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The meeting was called to order at 9:04 a.m.

July 24, 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

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Motion: Horsley / Second: Jacobs Gibson

(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) [Accept the 2011 San Mateo County Agricultural Crop Report prepared by the Agricultural Commissioner \(Agriculture / Weights and Measures\)](#)

Speakers recognized by the President:

Fred Crowder, Agricultural Commissioner
 Supervisor Don Horsley, Board of Supervisors
 Supervisor Dave Pine, Board of Supervisors

- B) [Presentation of a resolution \(3351\) honoring Courtney and Laura Cunneen On their project to collect donations of school supplies for Puente de la Costa Sur and Pacifica Resource Center \(Supervisor Don Horsley\)](#)

Speakers recognized by the President:

Supervisor Don Horsley, Board of Supervisors
 Kerry Lobel, Executive Director, Puente de la Costa Sur
 Courtney Cunneen, Recipient
 Laura Cunneen, Recipient

Motion: Horsley / Second: Tissier

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.

Acting as the Governing Board of the ten County Sewer/Sanitation Districts: (Public Works)

- 1) Public hearing to consider the sewer service rates for FYs 2012-13 through 2016-17 for eight Districts, the sewer service rate for FY 2012-13 for the Crystal Springs County Sanitation District and the sewer service rate for FY 2012-13 for the Burlingame Hills Sewer Maintenance District
- 2) Second Reading of ordinance **(04625)** to amend Section 4.32.020 of Chapter 4.32 of Title 4, of the San Mateo County Ordinance Code, setting sewer service rates previously introduced on June 5, 2012 and waiver of reading the ordinance in its entirety
- 3) A Resolution **(072080)** authorizing the imposition of sewer service charges for FY 2012-13
- 4) Report and recommendation
- 5) Close public hearing

Motion: Horsley / Second: Jacobs Gibson

- 6) Adopt ordinance

Motion: Jacobs Gibson / Second: Groom

- 7) Adopt resolution

Motion: Groom / Second: Horsley

Speakers recognized by the President:

Jim Porter, Public Works

Supervisor Carole Groom, Board of Supervisors

Supervisor Dave Pine, Board of Supervisors

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

Noes: None

9:15 a.m.

Acting as the Governing Board of the County Service Area No. 8, North Fair Oaks, public hearing to consider the FY 2012-13 Garbage and Recyclables Collection Service Charges Report for County Service Area No. 8 (Public Works)

1) [Report and recommendation](#)

2) [Close public hearing](#)

Motion: Horsley / Second: Pine

3) [Adopt resolution \(072081\)](#)

Motion: Jacobs Gibson / Second: Groom

Speakers recognized by the President:

Jim Porter, Public Works

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

Noes: None

1:30 p.m.

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

2:30 p.m.

[Public hearing to consider appeal of the Planning Commission's decision to deny tree removal permit for trees located at 2108 Sand Hill Road in the unincorporated West Menlo Park area of San Mateo County \(Planning and Building\)](#)

1) Report and recommendation

2) Close public hearing

Public hearing was closed.

3) Approve or deny

**Motion to approve appeal and reverse the Planning Commission's decision:
Tissier / Second: Pine**

Speakers recognized by the President:

Jim Eggemeyer, Planning and Building

Supervisor Carole Groom, Board of Supervisors

Dennis Chargin, San Jose

Deborah Ellis, Saratoga

Steve Baugher, Menlo Park

Supervisor Dave Pine, Board of Supervisors

John Beiers, County Counsel

Supervisor Don Horsley, Board of Supervisors

Supervisor Rose Jacobs Gibson, Board of Supervisors

Ted Miljevich, Mountain View

Lennie Roberts, Committee for Green Foothills

Supervisor Adrienne Tissier, Board of Supervisors

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

REGULAR AGENDA

COUNTY COUNSEL

1. [Adoption of two ordinances regarding the Controller's Office:](#)
 - A) An ordinance **(04626)** proposing an amendment to Section 403 of the San Mateo County Charter to convert the Office of the Controller from an elected position to an appointed position and ordering the amendment to be submitted to the eligible registered voters at the November 6, 2012 election, previously introduced on July 10, 2012 and waiver of reading the ordinance in its entirety; and
 - B) An ordinance **(04627)** amending and restating Chapter 2.82 of the San Mateo County Ordinance Code, to be effective only upon approval of the electorate of the proposed amendment of Section 403 of the San Mateo County Charter, previously introduced on July 10, 2012 and waiver of reading the ordinance in its entirety

Speakers recognized by the President:

John Beiers, County Counsel

Motion: Jacobs Gibson / Second: Horsley

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

Noes: None

COUNTY MANAGER

2. County Manager's report
 - A) [Accept this report on:](#)
[A detailed analysis of the FY 2012-13 State Budget Act](#)
 - B) Realignment Numbers
 - C) Intergovernmental Affairs Communications and Web Updates

Speakers recognized by the President:

John Maltbie, County Manager

Marty Fox, Belmont

BOARD OF SUPERVISORS

3. Board members' reports

Speakers recognized by the President:

Martin Fox, Belmont

4. A) [Introduction of an ordinance imposing a one-half cent retail transactions \(sales\) and use tax in the County of San Mateo for general fund purposes for a period of ten \(10\) years and waiver of the ordinance in its entirety \(Supervisors Adrienne J. Tissier and Don Horsley\)](#)

This item was continued to the meeting of July 31, 2012 for adoption.

- B) Resolution (**072107**) proposing to the voters of San Mateo County a one-half cent retail transactions (sales) and use tax in the County of San Mateo for general fund purposes for a period of ten years, and calling an election for the purpose of submitting to the electors a proposition for the adoption of an ordinance to impose a one-half cent retail transactions (sales) and use tax in the County of San Mateo for general county purposes for a period of ten (10) years

Speakers recognized by the President:

Supervisor Don Horsley, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Rose Jacobs Gibson, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors
John Beiers, County Counsel
David Goldschmid, Seton
Mike Crilly, Seton Board Member
Kevin Mann, SEIU United Healthcare Workers
Sue Malone, San Mateo County Medical Association
Maya Altman, Health Plan of San Mateo
Elizabeth Nye, for Anthony Slimick San Mateo County Firefighters Local 2400
Jeremy Cobb, for David Lim, City of San Mateo
Nicole Yelich, for Kevin Mullin, South San Francisco
Rodolfo Vallin, SEIU United Healthcare Workers
Victor Torreano, San Mateo Building Trades Council
Julia Bott, San Mateo

Motion: Horsley / Second: Jacobs Gibson

Ayes: Supervisors Groom, Horsley, Jacobs Gibson and Tissier

Noes: Supervisor Pine

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.

6. [Approve the minutes for the meeting of July 10, 2012](#)

ASSESSOR-COUNTY CLERK-RECORDER

7. [Resolution \(072082\):](#)
- A) Accepting the certificate of the Chief Elections Officer as the statement of the result of the vote as determined by the official canvass of the June 5, 2012 Presidential Primary Election;
 - B) Declaring the person or persons elected to or nominated for certain offices;
 - C) Declaring the persons elected to certain judicial offices in accordance with Section 8203 of the Elections Code; and
 - D) Declaring the results of certain measures voted on

BOARD OF SUPERVISORS

8. [That the President of the Board of Supervisors provides to Firstwave Events a letter addressed to the California Department of Transportation indicating our awareness of, and comfort with, the 11th Annual Big Kahuna Triathlon, a portion of which will take place on Highway 1 in San Mateo County on September 9, 2012 \(Supervisor Don Horsley\)](#)
9. [Ratification of a resolution \(3352\) honoring Lamoin Werlein-Jaen upon receiving the 2012 C.O.P.E. Unity Award \(Supervisor Carole Groom\)](#)
10. [Proclamation \(3353\) designating August 5, 2012 as Tour de Peninsula Day \(Supervisor Carole Groom\)](#)

COUNTY MANAGER

11. [Resolution \(072083\) accepting the dedication and transfer of Parcel E on San Bruno Mountain to the County of San Mateo, and authorizing the County Manager to execute and record such documents as may be necessary to effectuate the acceptance and transfer, including but not limited to the certificate of acceptance and grant deed.](#)
12. [Approve the response to the 2011-12 Grand Jury report: The Annual Flooding of Pescadero Creek Road](#)
13. [Resolution \(072085\) authorizing waiver of the employee jury service requirement in connection with the County Manager's execution of a broker services agreement with Cornish and Carey Commercial Newmark Knight Frank for Circle Star Plaza.](#)

GOVERNING BOARD

14. [Acting as the Governing Board of the San Mateo County Flood Control District adopt a resolution \(072086\) adopting the 2012-13 Water Pollution Control Service Charges Report for Flood Control Zone One Countywide \(Public Works\)](#)

15. [Acting as the Governing Board of the San Mateo County Flood Control District adopt a resolution \(072087\) adopting the 2012-13 Fiscal Year Water Pollution Control Service Charges Report for Flood Control Zone Two - City of Pacifica \(Public Works\)](#)

HEALTH SYSTEM

16. [Resolution \(072088\) authorizing an agreement with the California Department of Aging for the provision of Title III and VII funds of the Older Americans Act of 1965 for FY 2012-13 in the amount of \\$2,801,691](#)
17. [Resolution \(072089\) authorizing an agreement with Peninsula Pathologists Medical Group, Inc. for anatomic slide preparation and histology services for the term of August 1, 2012 through July 31, 2015 in the amount of \\$405,000](#)
18. [Resolution \(072090\) authorizing an agreement with Alpa Sanghavi, MD to provide administrative and medical leadership services for the term October 1, 2012 through September 30, 2013, in the amount of \\$128,364](#)
19. [Resolution \(072091\) authorizing an amendment to the agreement with Palo Alto Medical Foundation for Healthcare, Research and Education to provide general, thoracic and vascular surgery services, increasing the amount by \\$150,000 to \\$2,367,452](#)
20. [Resolution \(072092\) waiving the Request for Proposals process and authorizing an amendment to the agreement with Horizon Services, Inc. for alcohol and other drug services and criminal justice realignment services, increasing the amount by \\$955,008 to \\$1,946,139, extending the term through June 30, 2013](#)
21. [Resolution \(072093\) waiving the Request for Proposals process and authorizing an amendment to the agreement with Project Ninety, Inc. for alcohol and other drug services and criminal justice realignment services, increasing the amount by \\$2,783,965 to \\$5,434,228, extending the term through June 30, 2013](#)
22. [Resolution \(072094\) waiving the Request for Proposals process and authorizing an amendment to the agreement with Service League of San Mateo County for alcohol and other drug services and criminal justice realignment services, increasing the amount by \\$1,631,234 to \\$3,527,869, extending the term through June 30, 2013](#)
23. [Adoption of an ordinance \(04628\) repealing and replacing one section of Title 6, Section 6.04.290 in Chapter 6.04 of the San Mateo County Ordinance Code which establishes Animal Control and Licensing Program fees, previously introduced on July 10, 2012 and waiver of reading the ordinance in its entirety](#)

HUMAN RESOURCES

24. [Resolution \(072095\) authorizing an agreement with Alliant Insurance Services, Inc. for broker/consulting services regarding the County's health and welfare benefits for the term August 1, 2012 through July 31, 2015, in an amount not to exceed \\$450,000](#)

25. [Adoption of an ordinance \(04629\) adopting the Master Salary Ordinance for FY 2012-2013, previously introduced on July 10, 2012 and waiver of reading the ordinance in its entirety](#)

PLANNING AND BUILDING

26. [Resolution \(072096\) authorizing an agreement with the City and County of San Francisco for partial funding of the Airport/Community Roundtable for the term of July 1, 2012 through June 30, 2015 in the amount of \\$660,000.](#)

PUBLIC WORKS

27. [Resolution \(072097\) authorizing the Director of Public Works or his designee to apply for and accept a California Department of Parks and Recreation Land and Water Conservation Fund Program grant in the amount of \\$540,913 for the Crystal Springs Regional Trail South of Highway 92 Project](#)
28. [Resolution \(072098\) adopting the proposed schedule of fees for the use of County Park and Coyote Point Marina facilities to be effective August 1, 2012.](#)
29. [Resolution \(072099\) adopting an updated County Integrated Pest Management Policy for land either owned by or otherwise controlled by the County of San Mateo](#)
30. [Resolution \(072100\) awarding a contract to Half Moon Bay Grading & Paving, Inc., in the amount of \\$401,685.52 for the Coastal Trail Improvement Project – Fitzgerald Marine Reserve – Moss Beach area](#)
31. [Resolution \(072101\):](#)
- A) Adopting the plans and specifications, including conformance with prevailing wage scale requirements, for the Road Oil Application in Conjunction with the County's 2012 Chip Seal Road Maintenance Project; and
 - B) Authorizing an agreement with Valley Slurry Seal Company dba VSS Emultech, in the amount of \$141,762
32. [Resolution \(072102\):](#)
- A) Adopting the plans and specifications, including conformance with prevailing wage scale requirements, for the 2012 Cape and Slurry Seal Project – Ladera, North Fair Oaks and Sequoia Tract Areas; and
 - B) Authorizing an agreement with Graham Contractors, Inc., in the amount of \$924,271.50
33. [Resolution \(072103\):](#)
- A) Adopting the plans and specifications, including conformance with prevailing wage

scale requirements, for the Resurfacing of Various Streets in the Colma, Emerald Lake Hills and North Fair Oaks Areas; and

- B) Authorizing an agreement with Synergy Project Management, Inc., in the amount of \$552,047

SHERIFF

- 34. [Resolution \(072104\) authorizing the Sheriff or Sheriff's designee to execute an agreement with the California Department of Fish and Game for the distribution of funding in the amount of \\$10,000 as part of the FY 2012 Oil Spill Contingency Plan Grant Program](#)
- 35. [Resolution \(072105\) authorizing an agreement with the City and County of San Francisco for the distribution of FY 2011 Urban Area Security Initiative funds for the term of May 1, 2012 through January 31, 2014 in an amount not to exceed \\$4,214,854](#)
 - A) An agreement with the City and County of San Francisco for the distribution of FY 2011 Urban Area Security Initiative funds to San Mateo County in an amount not to exceed \$4,214,854 for the term of May 1, 2012 through January 31, 2014; and
 - B) Sheriff or Sheriff's designee(s) to sign Appendix B, grant assurances; and
 - C) Sheriff in his capacity as Office of Emergency Services Area Coordinator to execute contract amendments which modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.
- 36. [Resolution \(072106\) authorizing the Sheriff or the San Mateo County Director of Emergency Services to submit a grant application to the California Emergency Management Agency through the U.S. Department of Homeland Security for administration of grant award for First Responders in the amount of \\$600,708](#)
 - A) Submit a grant application to California Emergency Management Agency through the U.S. Department of Homeland Security for administration of grant award to enhance the capabilities of local First Responders for an amount of \$600,708; and
 - B) Execute, on behalf of the County of San Mateo and using County procurement and contract processes, all necessary applications, contracts, agreements, amendments, payment requests, and grant assurances for the purposes of securing and spending funds that may be awarded pursuant to this grant application, and implementing and carrying out the purpose specified in the grant application.

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 - Existing Litigation**
Montara Water and Sanitary District v. County of San Mateo

B) Conference with Legal Counsel - Anticipated Litigation

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

One case

C) Negotiations with IHSS (Nicole McKay)

The Board recessed to regular Closed Session at 10:47 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 3:23 p.m. in memory of Ruth Peterson, Corinne Centeno, Sylvia Merkadeau, and Elinor (Ellie) Crump.