

MINUTES

Board Members

Dave Pine
Carole Groom
Don Horsley
Warren Slocum
Adrienne J. Tissier

**County Manager/
Clerk of the Board**
John L. Maltbie

County Counsel
John C. Beiers

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Meeting was called to order at 9:05 a.m.

TUESDAY, NOVEMBER 17, 2015

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Supervisors Dave Pine, Don Horsley, Warren Slocum, Adrienne Tissier. President Carole Groom presiding.

Staff Present: Mr. John Maltbie, County Manager/Clerk of the Board; Mr. John Beiers, County Counsel; and Mr. Sukhmani Purewal, Agenda Administrator/Deputy Clerk of the Board.

PUBLIC COMMENT

Speakers recognized by the President:

Mr. Martin Fox, Belmont

This item is reserved for persons wishing to address the Board on any County-related matters that are as follows: 1) Not otherwise on this meeting agenda; 2) Listed on the Consent Agenda; 3) County Manager's Report on the Regular Agenda; or 4) Board Members' Reports on the Regular Agenda. Public comments on matters not listed above shall be heard at the time the matter is called.

As with all public comment, members of the public who wish to address the Board should complete a speaker's slip to make a public comment. Speakers are customarily limited to two minutes, but an extension can be provided to you at the discretion of the Board President.

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

(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 action.)

Supervisor Carole Groom abstained from taking action on Item No. 30

Motion: Tissier / **Second:** Pine

Ayes: Pine, Horsley, Slocum, Tissier, Groom

Noes: None

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.

1. 9:00 a.m.

Resolution **(074180)** accepting the 2016 San Mateo County Exposition and Fair Association budget presented by the San Mateo County Event Center.

Speakers recognized by the President:

Mr. Chris Carpenter, Senior Vice President & General Manager, SMC Event Center
Mr. Tim Smith, Chief Operating Officer, SMC Event Center
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors

Motion: Tissier / Second: Pine

Ayes: Pine, Horsley, Slocum, Tissier, Groom

Noes: None

2. 1:30 p.m.

Presentation of Service Awards, 455 County Center, Room 101, Redwood City
(County Manager)

REGULAR AGENDA

AGRICULTURE/WEIGHTS & MEASURES

3. Introduction of an Ordinance repealing and replacing Section 5.124.020 of Chapter 5.124 of Title 5 of the San Mateo County Ordinance Code increasing annual device registration fees for commercial weighing and measuring devices, and waive the reading of the ordinance in its entirety.

Speakers recognized by the President:

Mr. Fred Crowder, Agricultural Commissioner/Sealer of Weights and Measures

Motion: Tissier / Second: Horsley

Ayes: Pine, Horsley, Slocum, Tissier, Groom

Noes: None

PLANNING AND BUILDING

4. Public hearing to consider an appeal of the Planning Commission's approval of a Design Review Permit and a Grading Permit, to allow construction of a new 2,394 sq. ft. single-family residence (1,932 sq. ft. residence with an attached 441 sq. ft. garage), and associated grading in the amount of 448 cubic yards, on a 7,623 sq. ft. legal parcel located on Cordilleras Road in the unincorporated Emerald Lake Hills area of the County. Two

significant trees are proposed to be removed.

- A) Report and recommend
- B) Open public hearing
- C) Close public hearing
- D) Deny the appeal, uphold the denial of the appeal by the Planning Commission, and uphold the Community Development Director's decision to approve the project, by making the findings and adopting the conditions of approval as shown on Attachment A.

Speakers recognized by the President:

Mr. Steve Monowitz, Director of Planning and Building
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Warren Slocum, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Ms. Erica Adams, Planner III
Mr. Nick Zmay, Applicant
Mr. Ryan Karcich, Applicant
Mr. Terry Anderlini, Attorney representing applicants
Mr. Peter Ingram, Appellant
Mr. Seth Thompson, Appellant

Motion: Tissier / Second: Horsley

Ayes: Pine, Horsley, Slocum, Tissier, Groom

Noes: None

5. Public hearing to consider adoption of ordinances **(4747 and 4748)** for Zoning Text and Map Amendments to rezone two parcels from R-3 (Multi-Family Residential) to "PUD-138" (Planned Unit Development-138), pursuant to Section 6550 of the County Zoning Regulations, for the construction of a 15 unit, three-story multi-family low-income housing development at 2626 and 2642 Marlborough Avenue in the unincorporated North Fair Oaks.
- A) Report and recommend
 - B) Open public hearing
 - C) Close public hearing
 - D)
 - 1. Approve the proposed Zoning Text and Map Amendments, County File Number PLN 2015-00263, by adopting the required findings and conditions of approval as contained in Attachment A.
 - 2. Adopt the ordinance to enact, applicable only to the subject parcels, the "PUD 138" (Planned Unit Development-138) Regulations, and waive the reading of the ordinance in its entirety.

3. Adopt the ordinance to change the subject parcel's Zoning Map designation from "R-3" to "PUD-138," and waive the reading of the ordinance in its entirety.

Speakers recognized by the President:

Mr. Steve Monowitz, Director of Planning and Building
Supervisor Adrienne Tissier, Board of Supervisors
Mr. Roger Highland
Sister Christina, Redwood City
Ms. Jacqueline Rueda, Redwood City
Ms. Roxana Cruz, Redwood City
Ms. Silvia Mendoza, Redwood City
Ms. Rosalba Guzman, Redwood City

Motion: Tissier / Second: Slocum

Ayes: Pine, Horsley, Slocum, Tissier, Groom

Noes: None

COUNTY MANAGER: OFFICE OF SUSTAINABILITY

6. Resolution (**074181**) authorizing and directing the President of the Board of Supervisors to execute the Joint Exercise of Powers agreement, which will establish the Peninsula Clean Energy Authority with the County as a charter member.

Speakers recognized by the President:

Mr. David Silberman, Lead Deputy County Counsel
Mr. John Beiers, County Counsel
Supervisor Don Horsley, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors

Motion: Pine / Second: Groom

Ayes: Pine, Horsley, Slocum, Tissier, Groom

Noes: None

7. Recommendation: (Supervisor Carole Groom)
- A) For the appointments of Supervisors Dave Pine and Carole Groom to the Peninsula Clean Energy Authority Board of Directors to fill San Mateo County's two director seats; and
- B) Appointment of Jim Eggemeyer, Director of the County's Office of Sustainability, as the alternate to serve in the absence of the County's director(s).

Speakers recognized by the President:

Supervisor Carole Groom, Board of Supervisors

Motion: Tissier / Second: Slocum

Ayes: Pine, Horsley, Slocum, Tissier, Groom

Noes: None

COUNTY MANAGER

8. Adoption of an Interim Urgency Ordinance **(4749)** establishing a moratorium on the conversion or closure of mobilehome parks pending the review and possible adoption of land use regulations applicable to such conversions and closures, and waive the reading of the ordinance in its entirety.

Speakers recognized by the President:

Ms. Peggy Jensen, Deputy County Manager
Mr. John Maltbie, County Manager
Ms. Melissa Andrikopoulos, Deputy County Counsel
Mr. John Nibbelin, Chief Deputy County Counsel
Supervisor Warren Slocum, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Ms. Marisol Ortega, Redwood City
Ms. Monica Munoz, Redwood City
Ms. Magdalena Lara, Redwood City
Mr. Oscar Vazquez, Redwood City
Ms. Maria Delapaz Reyes, Redwood City
Ms. Susana Zapato, Redwood City
Mr. Roberto Vail, Redwood City
Ms. Anne Bellows, San Francisco
Mr. Daniel Saver, East Palo Alto
Ms. Shirley Gibson, Redwood City
Ms. Cari Pang Chen, Redwood City
Ms. Mary Martinez, Redwood City
Ms. Aurora Gallardo, Belmont

Motion: Slocum / Second: Pine

Ayes: Pine, Horsley, Slocum, Tissier, Groom

Noes: None

9. Measure A: Resolution **(074182)** authorizing a one-time \$24,500 grant to Rosalie Rendu, Inc. and authorizing the Director of the Human Services Agency, or her designee, to prepare and execute the grant agreement.

Speakers recognized by the President:

Mr. John Maltbie, County Manager
Supervisor Warren Slocum, Board of Supervisors

Motion: Slocum / Second: Tissier

Ayes: Pine, Horsley, Slocum, Tissier, Groom

Noes: None

10. Measure A: Resolution appointing Tom Ledda to the Measure A Oversight Committee for a two-year term expiring on June 30, 2017.

Motion: Tissier / Second: Slocum
Ayes: Pine, Horsley, Slocum, Tissier, Groom
Noes: None

11. County Manager's Report

Speakers recognized by the President:
Mr. John Maltbie, County Manager

BOARD OF SUPERVISORS

12. Board Members' Reports

Supervisor Horsley sent his sympathies to the families affected by the Paris attack tragedy.

Supervisor Tissier noted that Seniors on the Move on November 10th at the San Mateo Event Center was a success. She also mentioned that the Age Well Drive Smart Seminar will be held on Tuesday, December 1st in Daly City starting at 9 a.m.

Supervisor Slocum mentioned the success of the Veterans Commission meeting last night. He reminded the public that tomorrow, November 18th is "Poetry is Autumn" event, which is being held at the Redwood Shores Library.

Supervisor Groom provided her condolences to the families of George Culores and Bruce Hasenkamp.

CONSENT AGENDA

All items on the consent agenda are approved by one action 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.

13. Approve the minutes for the meeting of October 20, 2015.

BOARD OF SUPERVISORS

14. Ratification of a resolution **(3759)** honoring Kathleen Kimura as Millbrae 2015 Woman of the Year. (Supervisor Dave Pine)
15. Ratification of a resolution **(3760)** honoring Ron Frediani as Millbrae 2015 Man of the Year. (Supervisor Dave Pine)
16. Ratification of a resolution **(3761)** honoring The Pacific Coast Fog Fest For Thirty Years of Shining the Spotlight on Pacifica. (Supervisor Don Horsley)
17. Ratification of a proclamation **(3762)** designating October 16, 2015 as Youth for Youth Day. (Supervisor Carole Groom)

18. Recommendation for appointments to the Commission on Disabilities, terms ending June 30, 2018: (Supervisor Carole Groom)
 - A) Richard Halloran representing Community At-Large,
 - B) Jennifer Camota Contreras representing Community At-Large and;
 - C) Charles Schuette representing Community At-Large.
19. Recommendation for the reappointment of Susy Castoria to the San Mateo County Commission on Disabilities, term ending on June 30, 2018. (Supervisor Carole Groom)
20. Recommendation for the appointment of Claire Toutant to the MidCoast Community Council, term ending December 31, 2018. (Supervisor Don Horsley)
21. Resolution **(074183)** expanding membership of the San Mateo County Veterans Commission to provide for the appointment of up to two alternate members and to appoint Jacob Pletcher and Brandon Jones to serve as alternate members of the Veterans Commission. (Supervisor Warren Slocum)

COUNTY MANAGER

22. Resolution **(074184)** authorizing the President of the Board to execute a Memorandum of Understanding between the Superior Court of San Mateo County and the County of San Mateo.
23. Resolution **(074185)** of Intent to conduct a public hearing to consider the vacation of the public service easement that encumbers a portion of the property at 175 Glen Aulin Lane, Burlingame.
24. Resolutions **(074186 and 074187)** authorizing the County Manager or his designee to execute:
 - A) An agreement with Dudek to provide grant application writing services for the term of November 17, 2015, through June 30, 2016, in an amount not to exceed \$50,000, and with an option by the County to extend such agreement through June 30, 2017; and
 - B) An agreement with Hatcheul Tabernik & Associates (HTA) to provide grant application writing services for the term of November 17, 2015, through June 30, 2016, in an amount not to exceed \$50,000, and with an option by the County to extend such agreement through June 30, 2017.
25. Acceptance of the 2015 Legislative Activity report.
26. Resolution **(074188)** authorizing the Board President to execute an amendment to the lease agreement with Hines REIT 1900/2000 Alameda de las Pulgas LLC, a Delaware limited liability company for an early extension of a ten-year term beginning October 1, 2017, for the lease of 81,223 square feet of office space for the Health Department at 2000 Alameda de las Pulgas, San Mateo, California, at a monthly rent before expenses of \$2.27 per square

foot or \$183,739.

27. Resolution **(074189)** authorizing the execution of a lease agreement with Baiata Group LLC for approximately 2,900 square feet of office space at 3252 Middlefield Road, in unincorporated Menlo Park, at a monthly rate of \$4,785 for a term of five years, with two options to extend for five additional years each under the same terms.

DISTRICT ATTORNEY

28. Resolution **(074190)** waiving the Request for Proposals (RFP) Process and authorizing the District Attorney to execute an agreement with Sun Ridge Systems, Inc. for the purchase, installation, training and support for the Record Information Management System (RIMS) software for the term of November 17, 2015 through November 16, 2016, in an amount not to exceed \$105,454.

GOVERNING BOARD

29. Acting as the Governing Board of the Oak Knoll Sewer Maintenance District, adopt a resolution **(074191)** setting Tuesday, December 8, 2015 at 9:00 A.M. at your regularly scheduled Board meeting as the time and place for a public hearing on the proposed annexation of the Lands of Rubio (722 Esther Lane, Redwood City, APN 058-271-190) to the Oak Knoll Sewer Maintenance District.

HEALTH SYSTEM

30. Resolution **(074192)** authorizing an agreement with Mills-Peninsula Health Services to provide adult day health care, family caregiver support, health promotion, and transportation services for the term of July 1, 2015 through June 30, 2016, in an amount not to exceed \$154,518.

Supervisor Groom abstained from the vote on this item.

31. Resolution **(074193)** authorizing an agreement with the City and County of San Francisco Department of Public Health HIV Services for funding to provide primary health care and psycho-social services to individuals with HIV/AIDS for the term of March 1, 2015 through February 29, 2016, in an amount not to exceed \$1,183,460.
32. Resolution **(074194)** authorizing the acceptance of an award from the California Department of Public Health, Tuberculosis Control Branch to provide tuberculosis prevention and control activities for the term of July 1, 2015 through June 30, 2016, in an amount not to exceed \$315,704.
33. Resolution **(074195)** authorizing:
- A) An amendment to the agreement with the California Department of Aging to increase Title III and VII Older Americans Act of 1965 Funding in the amount of \$89,316, for an amount not to exceed \$2,884,025; and
 - B) An Appropriation Transfer Request **(074196)** in the amount of \$89,316 from

Unanticipated Revenue to Older Americans Act funding.

34. Resolution **(074197)** authorizing an agreement with Peninsula Conflict Resolution Center for alcohol and other drug prevention services, Community Capacity Building, and Parent Project classes for the term July 1, 2015 through June 30, 2017, in an amount not to exceed \$496,289.

HUMAN RESOURCES

35. Resolution **(074198)**:
- A) Accepting the Deferred Compensation Committee's unanimous recommendation to select MassMutual (formerly Hartford) as the County's deferred compensation, Retiree Health Savings Account (RHSA) and extra-help plans provider; and
 - B) Authorizing the Human Resources Director to execute an agreement with MassMutual to administer the County's deferred compensation and Retiree Health Savings Account plans for County employees and retirees and to administer the County's retirement plan for extra help employees for the period from March 15, 2016 to March 1, 2021.

HUMAN SERVICES AGENCY

36. Resolution **(074199)** authorizing an amendment to the agreement with StarVista to increase funding for the continuation of Family Stabilization services through the term of the agreement; the term remains the same, March 1, 2015 through June 30, 2016, increasing the amount by \$460,000 to an amount not to exceed \$560,000.
37. Resolution **(074200)** authorizing an agreement with Cushman Computer Consulting, Inc., for implementation of the Revenue and Claims Data System for the Human Services Agency Financial Services, for the term of November 1, 2015 through June 30, 2018, in an amount not to exceed \$796,500.

INFORMATION SERVICES

38. Resolution **(074201a and 074201b)** authorizing:
- A) An amendment with Sierra-Cedar Inc. (SCI) for software implementation services, extending the term through December 30, 2016, and increasing the Agreement amount by \$312,400 to an amount not to exceed \$1,862,952; and
 - B) An amendment with Marian Repp for consulting services, extending the term of the Agreement through December 30, 2016, and increasing the amount by \$140,000 to an amount not to exceed \$470,000.
39. Resolution **(074202)** authorizing an amendment with Capita Technologies, Inc. for professional services for additional customizations, interfaces, and migrations for configuration enhancements to the Probation Information Management System (PIMS), extending the term through June 30, 2017, and increasing the agreement amount by

\$1,680,940 for a not to exceed amount of \$3,334,851.

PUBLIC SAFETY COMMUNICATIONS

40. Resolution **(074203)** authorizing the President of the Board of Supervisors to execute an agreement between the County of San Mateo and the Broadmoor Police District for the provision of 911 communications services through June 30, 2018, in an amount not to exceed \$247,113.

PROBATION

41. Resolution **(074204)** authorizing the Chief Probation Officer or his designee to:
- A) Participate in the Juvenile Accountability Block Grant (JABG) Program, funded through the state recidivism fund and administered by the Board of State and Community Corrections (BSCC); and
 - B) Submit the grant proposal for this funding and sign the grant agreement with the BSCC including any amendments thereof; and
 - C) Accept federal funds available for FY 2015-16 in the amount of \$40,345; and
 - D) Provide matching fund required for this grant in the amount of \$4,483.

PUBLIC WORKS

42. Resolution **(074205 a-t)** authorizing on-call agreements with: Flood Control and Drainage System Study and Design firms: CDM Smith, Inc., Schaaf & Wheeler, and WRECO; Water Supply and Distribution System Study and Design firms: BKF Engineers, HydroScience Engineers, Schaaf & Wheeler, and Water Works Engineers, LLC; Sanitary Sewer System Study and Design firms: BKF Engineers, Mark Thomas & Company, RMC Water and Environment, and Water Works Engineers, LLC; Environmental Permitting and Compliance firms: Biological Monitoring and Assessment Specialists, Inc., Denise Duffy & Associates, Inc., EOA, Inc., Go Native, Inc., Horizon Water & Environment, LLC, MIG/TRA Environmental Sciences, Inc., and Shelterbelt Builders, Inc.; Closed Landfill Management and Monitoring firm: Geo-Logic Associates; Construction Management and Inspection firms: 4LEAF, Inc., Bellecci & Associates, Harris & Associates, and Swinerton Management & Consulting, for the term of November 17, 2015 through November 16, 2018, for an aggregate amount of \$9,000,000.
43. Resolution **(074206)** authorizing an agreement with KRJ Design Group, to provide Computer-Assisted Design drawings, for the term of November 17, 2015 through November 16, 2016, in an amount not to exceed \$175,000.
44. Resolution **(074207)** authorizing:
- A) The President of the Board to execute an agreement with Kiewit Infrastructure West Co. for the reconstruction of County Bridge No. 67 (State Bridge No. 35C-043) on Lower Crystal Springs Dam in the Unincorporated Area of San Mateo County, in the

amount of \$11,900,000; and

- B) The Director of Public Works to execute subsequent change orders to grant time extensions for project completion and payment up to a maximum aggregate amount not to exceed \$1,190,000, or approximately 10% of the agreement amount.

- 45. Resolution **(074208)** authorizing an agreement with AECOM Technical Services, Inc., for construction management services associated with the Reconstruction of the Crystal Springs Dam Bridge Project, for the term of November 17, 2015, through November 16, 2018, for an amount not to exceed \$2,230,458.
- 46. Resolution **(074209)**:
 - A) Modifying the boundaries of the existing Middlefield Road Underground Utility District (Phase II) from Fifth Avenue to MacArthur Avenue in the North Fair Oaks Area; and
 - B) Authorizing the Director of Public Works to make minor adjustments if necessary to the Middlefield Road Underground Utility District (Phase II) boundary hereafter.
- 47. Resolution **(074210 a-d)** authorizing agreements with "on-call" Architectural firms: CJW Architecture, Dreyfuss & Blackford, Garavaglia Architecture, Inc., and PHd Architects, Inc. to provide architectural design and consulting on various County facilities construction projects, for a term of November 17, 2015 through November 16, 2018, for an aggregate amount of \$1,800,000.

SHERIFF

- 48. Resolution **(074211)** authorizing an amendment to the agreement with CORA to provide Emergency Response Program services to victims of domestic violence, increasing the amount by \$157,610 to an amount not to exceed \$315,220 and extending the term one year through June 30, 2016.
- 49. Resolution **(074212)**:
 - A) Accepting the FY 2015 DNA Backlog Reduction Program grant award in the amount of \$166,034, for the term of January 1, 2016 through December 31, 2017; and
 - B) Approving an Appropriation Transfer **(074213)** Request in the amount of \$166,034 from Unanticipated Revenue to Employee Travel, Equipment, Supplies, and Contracts for the expenditure of grant funds (4/5ths vote required).

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

- 1. Declaro, Jocelyn v. County of San Mateo

Workers Compensation Case Nos. SM060463, SM120733, SM130419

2. Slegers, Jennifer v. County of San Mateo
Workers Compensation Case No. SM070601
3. Tay-Garcia, Lidia v. County of San Mateo
Workers Compensation Case No. SM120246
4. W. Bradley Electric Inc v. County of San Mateo
San Mateo County Superior Court Case No. CIV 535976

B) Conference with Legal Counsel - Anticipated Litigation

1. Significant exposure to litigation pursuant to subdivision (d)(2) of Gov't Code Section 54956.9
One case

The Board recessed to regular closed session at 12:10 p.m.

The Board reconvened to open session at 12:42 p.m.

County Counsel made the following report:

- **In the matter of Tay-Garcia, Lidia v. County of San Mateo, the Board unanimously voted to agree to settle the workers compensation claim for \$240,655.79**
- **In the matter of Declaro, Jocelyn v. County of San Mateo, the Board unanimously voted to agree to settle the workers compensation claim for \$106,849.47**
- **In the matter of Slegers, Jennifer v. County of San Mateo, the Board unanimously voted to agree to settle the workers compensation claim for \$34,922.50**

The meeting adjourned at 12:44 p.m. in memory of George Culores and Bruce Hasenkamp.