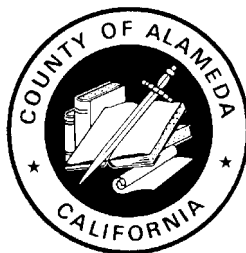


SUMMARY ACTION MINUTES



BOARD OF SUPERVISORS

Regular Meeting

Tuesday, May 4, 2004

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. 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 10:00 a.m. and may begin later, depending on the Closed Session, which normally begins at 9:00 a.m.

9:00 A.M.

SUMMARY ACTION MINUTES

CALLED TO ORDER AND SALUTED TO FLAG

352 14 APPROVED MINUTES OF REGULAR MEETING: TUESDAY, APRIL 27, 2004
XX SPECIAL MEETINGS: MONDAY, APRIL 12, 2004 AND
TUESDAY, APRIL 13, 2004

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

| | |
|-------------------------|--|
| Agency Negotiators: | Denise Eaton-May, Denyce Holsey and Keith Fleming |
| Employee Organizations: | All Labor Organizations |
| Agency Negotiators: | Denise Eaton-May, Denyce Holsey and Keith Fleming/Glenn Berkheimer |
| Employee Organization: | Union of American Physicians and Dentists |
| Agency Negotiators: | Denise Eaton-May, Denyce Holsey and Keith Fleming |
| Employee Organization: | Alameda County Management Employees Association |
| Agency Negotiator: | 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: 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

10:00 A.M. - SET MATTERS

1. **CONSENT CALENDAR (See Appendix, Item Numbers 19 - 27)**
532 14 **Approved as recommended**
XX

SUMMARY ACTION MINUTES

10:00 A.M. - REGULAR CALENDAR

PROCLAMATIONS/COMMENDATIONS

President Steele:

2. Proclaim May 3, 2004 as “Foster Parent Appreciation Day” and May 2004 as “Foster Care Awareness Month”
532 14 Approved as recommended FILE 18614
XX

3. Proclaim May 3 – May 9, 2004 as “Mosquito and Vector Control and West Nile Virus Awareness Week”
532 14 Approved as recommended FILE 18614
XX

Supervisor Carson:

4. Commend Nancy Friedman for her years of community advocacy and retirement from Vote Health
532 14 Approved as recommended FILE 18614
XX

4A. Proclaim May 4, 2004 as “Brown v. Board of Education Day”
532 14 Approved as recommended FILE 18614
XX

5. *Supervisor Haggerty* – Proclaim May 2004 as “Motorcycle Awareness Month”
532 14 Approved as recommended FILE 18614
XX

Supervisor Lai-Bitker:

6. Proclaim May 2004 as “Older Americans Month”
532 14 Approved as recommended FILE 18902
XX

7. Proclaim May 2004 as “Asian Pacific American Heritage Month” and “Korean American Centennial”
532 14 Approved as recommended FILE 18902
XX

8. Proclaim May 2 – May 8, 2004 as “National Arson Awareness Week”
532 14 Approved as recommended FILE 18902
XX

8A. *Health Care Services Agency* – Proclaim the week of May 16 – 22, 2004 as “Emergency Medical Services Week”
532 14 Approved as recommended FILE 18902
XX

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS' REMARKS

Supervisor Carson, in recognition of Public Service Recognition Week, recognized Joy Walton, Principal Analyst in the County Administrator's Office, for 37 years of public service.

Supervisor Steele requested that Susan S. Muranishi, County Administrator provide a budget update. The Governor's May Revise is anticipated next week and needs to be reviewed for impacts to local government. The County is sponsoring a bill regarding retirement issues, which is set for hearing on Wednesday, 5/5/04. Next week a coalition of City, County and Special District representatives are meeting with individual legislators in Sacramento regarding the State budget.

President Steele presented Supervisor Carson his ten-year Alameda County service award and gave birthday wishes to Supervisors Carson, Lai-Bitker and Miley.

PUBLIC ASSISTANCE

9. *Social Services Agency and General Services Agency* – Approve a second lease modification with the City of Livermore for 1,168 square feet of office space at 3311 Pacific Avenue, Livermore, for the Social Services Agency's Welfare-to-Work and Adult Protective Services Department, effective 5/1/04 (total lease cost for fiscal year 2003-2004, \$10,874 and total lease cost for fiscal year 2004-2005, \$11,844) – CAO Recommends: Approve
- 532 14 Approved as recommended FILE 18903
XX C-2004-401

GENERAL ADMINISTRATION

Community Development Agency:

10. Approve a resolution adopting the Action Plan for fiscal year 2004 for the Alameda County HOME Consortium, consisting of the Alameda County Urban County and the cities of Alameda, Fremont, Hayward, Livermore, Pleasanton, San Leandro, and Union City, to fulfill the requirements of the National Affordable Housing Act of 1990 – CAO Recommends: Approve
- 532 14 Approved as recommended FILE 18904
XX R-2004-452
- 10A. Authorize the execution of a contract amendment with Rodrigo Orduna, Urban Planner (Location: Berkeley) for professional planning services, increasing the amount from \$25,000 to \$60,000 (\$35,000 increase) and no change in the term of the contract - CAO Recommends: Approve
- 532 14 Approved as recommended FILE 18905
XX C-2004-402

General Services Agency:

11. Accept the bid of and award a contract to RoSa Construction Co., Inc. (Principal: Robert Reil; Location: Hayward) for the remodel of the 1st and 2nd floor restrooms of the Administration Building, 1221 Oak Street, Oakland, Project No. CPP03R309400000 (\$237,225); approve the encumbrance of an additional \$24,000 as a Supplemental Work Allowance for total encumbered amount of \$261,225; and authorize the Agency Director to issue change orders as necessary; and approve the execution of the contract – CAO Recommends: Approve
- 532 14 Approved as recommended FILE 18706
XX C-2004-403

SUMMARY ACTION MINUTES

12. Approve the following recommendations related to the grant award from the California Department of Education for the Child Care Program:
- A. Adopt the resolution entitled “Financial Transaction with the California Department of Education for Child Care and Development Services”; and designate the Agency Director to sign the contract for fiscal year 2003-2004;
 - B. Authorize the Agency Director to accept \$935,333 from the California Department of Education (AB 212 funds) for child care salary/retention incentive program for fiscal year 2004-2005;
 - C. Approve a waiver of competitive bidding process in order to fulfill the requirements of the grant and the Alameda County Child Care Planning Council approved plan for the expenditure of funds; and
 - D. Authorize the Purchasing Agent to enter into a contract with First Five Alameda County to provide child care professional development services, 7/4/04 – 6/30/05 (\$886,639)
– CAO Recommends: Approve
- 532 14** Approved as recommended **FILE 18906**
XX **R-2004-453**
13. *General Services Agency and Health Care Services Agency* – Approve budget adjustments to fiscal year 2003-2004 Final Budget to reduce Building Maintenance Department’s budget for Public Health (\$159,118) and Behavioral Health Care Services (\$41,575) due to space consolidation and cost savings (total \$200,693) – CAO Recommends: Approve
- 532 14** Approved as recommended **FILE 18907**
XX **R-200-4454F**
- 13A. *County Administrator* - Consideration of concession license agreement between the Oakland-Alameda County Coliseum Authority and Levy Premium Foodservice Limited Partnership for services at the Oakland-Alameda County Coliseum Arena
Continued to Tuesday, 5/18/04 **FILE 18908**

SUMMARY ACTION MINUTES

PUBLIC PROTECTION

14. *Probation* – Approve the following recommendations related to the Juvenile Justice Crime Prevention Act (SB 736) for fiscal year 2003-2004:
- A. Approve and authorize the transfer of grant accrued interest of \$53,222.87 to grant account and increase grant appropriation accordingly
 - B. Approve and authorize an increase of Title IV-E revenue of \$709,935.29 to grant account and increase grant appropriation accordingly
 - C. Approve the extension and increase of fiscal year 2002-2003 community-based organization master contracts, memorandum of understandings, and standard agreements through fiscal year 2004-2005 to provide continuity and uninterrupted services; and authorize the Chief Probation Officer to sign the amendments:
 - 1. Alameda County Public Health Services to provide health screening and health education classes, increasing the amount from \$290,250 to \$420,250 (\$130,000 increase)
 - 2. Alameda County Sheriff's Office Youth and Family Services Bureau to provide intake screening, psychological assessment, individual and group therapy services, increasing the amount from \$15,000 to \$20,000 (\$5,000 increase)
 - 3. Catholic Charities of the East Bay (Principal: Barbara S. Terrazas; Location: Oakland) to provide resolution of court ordered restitution claims, increasing the amount from \$46,462 to \$86,462 (\$40,000 increase)
 - 4. CBX Technologies, Inc. (Principal: Christian D'Andrade; Location: Oakland) to provide computer systems services, increasing the amount from \$25,000 to \$55,000 (\$30,000 increase)
 - 5. East Bay Asian Youth Center (Principal: David Kakishiba; Location: Oakland) to provide vocational training, increasing the amount from \$165,000 to \$250,000 (\$85,000 increase)
 - 6. Evan Scott (Location: Larkspur) to provide Juvenile Justice Crime Prevention Act system upgrade and support, increasing the amount from \$25,000 to \$27,710.91 (\$2,710.91 increase)
 - 7. Girls Inc. of Alameda County (Principal: Pat Loomes; Location: San Leandro) to provide personal and educational program, increasing the amount from \$84,000 to \$124,000 (\$40,000 increase)
 - 8. Additional provider(s) to be identified to provide gender specific services (\$60,000)
 - D. Approve the extension and increase of fiscal year 2002-2003 and fiscal year 2003-2004 contracts with Program Interns with Diversified, Inc. through fiscal year 2004-2005
 - E. Approve and authorize the Auditor-Controller to make related budget adjustments
- CAO Recommends: Approve – (4/5 Vote)
Continued to Tuesday, 5/18/04 for a 4/5 Vote **FILE 18909**

PUBLIC WORKS

15. Second reading and adoption of an ordinance adding Chapter 12.13 (Sidewalk Maintenance) of Title 12 of the Alameda County General Ordinance Code – **Continued from Tuesday, 4/27/04 (Item #17B) for second reading**
- 532 14 **Read title, waived reading of ordinance in its entirety and adopted Ordinance O-** **FILE18888**
XX **2004-68** **O-2004-68**
16. Adopt a resolution approving the establishment of Alameda Countywide Bicycle Advisory Committee – **Continued from Tuesday, 4/20/04 (Item #37)**
- 532 14 **Approved as recommended** **FILE 18874**
XX **R-2004-457**

SUMMARY ACTION MINUTES

10:30 A.M. - SET MATTERS

GENERAL ADMINISTRATION

17. *Superior Court* – Proclaim Saturday, May 1, 2004 as “Law Day”
532 14 Approved as recommended in concert with Item #4A
XX

FILE 18902

PUBLIC WORKS

18. Item withdrawn

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

None

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

Three former employees of Tucker Technology, spoke regarding employment and County contracting policies. The Board directed the Director of General Services Agency to meet with them to address their concerns.

ADJOURNED

SUMMARY ACTION MINUTES

APPENDIX

CONSENT CALENDAR - ITEM NUMBERS 19 - 27

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

532 14 Approved as recommended
XX

GENERAL ADMINISTRATION

19. *Community Development Agency* – Approve time extension only contract amendment with Michael R. Corbett, Architectural Historian (Location: Berkeley) for continuation of professional services to update the Historical/Cultural Resource Inventory for the Unincorporated Eastern Area of Alameda County, extending the term from 6/30/04 to 6/30/05, with no change in the contract amount
**FILE 18642
C-2004-405**
20. *General Services Agency* – Accept the work of RoSa Construction Co., Inc. (Principal: Robert Reil; Location: Hayward) for the Civil/Probate Room 109 remodel, Rene C. Davidson Courthouse, 1225 Fallon Street, Oakland, Project No. CPP-2X200000000
FILE 18910
21. *Human Resource Services* – Approve classification actions taken by the Civil Service Commission on 4/14/04
FILE 18579
22. *Treasurer-Tax Collector* – Receive Investment Report, March 2004
FILE 18582

PUBLIC PROTECTION

23. *District Attorney* – Approve a resolution to execute and submit award agreement for the 2004-2005 fiscal year Funeral/Burial and Domestic Violence Relocation Expense agreement with the California Victim Compensation and Government Claims Board; and designate and authorize the District Attorney to submit a Request-for-Application response and execute an award agreement
**FILE 18911
R-2004-458**
24. *Fire Department* – Approve donation of surplus 1990 Type 3 Fire Engine to the Columbia Fire Protection District, Columbia, California
FILE 18912

SUMMARY ACTION MINUTES

PERSONNEL, ADMINISTRATION AND LEGISLATION (PAL) BOARD COMMITTEE

25. PAL Board Committee Recommends: Approve legislation issues referred to the full Board of Supervisors
- A. AB 2871 (Berg) Clean Needle and Syringe Exchange: AIDS and Hepatitis
Recommendation: Support
 - B. AB 3003 (Kehoe) Stadium Leases: Local Government
Recommendation: Support
 - C. Preliminary Principles of Support on Preschool for All
Recommendation: Support
 - D. Policy Statement Regarding the Childcare and Development Sections of the Governor's Budget Proposal
Recommendation: Support
 - E. AB 2270 (Chan) Medi-Cal: Administrative Claims
Recommendation: Watch
 - F. AB 2327 (Chan) Nutrition and Physical Activity Curriculum
Recommendation: Support
 - G. AB 2670 (Benoit) Automatic External Defibrillator Requirements: Public Safety Personnel
Recommendation: Oppose
 - H. AB 2863 (Pavley) School Facilities: Indoor Air Quality
Recommendation: Support
 - I. SB 1566 (Escutia) Schools: Food and Beverage Nutrition Standards
Recommendation: Support
 - J. SB 1783 (Dunn) Medi-Cal: Managed Care
Recommendation: Support
 - K. Resolution Supporting In Home Supportive Services Providers, Seniors and People with Disabilities and Opposing State Funding Reductions
Recommendation: Support

**FILE 18913
R-2004-443**

SUMMARY ACTION MINUTES

BOARDS AND COMMISSIONS

Social Services Agency:

26. Approve the appointment of James Paxon to fill a private sector member vacancy and reappoint the following Private Sector Members of the Alameda County Workforce Investment Board, terms ending 3/31/06:

- A. Felicia Woytak
- B. Steve Lee
- C. Jim Fogelquist
- D. Anthony DeVenuta
- E. Andrea Verzantvoort
- F. Scott Raty
- G. Craig Johnson
- H. Kenneth Baker
- I. Sandra McMullan
- J. Helen Meyer
- K. David Johnson
- L. Paul Moffatt
- M. Jerry Keating
- N. Lane Hart
- O. Doug Devlin
- P. Martha Giggleman

FILE 18914

27. Approve the appointments of Susan Cota, Glen Sparks, and Dr. Jim Kelly to fill local education agency member vacancies; and reappoint the following Public Sector Members of the Alameda County Workforce Investment Board, terms ending 3/31/06:

- A. Jason Hodge
- B. Bruce Kern
- C. Luke Sims
- D. Chet P. Hewitt
- E. Octobere Vance
- F. Bob Brewer
- G. Henry Leng
- H. Mike White
- I. Ken Croswell
- J. Sheila Jordan
- K. Winston Burton

FILE 18915

END OF CONSENT

SUMMARY ACTION MINUTES

OUT-OF-STATE TRAVEL

Board of Supervisors – Supervisor, Fifth District – Meetings with Federal Legislative Delegation – Washington, D.C., 5/4/04 – 5/8/04 (\$1,800 Net County Cost)

District Attorney – Inspector III, Inspectors Division – Federal Bureau of Investigation Academy – Quantico, Virginia, 6/26/04 – 9/3/04 (\$1,000 Net County Cost)

Health Care Services Agency – Supervising Program Specialist, Division of Communicable Disease Control and Prevention, Public Health Department – HIV-STD I-5 Corridor Network meeting – Portland, Oregon, 5/4/04 – 5/6/04 (No Net County Cost)

Probation – Assistant Chief Probation Officer – National Institute of Corrections Academy – Office of Juvenile Justice and Delinquency Prevention/Correctional Leadership Development Training – Longmont, Colorado, 5/18/04 – 5/28/04 (\$800 Net County Cost)

Public Works Agency – Associate Right of Way Agent – “International Right of Way Association Education Conference” – Philadelphia, Pennsylvania, 6/20/04 – 6/26/04 (No Net County Cost)

Sheriff – Captain, Lieutenant and Sergeant, Accreditation Unit – “Commission on Accreditation for Law Enforcement Agencies Conference” – Buffalo, New York, 7/27/04 – 8/1/04 (\$1,855.45 each Net County Cost)

FILE 18830

No further business appearing, the meeting is adjourned.

REVIEWED BY: _____
PRESIDENT, BOARD OF SUPERVISORS

REVIEWED BY: _____
CLERK, BOARD OF SUPERVISORS

**** KEY ****

Left Margin Notes

| | | | |
|----------|------------------------------|-----------|--------------------|
| 1 | Supervisor Haggerty | A | Abstained |
| 2 | President Steele | X | Excused |
| 3 | Supervisor 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 #
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LT