



# MINUTES

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Hall of Justice

**Tuesday, December 4, 2018**

**9:00 AM**

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*If you wish to speak to the Board, please fill out a speaker's slip located in the box on the wall in the anteroom as you enter the Board Chambers. If you have anything that you wish distributed to the Board and included in the official record, please hand it to the Deputy Clerk of the Board who will distribute the information to the Board members and staff.*

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

**Present: 5 - Supervisor Carole Groom, Supervisor Don Horsley, Supervisor Warren Slocum, Supervisor David J. Canepa, and President Dave Pine.**

**Staff Present: Mr. Michael P. Callagy, County Manager/Clerk of the Board; Mr. John C. Beiers, County Counsel; and Ms. Sherry Golestan, Deputy Clerk of the Board.**

## **PUBLIC COMMENT**

### **Speakers Recognized by the President:**

Mr. Martin Fox, Belmont  
Mr. Patrix Castellanos, Belmont  
Mr. Alan Mattlage, Citizens' Climate Lobby  
Ms. Rebecca Wise, South San Francisco  
Ms. Beth Von Ernster, ACLU-North Peninsula Chapter  
Mr. John C. Beiers, County Counsel

Ms. Regina Islas, ACLU-North Peninsula Chapter  
Ms. Eleanor Kilpatrick, Unitarian Universalist Fellowship of Redwood City  
Ms. Mary Graves, Interfaith Cohort  
Ms. Susan Whitford, San Carlos  
Ms. Carol Cross, Unitarian Universalist Fellowship of Redwood City  
Ms. Annie Tate, Unitarian Universalist Fellowship of Redwood City  
Ms. Carolyn Chaney, Emerald Hills  
Ms. Dina Fitch, Chief Steward, AFSCME Bargaining Team Member  
Ms. Lupe Gutierrez, Chapter Chair, SEIU  
Mr. Felipe Donaire, AFSCME  
Mr. John Tucker, Business Agent, AFSCME  
Ms. Karene Hargis, AFSCME  
Ms. Erica Adams, AFSCME  
Ms. Lea Martinez, AFSCME/CCS  
Ms. Jacqueline Eaton, Behavioral Health and Recovery Services  
Ms. Debbie Mytels, Chair of Social Action Committee, Unitarian  
Universalist Fellowship of Redwood City  
Ms. Nancy Goodban, Unitarian Universalist Fellowship of Redwood City  
Ms. Katie Goetz, Faith in Action  
Mr. Thomas Atwood, Palo Alto  
Ms. Solveig Zarubin, Unitarian Universalist Fellowship of Redwood City  
Minister Tovis Page, Unitarian Universalist Fellowship of Redwood City  
Ms. Kate Amoo-Gottfried, Half Moon Bay  
Rev. Penny Nixon, Faith Leader Solidarity Cohort  
Ms. Carina Merrick was called to speak  
Ms. Francesca de Quesada Covey was called to speak  
Ms. Laura Chambers, Family Children's Services, AFSCME  
Mr. Khalid White, San Jose resident  
Rev. Amie Giordano, San Mateo County Faith Leaders' Society Cohort  
Mr. David Hansell, San Carlos  
Mr. Deeg Gold, Pacifica Social Justice  
Ms. Deni Asnis, Pacifica Social Justice  
Ms. Julie Starobin, Pacifica Social Justice  
Ms. Victoria Becker, Pacifica Social Justice  
Rev. Anna Lange-Soto, Faith in Action  
Ms. Julie Neale, San Mateo  
Mr. Chet Lexvold, Co-Chair, Peninsula Democratic Socialists of America  
*Supervisor Canepa left chambers at 10:30 a.m.*  
Mr. Corey Kniss, Co-Chair, Peninsula Democratic Socialists of America  
and Millbrae resident  
Mr. Saul Zevada, Peninsula Democratic Socialists of America  
*Supervisor Canepa returned to chambers at 10:33 a.m.*  
Ms. Saira Hussain, Esq., Millbrae  
Ms. Mary Larenas, Moss Beach  
Mr. Brent Turner, San Mateo County Resident

Mr. Heinz Poschendorf, Redwood City  
Pastor Kurt Heineman, Presbyterian Church, San Carlos  
Supervisor Dave Pine, Board of Supervisors

The Board went into recess at 10:50 a.m. and reconvened at 11:04 a.m.

**ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS**

Item No. 5 was pulled.

**Motion: Horsley / Second: Canepa**

**Yes:** 5 - Pine, Groom, Slocum, Canepa, and Horsley

**No:** 0

**PRESENTATIONS AND AWARDS**

1. Adopt a resolution accepting the Office of Community Affairs strategic plan affirming the County of San Mateo’s support of and partnership with the United States Census Bureau in ensuring a complete and accurate count for Census 2020.

Sponsors: COUNTY MANAGER

**Speakers Recognized by the President:**

Ms. Emma Gonzalez, Manager, Office of Community Affairs  
 Ms. Aparna Ramakrishnan, Outreach Coordinator, Office of Community Affairs  
 Supervisor Dave Pine, Board of Supervisors  
 Supervisor Carole Groom, Board of Supervisors  
 Supervisor Don Horsley, Board of Supervisors  
 Supervisor David J. Canepa, Board of Supervisors  
 Supervisor Carole Groom, Board of Supervisors  
 Mr. Michael P. Callagy, County Manager  
 Mr. Martin Fox, Belmont  
 Supervisor Warren Slocum, Board of Supervisors

**Upon motion by Supervisor Horsley, seconded by Supervisor Groom and carried unanimously, the Board approved the resolution and formed an ad-hoc sub-committee comprising of Supervisor Horsley and Supervisor Canepa to work with staff on these issues.**

**Yes:** 5 - Pine, Groom, Slocum, Canepa, and Horsley

**No:** 0

Enactment No: Resolution-076286

2. Accept this informational presentation by the Sheriff’s Department on the Truth Act Community Forum.

Sponsors: SHERIFF

**Speakers Recognized by the President:**

- Sheriff Carlos G. Bolanos, San Mateo County Sheriff's Office
- Undersheriff Mark Robbins, San Mateo County Sheriff's Office
- Supervisor Dave Pine, Board of Supervisors
- Mr. John C. Beiers, County Counsel
- Supervisor Warren Slocum, Board of Supervisors
- Ms. Kaye Bonney, San Carlos
- Ms. Grisel Ruiz, Esq., Staff Attorney, Immigrant Legal Resource Center
- Supervisor David J. Canepa, Board of Supervisors
- Ms. Nancy Goodban, Unitarian Universalist Fellowship of Redwood City
- Rev. Anna Lange-Soto, Faith in Action
- Ms. Priya Murthy, Policy and Advocacy Director, Services Immigrant Rights and Education Network (SIREN)
- Ms. Sarait Escorza, Silicon Valley Debug
- Ms. Saira Hussain, Esq., Staff Attorney, Asian Americans Advancing Justice - Asian Law Caucus
- Mr. Juan Gordea, Law Fellow, Community Legal Services In East Palo Alto
- Ms. Kelly Younger, Interfaith Movement for Human Integrity

**Upon motion by Supervisor Pine, seconded by Supervisor Slocum and carried unanimously, the Board accepted the informational presentation and formed an ad-hoc sub-committee comprising of Supervisor Pine and Supervisor Slocum to work with staff on these issues.**

**Yes:** 5 - Pine, Groom, Slocum, Canepa, and Horsley

**No:** 0

**REGULAR AGENDA**

**SHERIFF**

**3. Adopt resolutions:**

- A) Waiving the request for proposal process and authorizing an agreement with Axon Enterprise, Inc. to provide body-worn cameras, in-car cameras, and a digital evidence management system, for a five-year term from January 1, 2019 through December 31, 2024, and a combined total of \$3,906,735.75 for the initial five-year term; and
- B) Authorizing the Sheriff, or his designee to execute contract amendments and change orders which modify the County's maximum fiscal obligation by not more than \$100,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions; and

- C) Authorizing the Sheriff to add four new positions; one Senior IT Technician, and three Property Officers increasing the number of authorized positions in the Sheriff’s Office to 816 and increasing salary and benefit costs in the Sheriff’s Office by approximately \$525,000 annually.

**Speakers Recognized by the President:**

Sheriff Carlos G. Bolanos, Sheriff  
 Supervisor David J. Canepa, Board of Supervisors  
 Supervisor Don Horsley, Board of Supervisors  
 Supervisor Dave Pine, Board of Supervisors  
 Supervisor Warren Slocum, Board of Supervisors

**Motion: Horsley / Second: Canepa**

**Upon amended motion by Supervisor Horsley, seconded by Supervisor Canepa and carried unanimously, the board adopted the resolutions to also include motion language authorizing Sheriff to prepare and execute the agreements.**

**Yes:** 5 - Pine, Groom, Slocum, Canepa, and Horsley

**No:** 0

Enactment No: Resolutions-076287; 076288

**PUBLIC WORKS**

- 4. Introduction of an ordinance amending the County of San Mateo Ordinance Code, Title 2, Chapter 2.55, “Procedures for Contracting for Public Projects”, and waive the reading of the ordinance in its entirety.

**Motion: Canepa / Second: Groom**

**Yes:** 5 - Pine, Groom, Slocum, Canepa, and Horsley

**No:** 0

**COUNTY MANAGER**

- 6. Adopt a resolution authorizing the immediate retention of retired Director of the Project Development Unit, Deborah J. Bazan, through an agreement with D. Bazan Consulting, LLC., as a consultant to provide capital project management assistance, pursuant to Government Code Section 7522.56(f)(1), and finding that the nature of employment and appointment is necessary to fill a critically-needed position before the 180-day post-retirement separation period expires.

Speakers Recognized by the President:  
 Mr. Michael P. Callagy, County Manager

**Motion: Canepa / Second: Horsley**

**Yes:** 5 - Pine, Groom, Slocum, Canepa, and Horsley

No: 0

Enactment No: Resolution-076289

- 7. **Measure K:** Adopt a resolution authorizing a one-time grant of district-specific **Measure K** funds, not to exceed \$25,000, to Highlands Recreation District for the construction of an ADA ramp and a new bathroom building, and seismic retrofit of the existing facility, to improve programming and access, and authorizing the County Manager to prepare and execute the grant agreement.

Sponsors: Supervisor Dave Pine

Speakers Recognized by the President:  
Supervisor Dave Pine, Board of Supervisors

**Motion: Pine / Second: Horsley**

**Yes:** 5 - Pine, Groom, Slocum, Canepa, and Horsley

**No:** 0

Enactment No: Resolution-076290

- 8. County Manager’s Report #21 of 2018

**BOARD OF SUPERVISORS**

- 9. Board Members’ Reports

**CONSENT AGENDA**

- 10. Approve the minutes for the meeting of November 13, 2018.

**BOARD OF SUPERVISORS**

- 11. Recommendation for the appointment of Captain Mark Duri to the Mental Health and Substance Abuse Recovery Commission, representing the San Mateo County Police Chiefs and Sheriff Association, for a partial term ending September 30, 2021.

Sponsors: Supervisor Dave Pine

- 12. Recommendation for the reappointments of Robin Rodricks, representing District 2, and Laura McHugh representing District 3, to the San Mateo County Arts Commission, each for a term ending December 31, 2022.

Sponsors: Supervisor Carole Groom and Supervisor Don Horsley

- 13. Recommendation for the reappointment of Neil Merrilees to the San Mateo County Parks Commission, representing District 3, for a term ending December 31, 2022.

Sponsors: Supervisor Don Horsley

14. Recommendation for the appointment of Lisa Ketcham to the San Mateo County Planning Commission, representing District 3, for a term ending January 2022.

Sponsors: Supervisor Don Horsley

15. Ratification of a proclamation recognizing the 20th anniversary of First 5 San Mateo County.

Sponsors: Supervisor David J. Canepa

Enactment No: Proclamation/Hon. Resolution-4121

16. Ratification of a resolution honoring and commending John Marinos for his service to the San Bruno Park School District Board of Trustees.

Sponsors: Supervisor David J. Canepa

Enactment No: Proclamation/Hon. Resolution-4122

## COUNTY COUNSEL

17. Approve corrections to the identified tax rolls and corresponding tax refunds.

## COUNTY MANAGER

18. Adopt a resolution authorizing the Director of the Project Development Unit or his/her designee to:

- A) Negotiate and enter into an agreement for architectural and engineering professional services with SmithGroup in an amount not to exceed \$2,709,800; and
- B) If negotiations with SmithGroup are unsuccessful, negotiate and enter into an agreement for architectural and engineering professional services with KMD Architects, in an amount not to exceed \$3,345,200; and
- C) Execute change orders to the Architectural and Engineering agreement with the contracted firm up to an aggregate amount not to exceed 10 percent of the agreement value.

Enactment No: Resolution-076291

19. Adopt a resolution authorizing the Director of the Project Development Unit or his/her designee to execute amendments and/or change orders to the agreement with F&H Construction for construction of the Animal Shelter Project increasing the agreement by an additional \$2,835,508 in aggregate for a revised total not-to-exceed amount of \$24,500,000.

Enactment No: Resolution-076292

20. Adopt a resolution authorizing the Director of the Project Development Unit or his/her designee to execute an amendment to the agreement with Taylor Design extending term of the contract by two years for a new expiration date of December 31, 2020.

Enactment No: Resolution-076293

21. Approve an Appropriation Transfer Request (ATR) transferring \$136,000 from Departmental Reserves to Salaries and Benefits to cover the higher classification cost for the interim appointment of a Real Property Manager through FY 2018-19.

Enactment No: Resolution/ATR-076294

22. Adopt a resolution approving the second amended Joint Powers Agreement between the County of San Mateo and the cities of Atherton, Belmont, Brisbane, East Palo Alto, Foster City, Half Moon Bay, Millbrae, Pacifica, Portola Valley, San Carlos, and Woodside relating to library services and the amended Bylaws for the San Mateo County Library Joint Powers Authority.

Enactment No: Resolution-076295

## HEALTH SYSTEM

23. **Measure K:** Adopt a resolution authorizing an agreement with One East Palo Alto for multi-cultural wellness center services, outreach and engagement services, mental health first aid, and crisis response for the term July 1, 2018 through June 30, 2019, in an amount not to exceed \$494,683.

Enactment No: Resolution-076296

24. Adopt a resolution authorizing an amendment to the agreement with Youth Leadership Institute for the Community-Based Partnership, Tobacco Prevention, and Friday Night Live/Club Live, extending the term of the agreement through June 30, 2020, increasing the amount by \$478,250 to an amount not to exceed \$1,068,961.

Enactment No: Resolution-076297

25. Adopt a resolution authorizing an agreement with One East Palo Alto for alcohol and other drug prevention services for the term July 1, 2018 through June 30, 2020, in an amount not to exceed \$202,200.

Enactment No: Resolution-076298

26. Adopt a resolution authorizing an agreement with Jefferson Union High School District for mental health services, outpatient mental health services authorized by the Mental Health Plan, and alcohol and other drug prevention services for the term July 1, 2018 through June 30, 2020, in an amount not to exceed \$655,180.

Enactment No: Resolution-076299



27. Adopt a resolution designating Maguire Correctional Facility (Maguire) as a facility designated by the County for evaluation and treatment under Welfare and Institutions Code section 5150 et seq. and simultaneously authorizing a Memorandum of Understanding detailing the 5150 process and procedures with the provider for the term November 13, 2018 through November 12, 2019.

Enactment No: Resolution-076300

28. Adopt a resolution authorizing an agreement with Our Common Ground, Inc. for substance use disorder treatment services, for the term July 1, 2018 through June 30, 2019, in an amount not to exceed \$2,981,901.

Enactment No: Resolution-076301

29. Adopt a resolution authorizing the acceptance of an award from the California Department of Public Health, Tuberculosis Control Branch to provide tuberculosis prevention and control activities for the term July 1, 2018 through June 30, 2019, in an amount not to exceed \$339,591.

Enactment No: Resolution-076302

30. Adopt a resolution authorizing an agreement with the State of California Department of Public Health for funding to provide HIV prevention services for the term January 1, 2018 through December 31, 2018, in an amount not to exceed \$173,158.

Enactment No: Resolution-076303

31. Adopt a resolution authorizing an agreement with the City and County of San Francisco Department of Public Health HIV Services for funding to provide primary health care and psycho-social services to individuals with HIV/AIDS for the term March 1, 2018 through February 28, 2019, in an amount not to exceed \$1,143,218.

Enactment No: Resolution-076304

32. Adopt a resolution:

- A) Waiving the competitive bidding process for test kits and reagents that will result in a vendor agreement with a sole source vendor; and
- B) Authorizing the Purchasing Agent to renew a Reagent Purchase and System Loan Agreement with Hologic Gen-Probe Sales and Service, Inc. for sole source test kits and reagents that will result in a vendor agreement for a five-year term effective from the date the Reagent Purchase and System Loan Agreement has been executed by both parties, for a maximum obligation of \$1.89 million; and
- C) Authorizing the Purchasing Agent to add new sole source reagents and test supplies to the Reagent Purchase and System Loan Agreement as necessary.

Enactment No: Resolution-076305

33. Adopt a resolution authorizing an amendment to the agreement with Kenton Fong, MD to provide specialty plastic surgery services, increasing the amount by \$30,000 to a new maximum amount not to exceed \$570,000.

Enactment No: Resolution-076306

## HUMAN RESOURCES

34. Report recommending the denial of claims (Non-culpable)

## HUMAN SERVICES AGENCY

35. Adopt a resolution authorizing an amendment to the agreement with StarVista to provide differential response services, extending the term of the agreement by one year through December 5, 2019 and increasing the amount by \$1,153,407 to an amount not to exceed \$2,000,314.

Enactment No: Resolution-076307

36. Adopt a resolution authorizing an amendment to the agreement with Howroyd-Wright Employment Agency, Inc. to continue to provide contingency staffing, extending the term by two years for a new term of December 15, 2015 through December 14, 2020, and increasing the amount by \$250,000 for a new total obligation in an amount not to exceed \$850,000.

Enactment No: Resolution-076308

37. Adopt a resolution authorizing:

- A) The declaration of a shelter crisis of the County of San Mateo, State of California, pursuant to SB 850 (Chapter 48, Statutes of 2018, and Government Code § 8698.2); and
- B) Acceptance of funding from the California Business, Consumer Services and Housing Agency for the Homeless Emergency Aid Program up to \$4,933,139; and
- C) The Director of HSA or designee to execute a contract; and any amendments with the California Business, Consumer, Services and Housing Agency to accept funding of an amount up to \$4,933,139 (in aggregate).

Enactment No: Resolution-076309

## INFORMATION SERVICES

38. **Measure K:** Adopt a resolution authorizing the Chief Information Officer, or his designee, to execute an agreement with Iteris, Inc. to provide a turnkey fiber optic link between the new San Mateo Regional Operations Center and the San Mateo County Smart Corridor

for a term of December 4, 2018 through June 30, 2019, for a not to exceed amount of \$263,826.

Enactment No: Resolution-076310

## **PUBLIC WORKS**

- 39.** Adopt a resolution authorizing agreements with KRJ Design Group, Inc., KMD Architects, and LDA Partners, Inc. to provide on-call architectural design and space planning services for general facilities, for the term of December 5, 2018 through December 4, 2021, for a maximum aggregate amount of \$900,000 or \$300,000 per agreement.

Enactment No: Resolution-076311 (a-c)

## **SHERIFF**

- 40.** Recommendation to:

A) Adopt a resolution:

1. Authorizing and accepting the donation of \$4,500,000 to be used to make improvements to the outdoor rifle range facility from the Thomas and Stacey Siebel Foundation; and
2. Authorizing and accepting the donation of approximately \$3,000,000 in services and materials to be used to make improvements to the outdoor rifle range training facility from John Arrillaga; and
3. Authorizing the County Manager or his/her designee to execute an agreement with the Thomas and Stacey Siebel Foundation and/or John Arrillaga regarding the donation of improvements to the outdoor rifle training facility and additional site improvements, valued at approximately \$7,500,000, to be installed on County property at the Coyote Point Recreational Facility; and
4. Finding that the project is categorically exempt from the California Environmental Quality Act; and
5. Finding that the project is exempt from competitive bidding requirements as donors will ensure completion of the approximately \$11,000,000 project at a cost of \$3,500,000 to the County and requests for competitive proposals would be futile, unavailing, and produce no public advantage as the Project could not be completed for a lower cost; and
6. Authorizing the San Mateo County Controller, upon receipt of the \$4,500,000 donation from the Thomas and Stacey Siebel Foundation, to

make immediate payment of \$8,000,000 to Vance Brown Incorporated, consisting of \$4,500,000 donated by the Thomas and Stacey Siebel Foundation and \$3,500,000 provided by the County of San Mateo, for costs to be incurred in the Project; and

7. Authorizing the County Manager or his/her designee and/or the Sheriff or his/her designee to take such actions as are necessary, including the execution any necessary additional agreements, to carry out the intent of these resolutions; and

- B) Approve an Appropriation Transfer Request (ATR) recognizing unanticipated revenue of \$4,500,000, and increasing appropriations to Fixed Assets.

Enactment No: Resolution/ATR-076312; 076313

41. Adopt a resolution authorizing:

- A) An agreement with the City and County of San Francisco for the distribution of FY 2018 Urban Area Security Initiative grant funds for the Northern California Regional Intelligence Center, for a term commencing November 1, 2018 through February 28, 2020, in an amount not to exceed \$5,031,852; and
- B) The Sheriff or Sheriff's designee to execute interagency agreements in amounts that do not exceed \$325,000, utilizing solely the \$5,031,852 of grant funding, with other public agencies, for the purpose of reimbursing those agencies for the cost of personnel assigned to the Northern California Regional Intelligence Center.

Enactment No: Resolution-076314

42. Adopt a resolution authorizing an agreement with the County of Santa Clara for the distribution of 2017 State Homeland Security Grant Program funds for the Northern California Regional Intelligence Center, for a term commencing September 1, 2017 through May 31, 2020, in an amount not to exceed \$333,683.

Enactment No: Resolution-076315

### **CLOSED SESSION**

The Board recessed to Closed Session at 12:55 p.m. and reconvened at 2:21 p.m. with the following report by John C. Beiers, County Counsel: By unanimous vote, the Board approved to file an amicus brief in the matter of Michelle Flanagan et al v. Xavier Becerra et al, US Court of Appeals Case, 9th Circiut, Case No. 18-55717.

43. **Conference with Labor Negotiators**

Negotiations: American Federation of State, County and Municipal Employees (AFSCME), Service Employees International Union (SEIU) and Law Enforcement Unit (LEU)

Agency designated representative attending Closed Session: Kelly Tuffo

**Conference with Legal Counsel - Existing Litigation**

In re Verity Health systems of California, Inc.

US Bankruptcy Court, Central District, Case No. 2:18-bk-20151 ER

Michelle Flanagan et al v. Xavier Becerra et al

US Court of Appeals, 9th Circuit, Case No. 18-55717

**Conference with Legal Counsel - Anticipated Litigation**

Significant exposure to litigation pursuant to subdivision (d)(2) of Gov't Code Section 54956.9

Two cases

**ADJOURNMENT**

The meeting adjourned in memory of former President George H.W. Bush at 2:22 p.m.