

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

September 25, 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
Janet Davis, Menlo Park
Joseph Macedo, El Centro de Libertad
Wynn Grcich, Fluoride Action Network
Tom Linebarger, Redwood City
Colt Rymer, Redwood City
Jeff Brooks, Menlo Park
James Lee, Occupy Redwood City
Dr. Faye McNair-Knox, One East Palo Alto
David Cary, Belmont
Harvey Blight, Menlo Park

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Motion: Jacobs Gibson / Second: Pine

(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.)

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.

Approve the following actions related to final budget changes to the FY 2012-13

Recommended Budget: (County Manager)

Resolutions (**072173, 072174 and 072175**):

- 1) Approving the revised County of San Mateo budget as to the expenditures for FY 2012-13 and making appropriations therefore;
- 2) Approving the revised County of San Mateo budget as to the means of financing for FY 2012-13;
- 3) Establishing the appropriation limit for the County of San Mateo for FY 2012-13;
- 4) Introduction of an ordinance amending the Master Salary Ordinance for changes related to the FY 2012-13 budget and waiver of reading the ordinance in its entirety

This item was continued to the meeting of October 2, 2012 for adoption.

A) Report and recommendation

B) Close hearing

Motion: Groom / Second: Jacobs Gibson

C) Approve or deny resolutions

Motion to approve resolutions: Groom / Second: Jacobs Gibson

The Board recommended conducting a study session on obtaining information from pre-trial courts and electronic monitoring.

Supervisor Horsley recommended \$100,000 for the Veteran's Taskforce.

Supervisor Tissier recommended \$1,000,000 for electronic monitoring.

The Board also recommended \$1,004,653 for AB109 Competitive Grant Allocation.

Speakers recognized by the President:

John L. Maltbie, County Manager

Supervisor Dave Pine, Board of Supervisors

Supervisor Adrienne Tissier, Board of Supervisors

Martin Fox, Belmont

Manuel La Fontaine, Daly City

Karen Francone, Service League of San Mateo County

Aaron Castle, San Mateo

Raphael Sperry, Architects/Designers/Planners for Social Responsibility

Reynaldo Menjivar, Oakland

Carol Cross, Redwood City

Kim Rohrbach

CandaceAnderson, San Mateo
 Lorraine Holmes, East Palo Alto
 Colt Rymer, Veterans
 Emily Harris, CURB
 Isaac Lev Szmonko
 Tom Linebarger, Occupy Redwood City
 Micaela Davis, ACLU
 Jesse Moss
 Judge Beth Freeman, Courts
 Pete Waido, California Partnership
 Joseph Rojas, Sunnyvale
 James Lee, Redwood City
 Emily Schnipper, Occupy Redwood City
 Linda Evans, All of Us or None
 Robert Hoover, East Palo Alto
 Shaun Cartwright, Peninsula Direct Action
 Mindy Stone
 Sandy Sanders
 Sue Maxon, Redwood City
 Tiombe Jamba, Mothers on a Mission
 Mae Stone, Redwood City
 Silvia Ramirez, United Parents Committee
 Carolyn Chaney, Redwood City
 Keleni Mapa, Redwood City
 Alan Kalmanoff, Institute for Law and Policy Planning
 Denise Mewbourne, All of Us or None
 Jerry Elster, All of Us or None
 Dr. Nancy Arvold, CURB
 Pam Strong, East Palo Alto
 Molly Porzig, Portola Valley
 Dorsey Nunn, Menlo Park
 Harvey Blight, Menlo Park
 Stephanie Muñoz, Los Altos Hills
 Supervisor Don Horsley, Board of Supervisors
 Supervisor Carole Groom, Board of Supervisors
 Supervisor Rose Jacobs Gibson, Board of Supervisors

2. 9:00 a.m.

Public hearing to consider a Resolution **(072176)**: (4/5ths vote required) (County Manager)

- 1) Declaring Assessor's Parcel Number 094-131-020 consisting of 2.632 acres, commonly known as the Werder Fishing Pier parking lot and the adjacent 0.19 acre Access Easement in the City of Foster City, as surplus to the needs of the County in order to facilitate the use of that property by Foster City
- 2) Authorizing the County Manager or his designee to execute a Quitclaim Deed conveying the Property to Foster City

- 3) Authorizing the County Manager or his designee to accept or execute on behalf of the County, any and all other documents in connection with the conveyance, or to meet the intent of the Resolution

A) Report and recommendation

B) Close hearing

Motion: Jacobs Gibson / Second: Horsley

C) Approve or deny quitclaim

Motion to approve: Jacobs Gibson / Second:

Speakers recognized by the President:

David Holland, Assistant County Manager

Kevin Miller, Parks and Recreation Department, City of Foster City

3. 2:30 p.m.

Consideration of: (Planning and Building)

- 1) A Resolution (**072177**) authorizing an amendment of a California Land Conservation / Williamson Act Contract Number AP67-39 to allow for specific land uses and activities that are compatible with agricultural operations and to continue to require the land to be dedicated to commercial agricultural production for a property located in the unincorporated Half Moon Bay area of San Mateo County (Owner: Gary Jay Arata, Trust / Applicant: Chris Gounaliakis) (Continued from the meeting of August 28, 2012)

A) Report and recommendation

B) Making the findings listed in Attachment A

Motion: Horsley / Second: Jacobs Gibson

C) Approve or deny resolution

Motion to approve: Horsley / Second: Jacobs Gibson

Supervisor Horsley requested the following provisions be added to the amendment: public safety / traffic control and no on-site food preparation, only the sale of pre-packaged foods.

Speakers recognized by the President:

Steve Monowitz, Planning and Building

Chris Gounaliakis, Half Moon Bay

Stephen Wilson, Attorney for Arata and Gounaliakis

Ron Sturgeon, San Gregorio

Joann Arata, San Gregoria

Lennie Roberts, Committee for Green Foothills

BJ Burns, Pescadero
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors
John Nibbelin, County Counsel

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

4. 2:30 p.m.

Public hearing to consider: (Planning and Building)

- 1) An amendment to Williamson Act contracts for two properties owned by the Midpeninsula Regional Open Space District for the purpose of expressly allowing open space and public recreational land uses at the properties located in the unincorporated La Honda area of San Mateo County
- 2) Making the findings in Attachment A
- 3) A Resolution **(072178)** authorizing an amendment of California Land Conservation/Williamson Act Contract Number AP66-26 to expressly allow open space and public recreational land uses that are compatible with agricultural operations and to continue to require the land to be dedicated to commercial agricultural production
- 4) A Resolution **(072179)** authorizing an amendment of California Land Conservation/Williamson Act Contract Number AP66-56 to expressly allow open space and public recreational land uses that are compatible with agricultural operations and to continue to require the land to be dedicated to commercial agricultural production
 - A) Report and recommendation
 - B) Close hearing

Motion: Horsley / Second: Pine

- C) Make the findings in Attachment A

Motion: Horsley / Second: Pine

- C) Approve or deny resolutions

Motion to approve: Horsley / Second: Pine

Speakers recognized by the President:

Steve Monowitz, Planning and Building
Supervisor Adrienne Tissier, Board of Supervisors
Michael Williams, Midpeninsula Regional Open Space District
Supervisor Don Horsley, Board of Supervisors
Ron Sturgeon, San Gregorio

Marc Landgraf, Peninsula Open Space Trust
Lennie Roberts, Committee for Green Foothills
John Nibbelin, County Counsel

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

REGULAR AGENDA

COUNTY MANAGER – The following item was added to the agenda as an Addendum:

Accept this report and direct staff to report back in December 2012 with the final results of impact analysis of closure of County Fire Engine 17

Speakers recognized by the President:

Peggy Jensen, Deputy County Manager
Justin Sheaff, CDF Firefighters
Supervisor Don Horsley, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors
John L. Maltbie, County Manager
Supervisor Dave Pine, Board of Supervisors

Motion: Groom / Second: Tissier

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

BOARD OF SUPERVISORS

5. 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.

6. Approval of the minutes for August 14, 28 and September 11, 2012

ASSESSOR-COUNTY CLERK-RECORDER

7. Resolution (**072180**) authorizing an amendment to the Memorandum of Understanding with El Dorado County for the County of San Mateo to be given access to the LiveBallot program provided by Democracy Live, Inc. for the term of September 25, 2012 through October 30, 2016

BOARD OF SUPERVISORS

8. Resolution **(072181)** to provide for the temporary transfer of available funds to the San Mateo County Resource Conservation District (Supervisor Don Horsley, Controller's Office, and Treasurer - Tax Collector)
9. A) Recommendation for the appointments of the following to the Commission on Disabilities:
(Supervisor Carole Groom)

Thomas Mangee representing Community at Large
Adriana Livianu representing Community at Large

B) Recommendation for the reappointment of the following to the Commission on Disabilities:

Susan Castoria representing Community at Large
Lucy Hupp Williams representing Physical Disabilities
Eleanor Lindquist representing Physical Disabilities
10. Ratification of a proclamation **(3367)** designating September 2012 as Childhood Cancer Awareness Month (Supervisor Adrienne Tissier)
11. Ratification of a resolution **(3368)** honoring Committee for Green Foothills upon its 50th Anniversary (Supervisor Adrienne Tissier)
12. Ratification of a resolution **(3369)** honoring San Mateo Credit Union upon its 60th Anniversary (Supervisor Adrienne Tissier)

COUNTY MANAGER

13. Resolution **(072182)** authorizing a Countywide FY 2011-12 year-end transfer request in the amount of \$123,232,425 from various budget units (4/5ths vote required)
14. Approve the response to the 2011-12 Grand Jury report: Food Borne Illness: A Moving Target
15. Adoption of an ordinance **(04634)** amending Section 2.51.080 of Chapter 2.51 of the San Mateo County Code establishing new requirements for entering into leases of County property without competitive bidding in compliance with California State Law, previously introduced on September 11, 2012 and waiver of reading the ordinance in its entirety

GOVERNING BOARD

16. Acting as the Governing Board of the Commissioners of the Housing Authority, adopt Resolution 2012-11 **(072183)** authorizing the Executive Director of the Housing Authority of the County of San Mateo or the Executive Director's designee to negotiate and execute a long-term ground lease for Assessor's Parcel Number 056-210-340 on Main Street and Arnold Way in the City of Half Moon Bay, to facilitate development of the Coastside Senior Housing Project

HEALTH SYSTEM

17. Resolution **(072184)** authorizing an agreement with the California Department of Aging for the provision of Title V funds of the Older Americans Act of 1965 for FY 2012-13 in the amount of \$161,824
18. Resolution **(072185)** authorizing an agreement with the California Department of Public Health for the Network for a Healthy California for the term of October 1, 2012 through September 30, 2016 in the amount of \$2,460,256
19. Resolution **(072186)** authorizing the Health System to accept grants from the California Department of Public Health and enter into agreement EPO 12-41 with the California Department of Public Health for the provision of public health emergency preparedness for FY 2012-13 in the amount of \$1,139,666
20. Resolution **(072187)** waiving the Request for Proposals process and authorizing an agreement with One East Palo Alto for the provision of multi-cultural center services, Mental Health First Aid, and the High School Behavioral Health Career Pathways Project for FY 2012-2013 in the amount of \$179,900

This item was moved to the regular agenda.

Motion: Jacobs Gibson / Second: Groom

21. Resolution **(072188)** authorizing an amendment to the agreement with One East Palo Alto for the East Palo Alto Mental Health Community Advisory Group, increasing the amount by \$25,750 to \$172,310

This item was moved to the regular agenda.

Motion: Jacobs Gibson / Second: Groom

22. Resolution **(072189)** authorizing an agreement with Peninsula Conflict Resolution Center for the provision of alcohol and other drug prevention services for FY 2012-13 in the amount of \$170,000
23. Resolution **(072190)** authorizing an agreement with R House for the provision of day treatment rehabilitation services, medication support services, and other mental health services for FY 2012-13 in the amount of \$126,590
24. Resolution **(072191)** authorizing agreements with Alzheimer's Association, Northern California & Northern Nevada; Catholic Charities CYO; Center for Independence of Individuals with Disabilities; City of Belmont; City of Daly City; City of East Palo Alto; City of Menlo Park; City of Pacifica; City of San Bruno; City of San Mateo; City of South San Francisco; Coastside Adult Day Health Center; Edgewood Center for Children and Families; Family Caregiver Alliance; Kimochi, Inc.; Legal Aid Society of San Mateo County; Mills-Peninsula Health Services; Ombudsman Services of San Mateo County, Inc.; Peninsula Family Service; Peninsula Volunteers, Inc.; Self Help for the Elderly; and Senior Coastside for the provision of supportive, nutrition, and community-based services for FY 2012-13 in the amount of \$3,066,037

This item was moved to the regular agenda.

Speakers recognized by the President:

Supervisor Adrienne Tissier, Board of Supervisors
Ruth Gay, Alzheimer's Association
Steve Wagstaffe, District Attorney
Nancy Keegan, Catholic Charities CYO

Motion: Horsley / Second: Jacobs Gibson

Abstained: Supervisor Groom

HUMAN RESOURCES

25. Resolution **(072192)** to extend the terms and conditions of the existing Memorandum of Understanding with the Service Employees International Union for the term of October 14, 2012 to October 11, 2014

HUMAN SERVICES AGENCY

26. Resolution **(072193)** authorizing a grant agreement with the San Mateo County Superintendent of Schools for the provision of after-school academic programs for the term of October 1, 2012 through December 31, 2014 in the amount of \$600,000

This item was moved to the regular agenda.

Speakers recognized by the President:

Anne Campbell, Superintendent of Schools, San Mateo County Office of Education

Motion: Horsley / Second: Groom

27. Resolution **(072194)** authorizing:
- A) Amendments to the agreements with Child Care Coordinating Council and Professional Association for Childhood Education, to continue to provide Stage 2 child care and child development services, increasing the amounts by \$1,614,486; Child Care Coordinating Council increasing the amount by \$1,009,054 to \$2,624,053 and Professional Association for Childhood Education increasing the amount by \$605,433 to \$1,029,670 for FY 2012-13; and
 - B) The Director of the Human Services Agency or the Director's designee to execute contract amendments through June 30, 2014 to increase the amounts of the agreements with Child Care Coordinating Council and Professional Association for Childhood Education to provide Stage 2 child care and child development services, in the amounts equal to the funding received from the California Department of Education.

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

Sprint Spectrum L.P. v. San Mateo County Board of Supervisors, et al.
United States District Court Case No. CV11-00056

B) Conference with Legal Counsel-Anticipated Litigation

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

The Board voted 5-0 to initiate litigation. County Counsel also indicated that if a member of the public wishes to obtain information about the nature of the litigation and identity of the defendants, such information will be available upon request after the litigation is filed.

The Board recessed to regular Closed Session at 12:25 p.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 3:52 p.m. in memory of Robert Delzell, Daretha Canadas, Bill Barrett, and Robert Batinovich.