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The meeting was called to order at 9:02 a.m.

June 26, 2012

PLEDGE OF ALLEGIANCE

**ROLL CALL – Present: Supervisors Pine, Groom, Horsley, Jacobs Gibson and Tissier
Absent: None**

PUBLIC COMMENT

Speakers recognized by the President:

- Martin Fox, Belmont
- James Lee, Occupy Redwood City
- Bill Kehoe, Moss Beach
- Dolly Clement, IHSS
- Fe Astrero, IHSS
- Erica Aguilar, IHSS
- Paul Perkovic, Montara
- Ed Burns, SEIU 521
- Karen Wilson, Montara

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Motion: Jacobs Gibson / Second: Pine

(This item is to set the final consent and regular agenda, and for the approval of the items listed on the consent agenda. All items on the consent agenda are approved by one roll call motion.)

PRESENTATIONS AND AWARDS

- A) [Approve the grant awards for the 2012 San Mateo County and Silicon Valley Community Foundation Joint Food and Shelter Grant Program \(County Manager\)](#)

Speakers recognized by the President:

- John L. Maltbie, County Manager
- Dr. Emmett Carson, PH.D., Silicon Valley Community Foundation
- Martin Fox, Belmont

Motion: Groom / Second: Horsley

MATTERS SET FOR SPECIFIED TIME

Times listed under this section are approximate. The Board makes every effort to adhere to the times listed, but in some cases, because of unexpected presentations, items may not be heard precisely at the time scheduled. In no case will any item be heard before the scheduled time.

9:00 a.m.

- 1) [Acting as the Governing Board of County Service Area No. 11, Pescadero area, and after conducting a public hearing, adopt a Resolution \(072027\) adopting the water rates and meter service charges for County Service Area No. 11 \(Public Works\)](#)

- A) Report and recommendation
- B) Close public hearing

Motion: Horsley / Second: Jacobs Gibson

- C) Approve resolution

Motion: Horsley / Second: Jacobs Gibson

Speakers recognized by the President:

Jim Porter, Public Works

Paul Perkovic, Montara

Supervisor Carole Groom, Board of Supervisors

Ayes: Supervisors Pine, Groom, Horsley, Jacobs Gibson and Tissier

Noes: None

9:15 a.m.

- 2) [Public hearing to consider upholding the decision of the San Mateo County License Board to revoke license to operate a massage establishment at 3665 Middlefield Road, Menlo Park \(Owner: Bao Ling Qi, d.b.a. Oriental Spa\) \(License Board\)](#)

- A) Report and recommendation
- B) Close public hearing

Public hearing was closed

- C) Approve or deny appeal

Motion to uphold the decision of the License Board: Groom / Second: Horsley

Speakers recognized by the President:

John Beiers, County Counsel

Judith Holiber, County Counsel
Robert G. Cummings, Attorney for the owner
Supervisor Don Horsley, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Rose Jacobs Gibson, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Rex Warner, San Mateo
Theo Bodmer, San Mateo
Bao Ying Qi, Owner, Oriental Spa
Tom Paulin, District Attorney Inspector
Supervisor Carole Groom, Board of Supervisors

Ayes: Supervisors Groom, Horsley, Jacobs Gibson and Tissier
Noes: Supervisor Pine

1:30 p.m.

- 3) [Presentation of Service Awards, 455 County Center, Room 101, Redwood City \(County Manager\)](#)

2:30 p.m.

- 4) [Public hearing to consider denying the appeal and uphold the decision of the Zoning Hearing Officer to approve the required permits to construct a 1,559 square foot single-family residence on a 3,650 square foot parcel located on Main Street, unincorporated Montara area of San Mateo County \(Applicant/Owner: Kendall Peterson; Appellants: J. and B. Oehlert, S. Smith, K. Slater-Carter, D. Andreasen, L. Tichy, J. Salvador, and C. Mitchell\) \(Planning and Building\)](#)

- A) Report and recommendation
B) Close public hearing

Motion: Jacobs Gibson / Second: Horsley

- C) Approve or deny appeal

Motion to deny the appeal: Horsley / Second: Groom

Speakers recognized by the President:

Jim Eggemeyer, Planning and Building
Supervisor Don Horsley, Board of Supervisors
Robert Johnson for Kendall Peterson, Applicant/Owner
Jack Salvador, Appellant
Constance Mitchell, Appellant
Kathryn Slater Carter, Appellant
Ludmilla Tichy, Appellant
John Oehlert, Appellant
Beth Oehlert, Appellant

Jan Michaels, Montara
Mary DeLong, Montara
Karen Wilson, Montara
Neal Kramer, Montara
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors
Supervisor Rose Jacobs Gibson, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors

Ayes: Supervisors Pine, Groom, Horsley, Jacobs Gibson and Tissier

Noes: None

5) [Public hearing to consider: \(Planning and Building\)](#)

- 1) A Resolution (**072028**) amending Chapter 1, Chapter 15, and Chapter 16 of the County Ordinance Code to add Non-Chartered Financial Institutions as a use requiring a Use Permit and establishing performance criteria for said permits
- 2) Adoption of an ordinance (**04621**) amending Chapter 1, Chapter 15, and Chapter 16 of the County Ordinance Code to add Non-Chartered Financial Institutions as a use requiring a Use Permit and waiver of reading the ordinance in its entirety
 - A) Report and recommendation
 - B) Close public hearing

Public hearing was closed.

- C) Adopt resolution

Motion: Jacobs Gibson / Second: Groom

- D) Adopt ordinance

Motion: Jacobs Gibson / Second: Groom

Speakers recognized by the President:

Mike Schaller, Planning and Building
Supervisor Rose Jacobs Gibson, Board of Supervisors
Tim Lohrentz, Insight Center for Community Economic Development
Julio Garcia, Nuestra Casa
Pat Krackov, Silicon Valley Community Foundation
Jemahl Amen, Center for Responsible Lending
Liana Molina, California Reinvestment Coalition
Supervisor Dave Pine, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors

Ayes: Supervisors Pine, Groom, Horsley, Jacobs Gibson and Tissier

Noes: None

6) [Public hearing to consider an appeal of the Planning Commission's decision to uphold the approval of a Coastal Development Permit and Design Review, and certify the Negative Declaration for the construction of a 2,203 square foot single-family residence and a 373 square foot attached 2-car garage on an 8,000 square foot parcel located on Magellan Avenue, unincorporated Miramar area of San Mateo County \(Applicant/Owner: Greg Van Mechelen / John Merwin Trust; Appellant: Last and Faoro / Surish Jandial\) \(Planning and Building\)](#)

A) Report and recommendation

B) Close public hearing

Motion: Horsley / Second: Groom

C) Approve or deny appeal

Motion to deny appeal: Groom / Second: Jacobs Gibson

Speakers recognized by the President:

Lisa Aozasa, Planning and Building
Supervisor Adrienne Tissier, Board of Supervisors
Dennis L. Faoro, Esq., Attorney for Appellant
Greg Van Mechelen, Applicant
Supervisor Dave Pine, Board of Supervisors

Ayes: Supervisors Pine, Groom, Horsley, Jacobs Gibson and Tissier

Noes: None

REGULAR AGENDA

COUNTY COUNSEL

7. [Introduction of an ordinance: an Ordinance submitting to the eligible registered voters at the November 6, 2012 election the question of whether they wish to amend the San Mateo County Charter to change the manner of electing members of the Board of Supervisors from an "at-large" to a "by-district" system and waiver of reading the ordinance in its entirety](#)

This item was continued to the meeting of July 10, 2012 for adoption.

Motion to reconsider: Tissier / Second: Horsley

Speakers recognized by the President:

John Beiers, County Counsel
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Rose Jacobs Gibson, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors

Tom Linebarger, Occupy Redwood City
Sabrina Brennan, Moss Beach
Bill Kehoe, Moss Beach
James Lee, Occupy Redwood City
Paul Perkovic, Montara
Kathryn Slater Carter, Montara
David Cary, Belmont

Motion: Horsley / Second: Pine

Ayes: Supervisors Pine, Groom, Horsley, Jacobs Gibson and Tissier
Noes: None

HUMAN RESOURCES

Director's Report:

8. Workforce and Succession Planning

Speakers recognized by the President:

Donna Vaillancourt, Human Resources
Lisa Okada, Human Resources
Edwin Alvarez, Human Resources
Bill Lowell, Department of Housing
Anne Weiss, Human Resources
Rocio Kiryczun, Human Resources
Reyna Farrales, Deputy County Manager
Supervisor Adrienne Tissier, Board of Supervisors

COUNTY MANAGER

9. [Accept actuarial certification of cost to grant early retirement option with one year of additional service credit for certain classifications within the Information Services Department, Human Services Agency and Health System](#)

Speakers recognized by the President:

John L. Maltbie, County Manager

Motion: Jacobs Gibson / Second: Horsley

Ayes: Supervisors Pine, Groom, Horsley, Jacobs Gibson and Tissier
Noes: None

10. County Manager's Report

County Manager John L. Maltbie gave the Board a brief report on the state budget.

Speakers recognized by the President:

Martin Fox, Belmont

BOARD OF SUPERVISORS

11. Board members' reports – **No reports**

Speakers recognized by the President:

Martin Fox, Belmont

CONSENT AGENDA

All items on the consent agenda are approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda. Any item on the regular agenda may be transferred to the consent agenda.

AGRICULTUREWEIGHTS & MEASURES

12. [Resolutions \(072029 & 072030\) amending:](#)
- A) The fee schedule for Weights and Measures repeat inspections and testing, rescheduling, stand-by charges and non-commercial device inspections; and
 - B) The fee schedule for the Agricultural Commissioner

BOARD OF SUPERVISORS

13. [Resolution \(072031\) in support of the submittal of a grant application for \\$5,000,000 to the San Mateo County Transportation Authority for projects on Highway 1 in the Midcoast \(Supervisor Don Horsley\)](#)

This item was moved to the regular agenda.

Speakers recognized by the President:

Supervisor Don Horsley, Board of Supervisors
Paul Perkovic, Montara
Kathryn Slater Carter, Montara
Len Erickson, El Granada
Bill Kehoe, Moss Beach
James Lee, Occupy Redwood City
Sabrina Brennan, Coastside Bicycle Coalition

Motion: Horsley / Second: Jacobs Gibson

Supervisor Horsley requested the resolution be amended from \$5,000,000 to “up to \$1.5 million.”

Ayes: Supervisors Pine, Groom, Horsley, Jacobs Gibson and Tissier

Noes: None

14. [Recommendation for the reappointments of the following members to the Workforce Investment Board: \(Supervisor Rose Jacobs Gibson\)](#)

Linda Asbury, Private Sector
Flynn Bradley, PublicSector
Debra Conliffe, Private Sector
Tim Doyle, Public Sector
John Ford, Private Sector
Richard Hedges, Public Sector
Jorge Jaramillo, Private Sector
Ron Kahn, Private Sector

David Kaval, Private Sector
Ramin Keyvan, Private Sector
Michael Klieman, Private Sector
May Leung, Private Sector
Jing Luan, Public Sector
Darlene Rutkowski, Public Sector
Francine Serafin-Dickson, Private Sector
Wing Yu, Public Sector

15. [Ratification of a resolution \(3345\) honoring Don Mattei upon his retirement from the Belmont Police Department \(Supervisor Carole Groom\)](#)

COUNTY MANAGER

16. [Resolution \(072032\) authorizing the Controller to continue payments on the agreement with the San Mateo County Bar Association for Private Defender Program services from July 1, 2012 through September 30, 2012](#)

17. [Resolution \(072033\) authorizing Muni Services to examine the State Board of Equalization's Sales and Transactions and Use Tax Records regarding the County pursuant to California Revenue and Taxation Code Section 7056](#)

DISTRICT ATTORNEY

18. [Resolution \(072034\) authorizing the District Attorney to submit annual grant proposals and enter into Grant Award agreements with the California Department of Insurance for programs for the investigation and prosecution of automobile and workers' compensation insurance fraud through FY 2014-2015](#)

GOVERNING BOARD

19. [Acting as the Board of Commissioners of the Housing Authority, adopt Resolution No. 2012-08 \(072035\) authorizing the Executive Director of the Housing Authority to execute a lease agreement with the Housing Authority, Landlord, and Peninsula Family Service, Tenants for space located at Midway Village, 45 Midway Drive, Daly City for the provision of child care services for the term of July 1, 2012 through June 30, 2015 \(Department of Housing\)](#)

HEALTH SYSTEM

20. [Resolution \(072036\) authorizing an agreement with Casa Colina Rehabilitation Centers/Padua Village for non-medical long-term living services for the term of July 1, 2012 through June 30, 2013 in the total amount of \\$250,000](#)

21. [Resolution \(072037\) authorizing an revenue agreement with the Health Plan of San Mateo for Medicare CareAdvantage services for the term January 1, 2012 through December 31, 2014 in the amount of \\$600,000](#)

22. [Resolution \(072038\) authorizing an agreement with Mills-Peninsula Hospitals for the provision of psychiatric inpatient hospital services for the term of July 1, 2012 through June 30, 2014 in the amount of \\$1,764,822](#)

Abstained: Supervisor Groom

23. [Resolution \(072039\) authorizing an agreement with One East Palo Alto for the provision of outreach and engagement services for the term July 1, 2012 through June 30, 2013 in the amount of \\$146,560](#)
24. [Resolution \(072040\) authorizing an agreement with Panoramic Software, Inc. for provision and maintenance of software applications for the term of July 1, 2012 through June 30, 2013 in the amount of \\$153,000](#)
25. [Resolution \(072041\) waiving the Request for Proposals process and authorizing an agreement with Puente de la Costa Sur for the provision of alcohol and other drug prevention services for the term of July 1, 2012 through June 30, 2013 in the amount of \\$375,000](#)
26. [Resolution \(072042\) waiving the Request for Proposal process and authorizing an agreement with StarVista for mental health services for the term July 1, 2012 through June 30, 2013 in the amount of \\$3,937,108](#)
27. [Resolution \(072043\) authorizing an agreement with the YMCA of San Francisco, doing business as YMCA Youth Services Bureau of Pacifica, San Francisco and San Mateo for the provision of the Juvenile Sexual Responsibility Program services for the term of July 1, 2012 through June 30, 2014 in the amount of \\$627,512](#)
28. [Resolution \(072044\) waiving the Request for Proposals process and authorizing an amendment to the agreement with Free at Last for the provision of alcohol and other drug services, increasing the amount by \\$1,585,508 to \\$3,535,339, extending the term through June 30, 2013](#)
29. [Adoption of an ordinance \(04622\) amending the Master Salary Ordinance, previously introduced on June 19, 2012 and waiver of reading the ordinance in its entirety](#)

HUMAN RESOURCES

30. [Report recommending the denial of claims \(Non-culpable\)](#)
31. [Introduction of an ordinance amending the salary ordinance and accepting the report on the total number of positions in the County and waiver of reading the ordinance in its entirety](#)

This item was continued to the meeting of July 10, 2012 for adoption.

HUMAN SERVICES AGENCY

32. [Resolution \(072045\) authorizing an amendment to the agreement with Aspiranet to provide administration for a Change of Placement Program, extending the term through June 30, 2013, increasing the amount by \\$166,681 to \\$333,362](#)

INFORMATION SERVICES

33. [Resolution \(072046\) authorizing an amendment to the agreement with Johnson Controls, Inc. for the provision of maintenance of the Cardkey Security System, extending through June 30, 2013, increasing the amount by \\$842,216 to \\$1,497,568](#)
34. [Resolution \(072047\) authorizing an amendment to the agreement with Leckey Consulting, Inc. for consulting services, extending the term through August 31, 2012, increasing the amount by \\$35,000 to \\$134,999](#)
35. [Resolution \(072048\) authorizing an amendment to the Agreement with Stephen Dupré, for consulting services, extending the term through June 30, 2013, increasing the amount by \\$100,000 to \\$199,000](#)

PLANNING AND BUILDING

36. [Resolution \(072049\) waiving the Request for Proposals process and authorizing an agreement with Accela, Inc., for the provision of specialized licensed software, maintenance, hosting, and implementation for the term of July 1, 2012 through June 30, 2017 in an amount not to exceed \\$462,463](#)

PUBLIC WORKS

37. [Resolution \(072050\) authorizing an amendment to the agreement with Diamond Air Ventures, Inc., for a portion of the Airport Terminal Building at 620 Airport Drive, San Carlos, extending the term through June 30, 2017, decreasing the rent from \\$4,051.83 to \\$1,520 per month \(4/5ths vote required\)](#)
38. [Resolution \(072051\) authorizing an amendment to the agreement with JATO Aviation, LLC, for a portion of the Airport Terminal Building at 620 Airport Drive, San Carlos, extending the term through June 30, 2017, decreasing the rent from \\$1,763.11 to \\$1,026 per month \(4/5ths vote required\)](#)
39. [Resolution \(072052\) authorizing the Director of Public Works to execute an amendment to the agreement with Valley Power, through September 30, 2012](#)
40. [Resolutions \(072053 & 072054\) authorizing:](#)
 - A) The establishment of a 20 Minute Time Limited Parking Zone at 1216 Hillside Boulevard, Daly City
 - B) The establishment of a Disabled Parking Zone at 2766 Fair Oaks Avenue, Redwood City

SHERIFF

41. [Resolution \(072055\) authorizing agreements with the Towns of Portola Valley and Woodside for the provision of law enforcement and public safety communication services for the term of July 1, 2012 through June 30, 2015 for the combined total amount of \\$7,168,999](#)

TREASURER

42. [Resolution \(072056\) approving the 2012 San Mateo County Investment Policy Statement](#)

This item was moved to the regular agenda.

Speakers recognized by the President:

Supervisor Dave Pine, Board of Supervisors
Sandie Arnott, Treasurer
Tom Linebarger, Occupy Redwood City

Motion: Pine / Second: Jacobs Gibson

Ayes: Supervisors Pine, Groom, Horsley, Jacobs Gibson and Tissier

Noes: None

CLOSED SESSION

(The Board will adjourn to closed session to consider the following items at the end of the agenda, or at any time during the meeting as time permits. At the conclusion of closed session, the Board will reconvene in open session to report on any actions taken for which a report is required by law.)

A) Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b)(1) of Government Code Section 54956.9

One case

County Counsel made the following report: The Board took action to deny government claims related to potential litigation with respect to an ongoing dispute regarding property tax administration fees. The claims were denied against the following cities: Brisbane, Burlingame, Colma, East Palo Alto, Foster City, Menlo Park, Millbrae, Pacifica, Portola Valley, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco and Woodside

B) Conference with Labor Negotiator

Closed session pursuant to subdivision (a) of Government Code Section 54957.6

Agency Negotiator: John Maltbie/Adrienne Tissier

Unrepresented employee: County Counsel

C) Conference with Labor Negotiator

Negotiations: In Home Support Services (IHSS)

Labor Negotiator: Fran Buchanan

The Board recessed to regular Closed Session at 11:52 a.m.

The Board reconvened the open session at 2:35 p.m.

County Counsel made the following report: No other reportable action was taken.

The meeting was adjourned at 4:47 p.m.