

The meeting was called to order at 9:03 a.m.

November 20, 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  
Bill Kehoe, Moss Beach

## ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

**Motion: Jacobs Gibson / Second: Horsley**

(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

1. Honor Glenn Levy as Employee of the Month for November 2012 and authorize the President of the Board to sign the commendation (County Manager)

### Speakers recognized by the President:

John L. Maltbie, County Manager  
Susan Ehrlich, Health System  
Mark Church, Assessor  
John Beiers, County Counsel  
Glenn Levy, Recipient

**Motion: Tissier / Second: Pine**

2. Presentation of a resolution (**3385**) honoring County Fire Chief John Ferreira upon his retirement from CAL FIRE (Supervisors Dave Pine and Don Horsley)

**Speakers recognized by the President:**

Supervisor Dave Pine, Board of Supervisors  
Supervisor Don Horsley, Board of Supervisors  
Supervisor Carole Groom, Board of Supervisors  
Bill Kehoe, Moss Beach  
Kathryn Slater-Carter, Montara  
Chief John Ferreira, Recipient

**Motion: Horsley / Second: Groom**

3. Presentation of a resolution (**3386**) honoring the Sobrato Family Foundation (Supervisor Rose Jacobs Gibson)

**Speakers recognized by the President:**

Supervisor Rose Jacobs Gibson, Board of Supervisors  
Porcia Silverberg, Thrive – The Alliance of Nonprofits for San Mateo County  
John Sobrato, Recipient

**Motion: Jacobs Gibson / Second: Groom**

4. Update by the San Francisco Public Utilities Commission on projects based in San Mateo County (Supervisor Rose Jacobs Gibson)

**Speakers recognized by the President:**

Supervisor Rose Jacobs Gibson, Board of Supervisors  
Marie McKenzie, Economic Development, First Source Hiring/Local Business Enterprise Programs, City of East Palo Alto

**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.

5. 9:00 a.m.

Adoption of an urgency ordinance (**04639**) amending, on an interim basis, Chapter 15 Neighborhood Business District of the San Mateo County Zoning Regulations, relating to 3821 Fair Oaks Avenue, in the unincorporated North Fair Oaks area, and waiver of reading the ordinance in its entirety (4/5ths vote required) (Planning and Building)

- 1) Report and recommendation
- 2) Adopt ordinance

**Motion: Jacobs Gibson / Second: Horsley**

**Speakers recognized by the President:**

Jim Eggemeyer, Planning and Building  
Supervisor Don Horsley, Board of Supervisors  
John Beiers, County Counsel  
Supervisor Carole Groom, Board of Supervisors  
Supervisor Dave Pine, Board of Supervisors  
Jamie Gonzolez, Redwood City  
David Bui, Menlo Park  
Mitch Jones, North Fair Oaks  
Cindy Romain, Menlo Park  
Julie Wong, Menlo Park  
Supervisor Adrienne Tissier, Board of Supervisors  
Supervisor Rose Jacobs Gibson, Board of Supervisors

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

**Noes: None**

**REGULAR AGENDA**

**CONTROLLER**

6. Director's Report

**Speakers recognized by the President:**

Bob Adler, Controller  
Supervisor Don Horsley, Board of Supervisors  
Supervisor Carole Groom, Board of Supervisors

**HUMAN SERVICES AGENCY**

7. Resolution (**072260**) authorizing execution of the County Self-Assessment Report for the term of March 2009 through March 2012

**Speakers recognized by the President:**

Loc Nguyen, Human Services Agency  
Supervisor Don Horsley, Board of Supervisors  
Supervisor Adrienne Tissier, Board of Supervisors  
Supervisor Dave Pine, Board of Supervisors

**Motion: Groom / Second: Pine**

**PLANNING AND BUILDING**

8. Resolution (**072261**) authorizing acceptance of the 2012 Highway 1 Safety and Mobility Improvement Study: Phase 2

**Speakers recognized by the President:**

Steve Monowitz, Planning and Building

Supervisor Adrienne Tissier, Board of Supervisors  
Bill Kehoe, Moss Beach  
Kathryn Slater-Carter, Montara  
Supervisor Don Horsley, Board of Supervisors

**Motion: Tissier / Second: Jacobs Gibson**

## **BOARD OF SUPERVISORS**

9. Resolution authorizing a transfer in the amount of \$262,600 from Non-Departmental General Fund Reserves to Non-Departmental Services and Supplies for the enhancement of the County's Ethics and Internal Control Framework. The funds will be transferred to an account to be used by departments involved in the initiative (Supervisor Dave Pine)

**This item was continued to an unspecified date.**

**County Manager, John Maltbie suggested an Ad Hoc Committee be formed to review the item. President Tissier recommended Supervisors Pine and Horsley for the Ad Hoc Committee.**

10. Board Members' 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.

11. Approve the minutes from the meeting of November 6, 2012

## **ASSESSOR-COUNTY CLERK-RECORDER**

12. Resolution (**072262**) approving the amendments to the Conflict of Interest Codes of County Departments, School Districts, Special Districts and Agencies

## **BOARD OF SUPERVISORS**

13. Recommendation for the reappointment of Supervisor Dave Pine to the Association of Bay Area Governments (Supervisor Adrienne Tissier)
14. Recommendation for the reappointment of Supervisor Carole Groom to the San Mateo County Transportation Authority representing Board of Directors (Supervisor Adrienne Tissier)
15. Recommendation for the reappointment of Supervisor Carole Groom to the San Mateo

County Transit District representing Board of Directors (Supervisor Adrienne Tissier)

16. Recommendation for the reappointment of TJ Glauthier and Jim Reynolds to the Resource Conservation District (Supervisor Don Horsley)
17. Recommendation for the reappointment of Barbara Erbacher to the Commission on Public Assisted Medical Care (Supervisor Don Horsley)
18. Ratification of a resolution **(3387)** honoring Lois Way as Millbrae 2012 Woman of the Year (Supervisor Dave Pine)
19. Ratification of a resolution **(3388)** honoring John Muniz as Millbrae 2012 Man of the Year (Supervisor Dave Pine)
20. Ratification of a resolution **(3389)** honoring Corporal Roy A. Bryson for his years of service to the Burlingame community (Supervisor Dave Pine)
21. Ratification of a resolution **(3390)** honoring Sergeant Edward Sonny Nakiso for his years of service to the Burlingame community (Supervisor Dave Pine)

#### **COMMUNICATIONS FROM OTHER AGENCIES**

22. Resolution **(072263)** approving an amendment to Board of Retirement Regulation 4.14 relating to Required Break In Service Prior to Post Retirement Employment (SamCERA - Retirement)

#### **COUNTY MANAGER**

23. Resolution **(072264)** authorizing an agreement with California Department of Forestry to provide fire protection services for the term of July 1, 2012 to June 30, 2013, in the amount of \$6,583,849
24. Resolution **(072265)** authorizing a Communications Site Lease at Rolfe Peak and Permit Agreements at Rolfe Peak and Pise Hill with the Midpeninsula Regional Open Space District for the continued operation of communications facilities
25. Resolution **(072266)** authorizing:
  - A) The County Manager to declare 555 Marshall Street, Redwood City, as surplus to the needs of the County; and
  - B) The County Manager to execute a Lease Agreement pursuant to Section 2.51.080 of the San Mateo County Ordinance code with San Mateo Credit Union, a California Corporation, for 10,369 square feet of office space at 555 Marshall Street, Redwood City, at monthly rents of \$8,295.20 and \$9,332.10 per month in years one and two, with three additional one-year extensions at monthly rents of \$9,612.06, \$10,573.27 and \$11,630.60, respectively; and
  - C) The County Manager or his designee to accept or execute on behalf of the County any and all notices, consents, approvals, terminations, and other documents in connection

with the Lease Agreement, that further the intent of the Resolution and the Board

26. Approve the revised Board of Supervisors' meeting schedule for calendar year 2013

**Motion to add the first Tuesday in August to the schedule: Groom / Second: Horsley**

**Tuesday, August 6, 2013 will be added to the Board of Supervisors' meeting schedule.**

## **GOVERNING BOARD**

27. Acting as the Governing Board of the Commissioners of the Housing Authority, adopt Resolution **(072267)** 2012-14 authorizing the Executive Director of the Housing Authority of the County of San Mateo or the Executive Director's designee to: (Department of Housing)
- A) Execute two sets of amended and restated loan documents for the Half Moon Bay Senior Campus Development Loan Agreement, splitting the current loan to MidPen Housing Corp into two loan agreements, one of which shall be assigned to the Half Moon Village Senior Housing Redevelopment Project Phase I limited partnership and the other which shall remain with MidPen Housing Corp to be used for Phase II costs; and
  - B) Execute other ancillary documents necessary for closing the construction loan and equity financing for Phase I of the Half Moon Village Senior Housing Redevelopment project

## **HEALTH SYSTEM**

28. Resolution **(072268)** authorizing an agreement with ARAMARK Healthcare Technologies, LLC for the provision of service and preventative maintenance on biomedical and diagnostic imaging equipment for the term of November 1, 2012 through October 31, 2017, in an amount not to exceed \$4,000,000
29. Resolution **(072269)** waiving the Request for Proposals process and authorizing an agreement with Ravenswood Family Health Center to provide outreach, enrollment, retention, and utilization services for children and adult health coverage programs for the term of January 1, 2012 through December 31, 2013, in the amount of \$124,000
30. Resolution **(072270)** authorizing an agreement with Kaiser Foundation Hospitals, The Permanente Medical Group and San Mateo Health Commission to provide emergency neurosurgery services for the term of November 1, 2012 through October 31, 2013
31. Resolution **(072271)** authorizing an agreement with UltraEx, Inc. for courier and delivery services for the term of December 1, 2012 through November 30, 2015, in an amount not to exceed \$1,260,000

## **HUMAN RESOURCES**

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

33. Introduction of an ordinance amending the salary ordinance to reflect the deletion of two positions, addition of three positions, reclassification of four positions, and conversion of two positions to Confidential, 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 December 11, 2012 for adoption.**

## **INFORMATION SERVICES**

34. Resolution **(072272)** authorizing the Purchasing Agent to issue purchase orders to CDX Wireless, Forrest Telecom Engineering Inc. and Macro Corporation for radio communication systems engineering and consulting services, for the term of November 21, 2012 through November 20, 2015, in an amount not to exceed \$400,000
35. Resolution **(072273)** authorizing an agreement with the San Mateo County Transit District for County-provided trunked radio system access and radio maintenance services for the term of January 1, 2013 through December 31, 2023, in an amount not to exceed \$1,223,535 for the first year

## **PUBLIC WORKS**

36. Resolution **(072274)** authorizing the Director of Public Works and Parks or his designee to accept a California Department of Boating and Waterways grant for the Coyote Point Recreation Area Promenade Western Shoreline Improvements Project, in the amount of \$500,000
37. Resolution **(072275)** authorizing an agreement with Biggs Cardosa Associates, Inc. for Engineering and Environmental Permitting Services for the term of November 20, 2012 through November 19, 2015, in an amount not to exceed \$145,000

## **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**

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

### **C) Public Employee Appointment**

Title: County Manager

**D) Conference with Labor Negotiator**

Closed session pursuant to subdivision (a) of Government Code Section 54957.6

Agency Negotiator: Board President Adrienne Tissier

Unrepresented employee: County Manager

**The Board voted unanimously (5-0) to permanently hire John L. Maltbie as the County Manager for a term of 4 years beginning December 23, 2012 condition upon the successful negotiation of a contract to be brought back to the Board on December 11, 2012 for public approval.**

**E) Conference with Labor Negotiators**

Agency designated representative: Kelly Tuffo

Employee Organization: United Association of Physicians and Dentists (UAPD)

**The Board recessed to regular closed session at 11:54 a.m.**

**The Board reconvened the open session at 1:25 p.m.**

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

**The meeting was adjourned at 1:25 p.m. in memory of Edward Patrick McGovern.**