

SUMMARY ACTION MINUTES



BOARD OF SUPERVISORS

Regular Meeting

Tuesday, October 17, 2006

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

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

SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

RICHARD E. WINNIE
COUNTY COUNSEL

MISSION STATEMENT

THE BOARD OF SUPERVISORS OF ALAMEDA COUNTY, THROUGH THE DEDICATION, EXCELLENCE, AND DIVERSITY OF ITS EMPLOYEES, IS COMMITTED TO SERVE THE NEEDS OF THE COMMUNITY AND TO ENHANCE THE QUALITY OF LIFE

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

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

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

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

324 14 APPROVED MINUTES OF REGULAR MEETING: TUESDAY, OCTOBER 10, 2006
XX

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators:	Denise Eaton-May and Keith Fleming
Employee Organizations:	All Labor Organizations
Agency Negotiators:	Denise Eaton-May and Keith Fleming
Employee Organization:	Alameda County Welfare Fraud Investigators Association
Agency Negotiators:	Denise Eaton-May and Keith Fleming
Employee Organization:	Unrepresented Management
Agency Negotiators:	Denise Eaton-May and Keith Fleming
Employee Organization:	International Federation of Professional and Technical Engineers Local 21 (Units 077, 16, and 60)

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: Redwood Christian Schools, et al v. County of Alameda, et al, United States District Court, Northern District of California, No. C-01-4282 SC

Received the report on Redwood Christian Schools and authorized the retention of Keker & Van Ness LLP with John Keker as lead trial attorney

HEARING

Annual Report of Jail Inmate Medical Quality Assurance

10:30 A.M. - SET MATTERS

1. **CONSENT CALENDAR (See Appendix, Item Numbers 14 – 30)**
21345 Approved as recommended

SUMMARY ACTION MINUTES

10:30 A.M. - REGULAR CALENDAR

BOARD OF SUPERVISORS' REMARKS

None

PROCLAMATION/COMMENDATION

- 1A. *President Carson* – Proclaim October 2006 as National Breast Cancer Awareness Month **FILE 20710**
- 1B. *Supervisor Steele* – Proclaim October 22-28, 2006 as Friends of the Libraries Week **FILE 20710**

HEALTH CARE SERVICES

2. Approve and authorize the execution of the following new master contracts for mental health services to CalWORKs recipients, 10/16/06 – 6/30/07:
- A. Anka Behavioral Health, Inc., Contract No. 523 (Principal: Michael Barrington; Location: Oakland), \$92,478; and
- B. GOALS for Women, Contract No. 526 (Principal: Gwen Wilson; Location: Oakland), \$160,548
– CAO Recommends: Approve
- 13245 Approved as recommended **FILE 21452
C-523 & 526**
- 2A. Adopt urgency ordinance adding Chapter 15.18 to the Alameda County General Ordinance Code related to septic and water systems – CAO Recommends: Approve
- 13245 Read title, waived reading of ordinance in its entirety and adopted Ordinance O-2006-48 **FILE 20562
O-2006-48**

IN-HOME SUPPORT SERVICES PUBLIC AUTHORITY

3. *Social Services Agency* – Approve and authorize the execution of the standard agreement contract with Commuter Benefits Management, Inc., Contract No. 570 (Principal: Stuart Baker; Location: Berkeley) for provision of commuter benefits management services to In-Home Support Services homecare workers, 7/1/06 – 6/30/07 (\$50,000), with authority to renew for two additional fiscal years through 6/30/09 (\$150,000) – CAO Recommends: Approve
- 13245 Approved as recommended **FILE 20912
C-570**

SUMMARY ACTION MINUTES

GENERAL ADMINISTRATION

4. *Community Development Agency* – Accept a grant of \$1 million from the U.S. Department of Housing & Urban Development for Healthy Homes Demonstration project to provide housing interventions for low-income families with children of age 0-18 diagnosed with asthma or respiratory distress in North, East & West Oakland and West Berkeley; and authorize the Auditor Controller to take financial actions to increase appropriations with offsetting revenues (\$108,480) – CAO Recommends: Approve – (4/5 Vote)

13245 **Approved as recommended**

**FILE 21453
R-2006-410F**

5. *General Services Agency* – Approve the following recommendations for professional architectural services:

- A. Approve the award of indefinite quantity professional services agreements, to be activated on a rotating, as-needed basis for three years with two one-year extensions (\$250,000) in professional services fees per project to:

1. Marcy Wong and Donn Logan Architects (Principal: Marcy Wong; Location: Berkeley)
2. Shah Kawasaki Architects (Principal: Harish Shah; Location: Oakland)
3. Komorous-Towey Architects (Principal: Klara Komorous-Towey; Location: Oakland)
4. VBN Architects (Principal: Oren Rubin; Location: Oakland)
5. The KPA Group (Principal: Michael Shanus; Location: Oakland)

- B. Authorize the Agency Director to prepare and execute the professional service agreements after County Counsel review

– CAO Recommends: Approve

13245 **Approved as recommended**

FILE 21454

Human Resource Services – Second reading and adoption of the following ordinances:

6. A. Ordinance approving the October 22, 2006 through June 27, 2009 Memorandum of Understanding with the International Federation of Professional and Technical Engineers Local 21, Public Defender Units; and

32145 **Read title, waived reading of ordinance in its entirety and adopted Ordinance**
O-2006-49

**FILE 21429
O-2006-49**

- B. Salary ordinance amendment increasing salaries for Attorneys in the District Attorney's Office – Continued from Tuesday, 10/10/06 (Items 7A & 7B)

14235 **Read title, waived reading of ordinance in its entirety and adopted Ordinance**
O2006-50

**FILE 21429
O-2006-50**

7. Second reading and adoption of the 2006-2007 Alameda County Salary Ordinance – Continued from Tuesday, 10/10/06 (Item #8) for second reading

31245 **Read title, waived reading of ordinance in its entirety and adopted Ordinance**
O-2006-51

**FILE 20500
O-2006-51**

- 7A. First reading and introduction of a salary ordinance amendment establishing two new classes, one in the Assessor's Office, one in the General Services Agency and a footnote in the Department of Child Support Services – CAO Recommends: Approve

32145 **Read title, waived reading of ordinance in its entirety and continued to**
Tuesday, 10/31/06, for second reading

FILE 21429

SUMMARY ACTION MINUTES

- 7B. Approve and authorize the following health plan rates and County contribution for Dental Plan, Medical Plans, Employee Basic Life Insurance and Employee Disability contracts:
- A. Approve the increase in the County Contribution towards Medical Plan premiums charge by PacificCare Plans as reflected below, effective 2/1/07 – 1/31/08;
 - B. Authorize the funding agreements for 2007 for Kaiser, Blue Cross of California, PacifiCare, Delta Dental Premier, DeltaCare PMI, Hartford, and UnumProvident
 - C. Authorize the continuation of the County contribution for the Delta Dental Premier, DeltaCare PMI and Spousal Dental Plans effective for the plan year beginning 2/1/07; and
 - D. Approve the continuation of the County contribution towards Basic Life Insurance Premiums charged by Hartford Life, effective 1/1/07 for the 2007 plan year
- CAO Recommends: Approve

13245 **Approved as recommended** **FILE 21455**

8. *Community Development Agency* – Adopt a resolution to declare a 1.4± acre parcel located adjacent to the southwestern boundary of Staples Ranch property in Pleasanton as surplus to the County’s needs; and authorize the execution of a quitclaim deed transferring ownership from Alameda County to the Alameda County Surplus Property Authority – CAO Recommends: Approve

13245	<u>Approved as recommended</u>	FILE 21456 R-2006-411
-------	--------------------------------	--------------------------

SITTING AS THE SURPLUS PROPERTY AUTHORITY

9. *Community Development Agency* – Adopt a resolution authorizing the execution of a Purchase Sale Agreement with Hendrick Automotive Group (Principal: James Huzl; Location: Pleasanton) for the purchase of approximately 37.19 acres of surplus Staples Ranch Property, located at the southwest corner of El Charro Road and I-580, Pleasanton, for the development of an auto mall (\$25,967,632) – CAO Recommends: Approve

13245 Approved as recommended FILE 21457
R-2006-412
C-2006-302

SITTING AS THE INDUSTRIAL DEVELOPMENT AUTHORITY

10. *County Administrator* – Approve a resolution and preliminary agreement expressing the intent to proceed with a \$3,800,000 Industrial Development Bond issue for 430 Lesser Street, LLC, and its respective successors and assigns (White Brothers and Design Workshops Inc., the User)

13245 Approved as recommended FILE 21458
R-2006-413

PUBLIC PROTECTION

11. *Probation* – Adopt a resolution authorizing the Chief Probation Officer to apply to the Corrections Standards Authority for the Mentally Ill Offender Crime Reduction grant for juvenile mentally ill offenders, 1/1/07 – 6/30/08 (\$1,500,000) – CAO Recommends: Approve

13245 Approved as recommended FILE 21459
R-2006-414

SUMMARY ACTION MINUTES

12. *Sheriff* – Adopt a resolution authorizing the Sheriff to apply to the Corrections Standards Authority for the Mentally Ill Offender Crime Reduction grant for adult mentally ill offenders, 1/1/07 – 6/30/08 (\$1,500,000) – CAO Recommends: Approve

13245 **Approved as recommended**

**FILE 21460
R-2006-415**

PUBLIC WORKS

13. Accept the bids and award a contract, Contract No. 582, to Bay Cities Paving & Grading, Inc. (Principal: Ben L. Rodriguez; Location: Concord) for the pavement rehabilitation on East Avenue between E Street and Windfeldt Road in the unincorporated area of Hayward, Specification No. 2016 (\$634,211) – CAO Recommends: Approve

13245 **Approved as recommended**

**FILE 21167
C-582**

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

County Counsel announced from Closed Session: Received the report on Redwood Christian Schools and authorized the retention of Keker & Van Ness LLP with John Keker as lead trial attorney

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

None

ADJOURNED

SUMMARY ACTION MINUTES

APPENDIX

CONSENT CALENDAR - ITEM NUMBERS 14 - 30

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

21345 **Approved as recommended**

PUBLIC ASSISTANCE

Social Services Agency:

14. Approve and authorize a contribution of \$20,000 for the Violence Prevention Program in fiscal year 2006-2007 for funding of a Violence Prevention Coordinator position
FILE 21461
15. Approve the provision of a \$50.00 per meeting stipend to an “eligible parent representative” on the Alameda County Workforce Investment Board’s Youth Policy Council
FILE 21462
16. Approve payment and authorize the Agency to issue a warrant in the amount of \$5,267.75 to the Hayward Adult Education School for supportive services rendered to CalWORKs clients
FILE 21463
17. Approve and authorize a new master contract, Contract No. 634), with Ohlone Community College District, to provide continued job training services authorized under the Workforce Investment Act training services, 1/1/07 – 6/30/07 (\$150,000); and authorize the Agency Director to negotiate and execute the new contract under the master contract process
**FILE 21464
C-634**

HEALTH CARE SERVICES

18. Accept the PATH (Federal McKinney Projects for Assistance in Transition from Homelessness) grant award for homeless services provided by the current Mobile Team under Crisis Response Program, budget year 2007 (\$253,013)
FILE 21465

GENERAL ADMINISTRATION

19. *Auditor-Controller* – Authorize the execution of Certification and Mutual Indemnification agreements that have been signed on behalf of 14 Cities, 10 Special Districts and 7 Schools to meet the requirements of Proposition 218
**FILE 21466
C-2006-269
thru 300**

SUMMARY ACTION MINUTES

20. *Community Development Agency* – Approve the execution of a contract amendment with the City of Oakland for minor home repair services for the Housing Rehabilitation Programs with no change to the ending date of 6/30/07, and increasing the amount from \$484,784 to \$534,785 (\$50,001 increase); and authorize the Agency Director to execute any future amendments to the contract for any revisions that do not significantly alter the scope of work or alter the contract amount by not more than \$50,000

**FILE 21467
C-2006-301**

PUBLIC PROTECTION

21. *Fire Department* – Approve and authorize a contribution of \$10,000 from the Fire Department's adopted 2006-2007 Budget in support of the County Violence Prevention Program
22. *Sheriff* – Authorize the Sheriff to sign a contract with the State of California Commission on Peace Officer Standards of Training agreeing to provide presentations of the Peace Officer Standards of Training Supervisory Course to California law enforcement personnel, 9/11/06 – 6/30/07 (\$16,290)

FILE 21468

FILE 21396

PUBLIC WORKS

23. Adopt a resolution to accept and record grant deed dated 9/26/06 from Carmeliza Day conveying to the County a 5-foot wide strip of real property across the front of a property located at 625 Hampton Road in the Cherryland area of Eden Township to conform Hampton Road to its future width line and that the conveyed parcel of real property be declared part of the County system of highways, Hampton Road R/W No. 36095
24. Adopt a resolution establishing the temporary closure of portions of Mabel Avenue, Redwood Road, Santa Maria Avenue, and Wilson Avenue in Castro Valley on Friday, 10/20/06 for the Castro Valley High School parade

**FILE 21469
R-2006-416**

**FILE 20584
R-2006-417**

PERSONNEL, ADMINISTRATION AND LEGISLATION (PAL) BOARD COMMITTEE

25. PAL Board Committee Recommends: Approve legislation issues referred to the full Board of Supervisors
- A. Proposition 1A – The Proposition 42 “Fix”
Recommendation: Support
 - B. Proposition 1B – Transportation Bond
Recommendation: Support
 - C. Proposition 83 – Jessica’s Law
Recommendation: Support

FILE 20867

SUMMARY ACTION MINUTES

BOARDS AND COMMISSIONS

26. *President Carson* – Reappoint Supervisor Haggerty to the Metropolitan Transportation Commission, term ending 2/10/11
FILE 21294
- 26A. *Supervisor Lai-Bitker* – Reappoint Nellie Trujillo to the Human Relations Commission, term ending 6/30/09
FILE 21294
- Supervisor Steele:*
27. Reappoint Audrey LePell to the Commission on the Status of Women, term ending 11/30/08
FILE 21294
28. Reappoint Dr. Lokelani Wilson to the Public Health Advisory Board, term ending 10/12/08
FILE 21294
29. Declare Seat #11 vacant, previously held by Javier Esquivel, MD, on the Mental Health Advisory Board
FILE 21294
30. *City of Newark* – Approve the following recommendations:
- A. Accept the resignation of Joseph Maes from the Alameda County Housing Commission
FILE 21294
R-2006-418
- B. Appoint Roberto Medina to the Alameda County Housing Commission, term ending 12/31/07
FILE 21294

END OF CONSENT

OUT-OF-STATE TRAVEL

Community Development Agency:

Environmental Services Manager, Financial Operations Manager and Community Education Manager, Lead Poisoning Prevention Program Department – New Grantee Orientation for Office of Healthy Homes and Lead Hazard Control 2006 Grant Recipients, Annapolis, Minnesota, 11/12/06 – 11/15/06 (\$1,199.40 each)

Supervising Industrial Hygiene Engineer, Lead Poisoning Prevention Program Department – Healthy Homes Training Center Annual Meeting – Atlanta, Georgia, 12/3/06 – 12/7/06 (\$1,000)

District Attorney – Senior Deputy District Attorney – “Combined DNA Identification System Conference” – Arlington, Virginia, 10/23/06 – 10/25/06 (No Cost)

Health Care Services Agency:

Medical Director, Behavioral Health Care Services – Harvard Medical School Psychopharmacology Course – Boston, Massachusetts, 10/20/06 – 10/22/06 (\$3,125)

SUMMARY ACTION MINUTES

Program Specialist, Community Assessment, Planning, Education and Evaluation, Public Health Department – “Professional Presentations at Evaluation 2006: The Consequences of Evaluation, Annual Conference of the American Evaluation Association” – Portland, Oregon, 10/30/06 – 11/4/06 (\$1,685)

Senior Program Specialist, Community Assessment, Planning, Education and Evaluation, Public Health Department – “Professional Presentations at Evaluation 2006: The Consequences of Evaluation, Annual Conference of the American Evaluation Association” – Portland, Oregon, 11/1/06 – 11/4/06 (\$1,185)

Sheriff:

Criminalist, Crime Laboratory Division – “12th National Combined DNA Indexing System Conference” Arlington, Virginia, 10/22/06 – 10/25/06 (No Cost)

2 Sheriff Deputies; Crime Analyst; 2 Sheriff’s Technicians – “Law Enforcement Torch Run 2006 International Conference” – Buffalo, New York, 11/9/06 – 11/11/06 (No Cost)

Captain, Airport Police Services Unit – “Commission on Accreditation for Law Enforcement Agencies 2006 Conference” – Reno, Nevada, 11/15/06 – 11/18/06 (\$1,246.60)

Sergeant, Eden Township Substation – Property and Evidence Room Management meeting – Las Vegas, Nevada, 12/11/06 – 12/12/06 (\$957)

FILE 21232

File #21402
P:\agenda\ag.min\min10_17_06
lt