



## BOARD OF SUPERVISORS

### Regular Meeting

Tuesday, September 15, 2009

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

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

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
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.*

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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](http://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 9:30 a.m.

## **9:30 A.M.**

### **CALL TO ORDER AND SALUTE TO FLAG**

### **CLOSED SESSION**

#### **CONFERENCE WITH LABOR NEGOTIATORS**

- a) Agency Negotiators: Mary Welch and Keith Fleming - Employee Organization: All Labor Organizations
- b) Agency Negotiator: Mary Welch - Employee Organization: Unrepresented Management

#### **CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

- a) Initiation of litigation pursuant to Subdivision (c) of Government Code § 54956.9: (Five Cases)
- b) Significant exposure to litigation pursuant to Subdivision (b) of Government Code § 54956.9: (Four Cases)

#### **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

- a) Name of Case: *County of Alameda v. Kazi*, Superior Court, County of Alameda, Case Nos. RG07336264 and RG07336081
- b) Name of Case: *County of Alameda v. City of Oakland*, Superior Court, County of Alameda, Case No. RG09460907

## **10:30 A.M. - SET MATTERS**

1. **CONSENT CALENDAR (See Appendix, Item Numbers 28 – 40)**

## **10:30 A.M. - REGULAR CALENDAR**

### **COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION**

### **BOARD OF SUPERVISORS' REMARKS**

### **PROCLAMATIONS/COMMENDATIONS**

- 1A. *Supervisor Carson and Supervisor Haggerty* – Proclamation to celebrate the “10<sup>th</sup> Anniversary of Alameda County and Taoyuan County, Taiwan as Sister Counties”  
[Attachment](#)
2. *Supervisor Miley* – Proclaim September 20 – 26 as “Falls Prevention Awareness Week” – **Continued from Tuesday, 9/8/09 (Item #3)**  
[Attachment](#)

## **PUBLIC ASSISTANCE**

3. *Social Services Agency* – Approve the award resulting from the fiscal year 2009-2010 Request for Proposal and approve a new funding augmentation to community-based organization Master Contract No. 900035 to Chabot/Las Positas Community College District (Principal: Lorenzo Legaspi; Location: Pleasanton) for career transition services to assist dislocated workers with readjustment, training services and support services, 10/1/09 – 6/30/10 (\$200,000) with authority to renew through 6/30/11; and authorize the Agency Director to negotiate and execute a contract under the master contract process – CAO Recommends: Approve  
[Attachment](#)
4. *Social Services Agency* – Approve an award recommendation resulting from the fiscal year 2009-2010 Request for Proposal and approve a new funding augmentation to community-based organization Master Contract No. 900123, Procurement No. 4454 with Crisis Support Services of Alameda County (Principal: Nancy Salamy; Location: Oakland) to provide stress counseling services to dislocated workers and the universal population in Alameda County with funding from the American Reinvestment and Recovery Act of 2009, 9/1/09 – 6/30/10 (\$125,000) with authority to renew for up to one additional fiscal year through 6/30/11; and authorize the Agency Director to negotiate and execute contracts under the master contract process – CAO Recommends: Approve  
[Attachment](#)

## **HEALTH CARE SERVICES**

5. Approve and authorize the execution of Master Contract No. 900665, Procurement No. 4464 with American Lung Association of California (Principal: Laura Keegan Boudreau; Location: Oakland) to provide support for implementation of prevention and health promotion programs including tobacco control, intervention and cessation (\$285,000); and authorize the Agency Director to sign the master contract Exhibit A & B – CAO Recommends: Approve  
[Attachment](#)
6. Approve and authorize the execution of a standard services agreement amendment (Procurement No. 4564) between Selma Abinader & Associates (Principal: Selma Abinader; Location: Oakland) and the Public Health Department, Emergency Medical Services to provide an emergency preparedness plan and consulting services, 3/1/09 – 6/30/10, increasing the amount by \$24,700 to \$49,600 – CAO Recommends: Approve  
[Attachment](#)

7. Approve the following recommendations for the Public Health Department, Office of AIDS Administration:
  - A. Accept the Notice of Grant Award No. 1H75PS002089-01 from the Department of Health and Human Services, Center for Disease Control and Prevention to reduce and prevent HIV and Sexually Transmitted Disease infection among high-risk women and youth in East Oakland with a primary focus on African American and Latinos, 9/1/09 – 8/31/10 (\$190,000);
  - B. Approve in principle a contract with Allen Temple (Principal: Verdell Brooks; Location: Oakland) to implement different activities in East Oakland for reducing and preventing HIV and Sexually Transmitted Disease infection among high-risk women between the ages of 18-44 and high-risk youth between the ages of 12-24, 9/1/09 – 8/30/10 (\$171,000); and
  - C. Authorize the Auditor-Controller to make the necessary budget adjustments  
– CAO Recommends: Approve – (4/5 Vote)  
[Attachment](#)
  
8. Approve Alameda County Nutrition and Physical Activity Policy and Guidelines to improve the health and well-being of County employees and residents – CAO Recommends: Approve  
[Attachment](#)

## **GENERAL ADMINISTRATION**

- 8A. *President Lai-Bitker* – Board consideration of appointment of interim District Attorney
  
9. *Auditor-Controller* – Authorize the execution of Certification and Mutual Indemnification agreements that have been signed on behalf of 14 Cities, 13 Special Districts and 7 Schools Districts – CAO Recommends: Approve  
[Attachment](#)
  
10. *Auditor-Controller* – Adopt the Countywide and Debt Service Tax Rates for 2009-2010 – CAO Recommends: Approve  
[Attachment](#)
  
11. *General Services Agency* – Authorize the Agency Director to accept the donation of two handicap accessible shuttle buses from the Livermore Amador Valley Transit Authority – CAO Recommends: Approve  
[Attachment](#)
  
12. *General Services Agency* – Approve the following recommendations related to the Santa Rita Jail Project, at 5325 Broder Boulevard, Dublin, Project No. CPP10E100140000:
  - A. Authorize the General Services Agency to advertise the Day Room Induction Lighting Retrofit Project for bid;
  - B. Authorize the Agency Director to receive bids for this project and present a summary of the bid results and an award recommendation to the Board; and
  - C. Adopt a resolution that authorizes the Agency Director to apply for and, if approved accept up to \$1,000,000 in loan funding from the California Energy Commission and authorize the Agency Director to enter into a Loan Agreement and Promissory Note with same at an interest rate determined pursuant to and not to exceed 4.5%  
– CAO Recommends: Approve  
[Attachment](#)

13. *General Services Agency* – Adopt a resolution that authorizes the Agency Director to apply for no-cost technical assistance from the California Energy Commission and to enter into a Loan Agreement and Promissory Note with same for up to \$2,000,000 at an interest rate determined pursuant to and not to exceed 4.5% - CAO Recommends: Approve  
[Attachment](#)
14. *Human Resource Services* – Second reading and adoption of an ordinance amending the Administrative Code to allow employees in the Sheriff’s Office additional time to reduce their leave balance when moving from a position with no maximum allowable vacation balance to a position which has a maximum allowable vacation balance – **Continued from Tuesday, 9/8/09 (Item #38) for second reading**  
[Attachment](#)
15. *Human Resource Services* – Second reading and adoption of a salary ordinance amendment revising Section 4-3, Appointment Above the First Step; revising a footnote in the Probation Department; deleting an existing footnote and adding a new footnote in the County Library; adding a new job class in the Health Care Services Agency with salary administration criteria; and deleting ten job classifications in the Health Care Services and Community Development Agencies – **Continued from Tuesday, 9/8/09 (Item #39) for second reading**  
[Attachment](#)
16. *Human Resource Services* – First reading and introduction of a salary ordinance amendment establishing two new job classifications; one in the Community Development Agency and one in the Health Care Services Agency and adding two footnotes in the Health Care Services Agency – CAO Recommends: Approve  
[Attachment](#)
17. *Treasurer-Tax Collector* – Authorize the execution of an agreement to the Redevelopment Agency of the City of Oakland for the sale of tax defaulted properties identified as Parcel Numbers 40-3396-5, located at 7525 MacArthur Boulevard, Oakland and 40-3396-6, located at 7533 MacArthur Boulevard, Oakland, which are subject to the Tax Collector’s Power of Sale; and approve the resolution – CAO Recommends: Approve  
[Attachment](#)
18. *Treasurer-Tax Collector* – Authorize to rescind the sale of property identified by Assessor’s Parcel No. 414-76-44 which was sold at public auction on March 18, 2009, and authorize the Auditor to refund the purchase price of \$141,699 to the purchaser – CAO Recommends: Approve  
[Attachment](#)
- 18A. *County Administrator* – Approve and authorize the execution of Master Contract No. 900671, Procurement No. 4555 with CS STARS LLC (Principal: Amy Vickers; Location: Los Angeles) to provide annual software license and support services, including services related to the Medicare, Medicaid and SCHIP Extension Act of 2007, 9/10/09 – 9/9/12 in the amount not to exceed \$283,945  
[Attachment](#)

## **PUBLIC PROTECTION**

19. *Sheriff* - Authorize the Sheriff’s Office to accept credit cards for payment of Administrative Citations; and authorize the Sheriff to sign a standard agreement with U.S. Merchant Systems (Principal: Stuart Rosenbaum; Location: Fremont) to provide credit card processing services, 9/15/09 – 9/14/12 at no cost to the County – CAO Recommends: Approve  
[Attachment](#)

20. *Sheriff* – Approve a purchase order contract (Procurement No. 4354) with Da Vinci FUSION, Inc. (Principal: Bob Walker; Location: San Francisco) for 2009 Urban Shield event production services in the amount \$80,800 for October 26, 2009 – CAO Recommends: Approve  
[Attachment](#)

## **PUBLIC WORKS**

21. Second reading and adoption of an ordinance to approve the proposed Alameda County Public Works Traffic Code amendments relating to “Vehicles and Traffic,” which include one change to Chapter 1, Article 4, relating to “Stop Intersections,” one change to Chapter 1, Article 5, relating to “Signalized Intersections and Signalized Locations,” one change to Chapter 1, Article 6, relating to “Turning Regulations,” three changes to Chapter 1, Article 7, relating to “No Parking Zones and No Stopping Zones,” and one change to Chapter 1, Article 20, relating to “Disabled Persons and Veterans Parking Zones,” in the Castro Valley, San Leandro and San Lorenzo areas – **Continued from Tuesday, 9/8/09 (Item #51) for second reading**  
[Attachment](#)
22. Second reading and adoption of an ordinance amendment to Chapter 13.32, Water Service System, of the General Ordinance Code to mandate the installation of water meters on all water service connections in the Castlewood County Service Area R-1967-1 – **Continued from Tuesday, 9/8/09 (Item #58) for second reading**  
[Attachment](#)
- 22A. Reject the lowest bid, from Jim Freethy Excavating, Inc., as non-responsive; accept the second lowest bid and second lowest bid and award Contract No. 4479 between the Public Works Agency and Pleasanton Engineering Contractors (Principal: David Radojevich; Location: Dublin) based on the unit prices stated in its bid proposal for the project, Storm Damage Repair on Cull Canyon Road at Mile 3.60 in Eden Township, Alameda County, California (\$149,095); authorize the execution of said contract upon review by County Counsel, said work to be completed within forty working days from the date of receipt of Notice to Proceed; and approve the encumbrance of an additional \$14,910 as a Supplemental Work Allowance for a total encumbered amount of \$164,005 for the project, and authorize the Director of Public Works to approve contract changes as necessary against the Supplemental Work Allowance – **Continued from Tuesday, 9/8/09 (Item #59)**  
[Attachment](#)
23. Accept the bid and award Contract No. 4512 with Teichert Construction (Principal: Mark A. Nilsen; Location: Stockton) for the pavement rehabilitation of Altamont Pass Road, between 600 feet East of Landfill Entrance and Grant Line Road, Murray Township, Specification No. 2133 (\$1,192,670); authorize the execution of the contract upon review by County Counsel, said work to be completed within thirty calendar days from the date of receipt of Notice to Proceed; and approve the encumbered of an additional \$119,267 as a Supplemental Work Allowance for a total encumbered amount of \$1,311,937 for the project; and authorize the Agency Director to approve contract changes as necessary against the Supplemental Work Allowance – CAO Recommends: Approve  
[Attachment](#)
24. Authorize the Agency Director to enter into an agreement with the San Lorenzo Village Homes Association to purchase a Street Sweeper to provide street sweeping services on County roads in San Lorenzo Village, 12/15/09 – 12/15/14; and authorize the Auditor-Controller to increase appropriations by \$42,825 to provide funds for a five-year lease/purchase of the Street Sweeper – CAO Recommends: Approve – (4/5 Vote)  
[Attachment](#)

25. Authorize the Auditor-Controller to approve mid-year budget adjustments for fiscal year 2009-2010 Public Works Recovery Grant for tracking American Recovery and Reinvestment Act of 2009 Federal Stimulus Funds in the amount of \$3,820,000 – CAO Recommends: Approve – (4/5 Vote)  
[Attachment](#)

## **FLOOD CONTROL**

26. Approve and authorize the execution of Contract No. 4475 with MacKay and Soms Civil Engineers Inc. (Principal: Bob Chan; Location: Pleasanton) to provide engineering services for San Leandro Creek Concrete Channel Wall Rehabilitation Study and Design in Zone 12, 9/15/09 – 12/30/11 (\$393,011) – CAO Recommends: Approve  
[Attachment](#)
27. Approve and authorize the execution of Contract No. 4477 with MGE Engineering, Inc. (Principal: Darrel Huckabay; Location: Oakland) to provide engineering services for rehabilitation of the Industrial and Eden Landing Pump Stations in Zone 3A, and floodwall design along Mission Creek upstream of Lake Elizabeth in Zone 6, 9/15/09 – 12/30/11 (\$414,500) – CAO Recommends: Approve  
[Attachment](#)

## **PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)**

# **ADJOURNMENT**

## **NEXT MEETINGS:**

- |   |                           |                  |
|---|---------------------------|------------------|
| 1 | <b>SEPTEMBER 22, 2009</b> | REGULAR CALENDAR |
| 2 | <b>SEPTEMBER 29, 2009</b> | BOARD RETREAT    |
| 3 | <b>OCTOBER 6, 2009</b>    | REGULAR CALENDAR |
| 4 | <b>OCTOBER 13, 2009</b>   | REGULAR CALENDAR |
| 5 | <b>OCTOBER 13, 2009</b>   | PLANNING MEETING |

## APPENDIX

### CONSENT CALENDAR

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

#### HEALTH CARE SERVICES

28. Approve a services-as-needed contract (Contract No. 4148) with Charis Youth Center (Principal: Carol Fuller-Powell; Location: Grass Valley) to cover board and care and non public schools costs for the emergency placement of an Alameda County youth, 7/1/09 – 6/30/10 (\$15,000); and authorize the Director of Behavioral Health Care Services to negotiate and sign the contract  
[Attachment](#)
29. Accept Notice of Grant Award No. H3MHA08444-03-00 from the Department of Health and Human Services, Health Resources and Services Administration to evaluate and address the disproportionate impact of HIV/AIDS on ethnic minorities, 8/1/09 – 7/31/10 (\$433,298); and authorize the Auditor-Controller to make the necessary budget adjustments – (4/5 Vote)  
[Attachment](#)
30. Approve the following recommendations for the Public Health Department, Office of AIDS Administration:
- A. Accept and authorize the execution of an amendment to Standard Agreement No. 07-65872-A02 from the California Department of Public Health to provide rapid HIV testing in the emergency department at Alameda County Medical Center, 1/1/08 – 9/30/09, increasing the amount from \$937,025 to \$1,067,025 (\$130,000 increase);
  - B. Authorize the Auditor-Controller to increase appropriation and revenue in the amount of \$130,000;
  - C. Approve an amendment to Master Contract No. 900386, Purchase Order No. 4990 with Alameda County Medical Center to implement HIV rapid testing, 10/1/08 – 9/30/09, increasing the amount from \$225,000 to \$355,000 (\$130,000 increase); and
  - D. Authorize the Agency Director to sign the master contract Exhibit A & B amendment  
– (4/5 Vote)  
[Attachment](#)

#### GENERAL ADMINISTRATION

31. *Community Development Agency* – Authorize the execution of amendment No. 1 to Contract 2975 with Bay Area Community Services (Principal: Kent Ellsworth; Location: Oakland) in Community Development Block Grant affordable housing funds for accessibility improvements to Woodroe Place, an affordable residential treatment facility in the Fairview District of unincorporated Alameda County, with no change in the contract term ending 12/31/11, increasing the amount from \$188,500 to \$428,500 (\$240,000 increase)  
[Attachment](#)



32. *Community Development Agency* – Authorize the execution of an amendment to Contract No. 1390 with Bowman Systems LLC (Principal: Robert Bowman; Location: Shreveport, Louisiana) in annual expenditures for the provision of ServicePoint data collection software, hosting and reporting tools in compliance with a federal mandate for Homeless Management Information System, extending the contract term from 9/30/09 to 9/30/11, and increasing the amount from \$274,010 to \$494,010 (\$220,000 increase)  
[Attachment](#)
33. *County Counsel* – Approve an amendment to a Legal Services Agreement (Contract No. 3699) with Cox, Castle and Nicholson, LLP (Principal: R. Clark Morrison; Location: San Francisco) for legal services related to the Surplus Property Authority’s development and sale of the Staples Ranch project, increasing the amount from \$200,000 to \$400,000 (\$200,000 increase); and authorize the Office of County Counsel and the Surplus Property Authority to prepare the Legal Services Agreement and authorize the County Counsel to execute the amendment  
[Attachment](#)
34. *Human Resource Services* – Approve classification actions taken by the Civil Service Commission on 7/29/09  
[Attachment](#)
35. *Human Resource Services* – Approve classification actions taken by the Civil Service Commission on 8/26/09  
[Attachment](#)
36. *Registrar of Voters* – Receive and file the certified Statement of Results of the September 1, 2009 Special Primary Election, 10<sup>th</sup> Congressional District  
[Attachment](#)
37. *Treasurer-Tax Collector* – Approve the Investment Report for July 31, 2009  
[Attachment](#)

#### **BOARD OF DIRECTORS FOR THE ALAMEDA COUNTY FIRE DEPARTMENT**

38. *Fire Department* – Approve and authorize the Fire Chief to sign a contract with Combat Support Training Center Camp Parks for fire emergency dispatch services, 7/1/09 – 6/30/10 (\$85,200)  
[Attachment](#)
39. *Fire Department* – Approve and authorize Modification No. 4 to Subcontract No. 6823768 with the Regents of the University of California for fire protection services at the Lawrence Berkeley National Laboratory, 7/1/09 – 6/30/10 (\$2,984,008); and authorize the Fire Chief to execute the contract  
[Attachment](#)

## **PUBLIC PROTECTION**

40. *Sheriff Department and General Services Agency* – Authorize the Purchasing Agent to negotiate and sign a time-only amendment to Master Contract No. 900039, Procurement No. 1508 with Central Valley Toxicology (Principal: Sydney Kimble; Location: Clovis) to provide forensic toxicology testing services, extending the contract term from 9/30/09 to 11/30/09 with no change in the contract amount of \$1,881,839

[Attachment](#)

## **BOARDS AND COMMISSIONS**

- 40A. *President Lai-Bitker* – Reappoint Barbara Price to the Alameda County Medical Center Board of Trustees, term ending 6/30/12

[Attachment](#)

## **END OF CONSENT**

## **OUT-OF-STATE TRAVEL**

41. *District Attorney* – 2 Officers, 3 Investigators, Deputy Probation Officer, Crime Analyst and 2 Sergeants – Western States Auto Theft Investigators – South Lake Tahoe, Nevada, 10/6/09 – 10/8/09 (\$550 each)
- [Attachment](#)
42. *Sheriff* – Sergeant – Federal Bureau of Investigations Hazardous Devices School – Huntsville, Alabama, 10/3/09 – 11/13/09 (\$7,447.42)
- [Attachment](#)
43. *Sheriff* – Deputy Sheriff – Federal Bureau of Investigations Hazardous Devices School – Huntsville, Alabama, 10/3/09 – 11/13/09 (\$6,076.17)
- [Attachment](#)
44. *Sheriff* – Criminalist – “Combined DNA Index System Conference” – Reston, Virginia, 11/2/09 – 11/4/09 (No County Cost)
- [Attachment](#)
45. *Treasurer-Tax Collector* – Treasurer-Tax Collector, Assistant Treasurer, Deferred Compensation Manager and Administrative Specialist II – “Annual Conference of the National Association of Defined Contribution Administrators” – Austin Texas, 9/12/09 – 9/16/09 (No County Cost)

[Attachment](#)

File #24265

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