,000 grant from Hedge Funds Care to meet the personal needs of children during their time at the Alameda County Children's Assessment Center – (4/5 Vote) – **Continued from Tuesday, 10/28/03 (Item #30) for 4/5 vote**

HEALTH CARE SERVICES

5. Alameda County Medical Center Update
6. Approve in principle (31) community-based organization contracts for the expansion of Early Periodic Screening, Diagnosis and Treatment Program for mental health children and youth services using EPSDT Medi-Cal funds, based on billings, and matching Tobacco Master Settlement funds – CAO Recommends: Approve
7. Approve the following recommendations related to the Building Opportunities for Self-Sufficiency:
 - A. Approve a one-time operations loan agreement with Building Opportunities for Self-Sufficiency (Principal: boona cheema; Location: Berkeley), 11/4/03 – 10/31/08 (\$200,000)
 - B. Approve modifications of the Board adopted community-based organization Capital Loan Account
 - C. Authorize the Auditor-Controller to transfer funds from the Tobacco Master Settlement Trust Fund to the Community-Based Organization Capital Loan Trust fund (\$500,000); and
 - D. Authorize the development of community-based organization technical assistance and support plan – CAO Recommends: Approve
8. Approve the Memorandum of Understanding with the Alameda County Medical Center for provision of Skilled Nursing Facility Care in fiscal year 2003-2004 and 2004-2005 (\$4,305,000); and approve related budget adjustments – CAO Recommends: Approve – (4/5 Vote)
9. Approve a contract renewal with Mental Health Resource Group, Inc., an affiliate of Discharge Resource Group (Principals: Marsha and Larry Hicks; Location: San Francisco) to continue to provide clinical staff registry services provided by the Behavioral Health Care Services, 7/1/03 – 6/30/04 ((\$900,000) – CAO Recommends: Approve

SITTING AS THE REDVELOPMENT AGENCY

10. *Community Development Agency* – Approve the Owner Participation Agreement contract with San Lorenzo Village Homes Association (Principal: Kathie Ready; Location: San Lorenzo) for a façade improvement loan (\$133,000) – CAO Recommends: Approve

GENERAL ADMINISTRATION

11. *President Steele* – Approve in principle the County to negotiate and execute a contract for consultant services to the Blue Ribbon Task Force, not to exceed \$50,000
12. *Community Development Agency* – Authorize the Purchasing Agent to execute a contract amendment through Diversified Personnel Services with Nicol Williams (Location: Oakland) to provide professional planning services, increasing the amount from \$24,950 to \$32,500 (\$7,550 increase) with no change in the term date of 12/31/03 – CAO Recommends: Approve
13. *County Counsel* – Approve a contract with Meyers/Nave (Principal: Michael R. Nave; Location: Oakland) for legal services during the period 11/4/03 through the resolution of the proposed eminent domain actions associated with the I-880/Mission Boulevard Freeway Interchange project in Fremont, in an amount not exceed \$300,000 – CAO Recommends: Approve
14. *General Services Agency and Sheriff* – Approve and authorize the Auditor-Controller to transfer funds from the Sheriff's Office to the General Services Agency Internal Service Funds budget and approve related pay units and budget adjustments for the reoccupancy of the Glenn Dyer Detention Facility – CAO Recommends: Approve – (4/5 Vote)
15. *Human Resource Services* – Second reading and adoption of a salary ordinance amendment establishing three new job classes with salary administration criteria, and a footnote in the Human Resource Services Department – **Continued from Tuesday, 10/28/03 (Item #12) for second reading**
16. *Library* – Approve the execution of an agreement with the City of Union City to continue to fund the County Library for additional library hours at the Union City Library, 7/1/03 – 6/30/04 (\$244,032) – CAO Recommends: Approve
17. *Treasurer-Tax Collector* – First reading and introduction of an ordinance reauthorizing Section 2.58.100 in Chapter 2.58 of Title Two of the Administrative Code relating to the annual delegation of investment authority to the Treasurer-Tax Collector – CAO Recommends: Approve

County Administrator:

18. Approve a contract amendment with Urban Analytics, LLC, (Principal: David Mealy; Location: San Francisco) for fiscal impact analyses services, extending the term from 6/30/03 to 6/30/04, and increasing the amount from \$45,000 to \$55,000 (\$10,000 increase)
19. Authorize the County Administrator to execute an agreement with MUNIFINANCIAL (Principal: Frank Tripepi; Location: Temecula) to provide continuing disclosure and investor relations services, 12/1/03 – 11/30/05 (\$50,000)

PUBLIC WORKS

- 20. First reading and introduction of an ordinance amending the Alameda County Public Works Traffic Code for Castro Valley, Hayward, San Leandro, San Lorenzo and Sunol 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 11, relating to passenger loading zones; one change to Chapter 1, Article 15, relating to midblock crosswalks; one change to Chapter 1, Article 17, relating to equestrian crossings; and two changes to Chapter 1, Article 20, relating to disabled persons and veterans parking zones – CAO Recommends: Approve
- 21. Approve and authorize the execution of an agreement with the City of Walnut Creek for the Real Estate Division to provide right-of-way services, 11/4/03 – 11/4/05 (\$61,000) – CAO Recommends: Approve
- 22. Approve and authorize the execution of an agreement with EIP Associates (Principal: James J. Kerr; Location: Oakland) to provide assistance with preparation of environmental documents for the Crow Canyon Road Safety Improvements Project, 11/4/03 – 6/30/05 (\$200,000) – CAO Recommends: Approve

FLOOD CONTROL

- 23. Approve an agreement with Math/Science Nucleus (Principal: Joyce R. Blueford; Location: Fremont) to provide services for the operation of the Tule Pond Environmental Education Center in Fremont, 11/4/03 – 8/31/04 (\$45,000) – CAO Recommends: Approve

10:30 A.M. - SET MATTER

GENERAL ADMINISTRATION

- 24. *County Managers Affiliation* – Recognition of the nominees and award winners for the 2003 Outstanding Manager of the Year Awards

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

ADJOURNMENT

NEXT MEETINGS:	NOVEMBER 6, 2003	PLANNING CALENDAR
	NOVEMBER 11, 2003	CANCELED – HOLIDAY
	NOVEMBER 18, 2003	CANCELED
	NOVEMBER 25, 2003	CANCELED – HOLIDAY
	DECEMBER 2, 2003	REGULAR CALENDAR
	DECEMBER 4, 2003	PLANNING CALENDAR

APPENDIX

CONSENT CALENDAR - ITEM NUMBERS 25 - 56

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

HEALTH CARE SERVICES

25. Approve the following recommendations to continue tobacco control services within Alameda County targeting young adults:
- A. Accept and approve the execution of a grant agreement amendment with the California Department of Health Services, 7/1/01 – 6/30/05 (\$716,119);
 - B. Approve and authorize the execution of a standard agreement with the City of Berkeley, 10/1/03 – 6/30/04 (\$33,500);
 - C. Approve and authorize the execution of a standard agreement with Ohlone College Student Health Center (Principals: Sally Bratton and Deanna Walston; Location: Fremont), 10/1/03 – 6/30/04 (\$33,587); and
 - D. Approve related budget adjustments (\$15,265) – (4/5 Vote)
– **Continued from Tuesday, 10/28/03 (Item #20) for 4/5 vote**
26. Accept and approve a contract with the City of Oakland from the Oakland Fund for Children and Youth to provide for youth development activities associated with Project YES!, 7/1/03 – 6/30/04 (\$100,000); and approve related budget adjustments – (4/5 Vote) – **Continued from Tuesday, 10/28/03 (Item #21) for 4/5 vote**
27. Approve a consulting agreement between the California Youth Connection (Principal: Janet Knipe; Location: San Francisco) and the Alameda County Court Appointed Special Advocates to receive funding to implement a youth-led evaluation project, 9/1/03 – 8/31/05 (\$205,285); and approve related budget adjustments – (4/5 Vote) – **Continued from Tuesday, 10/28/03 (Item #22) for 4/5 vote**
28. Authorize the Purchasing Agent to extend purchase order contracts for payrolled employees with Diversified Payrolling Services to provide case management services for the OUR KIDS Collaborative Project in the Oakland and Hayward School Districts and the Safe Passages Middle School Strategy:
- A. Marvelene Burch (Location: Oakland), an extension of 28 weeks, 8/18/03 – 6/11/04, increasing the amount from \$24,999 to \$71,899 (\$46,900 increase)
 - B. Maria Carrillo (Location: Berkeley), an extension of 27 weeks, 8/25/03 – 6/11/04, increasing the amount from \$24,999 to \$68,054 (\$43,055 increase)
 - C. Elizabeth Digirolamo (Location: Oakland), an extension of 26 weeks, 8/18/03 – 6/11/04, increasing the amount from \$24,999 to \$58,876 (\$33,877 increase)
 - D. Cary Donaldson (Location: Oakland), an extension of 26.5 weeks, 8/18/03 – 6/11/04, increasing the amount from \$24,999 to \$61,370 (\$36,371 increase)
 - E. Toi Chene Garrison (Location: Tracy), an extension of 25 weeks, 8/25/03 – 6/11/04, increasing the amount from \$24,999 to \$61,882 (\$36,883 increase)
 - F. Marian Meadows (Location: Oakland), an extension of 26.5 weeks, 8/10/03 – 6/11/04, increasing the amount from \$24,999 to \$61,370 (\$36,371 increase)
 - G. Mira Murphy (Location: Hayward), an extension of 28 weeks, 8/18/03 – 6/11/04, increasing the amount from \$24,999 to \$67,574 (\$42,575 increase)
 - H. Devena Wilson (Location: Marina), an extension of 29 weeks, 8/18/03 – 6/11/04, increasing the amount from \$24,999 to \$71,648 (\$46,649 increase)

29. Receive a report on continuing existence of a local state of emergency in Alameda County relative to the transmission of HIV, Hepatitis C and other blood borne pathogens through the use of contaminated needles
30. Approve expenditure for the Ninth Annual HIV/AIDS Community Awards ceremony and reception for the Department of Public Health, Office of AIDS on 12/1/03 (\$4,000)
31. Accept and approve the standard agreement amendment between the California Department of Health Services and Women, Infants, and Children Program, Community Health Services, Public Health Department to continue nutrition education outreach and activities to low-income families, 10/1/02 – 9/30/05, increasing the amount from \$7,682,646 to \$8,362,252 (\$679,606 increase); and approve related budget adjustments – (4/5 Vote)
32. Approve mid-year budget and pay unit adjustments in the Public Health Department (\$431,496) – (4/5 Vote)
33. Approve the standard agreement amendment with Dental Health Foundation (Principal: Wynne Grossman; Location: Oakland) for the Healthy Kids/Healthy Teeth Project to provide dental services, 2/1/03 – 1/31/04, increasing the amount from \$191,458 to \$201,458 (\$10,000 increase)
34. Accept and approve a standard agreement Emergency Medical Services Appropriation from the State Department of Health Services to provide reimbursement for uncompensated emergency services by physicians in hospital emergency rooms, 7/1/03 – 6/30/04 (\$1,058,756)
35. Approve the renewal of personal service contracts to provide services to the Department of Behavioral Health Care Services, 7/1/03 – 6/30/04:
 - A. Bettye Knighten (Location: Oakland) for human resources consultation (\$80,000)
 - B. Ronald Tauber, Ph.D. (Location: Berkeley) for criminal justice consultation (\$39,367)
36. *Health Care Services Agency and General Services Agency* – Approve the first modification to lease with Creekside Associates LLC, (Principal: David Irmer; Location: Sausalito) for tenant improvement at Creekside Plaza, 1000 San Leandro Boulevard, Suites 100, 200 & 300, San Leandro for the Health Care Services Agency Administration and Finance, Emergency Management Services and Family Health Service Divisions

GENERAL ADMINISTRATION

37. *Assessor* – Approve deletion of obsolete capital equipment from the County equipment inventory

Community Development Agency:
38. Authorize the Agency Director to submit an application to the State of California Department of Housing and Community Development for obtaining \$1.5 million in funds under the Local Housing Trust Fund Program to provide affordable housing to low-income persons and families and authorize the Director to execute the grant agreement

39. Approve the following recommendations for fiscal year 2002 Supportive Housing Program Reciprocal Integrated Services for Empowerment Project grant award renewal:
- A. Accept the fiscal year 2002 Supportive Housing Program Grant from the United States Department of Housing and Urban Development to provide supportive services to homeless people in Alameda County (\$157,189)
 - B. Approve in principle an agreement with Tri-City Homeless Coalition (Principal: Louis Chicoine; Location: Fremont), 11/1/03 – 10/31/04
 - C. Approve in principle an agreement with Second Chance (Principal: Mark McConville; Location: Newark), 11/1/03 – 10/31/04; and
 - D. Approve in principle an agreement with Building Opportunities for Self-Sufficiency (Principal: boona cheema; Location: Berkeley), 11/1/03 – 10/31/04
40. *General Services Agency and District Attorney* – Approve an amendment to extend the lease to a five-year lease agreement with Airport Corporate Center (Principal: Kevin M. FitzPatrick; Location: Modesto) for 9,948 square feet of office space at 7677 Oakport Street, Suite 750, Oakland, for the District Attorney’s Welfare Fraud Division, effective 11/4/03, \$254,515 for fiscal year 2003-2004 (\$2,378 increase)
41. *General Services Agency* – Authorize the Director to accept grant funds from the Environmental Protection Agency for the Persistent Bioaccumulative Toxins Project (\$30,000); and approve related budget adjustments – (4/5 Vote)
42. *General Services Agency and Superior Court* – Approve an amendment to the lease agreement with the United States Postal Service to extend the lease at 201 13th Street, 2nd floor, Oakland for continued use by Superior Court for courtroom and administrative space, extending the term for three years from 1/1/04 to 12/31/06, at an annual rate of \$300,000, decreasing the current amount for 2003-2004 by \$12,000 and for subsequent years by \$24,000
- Human Resource Services:*
43. Approve classification actions taken by the Civil Service Commission on October 15, 2003
44. Approve the creation of a new Representation Unit 076, Probation Peace Officers’ Association
- Information Technology Department:*
45. Approve and authorize the Auditor-Controller to make the budgetary adjustments for fiscal year 2003-2004 to provide technology services for the departments of the Auditor-Controller/Central Collections (\$1,620), Public Health (\$3,915), Public Works (\$2,450) and Sheriff (\$11,894) – (4/5 Vote) – **Continued from Tuesday, 10/28/03 (Item #37) for 4/5 vote**
46. Approve fiscal year 2003-2004 budget adjustments to provide information technology services for three projects for the Clerk-Recorder’s Office (\$81,420) – (4/5 Vote)
47. *Library and Probation* – Approve mid-year budget adjustments to provide tutoring services for residents of Camp Wilmont Sweeney – (4/5 Vote) – **Continued from Tuesday, 10/28/03 (Item #38) for 4/5 vote**
48. *Registrar of Voters* – Receive and file the certified Statement of Results of the October 7, 2003 Special Statewide Election

PUBLIC WORKS

49. Approve Modification No. 2 to agreement with CWS Utility Services (Principal: Richard D. Nye; Location: San Jose) to provide operation and maintenance of the sewer and water systems in Alameda County Service Area, CSA R-1967-1, Castlewood, increasing the amount from \$85,000 to \$135,000 (\$50,000 increase)
50. Accept improvements and reduce the performance guarantee for Tract 6814, located at Rancho San Lorenzo, Eden Township, by subdivision Centex Real Estate Corporation
51. Accept improvements and reduce the performance guarantee for Tract 6651, located at Eden Township, by subdivision Centex Homes
52. Adopt a resolution to approve filing of an application with the Resource Agency of California for the Environmental Enhancement and Mitigation Grant Program funds for the Alameda County Urban and Community Forestry Project in the unincorporated communities of Ashland, Castro Valley and San Lorenzo; and authorize the Director to execute required documents (\$207,000)
53. Adopt a resolution authorizing the submittal of bicycle and pedestrian funding grant applications to the Alameda County Transportation Improvement Authority for Measure B Bicycle and Pedestrian Countywide Discretionary funds
54. Adopt the Mitigated Negative Declaration and approve the improvement of Zone 4, Line A at Winton Avenue Crossing, Hayward (\$590,000)

FLOOD CONTROL

55. *Zone 7* – Approve deletion of obsolete capital equipment from the County equipment inventory

END OF CONSENT

BOARDS AND COMMISSIONS

56. Accept the following resignations from the Alameda County Medical Center Board of Trustees:
 - A. Robert W. Blackburn
 - B. Maria E. Gallo
 - C. Denise K. Martin
 - D. Robert Phillips
 - E. Barry B. Siegel

OUT-OF-STATE TRAVEL

Health Care Services Agency:

Health Care Program Administrator II, Community Health Services, Health Care for the Homeless Program, Public Health Department – National Health Care for the Homeless Council Governing Membership meeting – San Antonio, Texas, 11/5/03 – 11/8/03 (No Net County Cost)

Health Care Administrator, Office of AIDS, Public Health Department – The Ryan White Care Act Title I and Title II Grantee Consultation meeting – Rockville, Maryland, 11/6/03 – 11/7/03 (No Net County Cost)

Data Input Clerk and Health Care Administrator, Office of AIDS, Public Health Department – 2003 Care Act Data Report regional training – Phoenix, Arizona, 11/10/03 – 11/11/03 (No Net County Cost)

Sheriff – Criminalist/Combined Offenders DNA Index System Administrator – “National Combined Offenders DNA Index System Conference” – Lansdowns, Virginia, 11/3/03 – 11/6/03 (No Net County Cost)

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