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The meeting was called to order at 9:00 a.m.

May 8, 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
Carolyn Bowden, California Nurses Association
Linda Riston, San Mateo Medical Center
Tom Linebarger, Redwood City

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Motion: Horsley / Second: Groom

Items 1, 2, 3, and 4 were heard prior to Presentations and Awards, and Matters Set

(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) [Presentation of a proclamation \(3327\) designating May 2012 as Foster Care Month \(Supervisor Adrienne Tissier\)](#)

Motion: Tissier / Second: Groom

Speakers recognized by the President:

Supervisor Adrienne Tissier, Board of Supervisors
Pravin Patel, Human Services Agency
David and Shirley Bostic, Foster Parents
Supervisor Don Horsley, Board of Supervisors

- B) [Presentation of a proclamation \(3328\) designating May 19th and 20th, 2012 as Maker's Weekend \(Supervisor Carole Groom\)](#)

Motion: Jacobs Gibson / Second: Pine

Speakers recognized by the President:

Supervisor Carole Groom, Board of Supervisors
Linda Asbury, San Mateo Area Chamber of Commerce
Supervisor Dave Pine, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors

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.

[Public hearing to consider a resolution \(071921\) authorizing: \(Department of Housing\)](#)

- A) An amendment to the County's FY 2011-12 Action Plan to the U.S. Department of Housing and Urban Development to include new ESG requirements under the federal 2009 HEARTH Act; and
- B) The Director of the Department of Housing or his designee to submit the amendment and required certifications to the U.S. Department of Housing and Urban Development
- 1) Report and recommendation
 - 2) Close public hearing

Motion: Jacobs Gibson / Second: Horsley

- 3) Adopt resolution

Motion: Jacobs Gibson / Second: Horsley

Speakers recognized by the President:

Duane Bay, Department of Housing

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

Noes: None

9:00 a.m.

[Public hearing to consider a resolution \(071922\) authorizing: \(Department of Housing\)](#)

- A) The approval of the FY 2012-2013 Annual Action Plan for the use of federal funds provided under three entitlement programs Community Development Block Grant, Emergency Solutions Grant, and HOME Investment Partnerships; and
 - B) The Director of the Department of Housing or his designee to submit the Annual Action Plan and required certifications to the U.S. Department of Housing and Urban Development; and
 - C) The Director of the Department of Housing or his designee to execute contract amendments that modify the contract term and/or services so long as the modified term or services do not exceed the total annual HUD funding allocations
- 1) Report and recommendation
 - 2) Close public hearing

Motion: Pine / Second: Groom

- 3) Adopt resolution

Motion: Groom / Second: Jacobs Gibson

Speakers recognized by the President:

Duane Bay, Department of Housing
Supervisor Don Horsley, Board of Supervisors
Barbara Kalt, Peninsula Volunteers
Becky Cooper, Friends for Youth
Melissa Lukin, CORA
Laura Fanucchi, HIP Housing
Lauren Hauber, Rebuilding Together Peninsula
Douglas Styles, StarVista / DayBreak
Phil Hwang, Community Legal Services, East Palo Alto
Lorraine Moriarty, Society of St. Vincent de Paul
Supervisor Dave Pine, Board of Supervisors

Ayes: Supervisors Pine, Groom, Jacobs Gibson and Tissier

Noes: None

Absent: Supervisor Horsley

REGULAR AGENDA

SHERIFF

1. 1) [Resolution \(071923\) authorizing the County Manager or his designee to execute:](#)
 - A) An agreement with Hellmuth, Obata + Kassabaum, Inc. for the provision of architectural and engineering services for the San Mateo County Replacement Jail on Chemical Way, Redwood City in the amount of \$8,934,220; and
 - B) Subsequent contract amendments and minor modifications in an amount not to exceed \$100,000
2. Resolution (071924) authorizing a transfer in the amount of \$350,000 from Non-Departmental ERAF Reserves to Capital Projects for architectural and engineering consulting services for FY 2011-12 (4/5ths vote required)

Motion: Horsley / Second: Pine

Speakers recognized by the President:

Greg Munks, Sheriff's Office
Roseanne Foust, Redwood City Council Member
Lynn Filiar, Hellmuth, Obata + Kassabaum, Inc.
Micaela Davis, ACLU of Northern California
Supervisor Don Horsley, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Supervisor Rose Jacobs Gibson, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors

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

Noes: None

2. 1) [Resolution \(071925\) authorizing the County Manager or his designee to execute:](#)
 - A) An Agreement for Construction Management Services with Sundt Layton, A Joint Venture, for managing the construction of the San Mateo County Replacement Jail on Chemical Way in Redwood City, in the amount of \$7,387,929; and
 - B) Subsequent contract amendments and minor modifications in an amount not to exceed \$100,000
- 2) Resolution (071926) authorizing a transfer in the amount of \$960,100 from Non-Departmental ERAF Reserves to Capital Project for construction management services for FY 2011-12 (4/5ths vote required)

Motion: Horsley / Second: Groom

- 3) Approve the use of the design-build delivery method as permitted by Public Contracts Code § 20133, with certain trade contractors performing work on the replacement jail project

Speakers recognized by the President:

Greg Munks, Sheriff
Martin Fox, Belmont
Manuel La Fontaine, Legal Services for Prisons with Children
Braulio Gonzalez, Youth United for Community Action

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

Noes: None

3. [Resolution \(071927\) authorizing the County Manager to execute a project labor agreement with the San Mateo County Building and Construction Trades Council and signatory unions for the replacement jail project](#)

Motion: Horsley / Second: Jacobs Gibson

Speakers recognized by the President:

Greg Munks, Sheriff
John L. Maltbie, County Manager
Mark Leach, International Brotherhood of Electrical Workers
Isaac Ontiveros, Californians United for a Responsible Budget
Molly Porzig, Critical Resistance
Edward Evans, Carpenters Union Local 17
Dorsey Nunn, Menlo Park
Frank La Fontaine, Sr., Daly City
William Nack, Foster City
Pam Strong, East Palo Alto
William Nack, Foster City
Mark Leach, San Mateo
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors

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

Noes: None

4. Report on Patrol Services

Speakers recognized by the President:

Greg Munks, Sheriff's Office
Carlos Bolanos, Sheriff's Office

COUNTY MANAGER

5. [Introduction of an uncodified ordinance setting the requirements for the leasing of the Circle Star Plaza buildings owned by the County without competitive bidding if the lease is limited to an initial rent of no more than \\$300,000 per month and for a term not to exceed ten years and waiver of reading the ordinance in its entirety](#)

This item was continued to the meeting of May 22, 2012 for adoption.

Speakers recognized by the President:

John L. Maltbie, County Manger
Peggy Jensen, Deputy County Manager

Motion: Jacobs Gibson / Second: Groom

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

6. [Resolution \(071928\) authorizing a transfer in the amount of \\$3.3 million from Non-Departmental ERAF Reserves to the Capital Projects Fund for the upgrade to One Circle Star Plaza to an essential services building](#)

Speakers recognized by the President:

John Maltbie, County Manger

Motion: Groom / Second: Jacobs Gibson

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

7. County Manager's Report – **No report**

Speakers recognized by the President:

Martin Fox, Belmont

BOARD OF SUPERVISOR

8. 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.

9. [Approve the minutes from the meeting of April 24, 2012](#)

BOARD OF SUPERVISORS

10. [Recommendation for the appointments of Chris Johnson representing El Granada and Kris Lannin Liang representing Moss Beach to the Design Review Committee, terms expiring June 30, 2015 \(Supervisors Dave Pine and Don Horsley\)](#)

11. [Recommendation for the appointments of William G. Gass representing Director, Agricultural Community and Beverly Miller representing Board Director to the San Mateo County Event Center, terms expiring June 30, 2015 \(Supervisor Carole Groom\)](#)
12. [Recommendation for the reappointment of Angel Barrios to the First Five Commission, term expiring March 31, 2015 \(Supervisor Don Horsley\)](#)
13. [Ratification of a resolution \(3329\) honoring Eunice Kushman upon her retirement from the Caminar Board of Directors \(Supervisor Adrienne Tissier\)](#)

CONTROLLER

14. [Resolution \(071929\) authorizing the Controller to temporarily transfer available funds to County Operating Funds, the Superintendent of Schools, County Board of Education and School Districts during FY 2012-13](#)

COUNTY COUNSEL

15. [Introduction of an ordinance amending Section 2.14.040 Use of Outside Counsel for Legal Services, Advice, or Representation and Chapter 2.14 of Title 2 of the San Mateo County Ordinance Code relating to legal services from outside counsel and waiver of reading the ordinance in its entirety](#)

This item was continued to the meeting of May 22, 2012 for adoption.

COUNTY MANAGER

16. [Resolution \(071930\) authorizing an amendment to the agreement with Hinderliter, de Llamas & Associates, adding an addendum which incorporates the provisions of California Revenue and Taxation Code Section 7056](#)
17. Accept the response to the Grand Jury report: The County, San Carlos, and Cal Fire, A Missed Opportunity?
18. [Adoption of an ordinance \(04615\) amending the Master Salary Ordinance, adding a Deputy Probation Officer III, a Legal Office Specialist and a Human Services Supervisor, previously introduced on April 24, 2012 and waiver of reading the ordinance in its entirety](#)

GOVERNING BOARD

19. [Acting as the Governing Board of County Service Area No. 11, adopt a Resolution \(071932\): \(Department of Public Works\)](#)
 - A) Setting June 26, 2012 at 9:00 a.m. at the regularly scheduled Board meeting, as the time and place for a public hearing on the water rates and meter service charges for County Service Area No. 11 Pescadero area; and
 - B) Directing the Director of the Public Works Department to send a notice of the proposed water rates and meter service charges to each property owner within County Service Area No. 11

HEALTH SYSTEM

20. [Resolution \(071933\) authorizing:](#)

- A) An agreement with the California Department of Public Health for the provision of funding the Childhood Lead Poisoning Prevention Program for the term of July 1, 2011 through June 30, 2014 in the amount of \$823,260; and
- B) The Chief of the Health System or her designee to execute subsequent contract amendments and minor modifications in an amount not to exceed \$25,000

21. [Resolution \(071934\) authorizing:](#)

- A) A memorandum of understanding between the San Mateo Medical Center and the San Mateo County Health Foundation for a term beginning July 1, 2011 and continuing indefinitely in the amount of \$250,000; and
- B) The Chief of the Health System or her designee to execute subsequent contract amendments and minor modifications in an amount not to exceed \$25,000

22. [Resolution \(071935\) authorizing:](#)

- A) An amendment to the agreement with Lawrence A. Saunders, DDS for the provision of oral and maxillofacial surgery services, increasing the amount by \$24,000 to \$124,000; and
- B) The Chief of the Health System or her designee to execute subsequent contract amendments and minor modifications in an amount not to exceed \$25,000

23. Adoption of an ordinance **(04616)** repealing and replacing three sections of Title 5, Sections 5.64.060 and 5.64.070 in Chapter 5.64 and Section 5.120.040 in Chapter 5.120 of the San Mateo County Ordinance Code, which establishes Environmental Health program fees, previously introduced on April 24, 2012 and waiver of reading the ordinance in its entirety

HUMAN RESOURCES

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

HUMAN SERVICES AGENCY

25. [Resolution \(071936\) authorizing:](#)

- A) An agreement with San Mateo County Community College District - Skyline College for the provision of training a new workforce in Allied Health for the term April 1, 2011 through June 30, 2012 in the amount of \$120,000; and
- B) The Director of the Human Services Agency or her designee to execute subsequent contract amendments in an amount not to exceed \$360,000

PLANNING AND BUILDING

26. [Resolution \(071937\) authorizing:](#)

- A) An amendment to the agreement with Environmental Science Associates for the provision of administrative and technical support to the San Francisco International Airport/Community Roundtable, modifying the scope of services, increasing the amount by \$193,000 to \$373,000, and modifying the term so that it coincides with the end of the fiscal year
- B) The Community Development Director or his designee to execute subsequent contract amendments and minor modifications in an amount not to exceed \$25,000

PUBLIC WORKS

27. [Resolution \(071938\) authorizing:](#)

- A) An agreement with the City/County Association of Governments for the provision of staff services; and
- B) The Director of the Public Works Department to execute subsequent amendments and minor modifications in the types of services and payment arrangements provided under the agreement

SHERIFF

28. [Resolution \(071939\) authorizing:](#)

- A) An amendment to the agreement with the City and County of San Francisco for the provision of distribution of FY 2010 Urban Area Security Initiative grant funds, increasing the amount by \$668,058 to \$3,010,277; and
- B) The Sheriff or his designee to sign Appendix B, grant assurances; and
- C) The Sheriff in his capacity as OES Area Coordinator to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000

29. [Resolution \(071940\) authorizing the county purchasing agent to renew licenses, software and maintenance for an additional two years for the Northern California Regional Intelligence Center's Fusion Center Application Suite from Digital Sandbox in the amount of \\$258,000](#)

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

Satorre, Ray, et al., v. Mark Church, et al.
San Mateo County Superior Court Case No. 504866

B) Conference with Legal Counsel - Anticipated Litigation

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

One case

C) Conference with Labor Negotiators

Agency designated representatives attending closed session: Donna Vaillancourt
Employee organizations: American Federation of State, County and Municipal Employees;
Service Employees International Union; California Nurses Association; and Union of
American Physicians and Dentists

D) Conference with Real Property Negotiators

Property: 1100 Trousdale Drive, Burlingame
Agency negotiators: Jean Fraser or her designee; John Beiers or his designee
Negotiating Parties: Vince Muzzi or his designee; Shlomo Rechnitz or his designee; other
potential successors-in-interest in the property
Under Negotiation: Price and terms of payment

The Board recessed to regular Closed Session at 11:12 a.m.

The Board reconvened the open session at 1:16 p.m.

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

The meeting was adjourned at 1:16 p.m. in memory of Clare Carey Willard, John Lee and Koti Fakava.