

San Mateo County Board of Supervisors

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 9:03 a.m.

TUESDAY, MARCH 25, 2014

PLEDGE OF ALLEGIANCE

**ROLL CALL – Present: Supervisors Pine, Groom, Horsley, Slocum and Tissier
Absent - None**

PUBLIC COMMENT

Speakers recognized by the President:

Martin Fox, Belmont
Jim Rourk, Pescadero
James Jonas, Redwood City
Stacey Wagner, Redwood City
Therese M. Dyer, Pacifica
Roger Medler, Pacifica
Tom Linebarger, Redwood City

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

Motion: Horsley / Second: Groom

**Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier
Noes: None**

(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.)

PRESENTATIONS AND AWARDS

1. Honor Elenita Silva as Employee of the Month for March 2014 and authorize the President of the Board to sign the commendation

Speakers recognized by the President:

John Maltbie, County Manager
SaraT Mayer, Health System
Elenita (Ellen) Silva, Recipient

2. Presentation of a proclamation **(3549)** designating March 29, 2014 as Welcome Home Vietnam Veterans Day in San Mateo County (Supervisor Warren Slocum)

Speakers recognized by the President:

Supervisor Warren Slocum, Board of Supervisors
Gary Higgins, Steve Warren Memorial Chapter 464 of Vietman Veterans of America
Martin Fox, Belmont
Therese M. Dyer, Pacifica
Mark DePaula, San Mateo

Motion: Slocum / Second: Horsley

Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier

Noes: None

3. Presentations of commendations to Dentists who participated in "Give Kids a Smile Day" (Supervisor Dave Pine)

Speakers recognized by the President:

Supervisor Dave Pine, Board of Supervisors
Aaron Lones, Chair of the San Mateo County Oral Health Coalition
Dr. Luisa Diaz, Recipient

4. Annual Presentation by the San Mateo County Resource Conservation District (Supervisor Don Horsley)

This item was continued to future meeting date.

5. Presentation on the San Francisco International Airport Capital Plan (Supervisor Dave Pine)

Speakers recognized by the President:

Supervisor Dave Pine, Board of Supervisors
John Martin, San Francisco Airport Director

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.

6. 9:00 a.m.

Study Session on Smoke-Free Multi-Unit Housing Ordinance

Speakers recognized by the President:

Supervisor Carole Groom, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors
Dr. Scott Morrow, Health System
Karen Licavoli-Farnkopf, Breathe California
Neil Klepesis, Stanford University
Supervisor Dave Pine, Board of Supervisors
Edith Cabuslay, Health Department
Carole Setzer, San Mateo
Anthony Calejari-Heimoli, Youth Leadership Institute
Olga Radom, Sunset Tobacco Project
Nikka Ripkin, Sunset Project & San Mateo Tobacco Education Coalition
Phovy Lyn Antonio, California Apartment Association, Tri-County Division
Colt Rymer, Redwood City
John Beiers, County Counsel
Supervisor Warren Slocum, Board of Supervisors

Supervisors Carole Groom and Adrienne Tissier requested this item come back before the Board in 3 to 4 months.

7. 9:15 a.m.

Public hearing to consider a Resolution **(073069)**:

- A) Approving the issuance by the San Mateo County Joint Powers Financing Authority of not to exceed \$215 million aggregate principal amount of Lease Revenue Bonds (Capital Projects), 2014 Series A;
 - B) Authorizing the forms of and directing the execution and delivery of a site lease, a facility lease, a bond purchase contract, a continuing disclosure agreement and an official statement;
 - C) Authorizing a lease financing with the San Mateo County Joint Powers Financing Authority; and
 - D) Approving the taking of all necessary actions in connection therewith
- 1) Report and recommendation
 - 2) Open public hearing
 - 3) Close public hearing

Motion: Tissier / Second: Horsley

Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier
Noes: None

- 4) Adopt Resolution

Motion: Tissier / Second: Horsley

Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier
Noes: None

Speakers recognized by the President:

John Maltbie, County Manager
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Supervisor Warren Slocum, Board of Supervisors
Tom Linebarger, Redwood
Colt Rymer, Redwood City
Martin Fox, Belmont
Davena Gentry, Redwood City
Supervisor Don Horsley, Board of Supervisors

8. 9:30 a.m.

Acting as the Governing Board of Commissioners of the Housing Authority of the County of San Mateo, conduct a public hearing to consider adopting Resolution 2014-05 **(073070)** approving the Housing Authority of the County of San Mateo FY2015 Moving-to-Work Annual Plan

- 1) Report and recommendation
- 2) Open public hearing
- 3) Close public hearing

Motion: Horsley / Second: Pine

Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier
Noes: None

- 4) Adopt Resolution

Motion: Tissier / Second: Horsley

Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier
Noes: None

Speakers recognized by the President:

Bill Lowell, Department of Housing

John Maltbie, County Manager
Supervisor Don Horsley, Board of Supervisors

9. 9:45 a.m.

Acting as the Governing Board of the Fair Oaks Sewer Maintenance District, conduct a public hearing, and after conducting the public hearing, adopt a Resolution **(073071)**:

- A) Ordering the annexation of the Lands of Whitt (765 Woodside Drive, Woodside, APN 069-150-270) to the Fair Oaks Sewer Maintenance District; and
- B) Directing the Director of Public Works to transmit a copy of the Resolution ordering annexation to the Town of Woodside and file maps of said annexation with the appropriate agencies

- 1) Report and recommendation
- 2) Open public hearing
- 3) Close public hearing

Motion: Tissier / Second: Horsley

Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier
Noes: None

- 4) Adopt Resolution

Motion: Tissier / Second: Horsley

Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier
Noes: None

Speakers recognized by the President:
Jim Porter, Public Works

10. 1:30 p.m.

Public hearing to consider whether the San Mateo County Williamson Act Program Rules and Procedures should be amended to establish timber harvesting as a use that qualifies a property for a Williamson Act contract

- 1) Report and recommendation
- 2) Open public hearing
- 3) Close public hearing

Motion: Horsley / Second: Tissier

Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier
Noes: None

- 4) Adopt Resolution (073072)

Motion: Horsley / Second: Groom

Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier
Noes: None

Speakers recognized by the President:

Steve Monowitz, Planning and Building
Lennie Roberts, Committee for Green Foothills
Bob Berlage, Big Creek Lumber Company
B.J. Burns, Pescadero
Supervisor Don Horsley, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors
John Maltbie, County Manager
Supervisor Dave Pine, Board of Supervisors

11. 1:30 p.m.

Public hearing to consider appeals of the Planning Commission's approval of a Use Permit Amendment, pursuant to Section 6500 of the County Zoning Regulations, to allow a change in use for the Stillheart Retreat Facility, at 16350 Skyline Boulevard, in the unincorporated Woodside area of San Mateo County, from an educational/meditation retreat facility to a non-medical residential treatment center

- 1) Report and recommendation
- 2) Open public hearing
- 3) Close public hearing

Motion: Tissier / Second: Groom

Ayes: Supervisors Pine, Groom, Horsley, Slocum, Tissier
Noes: None

- 4) Approve or deny appeals

Motion to approve appeals: Horsley / Second: Groom

Ayes: Supervisors Pine, Groom, Horsley, Slocum, Tissier
Noes: None

Speakers recognized by the President:

Jim Eggemeyer, Planning and Building

Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors
Supervisor Warren Slocum, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
J.R. Rodine, Attorney for the Applicant
Ray Blatt, Applicant
Annie Mudge, Skyline Neighborhood Coalition
Ellen Wise, Attorney for Community of Interested Neighbors
Steve Artin, Woodside
Severo M. Ornstein
Peggy Bogart, Woodside
Amy Bogart, Woodside
Martin Eberhard, Woodside
Lori Palazzolo, Woodside
David Vespremi, Moss Beach
Herby Bell, Saratoga
Rene DeBruya, Sausalito
Leiv Lea, Woodside
Christian Marsh, San Francisco
Rich Shapero, Woodside
Sandy Shapero, Woodside
Alma Fletcher, Woodside
Dr. Mark Schwartz, Monterey
Brigitte Lank, San Rafael
Lori Galperin, Pacific Grove
Lisa Giarretto, Woodside
Chris Reynolds, Woodside
Peter Kane, Atherton
Rosemary O'Connor, Corte Madera
Rocco Mancinelli, Woodside
Leo van Wasmestad, Mill Valley
Jennifer Vaughan, Portola Valley
Kathy Kennedy-Miller, Woodside
Dave Miller, Woodside
Patrice Morris, Oakland
Michael Jordan, Walnut Creek
Michael Wise, Woodside
Lennie Roberts, Committee for Green Foothills
John Beiers, County Counsel

REGULAR AGENDA

HEALTH SYSTEM

12. Introduction of an ordinance amending Section 5.64.060, Imposition of Fees, of Chapter 5.64, Fees for Enforcement of State Public Health Laws, of Title 5, Business Regulations, of the San Mateo County Ordinance Code, relating to imposition of fees for enforcement of state public health laws, and waiving the reading of the ordinance in its entirety

Speakers recognized by the President:

Jean Fraser, Health System
Dean Peterson, Environmental Health
Supervisor Don Horsley, Board of Supervisors

This item was continued to the meeting of April 8, 2014 for adoption.

Motion: Horsley / Second: Tissier

Ayes: Supervisors Pine, Groom, Horsley, Slocum and Tissier

Noes: None

PROBATION

13. Introduction of an ordinance amending Title 2, Article 2.4, Chapter 2.43 of the San Mateo County Ordinance Code to amend Section 2.43.040, to add subparagraphs E, F, G, H and I, authorizing the Probation Department to implement a fee for administering the approval process for batterer's program annual certification, a fee for intrastate jurisdictional transfer, a fee for interstate compact transfer, increase the administration fee for collecting victim restitution, and increase the fee for the sealing of juvenile records, and waiver of reading the ordinance in its entirety

Speakers recognized by the President:

John Keene, Probation Department
Supervisor Warren Slocum, Board of Supervisors

This item was continued to the meeting of April 8, 2014 for adoption.

Motion: Tissier / Second: Pine

Ayes: Supervisors Pine, Groom, Horsley, Slocum, Tissier

Noes: None

COUNTY MANAGER

14. County Manager's Report #5

Speakers recognized by the President:

John Maltbie, County Manager
Supervisor Dave Pine, Board of Supervisors

BOARD OF SUPERVISORS

15. Board Members' Reports

Supervisor Don Horsley announced that the Devil's Slide Trail will open Thursday, March 27, 2014.

Supervisor Carole Groom gave a shout-out to the San Mateo County Youth Commission on the success of their bi-annual conference - it was an excellent event!

Supervisor Groom thanked the Women's Commission for all their work and outreach, and the San Mateo County History Museum for allowing the County to take over the building for their event. She also thanked Supreme Court Justice Sandra Day O'Connor for giving the keynote speech that evening and for spending the day with them.

Supervisor Adrienne Tissier announced the 10th Annual Disaster Preparedness Day will be held on Saturday, June 7, 2014 at the San Mateo County Event Center. Parking and admission will be free between 10:00 a.m. and 11:00 a.m.

Supervisor Tissier also announced that will be three (3) more Older Driver Safety Seminars – “Age Well, Drive Smart” on the following dates: July 17, 2014 at Veteran’s Memorial, Redwood City from 9:00 a.m. to 12:00 p.m.; August 7, 2014 at Twin Pines Community Center, Belmont from 9:30 a.m. to 1:00 p.m.; and September 17, 2014 at the Magnolia Senior Center, South San Francisco from 9:00 a.m. to 12:30 p.m.

Supervisor Dave Pine announced that this evening, Tuesday, March 25, 2014 at 6:30 p.m. that the Childcare Partnership Council that he co-chairs with Superintendent of Schools Anne Campbell, will be holding a forum about the proposed transitional kindergarten expansion.

Supervisor Warren Slocum announced the re-dedication/opening of Friendship Park in North Fair Oaks on Friday, March 21, 2014.

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.

16. Approve the minutes from the meeting of March 11, 2014

BOARD OF SUPERVISORS

17. Resolution **(073073)** providing The San Mateo County / Silicon Valley Convention and Visitors Bureau's Film Commission with a formal designation to serve as San Mateo County's Regional Film Partner with the California Film Commission
18. Ratification of a resolution **(3550)** honoring Rotary of Millbrae 7th Annual Millbrae Community Lunar New Year Banquet (Supervisor Dave Pine)
19. Ratification of a resolution **(3551)** honoring South San Francisco Chamber of Commerce 100 Year Anniversary (Supervisor Dave Pine)
20. A) Recommendation to appoint Jesus Contreras from the San Mateo County Office of Education as community based organization representative to the Fatherhood

Collaborative Advisory Board, term expiring December 31, 2016 (Supervisor Dave Pine)

- B) Recommendation to appoint Dalenna Smith from the Institute for Human and Social Development, Inc. as a community based organization representative to the Fatherhood Collaborative Advisory Board, term expiring December 31, 2016

COUNTY COUNSEL

- 21. Approve corrections to the identified tax rolls and corresponding tax refunds

COUNTY MANAGER

- 22. Resolution **(073074)** extending the provision of continued employment status for reservists called for duty in connection with military expeditions and operations in support of the Global War on Terrorism and in connection with military operations in Iraq and Afghanistan until December 31, 2014
- 23. Resolution **(073075)** authorizing an Appropriation Transfer Request in the amount of \$500,000 from the County Library Joint Powers Authority to the Department of Public Works

HEALTH SYSTEM

- 24. Resolution **(073076)** authorizing an amendment to the agreement with Jackson & Coker Locum Tenens, LLC to provide locum tenens services, extending the term through December 31, 2014, and increasing the amount by \$734,564 to an amount not to exceed \$800,000
- 25. Resolution **(073077)** authorizing an agreement with Universal Building Services to provide janitorial services to San Mateo Medical Center Outpatient Clinics for the term of March 1, 2014 through February 28, 2017, in an amount not to exceed \$391,932

HUMAN RESOURCES

- 26. Report recommending the denial of claims (Non-culpable)
- 27. Introduction of an ordinance amending the salary ordinance to add sixty two positions, delete five positions, reclassify three positions, and add special compensation provision; 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 April 8, 2014 for adoption.

INFORMATION SERVICES

- 28. Resolution **(073078)** authorizing the sale of a portion of San Mateo County's decommissioned radio communication equipment to Sunny Communications for the amount of \$13,325

PROBATION

29. Adoption of an ordinance **(04692)** amending the Master Salary Ordinance to delete three classified part time Deputy Probation Officer III positions and add one classified Probation Services Manager II position, previously introduced on March 11, 2014 and waiver of reading the ordinance in its entirety

PUBLIC WORKS

30. Resolution **(073079)** authorizing agreements with “on-call” Construction Cost Estimating firms Hill International Inc., Leland Saylor Associates, and TBD Consultants to provide cost estimation services on various County facilities construction projects, on an as needed basis, for the term of March 25, 2014 through March 24, 2017, for an amount not to exceed \$200,000, per agreement
31. Resolution **(073080)** authorizing an agreement with the Coastside Adult Day Health Center; Pacific Coast Dream Machines; and the Half Moon Bay Airport Pilots Association to conduct the Pacific Coast Dream Machines Event at the Half Moon Bay Airport on Sunday, April 27, 2014

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.)

Conference with Legal Counsel - Existing Litigation

- A) *County of Santa Clara et al., v Atlantic Richfield Company et al.*
San Mateo County Superior Court Case No. 788657
- B) *Leslie Talavera v. County of San Mateo*
Workers Compensation Claim No. SM080578

The Board approved a workers compensation settlement in the amount of \$67,000.

The Board recessed to regular closed session at 11:55 a.m.

The Board reconvened the open session at 1:36 p.m.

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

The meeting adjourned at 4:12 p.m.