



**SPECIAL MEETING
SAN MATEO COUNTY BOARD OF SUPERVISORS
TUESDAY, FEBRUARY 14, 2012
9:00 A.M.**

PLEASE NOTE THIS MEETING WILL BE HELD AT THE FOLLOWING LOCATION:

**THE WESTIN SAN FRANCISCO AIRPORT HOTEL
1 OLD BAYSHORE HIGHWAY, MILLBRAE**

The meeting was called to order at 9:01 a.m.

February 14, 2012

PLEDGE OF ALLEGIANCE

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

1. 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: Horsley

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agenda are approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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

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

Gutierrez, Monica v. County of San Mateo, et al.
San Mateo County Superior Court Case No. 487763

San Mateo Union High School District et al., v. County of San Mateo et al.
San Francisco County Superior Court Case No. CGC-11-506958

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

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9

One case

C) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 identify the following information prior to holding a closed session for the purpose of giving instructions regarding the possible lease or sale of real property

Property: APNs: 046-240-180 and 052-103-170
One and Two Circle Star Way, San Carlos

Agency Negotiator: Acting County Manager or his designee

Negotiating Parties: County of San Mateo and Westcore Properties

Under Negotiation: Price and terms

The Board recessed to the regular Closed Session at 1:42 p.m.

The Board reconvened the open session at 4:18 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.

Public hearing to consider the proposed termination of the lease for the County's Burlingame Long Term Care facility and reactivating skilled nursing beds at the San Mateo Medical Center's main campus (Health System)

A) Report and recommendation

B) Close public hearing

Motion: Jacobs Gibson / Second: Horsley

C) Approve or deny

Motion to terminate lease: Horsley / Second: Jacobs Gibson

Speakers recognized by the President:

Jean Fraser, Health System

Susan Ehrlich, Health System

Lisa Mancini, Health System

Eileen Nolan, Burlingame Long Term Care Resident

Sandra Herrick, Burlingame Long Term Care Resident

Earl Davie, Burlingame Long Term Care Resident

Connie Lauser, Burlingame Long Term Care Resident

Marie Mays, Burlingame Long Term Care Resident

Esther Nord, Burlingame Long Term Care Resident

Irene Nolan, Burlingame Long Term Care Resident

Mohammed Khan, Burlingame Long Term Care Resident

Gavino Saludos, Burlingame Long Term Care Resident

Robert Stamper, Burlingame Long Term Care Resident

Shirley Remmert, Menlo Park

Ana Tupo, Burlingame Long Term Care Resident

Thannette Herico, California Nurses Association

Phuong Hathaway, Burlingame Long Term Care Employee

Bill Mecham, San Carlos

Barbara Mecham, San Carlos

Sandra Lang, Burlingame

Shelley Kessler, San Mateo Central Labor Council

Mario Muzzi, Owner, Burlingame Long Term Care Facility

Rebecca Nassarre, San Mateo

Trish Cvetovac, Granite Bay

Pat Giorni, Burlingame

Nicki Manske, San Mateo Ombudsman Services
Robert Burwell, San Mateo
Joan Weissman, Belmont
Judith Guilfoyle, San Mateo Ombudsman Services
Tippy Irwin, San Mateo Ombudsman Services
Laura Noguchi, San Carlos
Chris Brennan, Redwood City
Heidi Rodenspiel, Burlingame Long Term Care Employee
Angela Abadilla, AFSCME
Tricia Vinson, Legal Aid Society of San Mateo County
Leslie Brosnan, California Nurses Association
Dan Monson, San Lorenzo
Nadia Bledsoe, AFSCME Local 829
Joytilla Buitrago, AFSCME Local 829
Rayna Lehman, San Mateo Labor Council
Vincent A. Muzzi, Owner, Burlingame Long Term Care Facility
Prescott Cole, California Advocates for Nursing Home Reform
Luvella Dennis, Burlingame Long Term Care Resident
Mauricio Molina, Daly City
Michael J. Bollinger, So. San Francisco
Hulya Koc, Millbrae
Lynne Esselstein, Hillsborough
Pat Bell, San Carlos
Jennifer Whitman, Burlingame Long Term Care Resident
Fec Amistad, San Mateo
Robert Rossi, Brisbane
Ruben Lucero, Burlingame Long Term Care Employee
Ken Miles, Pacifica
Lily Leung, Alameda
Sofija Kovac, San Mateo
Bob Santana, San Mateo
Feiva Uluave
James Brown, Burlingame Long Term Care Resident
Soma Mandal, Burlingame Long Term Care Staff Physician
Robert Gooyer, San Mateo
Rev. Dr. Thomas A. Nibbe, Pacifica

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

REGULAR AGENDA

COUNTY COUNSEL

5. Introduction of an ordinance amending Chapter 5.136 of the San Mateo County Ordinance Code to increase the transient occupancy tax imposed on transients occupying hotel rooms in the unincorporated area of the County from 10% to 12% of the rent charged by the hotel operator and waiver of reading the ordinance in its entirety (4/5ths vote required)

This item was continued to the meeting of February 28, 2012 for adoption.

Speakers recognized by the President:

Supervisor Carole Groom, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors

Motion: Jacobs Gibson / Second: Groom

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

Noes: None

6. Introduction of an ordinance imposing a business license tax on operators of commercial parking facilities at the rate of 8% of gross receipts of parking facility operators in the unincorporated county and waiver of reading the ordinance in its entirety (4/5ths vote required)

This item was continued to the meeting of February 28, 2012 for adoption.

Motion: Jacobs Gibson / Second: Groom

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

Noes: None

7. Introduction of an ordinance imposing a business license tax on operators of vehicle rental businesses at the rate of two and one-half percent (2.5%) of gross receipts of vehicle rental businesses in the unincorporated county and waiver of reading the ordinance in its entirety (4/5ths vote required)

This item was continued to the meeting of February 28, 2012 for adoption.

Speakers recognized by the President:

Will Withington, Representing Enterprise, National and Alamo Rental Car Agencies
Dan Harvey, Representing Hertz Rental Car Agencies
Supervisor Dave Pine, Board of Supervisors
John L. Maltbie, Acting County Manager
Mark Church, Assessor-County Clerk-Recorder's Office

Motion: Pine / Second: Jacobs Gibson

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

Noes: None

COUNTY MANAGER

8. County Manager's Report:
 - A) Resolution **(071805)** waiving the Request for Proposals process and authorizing the County Manager to execute an agreement with Political Solution, Inc. for the provision of state advocacy services for the term of January 1, 2012 through December 31, 2012 in an amount not to exceed \$157,500
 - B) Resolution **(071806)** approving the 2012 Legislative Program for San Mateo County

This item was moved to the consent agenda.

BOARD OF SUPERVISOR

9. Board members' committee reports

Supervisor Adrienne Tissier announced that the Older Drivers Safety Seminar will take place on Wednesday, February 29, 2012 from 9:30 a.m. – 1:00 p.m. at Twin Pines Community Center, 20 Twin Pines Lane, 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.

10. Approve the minutes for the meetings of January 24 and 31, 2012

AGRICULTURE/WEIGHTS & MEASURES

11. Resolution **(071807)** authorizing:
 - A) An agreement with the California Department of Food and Agriculture for the provision of detection and trapping of Mediterranean fruit fly and other economically important plant pests for the term of July 1, 2011 through June 30, 2012 in the amount of \$554,140, no Net County Cost; and
 - B) The Agricultural Commissioner/Sealer to execute subsequent amendments and minor modifications in an amount not to exceed \$50,000

ASSESSOR-COUNTY CLERK-RECORDER

12. Resolution **(071808)** authorizing:
 - A) The Chief Elections Officer to render specified election services for the County Superintendent of Schools in conjunction with an all-mail ballot election to be held on Tuesday, May 8, 2012; and
 - B) Payment of the costs for said election from the County's General Fund as required by Section 35759 of the Education Code

13. Resolution **(071809)** authorizing the Chief Elections Officer to render specified election services for the Brisbane School District in conjunction with a special election to be held on Tuesday, April 10, 2012

BOARD OF SUPERVISORS

14. Ratification of a resolution **(3289)** honoring Nori Jabba as Redwood City-San Mateo County Chamber of Commerce's 2011 Business Woman of the Year (Supervisor Carole Groom)
15. Ratification of a resolution **(3290)** honoring Josh Pierry as Redwood City-San Mateo County Chamber of Commerce's 2011 Person of the Year (Supervisor Carole Groom)

COUNTY MANAGER

16. Pursuant to Government Code Section 54956.8 identify the following information prior to holding a closed session for the purpose of giving instructions regarding the possible lease or sale of real property
 - A) Property: APNs: 046-240-180 and 052-103-170
One and Two Circle Start Way, San Carlos
 - B) Agency Negotiator: Acting County Manager or his designee
 - C) Negotiating Parties: County of San Mateo and Westcore Properties
 - D) Under Negotiation: Price and terms

GOVERNING BOARD

17. Acting as the Commissioners of the Housing Authority, adopt Resolutions 2012-02 **(071810)** and 2012-03 **(071811)** authorizing the Executive Director of the Housing Authority of the County of San Mateo to:
 - A) Amend the Half Moon Bay Senior Campus Development Loan agreement with the MidPen Housing Corporation, increasing the amount by \$4,000,000 to \$4,425,000, no Net County Cost
 - B) Execute a Disposition and Development agreement with MidPen Housing Corporation for the provision of developing a new 160-unit affordable senior housing complex replacing the existing 60-unit Half Moon Village senior housing development, no Net County Cost

HEALTH SYSTEM

18. Resolution **(071812)** authorizing an amendment to the agreement with the State Department of Alcohol and Drug Programs Negotiated Net Amount and Drug Medi-Cal, decreasing the amount by \$1,908,772 to \$17,124,275, no Net County Cost

19. Resolution **(071813)** authorizing:
- A) An amendment to the agreement with the Department of Veterans Affairs Palo Alto Health Care System for the provision of space and resources for the Willow Clinic, extending the term through March 31, 2013, increasing the amount by \$525,560.36 to \$4,442,512.68; 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
20. Resolution **(071814)** authorizing an amendment to the agreement with American Medical Response West for the provision of assessment and transport of persons with behavioral emergencies and for the prescheduled transport of Behavioral Health and Recovery Services clients, extending the term through June 30, 2012, increasing the amount by \$60,000 to \$246,720, no Net County Cost
21. Resolution **(071815)** authorizing an amendment to the agreement with Telecare Corporation for the provision of full service partnership and criminal justice realignment services, increasing the amount by \$427,281 to \$12,729,268, no Net County Cost
22. Resolution **(071816)** authorizing:
- A) An amendment to the agreement with The Regents of University of California for the provision of dermatology and teledermatology services, increasing the amount by \$94,000 to \$188,000, extending the term through September 30, 2012; 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 **(071817)** authorizing:
- A) An amendment to the agreement with Total Renal Care, Inc. for the provision of acute inpatient dialysis services to medically indigent patients at San Mateo Medical Center, increasing the amount by \$450,000 to \$500,000
 - 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 **(071818)** authorizing an amendment to the agreement with Voices of Recovery San Mateo County for the provision of consumer-operated self-help and peer-support services, wellness and recovery services, and criminal justice realignment, increasing the amount by \$37,500 to \$113,843, no Net County Cost
25. Resolution **(071819)** authorizing amendments to the agreements with Asian American Recovery Services, BAART Behavioral Health Services, Inc., El Centro de Libertad, Free At Last, Horizon Services, Our Common Ground, Project Ninety, Pyramid Alternatives, Service League, Sitike Counseling Services, Inc., StarVista, The Latino Commission, and Women's Recovery Association for the provision of alcohol and other drug treatment services, and criminal justice realignment, increasing the amount by \$240,000 to \$10,705,799, no Net County Cost

26. Resolution **(071820)** authorizing the President of the Board to sign Certification Statements for California Children's Services and Child Health and Disability Prevention Programs, \$428,049 is Net County Cost for Child Health and Disability Prevention, \$431,517 is Net County Cost for California Children's Services
27. Resolution **(071821)** authorizing the Controller to continue payments on the Health System Public Health STD/HIV Program agreements for the term of March 1, 2012 through June 30, 2012, no Net County Cost
28. Adoption of an ordinance **(04602)** amending the Master Salary ordinance, previously introduced on January 31, 2012 and waiver of reading the ordinance in its entirety

HOUSING

29. Resolution **(071822)** authorizing:
 - A) An agreement with MidPen Housing Corporation for the provision of the development of affordable senior housing for the term of February 14, 2012 through February 13, 2016 in the amount of \$1,100,000, no Net County Cost; and
 - B) The Director of the Department of Housing or his designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000

HUMAN RESOURCES

30. Report recommending the denial of the following claims: (Non-Culpable):

Vincent Keith Bell	Silvestre De Leon
Ying Sheng Dou	Jiaxin Han
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 February 28, 2012 for adoption.

HUMAN SERVICES AGENCY

32. Resolution **(071823)** authorizing:
 - A) A revenue agreement with the State Department of Community Services and Development for the provision of delivering safety net services for the term of January 1, 2012 through December 31, 2012 in the amount of \$54,770; no Net County Cost; and
 - B) The Director of the Human Services Agency or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$317,076

33. Resolution **(071824)** waiving the Request for Proposals process and authorizing:
- A) An agreement with the San Mateo County Community College District for the provision of The Bay Bridge To Engineering Program for the term of August 1, 2011 through March 31, 2013 in an amount not to exceed \$224,813, no Net County Cost; and
 - B) The Director of the Human Services Agency or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000
34. Resolution **(071825)** waiving the Request for Proposal process and authorizing:
- A) An agreement with Samaritan House to act as the Services Coordinator for the Community Service Block Grant administration and to collaborate with the Core Services Agencies for the provision of services for the term of January 1, 2012 through December 31, 2012 in an amount not to exceed \$419,214, no Net County Cost; and
 - B) The Director of the Human Services Agency or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000
35. Adoption of an ordinance **(04603)** amending the Master Salary ordinance, previously introduced on January 31, 2012 and waiver of reading the ordinance in its entirety

INFORMATION SERVICES

36. Resolution **(071826)** authorizing:
- A) An agreement with Axsium Group for the provision of professional services in support of the implementation of an advanced scheduling system to include digital time capture devices at the San Mateo Medical Center for the term of February 14, 2012 through June 30, 2013 in an amount not to exceed \$450,160; and
 - B) The County Purchasing Agent to purchase equipment recommended by Axsium Group to be invoiced separately and not subject to the agreement's not to exceed amount; and
 - C) The Chief Information Officer or his designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000

PROBATION

37. Resolution **(071827)** authorizing:
- A) An agreement with Pyramid Alternatives for the provision of substance abuse treatment services to clients in the Bridges Program for the term of July 1, 2011 through June 30, 2014 in an amount not to exceed \$365,000, \$365,000 is Net County Cost; and
 - B) The Chief Probation Officer or his designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000

38. Introduction of an ordinance amending the salary ordinance and waiver of reading the ordinance in its entirety

This item was continued to the meeting of February 28, 2012 for adoption.

PUBLIC WORKS

39. Resolution **(071828)** certifying the mileage in the County of San Mateo's maintained road system to be 315.541 miles as of December 31, 2011

SHERIFF

40. 1) Resolution **(071829)** authorizing the Sheriff or his designee to execute:
- A) An agreement with West Environmental Services and Technology for the provision of environmental consulting services for the San Mateo County replacement jail on Chemical Way, Redwood City for the term of February 15, 2012 through February 14, 2017 in the amount of \$253,975; and
 - B) Subsequent contract amendments and minor modifications in an amount not to exceed \$25,000
- 2) Resolution **(071830)** authorizing a transfer in the amount of \$50,000 from Non-Departmental ERAF Reserves to the Sheriff's Office Budget

The meeting adjourned at 4:19 p.m. in memory of Lois Ball, Mike Wyman and Mary Brownell Wenner.