

SUMMARY ACTION MINUTES



BOARD OF SUPERVISORS

Regular Meeting

Tuesday, November 20, 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

241 34 APPROVED MINUTES OF REGULAR MEETING: TUESDAY, NOVEMBER 6, 2007
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CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Employee Organization:	Unrepresented Management
Agency Negotiators:	Stephen Amano and Keith Fleming
Employee Organization:	All Labor Organizations
Agency Negotiators:	Stephen Amano and Keith Fleming
Employee Organization:	International Federation of Professional and Technical Engineers – Professional Association of County Employees
Agency Negotiators:	Stephen Amano and Keith Fleming
Employee Organization:	Alameda County Management Employees Association

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: International Federation of Professional and Technical Engineers, Local 21, AFL-CIO v. County of Alameda, Alameda County Superior Court Case No. RG05215259

10:30 A.M. - SET MATTERS

1. **CONSENT CALENDAR (See Appendix, Item Numbers 23 – 38)**

251 34 Approved as recommended
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10:30 A.M. - REGULAR CALENDAR

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COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

None

BOARD OF SUPERVISORS' REMARKS

President Haggerty expressed pride in Alameda County hosting the 2007 California State Association of Counties (CSAC) Conference. He also thanked Supervisor Keith Carson, the County Administrator and County staff on the success of the CSAC Conference

Supervisor Keith Carson thanked the County Administrator and County staff for their contribution to the CSAC Conference

The County Administrator thanked the Board for their leadership and County staff for their work on the CSAC Conference

PUBLIC ASSISTANCE

2. *Social Services Agency* – Approve and authorize the execution of professional service contract (Contract No. 2277) with Infinisys, Inc. (Principal: Dana Merino; Location: Roseville) for implantation of on-line court reports project, 12/1/07 – 11/30/10 (\$44,556.51) – CAO Recommends: Approve

251 34 Approved as recommended

FILE 22761

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C-2277

HEALTH CARE SERVICES

3. Approve and authorize the Director of Behavioral Health Care Services to submit a grant award application with the Department of Alcohol and Drug Programs for Substance Abuse Offender Treatment Program funds up to \$814,241 with a required county general fund match of ten percent; and authorize the Director of Behavioral Health Care to sign the document – CAO Recommends: Approve

251 34 Approved as recommended

FILE 22762

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4. Approve a standard agreement utilizing fiscal year 2007-2008 Measure A Other Funds by Supervisory Districts 2, 3, and 4 with Spectrum Community Services, Contract No. 2322 (Principal: Michael Sweeney; Location: Hayward) in order to provide fall risk reduction services to seniors in Castro Valley, Hayward, San Leandro and Union City, 7/1/07 – 6/30/08 (\$75,000) – CAO Recommends: Approve

251 34 Approved as recommended

FILE 22763

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C-2322

5. **Withdrawn**

GENERAL ADMINISTRATION

6. *President Haggerty and Supervisor Carson* – Approve out-of-state travel for participants of the East Bay Economic Development Alliance Mission to Korea and Japan, 11/23/07 – 12/2/07

251 34 Approved as recommended

FILE 22378

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7. *Alameda County Office of Education* – Adopt a resolution for Correction of Jurisdictional Boundary Description for Castro Valley Unified School District
- 251 34 **Approved as recommended** FILE 22764
XX R-2007-508

Community Development Agency:

8. Approve and authorize the execution of a contract (Contract No. 2299) with Tri-City Homeless Coalition (Principal: Louis Chicoine; Location: Fremont) for the operation of the Winter Relief Program, 11/1/07 – 4/30/08 (\$48,500) – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22355
XX C-2299
9. Approve and authorize the execution of a contract (Contract No. 2327) with Spectrum Community Services (Principal: Michael Sweeney; Location: Hayward) to administer \$127,800 in Community Development Block Grant funds for Phases I and II of a centralized kitchen project for home delivered meals for low-income seniors, 11/1/07 – 6/30/09 – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22763
XX C-2327

County Counsel:

10. Authorize an unfunded Senior Deputy County Counsel position for fiscal year 2007-2008 to provide legal services – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22619
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- 10A. Approve the award of a Legal Services Agreement (Contract No. 2350) to Farella, Braun and Martel, LLP (Principal: Jeff Sykes; Location: San Francisco) to provide legal services to the Highland Hospital Campus project; and authorize the Office of County Counsel in conjunction with General Services Agency to negotiate and execute the agreement, effective 11/20/07 – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22765
XX C-2350
11. *General Services Agency* – Authorize the Agency Director to enter into fee and contract negotiations and return to the Board with a recommendation for contract award with Vanir Construction Management Inc. (Principal: Robert D. Flory; Location: Oakland) for professional program support and construction management services for the Highland Hospital Acute Tower Replacement Project, 1411 E. 31st Street, Oakland, Project No. CPP05C204300000 – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22766
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Human Resource Services:

12. Second reading and adoption of an ordinance amending certain provisions of the 2006-2007 Alameda County Salary Ordinance and adopt the sideletter of agreement for the 2002-2009 Memorandum of Understanding with the Teamsters Local 856 – CAO Recommends: Approve –
- 251 34 **Continued from Tuesday, 11/6/07 (Item #22) for second reading**
XX **Read title, waived reading of ordinance in its entirety and adopted** FILE 22730
Ordinance O-2007-57 O-2007-57

SUMMARY ACTION MINUTES

13. Second reading and adoption of the following ordinances:
- A. Approving the July 16, 2007 through June 27, 2011 Memorandum of Understanding with the Alameda County Welfare Fraud Investigators Association; and
 - B. Amending certain provisions of the 2006-07 Alameda County Salary Ordinance, increasing the management cafeteria benefit amount from \$1,500 to \$2,300 per year for the Welfare Fraud Investigators, represented County Counsel and represented Public Defenders and revising a footnote in the Board Office
- CAO Recommends: Approve – **Continued from Tuesday, 11/6/07 (Item #22A) for second reading**
- 251 34 **Read titles, waived reading of ordinances in their entirety and adopted** FILE 22730
 XX **Ordinances O-2007- 58 and O-2007-59** O-2007-58
 O-2007-59

Library:

14. Authorize the Purchasing Agent to enter into an agreement (Contract No. 2326) with Tricor America, Inc. (Principal: Sherry Lopez; Location: Anaheim) for overnight shipment of interlibrary book services, 7/1/07 – 6/30/10 (\$95,000) – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22767
 XX C-2326
15. Approve the following recommendations to provide online homework help to the Alameda County Library customers:
- A. Accept the Library Service Technology Act Out-Of-School-Time Online Homework Help Grant Award, 7/1/07 – 6/30/08 (\$65,248); and authorize the County Librarian to take all necessary actions to implement the grant including signing the agreement; and
 - B. Approve a contract (Contract No. 2324) with Tutor.Com (Principal: Kevin Donalds; Location: New York, NY) for this service, 7/1/07 – 6/30/09 (\$173,996)
- CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22768
 XX C-2324
16. *Treasurer-Tax Collector* – First reading and introduction of an ordinance reauthorizing the annual delegation of Investment Authority to the County Treasurer from January 1, 2008 to December 31, 2008 – CAO Recommends: Approve
- 251 34 **Read title, waived reading of ordinance in its entirety and continued to Tuesday,** FILE 22786
 XX **12/4/07 for second reading**

SITTING AS THE REDEVELOPMENT AGENCY

17. *Community Development Agency* – Approve and authorize the execution of a contract (Contract No. 2319) with Arrow Sign, Inc. (Principal: Bob Knoeller; Location: Oakland) to provide for the fabrication of community signs previously designed, 11/15/07 – 12/31/08 (\$50,000) – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22785
 XX C-2319

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PUBLIC PROTECTION

Fire Department:

18. Second reading and adoption of an ordinance amending Chapter 6.04 of Title 6 relating to the prevention of fires and adopting by reference the 2006 edition of the International Fire Code as amended by the State of California and the 2007 edition of the California Fire Code, and accepting the Finding of Fact – CAO Recommends: Approve – **Continued from Tuesday, 11/6/07 (Item #37) for second reading**
- 251 34 **Read title, waived reading of ordinance in its entirety and adopted** FILE 22712
XX **Ordinance O-2007-60** O-2007-60
19. Adopt the Public Employees' Retirement System Health Benefit Plans Resolution aligning the Dispatch Center Employees with other Alameda County Fire Department Employees by setting up a separate code to track its health benefit costs effective 12/1/07 – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22769
XX R-2007-509
- 19A. *Sheriff* – Proclaim a Local State of Emergency related to a hazardous oil spill in the San Francisco Bay as declared by the Director of Civil Defense and Disaster/Emergency Services – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22770
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PUBLIC WORKS

20. Approve and authorize the execution of an agreement with Alameda County Transportation Improvement Authority to provide right of way services, 7/1/07 – 6/30/08 (\$100,000) – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22771
XX C-2007-208
21. Find that it would be competitively unavailing to follow the usual public bidding procedures; and authorize the Agency Director to execute Change Order No. 1 to Contract No. 582 with Bay Cities Paving & Grading, Inc. (Principal: Ben L. Rodriguez; Location: Concord) in connection with the project for the Pavement Rehabilitation on East Avenue between E Street and Windfeldt Road in the unincorporated area of Hayward, Specification No. 2016, extending the contract period by fifteen working days and increasing the amount from \$634,211 to \$809,211 (\$175,000 increase) – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22772
XX C-582
22. Find that it would be competitively unavailing to follow the usual public bidding procedures; and authorize the Agency Director to execute Change Order No. 1 to Contract C-2006-99 and Procurement No. 1489 with Rosas Brothers Construction (Principal: Victor H. Rosas; Location: Oakland) in connection with the project for the Installation of Pedestrian Ramps at various locations in the unincorporated areas of Ashland, Cherryland and San Lorenzo, Specification No. 2034, increasing the amount from \$128,070 to \$141,177.35 (\$13,107.35 increase) with no change in the term date – CAO Recommends: Approve
- 251 34 **Approved as recommended** FILE 22773
XX C-1489

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PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

None

ADJOURNED

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APPENDIX

CONSENT CALENDAR - ITEM NUMBERS 23 - 38

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

251 34 **Approved as recommended**

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PUBLIC ASSISTANCE

Social Services Agency:

23. Approve an amendment to community-based organization Master Contract 6690 and Procurement No. 2042 with Beyond Emancipation aka Independent Living Skills Program Auxiliary (Principal: Tony Thurmond; Location: Oakland) for increased Independent Living Skills Program services, 7/1/07 – 6/30/08, increasing the amount from \$300,000 to \$655,000 (\$355,000 increase); authorize the Agency Director to execute contract amendments under the master contract process; and authorize the Auditor-Controller to recognize the name change

**FILE 22774
C-6690
C-2042**

24. Approve an amendment to a community-based organization master contract (Contract No. 6536 and Procurement No. 1848) with Pivotal Point Youth Services, Inc. (Principal: LaTronda Lumpkins; Location: Oakland) for ILSP vocational education services, 7/1/07 – 6/30/08, increasing the amount from \$100,000 to \$115,000 (\$15,000 increase); and authorize the Agency Director to execute contract amendment under the master contract process

**FILE 22775
C-6536
C-1848**

SITTING AS THE IN-HOME SUPPORT SERVICES PUBLIC AUTHORITY

Social Services Agency:

25. Approve increases to Public Authority payrolled personnel services purchase order contracts, including salary/benefits, training/mileage and fees, 1/1/08 – 6/30/08

FILE 22776

26. Approve new and continuing recommendations for membership on the Public Authority for In-Home Support Services Advisory Board, term ending 12/31/09

- A. Mark Beckwith, Under 60 Consumer
- B. Kenneth Brown, Consumer Advocate
- C. Olia Furmully, Non-Family Provider
- D. Janet Monks, Advocate for the Elderly

FILE 22777

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HEALTH CARE SERVICES

27. Approve a standard agreement amendment (Contract No. 1219) with Martin A. Paley (Location: Berkeley) to continue to provide consultation services, increasing the amount from \$81,300 to \$101,300 with no change in the term date
- FILE 22778
C-1219**
28. 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
- FILE 22574**

GENERAL ADMINISTRATION

Auditor-Controller:

29. Approve the following recommendations related to appropriation limit:
- A. Receive and file the letter regarding Propositions 4 and 111 appropriation limits and subject to limitation in order to satisfy the intent of the fifteen-day waiting period; and
 - B. Schedule a hearing on December 18, 2007 at 10:30 a.m. for the adoption of the appropriations limits and appropriations subject to limitation
- FILE 22779**
30. Accept the annual reports of revolving, cash overage and cash difference funds as submitted as of 6/30/07
- FILE 22780**
31. Authorize the replacement of various stale dated warrants (\$383.68)
- FILE 21722**
32. *Human Resource Services* – Approve classification actions taken by the Civil Service Commission on 10/24/07
- FILE 22336**
- 32A. *County Administrator and General Services Agency* – Authorize the Purchasing Agent to amend and increase Master Contract 900407 with Workstation Ergonomics (Principal: Yumi Bellizzi and Frances Durr; Location: Oakland) to provide proactive ergonomic evaluations for County employees through Risk Management Unit, increasing the amount from \$200,000 to \$320,000 (\$120,000 increase) with no change in the term date
- FILE 20602
C-900407**

PUBLIC WORKS

33. Accept and authorize the recordation of the Grant Deed dated 10/18/07, from Francis Pang and Sally S. Pang, Trustee, conveying to the County 2,661 square feet of real property located on Forest Avenue/Heyer Avenue in the unincorporated area of Eden Township to conform Forest Avenue and Heyer Avenue to their future width line; and declare the parcel of real property hereby acquired part of the County System of Highways
- FILE 22781
R-2007-513**

SUMMARY ACTION MINUTES

34. Adopt a resolution to authorize and approve the purchase of a 1,341 square feet parcel of real property and a 1,157 square feet temporary construction easement, expiring 12/31/10 from a property located in San Lorenzo, Eden Township, owned by Frank D. Angelo, Trustee and Diane M. Angelo, Trustee for \$71,450 plus costs of reconveyances escrow fees and title insurance; and authorize recordation of a Grant Deed and accept a Temporary Construction Easement; and declare the parcel of real property a part of the County System of Highways
- FILE 22782
R-2007-510**
35. Authorize the execution of Modification No. 3 of the Contract Agreement C-2002-486 with ENGE0, Inc. (Principal: Uri Eliahu; Location: Oakland) for the provision of geological and geotechnical engineering design and construction support services for the storm damage repair projects on Norris Canyon Road and on Eden Canyon Road, extending the term date from 12/31/07 to 12/31/08 with no change in the contract amount
- FILE 22783
C-2002-486-
112007-35**
36. Approve project; adopt a resolution to accept and approve the plans and specifications, and authorize the Clerk of the Board to advertise for bids for the installation of pedestrian ramps at various locations in the unincorporated areas of San Lorenzo, Alameda County, Specification No. 2075
- FILE 22784
R-2007-511**

BOARDS AND COMMISSIONS

37. *President Haggerty* – Reappoint Keith Carson to the Alameda County Employee Retirement Association, term ending 12/31/10
- FILE 22377**
38. *Social Services Agency* – Approve Bill Hodges representing the Vietnam Veterans to the Veterans Affairs Commission, term ending 11/30/10
- FILE 22377**

END OF CONSENT

OUT-OF-STATE TRAVEL

District Attorney:

Deputy District Attorney – California Narcotics Officers' Association 2007 Annual Training Institute – Reno, Nevada, 11/17/07 – 11/20/07 (No Cost)

Mental Health Specialist III and Deputy Director – Grants to Encourage Arrest Policies training– Washington, D.C., 12/3/07 – 12/5/07 (\$1,060 each)

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Health Care Services Agency

Health Educator II – “Safe Route to School Conference” – Dearborn, Michigan, 11/4/07 – 11/7/07
(No Cost)

Senior Program Specialist – “Communicable Disease Control National HIV Prevention Conference” – Atlanta, Georgia, 12/1/07 – 12/5/07 (\$1,080)

Sheriff:

2 Deputy Sheriffs – Special Assignment NASH Pick (pick-up a donated vehicle) – Las Vegas, Nevada, 11/15/07 – 11/16/07 (\$231.85 each)

Sergeant and 2 Deputy Sheriffs – “9th Annual Safe School Conference” – Las Vegas, Nevada, 12/2/07 – 12/4/07 (\$952.21 each)

Sergeant – Medicolegal Investigation of Death – Las Vegas, Nevada, 12/4/07 – 12/7/07
(\$1,723.66)

Social Services Agency – Assistant Director – National Association of Workforce Boards Forum 2008 – Washington, D.C., 2/23/08 – 2/26/08 (\$1,800)

FILE 22378

File # 22972
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