

SUMMARY ACTION MINUTES



BOARD OF SUPERVISORS

Regular Meeting

Tuesday, October 9, 2007

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

SCOTT HAGGERTY, PRESIDENT	DISTRICT 1
GAIL STEELE	DISTRICT 2
ALICE LAI-BITKER, VICE-PRESIDENT	DISTRICT 3
NATE MILEY	DISTRICT 4
KEITH CARSON	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 9:00 a.m.

SUMMARY ACTION MINUTES

9:00 A.M.

CALL TO ORDER AND SALUTE TO FLAG

APPROVED MINUTES OF SPECIAL MEETING: TUESDAY, SEPTEMBER 25, 2007
3251 4 REGULAR MEETING: TUESDAY, OCTOBER 2, 2007
X

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators: Stephen Amano and Keith Fleming
Employee Organization: Union of American Physicians and Dentists

Agency Negotiators: Stephen Amano and Keith Fleming
Employee Organization: Building and Construction Trades Council

Employee Organization: Unrepresented Management

Agency Negotiators: Stephen Amano and Keith Fleming
Employee Organizations: All Labor Organizations

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)

10:30 A.M. - SET MATTERS

1. **CONSENT CALENDAR (See Appendix, Item Numbers 18 – 24)**
Approved as recommended

10:30 A.M. - REGULAR CALENDAR

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

The Board authorized intervention in the California Energy Commission proceedings in Russell City Energy Center.

BOARD OF SUPERVISORS' REMARKS

Supervisor Carson requested a moment of silent prayers for the recovery of Supervisor Federal Glover, Contra Costa County, District 5

SUMMARY ACTION MINUTES

HEALTH CARE SERVICES

2. Approve the following fiscal year 2007-08 Measure A allocations not specifically for the Alameda County Medical Center:
- A. Authorize a 3% cost of living adjustment for specified programs;
 - B. Authorize the allocation of \$200,000 per district for the Board of Supervisors' District discretionary health care services account;
 - C. Approve a \$3 million Request for Proposal for capital improvements for community-based organizations that provide health services to the County of Alameda indigent, low-income, and/or uninsured populations and authorize the Health Care Services Agency to circulate and receive proposals in order to implement expenditure of Measure A capital funds; and
 - D. Authorize the Auditor-Controller to make necessary budget adjustments
- CAO Recommends: Approve - (4/5 Vote)
- 2453 1 **Approved as recommended** **FILE 22655**
X **R-2007-447F**
3. Approve and authorize the execution of a standard agreement (Procurement No. 2175) with Niroga Institute (Principal: Bidyut K. Bose; Location: Berkeley) to provide Yoga, breathwork and meditation practices at the Alameda County Juvenile Justice Center and Camp Sweeney, 10/1/07 - 6/30/08 (\$80,000) - CAO Recommends: Approve
- 2453 1 **Approved as recommended** **FILE 21479**
X **C-2175**
4. Approve and authorize the execution of a standard agreement (Procurement No. 2125) with Youth Radio (Principal: Ellin O'Leary; Location: Oakland) to facilitate the development of the Mind Body Health Center located at 17th and Broadway in Oakland, 9/1/07 - 6/30/08 (\$30,000) - CAO Recommends: Approve
- 2453 1 **Approved as recommended** **FILE 21833**
X **C-2125**
5. Approve and authorize the execution of a Conditional Release Program contract with the State Department of Mental Health to provide community mental health treatment and supervision to judicially committed individuals, 7/1/07 - 6/30/08 (\$740,699); and authorize the Auditor-Controller to make necessary budget adjustments - CAO Recommends: Approve - (4/5 Vote)
- 2453 1 **Approved as recommended** **FILE 21333**
X **C-2007- 152**
R-2007-442F
6. Approve and authorize the execution of a Emergency Medical Services Appropriation standard agreement (Contract No. 2195) with the California Department of Health Services, 7/1/07 - 6/30/08 (\$1,058,761) - CAO Recommends: Approve
- 2453 1 **Approved as recommended** **FILE 22656**
X **C-2195**
7. Approve in principle the release of a Request for Qualifications to solicit qualified providers to develop a twenty bed Criminal Justice Acute Mental Health Inpatient Unit at North County Jail - CAO Recommends: Approve
- 2453 1 **Approved as recommended** **FILE 22657**
X

SUMMARY ACTION MINUTES

- 8. Approve and authorize the execution of the Ambulance Provider Agreement Amendments with American Medical Response (Principal: Louis Meyer; Location: Livermore) and the Cities of Albany, Berkeley and Piedmont to implement user fee changes effective 10/9/07, changing from a line item to a bundled base fee, with no change in contract term – CAO Recommends: Approve

2453 1 Approved as recommended FILE 22576
 X C-2007-153
 thru 156

GENERAL ADMINISTRATION

- 9. *Human Resource Services* – Second reading and adoption of a salary ordinance amendment revising a footnote which defines payment for qualifying medical care expenses eligible for health care expense account reimbursement for management employees in Article 7 – **Continued for a second reading on Tuesday, 10/2/07 (Item 11)**

5243 1 Read titles, waived reading of ordinances in its entirety and adopted Ordinances O- FILE 22622
 X 2007-50 O-2007-50

- 9A. *Registrar of Voters* – Approve the following regarding the Election Advisory Committee:

- A. Establish a nine member Election Advisory Committee that will advise the Registrar of Voters on important issues and provide more direct links to the community;
 - B. Authorize each member of the Alameda County Board of Supervisors to appoint one Committee member; and
 - C. Direct the Registrar of Voters to contact the League of Women Voters; Alameda County Civil Grand Jury; Alameda County Taxpayers Association; and City Clerks Association of California (Alameda County cities) who will each appoint one At-Large Committee member
- CAO Recommends: Approve

2453 1 Approved as recommended FILE 22659
 X

PUBLIC PROTECTION

Sheriff:

- 10. Second reading and adoption of an ordinance to amend Chapter 3.36.130 of Title 3 of the Alameda County General Ordinance Code relating to peddlers and solicitors to impose increased fines and charges violators with either a misdemeanor or an infraction – **Continued for a second reading on Tuesday, 10/2/07 (Item 26)**

4523 1 Read titles, waived reading of ordinances in its entirety and adopted FILE 22633
 X Ordinances O-2007- O-2007-51

FLOOD CONTROL

- 11. Authorize the execution of an agreement with the East Bay Municipal Utility District (Principal: Dennis M. Diemer; Location: Oakland) and the Alameda County Flood Control and Water Conservation District for the construction, operation and maintenance of the Pilot Diversion Pump System in Ettie Street Flood Control Pump Station in Oakland, 10/2/07 – 3/31/10 (\$18,500) – CAO Recommends: Approve

2453 1 Approved as recommended FILE 22660
 X C-2007-157

SUMMARY ACTION MINUTES

11:00 A.M. - SET MATTERS

12. Withdrawn

PROCLAMATIONS/COMMENDATIONS

13. *Board of Supervisors* – Commend Cossette Sun, Director of the Bernard E. Witkin Alameda County Law Library on receiving the Marion Gould Gallagher Distinguished Services Award by the American Association of Law Libraries
Presented **FILE 21745**

GENERAL ADMINISTRATION

County Administrator:

14. Public hearing for the issuance in the maximum amount of \$53,000,000 relating to tax exempt solid waste disposal bonds to be issued through the California Municipal Finance Authority for Republic Services, Inc. with a maximum of \$9,500,000 of such bond revenues to be expended in Alameda County; and adopt an Approving Resolution
5423 1 **Approved as recommended** **FILE 22658**
X **R-2007-443**

15. Public hearing for the issuance by the California Municipal Finance Authority of one or more series of revenue bonds in an aggregate principal amount not to exceed \$225,000,000 as part of a plan of finance, which may occur over a period of multiple years; a portion of bond proceeds, in an amount not expected to exceed \$56,050,000, is intended to finance certain solid waste projects owned and operated by Waste Management, Inc., or an affiliate at the following locations; and approve an Approving Resolution:

- A. Tri Cities Recycling & Disposal Facility Landfill, 7010 Auto Mall Parkway, Fremont (\$9,230,000);
- B. Livermore Dublin Disposal, 6175 Southfront Road, Livermore (\$660,000);
- C. Altamont Landfill, 10840 Altamont Pass Road, Livermore (\$38,760,000);
- D. Waste Management of Alameda County, 172 98th Avenue, Oakland (\$6,200,000);
- E. Davis Street Recycling, 2615 Davis Street, San Leandro (\$270,000);
- F. Davis Street Transfer Station, 2615 Davis Street, San Leandro (\$530,000); and
- G. Davis Street Materials Recycling Facility, 2615 Davis Street, San Leandro (\$400,000)

5423 1 **Opened and closed the public hearing; approved as recommended** **FILE 22658**
X **R-2007-444**

SUMMARY ACTION MINUTES

PUBLIC PROTECTION

16. *Sheriff* – Public hearing and first reading and introduction of an ordinance adding Chapter 10.25 of Title 10 to the Ordinance Code of the County of Alameda relating to bicycle events, including the requirement that applicants pay the County a nominal fee of \$150, or more in the case of larger events, for the actual cost of installing informational signs along County roadways – **Continued from Tuesday, 10/2/07 (Item #27)**
Continued to a future date **FILE 22633**

PUBLIC WORKS

17. Public hearing on Notice of Intention to Condemn Real Property and Temporary Construction Easements; adopt a resolution of necessity authorizing County Counsel to commence and maintain proceedings in eminent domain to acquire a 70 square foot parcel of real property and a 125 square foot temporary construction easement necessary to install a bicycle lane along South Livermore Avenue and Tesla Road in Livermore, Murray Township – (4/5 Vote)
- 2453 1 **Opened and closed the public hearing; approved as recommended** **FILE 22327**
X **R-2007-445**

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

None

ADJOURNED

SUMMARY ACTION MINUTES

APPENDIX

CONSENT CALENDAR - ITEM NUMBERS 18 – 24

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

523 4 1 **Approved as recommended with the exception of item #20, which was voted on separately**
XX

HEALTH CARE SERVICES

18. Approve and authorize additional funds in the amount of \$3,556.58 for the Emergency Medical Services Week awards ceremony held on May 20 – 26, 2007
19. Approve a one-time only augmentation to Master Contract No. 900085, Procurement No. 602 with Community Recovery Services (Principal: Joan Kiley; Location: Berkeley) for the State Incentive Grant program, extending the contract term from 9/30/07 – 3/31/08, increasing the amount from \$115,454 to \$116,854 (\$1,400 increase); and authorize the Director of Behavioral Health Care Services to execute the contracts under the master contracting process
20. Approve the following master contract augmentations for expanded methadone services to Medi-Cal eligible recipients, 7/1/07 – 6/30/08; and authorize the Director of Behavioral Health Care Services to execute the contracts under the master contracting process:
- A. Lifeline Treatment, Inc. (Principal: Willie Collins; Location: Oakland), Master Contract No. 900093, Procurement No. 1608, increasing the amount from \$492,423 to \$884,665 (\$392,242 increase);
 - B. Humanistic Alternatives to Addiction Research and Treatment, Inc. (Principal: Anne Branch; Location: Oakland, Master Contract No. 900091, Procurement No. 1606, increasing the amount from \$2,387,117 to \$2,887,117 (\$500,000 increase);
 - C. Successful Alternatives for Addition and Counseling Services, Inc. (Principal: Raymond McMurray; Location: Hayward), Master Contract No. 900102, Procurement No. 1619, increasing the amount from \$551,125 to \$621,125 (\$70,000 increase); and
 - D. Authorize the Auditor-Controller to make necessary budget adjustments

FILE 22656

FILE 22661
C-900085
C-602

FILE 22662
C-900093
C-1608
C-900091
C-1606
C-900102
C-1619
R-2007-446F

5234 1
X
– (4/5 Vote)

SUMMARY ACTION MINUTES

GENERAL ADMINISTRATION

21. *Alameda County Employees' Retirement Association* – Approve amended Conflict of Interest Code
FILE 21841
22. *Treasurer-Tax Collector* – Approve the report of receipts and disbursements for the period of 7/1/07 – 7/31/07
FILE 21873

BOARDS AND COMMISSIONS

23. President Haggerty – Appoint the following to the East Bay Regional Communications System Joint Powers Authority:
A. Scott Haggerty, Supervisor, District 1
B. Greg Ahern, Sheriff
C. Susan S. Muranishi, County Administrator
FILE 22377
24. Supervisor Carson – Appoint Korey L. Capozza to the Public Health Advisory Committee, term ending 10/9/09
FILE 22377

END OF CONSENT

OUT-OF-STATE TRAVEL

Community Development Agency – Director – “Greenbuild International Conference and Expo” – Chicago, Illinois, 11/6/07 – 11/9/07 (\$2,100)

Health Care Services Agency:

Emergency Medical Services Assistant Medical Director – Sobering Center Delegation meeting Portland, Oregon, 10/9/07 – 10/10/07 (\$700)

Program Specialist – “Safe Kids Worldwide Leadership Conference – Partnerships for Prevention” – Washington, D.C., 10/18/07 – 10/20/07 (\$800)

Sheriff:

Lieutenant – Transportation Security Administration-Explosive Detection K-9 Handler Graduation Ceremonies – San Antonio, Texas, 10/04/07 – 10/05/07 (\$1,306)

Two Lieutenants – Legal and Liability Management for Tactical Special Weapons and Tactics & Emergency Response Operations training – Las Vegas, Nevada, 11/25/07 – 11/27/07 (\$1,061each)

County Administrator – Assistant County Administrator – National Forum for Black Public Administrators – Fall Leadership Meeting – Minneapolis, Minnesota, 10/26/07 – 10/28/07 (\$504)

FILE 22378

File #21971
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