

MINUTES

Board Members	Acting
Dave Pine	County Manager/
Carole Groom	Clerk of the Board
Don Horsley	John L. Maltbie
Rose Jacobs Gibson	County Counsel
Adrienne J. Tissier	John C. Beiers

Hall of Justice • 400 County Center • Redwood City • California 94063 • 650-363-4653 • Fax 650-599-1027
www.co.sanmateo.ca.us

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

January 24, 2012

PLEDGE OF ALLEGIANCE

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

1. 9:00 a.m. ORAL COMMUNICATIONS AND PUBLIC TESTIMONY ON CONSENT OR CLOSED SESSION AGENDA ITEMS

Speakers recognized by the President:

Martin Fox, Belmont
Lovinda Beal, Committee for Lower Alpine Trail
Janet Davis, Menlo Park
Shandon Lloyd, Committee for Lower Alpine Trail

If your subject is not on the agenda, or if you wish to speak on a consent or closed session agenda item, the President will recognize you at this time. **Speakers are customarily limited to two minutes.** A speaker's slip is required.

2. [REGULAR AGENDA](#) (SEE PAGE 5)
[CONSENT AGENDA](#) (SEE PAGE 6)

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agenda are approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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

Motion to set agenda: Jacobs Gibson / Second: Pine

3. 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

In Re: Lehman Brothers Holdings Inc., et al.

United States Bankruptcy Court Case No. 08-13555 (JMP)

Satorre, Ray, et al., v. Mark Church, et al.

San Mateo County Superior Court Case No. 504866

County of San Mateo v. Bank of America, N.A., et al.

Southern District of New York Case No. 08-02516 (VM)

The Board recessed to the regular Closed Session at 12:13 p.m.

The Board reconvened the open session at 12:44 p.m.

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

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.

4. 9:00 a.m. A) Resolution **(071784)** approving STARS Awards recipients and Honorable Mention

Motion: Jacobs Gibson / Second: Horsley

- B) Presentation of Resolutions and Commendations honoring STARS Awards recipients
- C) Resolution **(071785)** authorizing a transfer in the amount of \$65,000 from Non-Departmental and Health System to various program accounts to appropriate STARS Awards (4/5ths vote required) (Jointly with the County Manager and Human Resources Department)

Motion: Jacobs Gibson / Second: Horsley

Speakers recognized by the President:

Rocio Kiryczun, Human Resources

Claudia Lopez, Health System

Bill Lowell, Housing Department

Peter Bassett, Human Resources

Captain Hanlon, Sheriff's Office

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

Noes: None

5. 9:00 a.m. Annual presentation by the Children's Collaborative Action Team (Supervisor Dave Pine)

Speakers recognized by the President:

Supervisor Dave Pine, Board of Supervisors
Renee Zimmerman, Children's Collaborative Action Team
Sandra Portasio, Redwood City School District

6. 9:15 a.m. Earn It, Keep It, Save It, Campaign **(3282)** (Supervisor Don Horsley)

Speakers recognized by the President:

Supervisor Don Horsley, Board of Supervisors
Kelly Batson, United Way of the Bay Area's Earn It! Keep It! Save It! Campaign
Louise Carroll, Tax-Aid

Motion: Horsley / Second: Groom

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

7. 9:15 a.m. Presentation on Sugar Sweetened Beverages (Supervisor Rose Jacobs Gibson)

Speakers recognized by the President:

Supervisor Rose Jacobs Gibson, Board of Supervisors
Jean Fraser, Health System

8. 9:30 a.m. Public hearing to consider a resolution **(071786)** adopting the garbage and recyclables collection rates for the unincorporated franchised areas within the South Bayside Waste Management Authority service area, exclusive of County Service Area No. 8, North Fair Oaks and West Bay Sanitary District (Public Works)

A) Report and recommendation

B) Close public hearing

Motion: Horsley / Second: Jacobs Gibson

C) Adopt resolution

Motion: Horsley / Second: Jacobs Gibson

Speakers recognized by the President:

Jim Porter, Public Works
Supervisor Don Horsley, Board of Supervisors

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

9. 9:30 a.m. Public hearing to consider the Shahidi project consisting of a minor subdivision and variance to subdivide a legal 12,504 square foot parcel into two parcels located at 21 Bishop Lane, unincorporated Weekend Acres, the granting of an exception to the County Subdivision Regulations to allow a flag lot access width of less than 20 feet, the granting of a variance exception to allow a 12-foot front yard setback on Parcel B, and certification of a Mitigated Negative Declaration (Planning and Building)

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

Motion: Horsley / Second: Jacobs Gibson

- C) Approve or deny project

Motion to approve: Horsley / Second: Jacobs Gibson

Speakers recognized by the President:

John Beiers, County Counsel
Tim Fox, County Counsel
Jim Eggemeyer, Planning and Building
Supervisor Don Horsley, Board of Supervisors
Janet Davis, Menlo Park
Luke Vania, Menlo Park
Chad Kinzelberg, Menlo Park
Lennie Roberts, Committee for Green Foothills
Alexander Velednitsky, Menlo Park
Sidney Overland, Menlo Park
Margaret Williams, Menlo Park
John Peterson, Menlo Park
Alicia Torregrosa, Menlo Park
Hamid Adlparvar, San Mateo
Scott T. Spencer, Menlo Park
Ginger Holt, Menlo Park
Ash Pirayou, Palo Alto
Supervisor Dave Pine, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors

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

REGULAR AGENDA

COUNTY MANAGER

10. Resolution **(071787)** directing the County Manager or his designee to proceed with negotiations with the City and County of San Francisco with regard to the management and operation of Sharp Park Golf Course located in Pacifica, California

Speakers recognized by the President:

Dave Holland, Assistant County Manager
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors
Supervisor Rosa Jacobs Gibson, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Mary Ann Nihart, City Council, City of Pacifica
Ernie Schmidt, Redwood City
Nancy Arbuckle, Sequoia Audubon Society
Mary Keitelman, Pacifica
Barbara Beth, San Francisco
Richard Harris, San Francisco Public Golf Alliance
Mike Ferreira, Moss Beach
Merrill Bobele, El Granada
Barbara Arietta, Pacifica Community Coalition to Save Sharp Park Golf Course
Martin Ross, Sunnyvale
John Maltbie, Acting County Manager

Motion: Groom / Second: Jacobs Gibson

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

Noes: None

11. Approve the elimination of the Board of Supervisor's five Standing Committees

This item has been continued to the meeting of January 31, 2012.

12. County Manager's report

Acting County Manager, John Maltbie reviewed the report with the Board.

BOARD OF SUPERVISORS

13. Board members' committee reports

Supervisor Carole Groom asked the Count Manager's office to bring back to the Board a proposal to conduct a comprehensive data collection and mapping project.

Supervisor Don Horsley reported out on the success of the San Mateo County City, County and Schools Partnership meeting that he and Supervisor Pine were part of. It was held on January 13, 2012 at the College of San Mateo; was attended by 165

participants, with 3-breakout sessions, and good outcomes from each of those. Supervisors Horsley and Pine will organize partnerships and a meeting with Sustainable San Mateo County to continue with next steps and goals.

Supervisor Horsley stated that he and and Supervisor Pine conducted legislative visits on January 19, 2012 meeting with Senators Simitian and Yee, and Assembly members Gordon, Hill, and Ma. Supervisor Horsley thanked them for their support of the county and work they have done our behalf.

Supervisor Dave Pine welcomed and introduced his new Legislative Aide Mike Barber.

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.

14. Approve the minutes for the meeting of January 10, 2012

BOARD OF SUPERVISORS

15. Recommendation for the appointments of Ned Conwell and Teresa Kurtak to the Agricultural Advisory Committee, representing Farmer / Grower, terms expiring January 23, 2016 (Supervisors Don Horsley and Adrienne Tissier)
16. Recommendation for the appointment of Sheri Sassarini Habibian to the Emergency Medical Care Committee, representing Consumers, term expiring March 31, 2015 (Supervisors Dave Pine and Carole Groom)
17. Recommendation for the reappointments of Brad White, representing Ambulance Contractor and Tom Neylan, representing Fire Services to the Emergency Medical Care Committee, terms expiring March 31, 2015 (Supervisor Adrienne J. Tissier)
18. Recommendation for the reappointment of Dr. Harvey Kaplan to the First Five Commission, representing Public Member, term expiring December 31, 2014 (Supervisor Don Horsley)

This item was pulled from the consent agenda.

COUNTY COUNSEL

19. Resolution **(071788)** amending the County of San Mateo's Conflict of Interest Code to include the Community Corrections Partnership as it pertains to members of County Boards and Commissions

HEALTH SYSTEM

20. Resolution **(071789)** authorizing:
- A) An agreement with the California Department of Public Health for the provision of the Immunization Assistance Program for the term of July 1, 2011 through June 30, 2013 in the amount of \$553,626, no Net County Cost; and
 - B) The Chief of the Health System or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000
21. Resolution **(071790)** authorizing:
- A) A grant agreement with First 5 San Mateo County for the provision of the Prenatal to Three Initiative for the term of January 1, 2012 through June 30, 2012 in an amount not to exceed \$2,319,653; and
 - B) The Chief of the Health System or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000
22. Resolution **(071791)** waiving the Request for Proposals process and authorizing:
- A) An agreement with The ChildTrauma Academy for the provision of Neurosequential Model of Therapeutics training for the term of February 1, 2012 through January 31, 2014 in an amount not to exceed \$150,000, no Net County Cost; and
 - B) The Chief of the Health System or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000
23. Resolution **(071792)** authorizing:
- A) An agreement with Toyon Associates, Inc. for the provision of third-party reimbursement services to San Mateo Medical Center for the term of January 1, 2012 through December 31, 2014 in an amount not to exceed \$537,000; and
 - B) The Chief of the Health System or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000
24. Resolution **(071793)** authorizing:
- A) An agreement with Yelena Koss, M.D. for the provision of psychiatry services for the term of December 1, 2011 through June 30, 2014 in an amount not to exceed \$150,000, no Net County Cost; and
 - B) The Chief of the Health System or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000

HUMAN RESOURCES

25. Adoption of an ordinance **(04597)** amending the salary ordinance and accepting the report on the total number of positions in the County, previously introduced on January 10, 2012 and waiver of reading the ordinance in its entirety

HUMAN SERVICES AGENCY

26. Adoption of an ordinance **(04598)** amending the salary ordinance, previously introduced on January 10, 2012 and waiver of reading the ordinance in its entirety

PLANNING AND BUILDING

27. Resolution **(071794)** in support of the application for Priority Development Area status for the Midcoast Urban Area

This item has been moved to the regular agenda.

Speakers recognized by the President:

Steve Monowitz, Planning and Building
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
Bill Kehoe, Midcoast Community Council
Mike Ferreira, Moss Beach

Motion: Horsley / Second: Groom

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

Noes: None

PROBATION

28. Adoption of an ordinance **(04599)** amending Title 2, Article 2.4, Chapter 2.43 to add Section 2.43.040, authorizing the Probation Department to increase the fees for adult supervision, adult pre-sentence investigations/reports, adult drug testing, and care and maintenance of juveniles, previously introduced on January 10, 2012 and waiver of reading the ordinance in its entirety

SHERIFF

29. A) Resolution **(071795)** authorizing:
- 1) An amendment to the agreement with the City and County of San Francisco for the provision of distribution of FY 2009 Urban Area Security Initiative Grant Funds, extending the term through April 15, 2012, increasing the amount by \$173,106 to \$1,411,128; and
 - 2) The Sheriff or his designee to sign Appendix B grant assurances; and
 - 3) The Sheriff in his capacity as OES Area Coordinator to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000
- B) Resolution **(071796)** authorizing a transfer in the amount of \$173,106 from Unanticipated Revenue to various equipment accounts (4/5ths vote required)

30. Resolution **(071797)** adopting the revised San Mateo County Operational Area Emergency Operations Plan
31. Resolution **(071798)** authorizing the San Mateo County's Bay Area Regional Interoperable Communication System Joint Powers Authority Representative to execute the regional Build, Own, Operate and Maintain, and Site Access and Use agreements for the term of February 10, 2012 through February 9, 2022 in the amount of \$300,000 in one-time costs, approximately \$108,000 in annual recurring user subscription fees, and approximately \$80,000 in annual recurring site support costs (Jointly with the Information Services Department)
32. Introduction of an ordinance repealing and replacing Chapter 5.44 of Title 5 of the San Mateo County Ordinance Code, relating to massage businesses and amending Chapter 5.64 relating to inspection fees and waiver of reading of the ordinance in its entirety (Jointly with the Health System)

This item has been continued to the meeting of January 31, 2012 for adoption.

33. Adoption of an ordinance **(04600)** amending the salary ordinance, previously introduced on January 10, 2012 and waiver of reading the ordinance in its entirety

The meeting was adjourned at 12:44 p.m. in memory of Bill Drake, Walter Johnson, Stephen Holl and Helene Eich.



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

January 31, 2012

PLEDGE OF ALLEGIANCE

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

1. 9:00 a.m. ORAL COMMUNICATIONS AND PUBLIC TESTIMONY ON CONSENT OR CLOSED SESSION AGENDA ITEMS

Speakers recognized by the President:

Martin Fox, Belmont

If your subject is not on the agenda, or if you wish to speak on a consent or closed session agenda item, the President will recognize you at this time. Speakers are customarily limited to two minutes. A speaker's slip is required.

2. SET AGENDA

Motion: Jacobs Gibson / Second: Pine

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.

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.

3. 9:00 a.m.

Budget Workshop, Hall of Justice, 400 County Center, First Floor, Board Chambers

REGULAR AGENDA

COUNTY MANAGER

4. Approve the elimination of the Board of Supervisor's five Standing Committees (Continued from the meeting of January 24, 2012)

Speakers recognized by the President:

Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Rose Jacobs Gibson, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors
John Maltbie, Acting County Manager
Supervisor Dave Pine, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors

Motion: Horsley / Second: Jacobs Gibson

5. County Manager's Report – **No Report**

BOARD OF SUPERVISOR

6. Board members' committee reports

Supervisor Don Horsley congratulated Assistant County Manager, Dave Holland for being awarded the Margi Grant Heart of Hospitality Award.

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.

BOARD OF SUPERVISORS

7. Recommendation for the reappointments of Scott Sinor and Helen Lo to the Commission on Disabilities, terms expiring June 30, 2014 (Supervisor Carole Groom)
8. Ratification of a resolution **(3283)** honoring Sergeant Jeffrey R. Downs for his years of service to the City of Burlingame (Supervisor Dave Pine)
9. Ratification of a resolution **(3284)** honoring Officer Keky R. Duren for her years of service to the City of Burlingame (Supervisor Dave Pine)
10. Ratification of a resolution **(3285)** honoring Officer Dale M. Wild for his years of service to the City of Burlingame (Supervisor Dave Pine)
11. Ratification of a resolution **(3286)** honoring Randy Royce as the 2011 San Carlos Citizen of the Year (Supervisor Don Horsley)

12. Ratification of a resolution **(3287)** honoring Susan Elizabeth George for her years of service to the Town of Woodside (Supervisor Don Horsley)
13. Ratification of a proclamation **(3288)** designating February as Grand Jury Awareness Month (Supervisor Dave Pine)

COUNTY COUNSEL

14. Approve Property Tax Roll correction for Franciscan Park LLC

COUNTY MANAGER

15. Resolution **(071799)** setting the employer and member contribution rates for the San Mateo County Employees' Retirement Association for FY 2011-12 and FY 2012-13 in accordance with Government Code Sections 31453 and 31454
16. Direct the Acting County Manager or his designee to develop an agreement with the Silicon Valley Community Foundation for lead agency services related to the 2012 Food and Shelter Grants Program

GOVERNING BOARD

17. Acting as the Board of Commissioners of the Housing Authority, adopt Resolution 2012-01 **(071800)** authorizing the Executive Director of the Housing Authority of the County of San Mateo to amend the agreement with MidPen Housing Corp. for the provision of performance of pre-development activities at Half Moon Village, extending the term through May 23, 2012

HEALTH SYSTEM

18. Resolution **(071801)** authorizing:
 - A) An agreement with Daniel T. Kresteller, C.P.A., M.S. for the provision of certified public accountant/tax preparer services for the Public Guardian and Public Administrator programs for the term of February 1, 2012 through December 31, 2012 in an amount not to exceed \$125,000, no Net County Cost; and
 - B) The Chief of the Health System or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000
19. Resolution **(071802)** establishing Public Health Laboratory fees effective February 1, 2012, \$666,400 is Net County Cost
20. Introduction of an ordinance amending the Master Salary ordinance and waiver of reading the ordinance in its entirety

This item was continued to the meeting of February 14, 2012 for adoption.

HUMAN SERVICES AGENCY

21. Introduction of an ordinance amending the Master Salary ordinance and waiver of reading the ordinance in its entirety

This item was continued to the meeting of February 14, 2012 for adoption.

PLANNING AND BUILDING

22. Resolution **(071803)**:
- A) Approving the application for grant funds for the Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006; and
 - B) Appointing the Community Development Director or his designee as agent to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, and payment requests which may be necessary for the completion of the project.

PROBATION

23. Resolution **(071804)** authorizing:
- A) An agreement with Applied Survey Research for the provision of implementing and maintaining data collection for the Juvenile Probation and Camps Funding and Juvenile Justice Crime Prevention Act Programs for the term of July 1, 2011 through December 31, 2014 in an amount not to exceed \$180,000, no Net County Cost
 - B) The Chief Probation Officer or his designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000

SHERIFF

24. Adoption of an ordinance **(04601)** repealing and replacing Chapter 5.44 of Title 5 of the San Mateo County Ordinance Code, relating to massage businesses and amending Chapter 5.64 relating to inspection fees, previously introduced on January 24, 2012 and waiver of reading of the ordinance in its entirety (Jointly with the Health System)

The meeting adjourned at 11:50 a.m. in memory of William Parker Bullard and Dario Anthony Baciocco.