

# MINUTES

Meeting was called to order at 9:02 a.m.

**TUESDAY, FEBRUARY 14, 2017**

## PLEDGE OF ALLEGIANCE

## ROLL CALL

**Present: Supervisors Dave Pine, Carole Groom, Warren Slocum, David J. Canepa. President Don Horsley presiding.**

**Staff Present: Mr. John L. Maltbie, County Manager/Clerk of the Board; Mr. John C. Beiers, County Counsel; and Mr. Sukhmani S. Purewal, Assistant Clerk of the Board.**

## PUBLIC COMMENT

### Speakers Recognized by the President:

Mr. Martin Fox, Belmont  
Mr. Leland Francois, Palo Alto  
Ms. Caryl Hughan, Millbrae  
Ms. Melissa Lukin, Executive Director, Community Overcoming Relationship Abuse (CORA)  
President Don Horsley, Board of Supervisors

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.

*PRESIDENT HORSLEY CLARIFIED TWO ITEMS MENTIONED BELOW BEFORE AN ACTION WAS TAKEN TO SET THE AGENDA AND APPROVING THE CONSENT AGENDA ITEMS.*

**Upon motion by Supervisor Horsley, seconded by Supervisor Slocum, and carried unanimously; Board amended Item No. 5 on the regular agenda to read as follows: "Adopt a proclamation of local state of emergency relating to widespread damage due to storms commencing in January 2017, which still exists and continues to be an emergency, in**

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accordance with Government Code Section 8360 and Chapter 2.46 of the San Mateo County Ordinance Code.”

For Item No. 27, Supervisor Horsley mentioned the following change in the fiscal impact of the Board Memorandum: “The grant from the Transportation Authority was identified as Measure K but should have read ‘Transportation Authority – Measure A’. The County was awarded a \$500,000 San Mateo County Transportation Authority (TA) grant. These funds are from the TA’s Measure A Pedestrian and Bicycle Funding Program.”

### **ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS WITH THE TWO CHANGES MENTIONED ABOVE:**

(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.)

**Motion: Groom / Second: Pine**

**Ayes: Pine, Groom, Horsley, Slocum, Canepa**

**Noes: None**

### **PRESENTATIONS AND AWARDS**

1. Resolution **(075012)** affirming San Mateo County’s commitment to support and respect all community members, regardless of ethnic or national origin, gender, race, religion, sexual orientation, or immigration status. (Supervisors Don Horsley and Warren Slocum)

#### **Speakers Recognized by the President:**

Supervisor Don Horsley, Board of Supervisors  
Supervisor Warren Slocum, Board of Supervisors  
Supervisor Dave Pine, Board of Supervisors  
Supervisor Carole Groom, Board of Supervisors  
Sheriff Carlos Bolanos, County of San Mateo  
Mr. Rafael Avendano, Redwood City  
Mr. Martin Fox, Belmont  
Ms. Kathryn MK Geary, San Mateo  
Mr. Jerald Schwarz, Palo Alto  
Ms. Jenny Horne, Redwood City  
Ms. Sheryl Munoz-Bergman, Redwood City  
Mr. Pack Grigorieff, San Mateo County resident  
Reverend Anna Lange-Soto, Redwood City  
Mr. Bernardo Huerta, Eat Palo Alto  
Ms. Candace Anderson, San Bruno  
Mr. Aaron Castle, San Bruno  
Mr. David Vallerger, Emerald Hills  
Ms. Karen Grove, Menlo Park  
Ms. Silvia Ramirez, Redwood City  
Mr. Stan Kiino, San Mateo  
Ms. Teri Chin, Redwood City

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Ms. Mariam Kelly, East Palo Alto  
Mr. Sarait Escorza, East Palo Alto  
Ms. Iliana Garcia, East Palo Alto  
Mr. Art Dent, Menlo Park

**Motion: Slocum / Second: Canepa**

**Ayes: Pine, Groom, Horsley, Slocum, Canepa**

**Noes: None**

2. Presentation of a proclamation (**3913**) designating February 2017 as Teen Dating Violence Awareness and Prevention Month. (Probation)

**Speakers Recognized by the President:**

Supervisor Don Horsley, Board of Supervisors  
Chief John Keene, Probation

**Motion: Horsley / Second: Slocum,**

**Ayes: Pine, Groom, Horsley, Slocum, Canepa**

**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.

3. 1:30 p.m.

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

### REGULAR AGENDA

#### COUNTY MANAGER

4. Recommendation to:

- A) Accept the FY 2016-17 County Budget Update, including key revenue and expenditure projections and budget assumptions; and
- B) Accept the Proposition 172 Maintenance of Effort Certification.

**Speakers Recognized by the President:**

Mr. John Maltbie, County Manager  
Mr. Jim Saco, Budget Director  
Supervisor Don Horsley, Board of Supervisors  
Supervisor Warren Slocum, Board of Supervisors

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Supervisor Dave Pine, Board of Supervisors  
Supervisor David J. Canepa, Board of Supervisors  
Supervisor Carole Groom, Board of Supervisors  
Mr. Martin Fox, Belmont

**Motion to approve 4(a): Canepa / Second: Groom**  
**Ayes: Pine, Groom, Horsley, Slocum, Canepa**  
**Noes: None**

**Motion to approve 4(b): Groom / Second: Pine**  
**Ayes: Pine, Groom, Horsley, Slocum, Canepa**  
**Noes: None**

*THE BOARD RECESSED AT 11:28 A.M. AND RECONVENED AT 11:40 A.M.*

*PRESIDENT HORSLEY CALLED ON ADDITIONAL SPEAKERS THAT ARRIVED LATE UNDER "PUBLIC COMMENT":*

**Speakers Recognized by the President:**

Ms. Julie Lind Rupp, Foster City  
Mr. Ash Fairless, San Mateo  
Mr. Tim Jenkins, San Francisco  
Ms. Joanneh Nagler, Burlingame

5. Discussion and possible action to approve Emergency Proclamation **(3914)** relating to damages resulting from February 7-14, 2017 storms.

**Speakers Recognized by the President:**

Supervisor Don Horsley, Board of Supervisors  
Ms. Reyna Farrales, Deputy County Manager  
Mr. Jim Porter, Director of Public Works  
Supervisor Dave Pine, Board of Supervisors

**Motion to approve: Groom / Second: Canepa**  
**Ayes: Pine, Groom, Horsley, Slocum, Canepa**  
**Noes: None**

6. Introduction of an ordinance authorizing an amendment to the Living Wage Ordinance, and waive the reading of the ordinance in its entirety.

**Speakers Recognized by the President:**

Ms. Peggy Jensen, Deputy County Manager  
Supervisor Don Horsley, Board of Supervisors  
Ms. Rayna Lehman, Foster City  
Supervisor Carole Groom, Board of Supervisors  
Supervisor Dave Pine, Board of Supervisors

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**Motion to approve: Groom / Second: Pine**  
**Ayes: Pine, Groom, Horsley, Slocum, Canepa**  
**Noes: None**

7. County Manager's Report #3 of 2017

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

## BOARD OF SUPERVISORS

8. Board Members' Reports

**Supervisor Warren Slocum mentioned that the Age Well Drive Seminar will be held on March 1, 2017 from 9 a.m. – 12p.m. at Veterans Memorial Senior Center in Redwood City.**

**Supervisor Pine mentioned the significant accomplishment by Peninsula Clean Energy to enter into an agreement with the County to build a plant, which will produce 200 megawatts of solar power.**

## 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.

9. Approve the minutes for the meeting of January 24, 2017.
10. Approve the minutes for the meeting of February 7, 2017.

## AGRICULTURE\WEIGHTS & MEASURES

11. Resolution **(075013)** authorizing an amendment to the agreement with the California Department of Food and Agriculture for detection and trapping of Mediterranean fruit fly and other economically important plant pests for FY 2016-17, increasing the amount by \$106,811, to an amount not to exceed \$659,001.

## ASSESSOR-COUNTY CLERK-RECORDER

12. Resolution a**(075014)** uthorizing the Chief Elections Officer to render specified election services for the Menlo Park City Elementary School District in conjunction with a special election to be held on Tuesday, March 7, 2017.

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13. Recommendation for the appointment of Supervisor David J. Canepa as San Mateo

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County's Alternate Director, to the Board of Directors of the California State Association of Counties. (Supervisor Don Horsley)

### COUNTY COUNSEL

14. Resolution **(075015)** authorizing an agreement with Kaplan Kirsch & Rockwell LLP for legal services in connection with the operation of San Carlos Airport.

### COUNTY MANAGER: OFFICE OF SUSTAINABILITY

15. **Measure K:** Adopt a resolution **(075016)** authorizing an amendment to an existing agreement with Erler & Kalinowski, Inc. adding \$123,900 and scope of services for Phase 2 of a groundwater basin assessment of the San Mateo Plain sub-basin, for a new not to exceed amount of \$800,000.

### COUNTY MANAGER

16. Recommendation to amend and continue the Emergency Proclamation **(3915)** relating to damage in the Crystal Springs County Sanitation District as a result of the January 2017 storms, which still exists and continues to be an emergency, for an additional period in accordance with Government Code section 8630 and Chapter 2.46 of the San Mateo County Ordinance Code.
17. Resolution **(075017)** approving an amendment to Resolution No. 074811 to authorize payment to UnaMesa Association, the fiscal agent for the grantee, Magical Bridge Foundation, for the purchase of an integration carousel for Red Morton Park in Redwood City and authorizing the County Manager, or his designee, to update and execute the grant agreement.
18. Adoption of an ordinance **(4773)** adding Chapter 3.108, consisting of Sections 3.108.010 to 3.108.140, to Title 3 of the San Mateo County Ordinance Code establishing property owner obligations with respect to tenants displaced from unsafe or substandard units, previously introduced on January 24, 2017, and waive the reading of the ordinance in its entirety.

### GOVERNING BOARD

19. Acting as the Governing Board of County Service Area No. 11, adopt a resolution **(075018)**:
  - A) Adopting the plans and specifications, including conformance with prevailing wage scale requirements, for the County Service Area No. 11 Water Supply and Sustainability Project; Storage Tank and Well; and
  - B) Authorizing the Director of Public Works to call for sealed bids to be received on Thursday, March 16, 2017, at 2:30 p.m. in the Office of the County Manager/Clerk of the Board of Supervisors; and
  - C) Authorizing the Director of Public Works to extend the call for bids and the bid

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opening up to thirty (30) days beyond the time and date originally set forth by the Board of Supervisors.

### HEALTH SYSTEM

20. Resolution **(075019)** authorizing an agreement with Duc Marcel Nguyen, MD to provide specialty orthopedic services, for the term April 1, 2017 through March 31, 2019, in an amount not to exceed \$500,000.
21. Resolution **(075020)** authorizing the Controller to continue payments on the Health System Public Health, Policy and Planning STD/HIV Program Agreements, for the term March 1, 2017 through June 30, 2017.
22. Resolution **(075021a-b)** authorizing agreements with the State of California Department of Health Care Services to participate in the Medi-Cal County Inmate Program, for the term April 1, 2017 to June 30, 2017, in an amount not to exceed \$556,063, and for the term July 1, 2017 to June 30, 2018, in an amount not to exceed \$2,224,253.

### HUMAN RESOURCES

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

### HUMAN SERVICES AGENCY

24. Resolution **(075022)** authorizing an amendment to the agreement with Document Fulfillment Services to continue generating client correspondence, extending the term to October 30, 2017 and increasing the contract amount by \$200,000, to an amount not to exceed \$1,700,000.
25. Resolution **(075023)** authorizing an amendment to the agreement with Enghouse Interactive to provide telephone management system software, hardware and maintenance, extending the term through December 31, 2017 and increasing the amount by \$46,740, to an amount not to exceed \$146,740.

### INFORMATION SERVICES

26. Resolution **(075024)** accepting discount funding gifts from Microsoft Corporation and Dell Marketing, LP in the amounts of \$60,000 and \$9,000.

### PLANNING AND BUILDING

27. Resolution **(075025)** authorizing the President of the Board to execute an agreement with BKF Engineers to complete Phase 2 of the Midcoast Multimodal Trail (Segment 1) project, to include preparation of NEPA Environmental documents, Topographic Survey, and 100% Construction Plans, Specifications, and Estimates (PS&E), for the term February 14, 2017 through April 30, 2018, in an amount not to exceed \$450,000.



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### PROBATION

28. Resolution (**075026**) authorizing the Chief Probation Officer or his designee to:
- A) Apply for and accept federal funds available for FY 2016-17 in the amount of \$20,000 through the Juvenile Accountability Block Grant Program administered by the Board of State and Community Corrections for the Evidence-Based Training Project; and
  - B) Provide matching funds required for this grant in the amount of \$2,222.

### SHERIFF

29. Resolution (**075027**) authorizing an amendment to the agreement with the City of Millbrae for the provision of law enforcement services provided by the Sheriff's Office, extending the five year term to March 3, 2022.

### 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) County of San Mateo v. 2700 Middlefield Road, LLC, et al.  
San Mateo County Superior Court Case No. CIV 533576
  - 2) Stillpath Retreat Center LLC v. County of San Mateo  
United States District Court Case No. 15-01386 MMC
- 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
  - 2) Initiation of litigation pursuant to subdivision (d)(4) of Gov't Code Section 54956.9  
Three cases

**The Board recessed to closed session at 12:15 p.m. and reconvened to open session at 1:26 p.m.**

**County Counsel made the following report: The Board met in closed session and took one action to approve \$33,000 to an outside firm "Kaplan Kirsch Rockwell", for legal services related to operations of the San Carlos Airport.**

**The meeting adjourned in memory of Arthur Paul Notthoff, Jr. and Bobby Gill at 1:27 p.m.**