



MINUTES - FINAL

Hall of Justice

Tuesday, June 5, 2018

9:00 AM

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If you wish to speak to the Board, please fill out a speaker's slip located in the box on the wall in the anteroom as you enter the Board Chambers. If you have anything that you wish distributed to the Board and included in the official record, please hand it to the Deputy Clerk of the Board who will distribute the information to the Board members and staff.

PLEDGE OF ALLEGIANCE

The meeting began at 9:02 a.m.

ROLL CALL

Present: 5 – Supervisor Carole Groom, Supervisor Don Horsley, Supervisor Warren Slocum, Supervisor David J. Canepa, and President Dave Pine.

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. Bob Allen, San Francisco

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Item No. 42 was pulled from consent agenda to regular agenda for discussion.

Supervisor Carole Groom abstained on consent agenda Item No. 36.

Motion: Pine / Second: Canepa

Yes: 5 - Pine, Groom, Slocum, Canepa, and Horsley

No: 0

PRESENTATIONS AND AWARDS

1. Recommendation to approve and present the STARS Employee Suggestion/Innovation Summit Awards.

Sponsors: HUMAN RESOURCES

Speakers recognized by the President:

Ms. Rocio Kiryczun, Director of Human Resources

Mr. John L. Maltbie, County Manager

Ms. Donna Vaillancourt, Director of Human Resources

Motion: Groom / Second: Horsley

Yes: 5 - Pine, Groom, Slocum, Canepa, and Horsley

No: 0

Enactment No: Resolution-075911

2. Presentation of a proclamation designating June 15, 2018 as World Elder Abuse Awareness Day.

Sponsors: Supervisor David J. Canepa

Speakers recognized by the President:

Supervisor David J. Canepa, Board of Supervisors

Ms. Lisa Mancini, Director of Aging and Adult Services

Mr. Steve Wagstaffe, District Attorney

Mr. John C. Beiers, County Counsel

Mr. Martin Fox, Belmont

Motion: Canepa / Second: Horsley

Yes: 5 - Pine, Groom, Slocum, Canepa, and Horsley

No: 0

Enactment No: Proc/Hon. Res-4076

3. Presentation of the Annual Report by the Youth Commission.

Sponsors: Supervisor Carole Groom

Speakers recognized by the President:

Ms. Clara MacAvoy, San Mateo County Youth Commissioner
Mr. Diego DeNault, San Mateo County Youth Commissioner
Mr. Eeshan Bhat, San Mateo County Youth Commissioner
Ms. Kathryn Wilson, San Mateo County Youth Commissioner

REGULAR AGENDA**PLANNING AND BUILDING**

7. Recommendation to uphold the appeal and the Community Development Director's decision to approve the Significant Tree Removal Permit (PLN 2017-00272), pursuant to Section 12,000 of the Significant Tree ordinance.

Speakers recognized by the President:

Supervisor Dave Pine, Board of Supervisors
Mr. Steve Monowitz, Director of Planning and Building
Ms. Barbara Gottesman, Homeowner
Mr. Randy Popp, Architect on behalf of the Homeowner
Mr. Richard Gessner, Arborist on behalf of the Homeowner
M. Michael Mitigang, Homeowner
Ms. Judy Horst, Menlo Oaks Tree Advocacy (MOTA)
Mr. John Danforth, MOTA
Supervisor Don Horsley, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors
Supervisor Warren Slocum, Board of Supervisors
Supervisor David J. Canepa, Board of Supervisors
Mr. Daniel Krug, County Arborist
Ms. Lennie Roberts, Portola Valley
Ms. Beth Blecherman, Menlo Oaks
Ms. Neil Blercherman, Menlo Oaks
Mr. Harrison Mitgang, Menlo Park
Ms. Marve Mathevon, Menlo Park
Mr. Mitch Tuchman, Menlo Park
Mr. John C. Beiers, County Counsel
Ms. Dorothy Fadiman, Menlo Park
Ms. Anne Kortlander, Menlo Park
Ms. Janet Weisman Goff, MOTA

Supervisor Canepa left Chambers at 9:59 a.m. and returned to meeting at 10:00 a.m.

Motion: Horsley / Second: Pine

Yes: 3 - Pine, Canepa, and Horsley

No: 2 - Groom, and Slocum

The Board recessed at 11:16 a.m. and reconvened at 11:28 a.m.

AMENDED ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Item Nos. 6, 8 and 42 were pulled from the agenda in their entirety.

Supervisor Carole Groom abstained on consent agenda Item No. 36.

Motion: Pine / Second: Canepa

Yes: 5 - Pine, Groom, Horsley, Slocum and Canepa

No: 0

BOARD OF SUPERVISORS

10. Introduction of an ordinance adding Chapter 4.99 to Title 4 of the San Mateo County Ordinance Code to prohibit sale or offer for sale of flavored tobacco products and prohibit pharmacies from selling or offering for sale any tobacco products, and amending Section 4.96.030 of Chapter 4.96 to clarify definition of "Tobacco Products", and waive the reading of the ordinance in its entirety.

Sponsors: Supervisor Carole Groom and Supervisor David J. Canepa

Speakers recognized by the President:

Ms. Edith Cabuslay, Program Services Manager

Ms. Montserrat Garcia-Bedolla, San Mateo Tobacco Education Coalition
Co-Chair

Supervisor Warren Slocum, Board of Supervisors

Supervisor Don Horsley, Board of Supervisors

Supervisor Carole Groom, Board of Supervisors

Supervisor Dave Pine, Board of Supervisors

Ms. Louise Rogers, Chief of Health Staff

Supervisor David J. Canepa, Board of Supervisors

Ms. Jennifer Awa, San Mateo

Mr. Mark Luiz, Redwood City

Ms. Leafa Taumoepeau, San Mateo

Ms. Gloria Brown, San Mateo

Mr. John Andrews, San Carlos

Ms. Lisa Tealer, San Mateo

Ms. Christi Morales-Kumasawa, Belmont

Ms. Laura Herrera, East Palo Alto

Ms. Julia Gustafsen, Palo Alto

Ms. Rachel Mesia, Palo Alto

Mr. Jaime Rojas, NATO

Ms. Liz Pounders, Menlo Park

Ms. Tammie Pereira, San Mateo

Mr. John Patrick Pounders, Redwood City

Ms. Jasama Patel, Daly City

Mr. BP Patel, Daly City
Ms. Jean Manzana, Daly City
Mr. AJ Dhanoa, American Petroleum Convenience Association
Mr. Inderjit Sidhu, American Petroleum Convenience Association
Mr. Jose Luis Rivera, Redwood City
Ms. Ann Sekhon, American Petroleum Convenience Association
Ms. Heilala Fetetoo, Central County Preventional Partnership
Ms. Akanesi Hafoka, Central County Preventional Partnership
Mr. Marie Violet, Tobacco Education Coalition
Mr. Tricia Halimah, Tobacco Education Coalition
Mr. Adam Wilson, San Mateo

Motion: Groom / Second: Canepa

Yes: 5 - Pine, Groom, Slocum, Canepa, and Horsley

No: 0

COUNTY MANAGER: OFFICE OF SUSTAINABILITY

4. Adopt a resolution authorizing an amendment to the agreement with Chariot Transit for commuter bus services to fund the expanded vehicle capacity and pickup locations added the previous amendments, and for planned increased capacity on high-demand routes, increasing the contract amount by \$650,000 for a new amount not-to-exceed amount of \$1,850,000.

Speakers recognized by the President:

Mr. Jim Porter, Director of Public Works
Supervisor Don Horsley, Board of Supervisors
Supervisor Warren Slocum, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors

Supervisor Horsley left Chambers at 12:53 p.m. and returned to meeting at 12:55 p.m.

Motion: Horsley / Second: Groom

Yes: 5 - Pine, Groom, Slocum, Canepa, and Horsley

No: 0

Enactment No: Resolution-075912

GOVERNING BOARD

5. Acting as the Governing Board of the ten County Sewer Maintenance/Sanitation Districts:

A) Introduction of an ordinance amending Section 4.32.020 for Chapter 4.32, of the San Mateo County Ordinance Code, setting the sewer service rates for FY 2018-

19 for the Burlingame Hills Sewer Maintenance District, the Crystal Springs County Sanitation District, Fair Oaks Sewer Maintenance District, and the Harbor Industrial Sewer Maintenance District, and waive the reading of the ordinance in its entirety; and

B) Adopt a resolution setting Tuesday, July 24, 2018 at 10:00 A.M. at the regularly scheduled Board meeting as the time and place for a public hearing on:

1. The sewer service rates for four (4) County Sewer/Sanitation Districts; and
2. Filing of the sewer service charges report for FY 2018-19 for the ten (10) County Sewer/Sanitation Districts based on the sewer service rates set for FY 2018-19; and
3. Directing the necessary notices for said hearing.

Speakers recognized by the President:

Mr. Jim Porter, Director of Public Works
Supervisor Dave Pine, Board of Supervisors

Motion: Horsley / Second: Canepa

Yes: 5 - Pine, Groom, Slocum, Canepa, and Horsley

No: 0

Enactment No: Resolution-075913

COUNTY MANAGER

9. County Manager's Report #10 of 2018

Speakers recognized by the President:

Mr. John L. Maltbie, County Manager

BOARD OF SUPERVISORS

11. Adopt a resolution in support of Senate Bill 221, urging the State to take appropriate action to ban all gun shows at the Cow Palace in Daly City.

Sponsors: Supervisor David J. Canepa and Supervisor Dave Pine

Speakers recognized by the President:

Supervisor David J. Canepa, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors

Motion: Canepa / Second: Slocum

Yes: 5 - Pine, Groom, Slocum, Canepa, and Horsley

No: 0

Enactment No: Resolution-075914

12. Board Members' Reports

Supervisor Warren Slocum asked for the authorization from the Board of Supervisors to talk to State Assemblyman Kevin Mullin for making changes to the San Mateo County welcome sign such as adding the following statement: "We Honor Veterans and First Responders." Supervisor introduced his new staff member, Madahi Cornejo to the Board of Supervisors and the public.

CONSENT AGENDA

13. Approve the minutes for the meeting of May 22, 2018.

BOARD OF SUPERVISORS

14. Recommendation for the reappointment of Dr. Jeanette Aviles to the San Mateo Health Commission, as the representative of San Mateo County Medical Center Physicians, for a term ending January 1, 2022.

Sponsors: Supervisor Dave Pine

15. Recommendation for the appointment of John Langbein as First Alternate to the San Mateo County Bicycle and Pedestrian Advisory Committee, for a term beginning July 1, 2018, and ending June 30, 2022.

Sponsors: Supervisor Carole Groom and Supervisor Don Horsley

16. Ratification of a proclamation designating June 2018 as Immigration Heritage Month.

Sponsors: Supervisor Dave Pine

Enactment No: Proc/Hon. Res-4077

17. Ratification of a resolution honoring Sergeant William R. Buchalter upon his retirement from the San Mateo County Sheriff's Office.

Sponsors: Supervisor Dave Pine

Enactment No: Proc/Hon. Res-4078

18. Ratification of a resolution honoring Marcia Raines upon her retirement as the Millbrae City Manager.

Sponsors: Supervisor Dave Pine

Enactment No: Proc/Hon. Res-4079

19. Ratification of a resolution honoring Chris Babcock as the South San Francisco Italian

American Citizens Club 2017 Person of the Year.

Sponsors: Supervisor Dave Pine

Enactment No: Proc/Hon. Res-4080

20. Ratification of a resolution honoring Lewis and Joan Platt East Palo Alto Family YMCA on its 10th anniversary.

Sponsors: Supervisor Warren Slocum

Enactment No: Proc/Hon. Res-4081

21. Ratification of a resolution honoring Michael J. Giari upon his retirement as Executive Director of the Port of Redwood City after 30 years of service.

Sponsors: Supervisor Warren Slocum

Enactment No: Proc/Hon. Res-4082

CHILD SUPPORT SERVICES

22. Adopt a resolution regarding Swift Attorney Service agreement:

- A) Authorizing the execution of an agreement with Swift Attorney Service to provide service for the term of July 1, 2018 through June 30, 2021, in an amount not to exceed \$255,000; and
- B) Authorizing the Director or the Director's designee to execute contract amendments which modify the county's maximum fiscal obligation by no more than \$25,000.00 (in aggregate), and/or modify the contract term and or services as long as the modified term or services is/are within the current or revised fiscal provisions.

Enactment No: Resolution-075915

COUNTY COUNSEL

23. Adopt a resolution providing for the issuance and sale of the Sequoia Union High School District 2018-19 tax and revenue anticipation notes in an amount not to exceed \$12,000,000.

Enactment No: Resolution-075916

COUNTY MANAGER

24. Accept this analysis of the FY 2018-19 May Revision.
25. Recommend confirming Rocio Kiryczun as Director of the Human Resources Department.

26. Adopt a resolution certifying the Final Environmental Impact Report (FEIR) for the County Government Center Campus Development Project as complete and adequate pursuant to the California Environmental Quality Act; and adopt a Statement of Overriding Considerations related to an environmental impact identified in the FEIR that cannot be mitigated to less than significant.

Enactment No: Resolution-075917

27. Adopt a resolution authorizing the Director of the Project Development Unit, or his/her designee to:

- A) Execute an agreement for Construction Manager at Risk services with Truebeck Construction for the management of the construction for the County Office Building 3 and Parking Structure 2 in an amount not to exceed \$19,349,663; and
- B) Execute contract amendments and change orders that will increase the County's maximum fiscal obligation by no more than \$1,934,966 or 10% in aggregate and/or modify the contract term, terms, and/or services where authorized by law so long as it does not cause the total cost of construction for County Office Building 3 and Parking Structure 2 to exceed the current or revised fiscal provisions.

Enactment No: Resolution-075918

HEALTH SYSTEM

28. **Measure K:** Adopt a resolution authorizing an agreement with TALK: Teaching and Assessing Language for Kids for alternative therapy services, for the term July 1, 2018 through June 30, 2020, in an amount not to exceed \$500,000

Enactment No: Resolution-075919

29. **Measure K:** Adopt a resolution authorizing:

- A) A waiver of the Request for Proposal process; and
- B) The Chief of the Health System or her designee to execute agreements with Alzheimer's Disease and Other Related Diseases, Inc., Daly City Peninsula Partnership Collaborative, Edgewood Center for Children and Families, Institute on Aging, and Ombudsman Services of San Mateo County, Inc., for the term of July 1, 2018, through June 30, 2019, in an amount not to exceed \$1,008,635.

Enactment No: Resolution-075920

30. Adopt a resolution authorizing an agreement with Horizon Services, Inc. for residential substance use disorder detoxification services for the term July 1, 2018 through June 30, 2019, in an amount not to exceed \$899,571.

Enactment No: Resolution-075921

31. Adopt a resolution authorizing an amendment to the agreement with Picis Clinical Solutions, Inc. to provide software license, support, and maintenance services, extending the term through December 31, 2022, increasing the amount by \$845,000 in an amount not to exceed \$2,444,668.

Enactment No: Resolution-075922

32. Adopt a resolution authorizing an agreement with Kirsten J. Rittenbach, DDS, MD, to provide oral and maxillofacial surgery services for the term of July 1, 2018 through June 30, 2020, to an amount not to exceed \$260,000.

Enactment No: Resolution-075923

33. Adopt a resolution authorizing an agreement with Jessie Hwang, OD to provide optometry services for the term of September 1, 2018 through August 31, 2020, in an amount not to exceed \$270,000.

Enactment No: Resolution-075924

34. Adopt a resolution authorizing an agreement with Marta Banh, OD to provide optometry services for the term of October 1, 2018 through September 30, 2019, in an amount not to exceed \$150,000.

Enactment No: Resolution-075925

35. Adopt a resolution authorizing an agreement with Sutter Bay Medical Foundation dba Palo Alto Medical Foundation for Healthcare, Research and Education for vascular surgery services for the term of July 1, 2018 through June 30, 2019, for an amount not to exceed \$700,000.

Enactment No: Resolution-075926

36. Adopt a resolution authorizing an agreement with Sutter Bay Medical Foundation dba Palo Alto Medical Foundation for Healthcare, Research and Education for general surgery services for the term of July 1, 2018 through June 30, 2020, to an amount not to exceed \$2,050,000.

Supervisor Carole Groom abstained.

Enactment No: Resolution-075927

HUMAN RESOURCES

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

HUMAN SERVICES AGENCY

38. **Measure K:** Adopt a resolution authorizing an amendment to the agreement with LifeMoves to provide Homeless Outreach Team services, increasing the amount by

\$1,424,000 to an amount not to exceed \$2,136,000 and extending the Agreement by two years, for a new term of July 1, 2017 through June 30, 2020.

Enactment No: Resolution-075928

- 39.** Adopt a resolution authorizing an agreement with Multicultural Institute to provide street-based outreach employment matching services for day laborers and employers for the term of July 1, 2018 through June 30, 2020, in an amount not to exceed \$332,000.

Enactment No: Resolution-075929

- 40.** Adopt a resolution authorizing an agreement with StarVista for Child Abuse Prevention Services for a term of July 1, 2018 through June 30, 2019, and a total amount not to exceed \$250,000.

Enactment No: Resolution-075930

- 41.** Adopt a resolution authorizing an agreement with !Achieve Success for foster youth tutoring services for the term of July 1, 2018 through June 30, 2020 in the amount of \$240,000.

Enactment No: Resolution-075931

PARKS

- 43.** Adopt a resolution authorizing an agreement with the San Mateo County Historical Association for renovating display areas at the Sanchez Adobe Interpretive Center, for the term of June 7, 2018 through June 30, 2019, in an amount not to exceed \$130,000.

Enactment No: Resolution-075932

PUBLIC WORKS

- 44.** Adopt a resolution:

- A) Adopting the plans and specifications, including conformance with prevailing wage scale requirements, for the 2018 Countywide Cape and Slurry Seal Project; and
- B) Authorizing the President of the Board to execute an agreement with Telfer Pavement Technologies, LLC, in the amount of \$1,290,311.45 for the 2018 Countywide Cape and Slurry Seal Project; and
- C) Authorizing the Director of Public Works to:
 - 1. Execute subsequent change orders to grant time extensions for project completion and payment up to a maximum aggregate amount not to exceed \$129,031, or approximately 10% of the agreement amount; and

2. File a Notice of Exemption for a California Environmental Quality Act Categorical Exemption.

Enactment No: Resolution-075933

45. Adopt a resolution authorizing:

- A) The President of the Board to execute an agreement with Bugler Construction, for the Preventative Maintenance of the Madera Lane Bridge Project in the San Gregorio Area of San Mateo County, in the amount of \$685,310; and

- B) The Director of Public Works to:

1. Execute subsequent change orders to grant time extensions for project completion and payment up to maximum aggregate amount not to exceed \$68,531, or approximately 10% of the agreement amount; and
2. File a Notice of Exemption for a California Environmental Quality Act Categorical Exemption.

Enactment No: Resolution-075934

46. Adopt a resolution authorizing the Director of Public Works or his/her duly authorized designee to:

- A) Execute a grant agreement with the Department of Water Resources for the County of San Mateo Flood Emergency Alert and Preparedness Project in the name of the County of San Mateo in the amount of \$485,850; and
- B) Execute amendments, payment requests, and all other documents necessary for the purpose of implementing the approved grant project as may be required by the California Department of Water Resources for implementation of the County of San Mateo Flood Emergency Alert and Preparedness Project.

Enactment No: Resolution-075935

SHERIFF

47. Accept the report on the Inmate Welfare Trust Fund for the period of July 1, 2016 through June 30, 2017.

48. Adopt a resolution authorizing:

- A) An amendment to the agreement with the City and County of San Francisco for the distribution of FY 2017 Urban Area Security Initiative grant funds for the Northern California Regional Intelligence Center, increasing the amount by \$455,688 from \$4,273,378 to \$4,729,066; and

- B) The Sheriff or Sheriff's designee to execute interagency agreements in amounts that do not exceed \$300,000, utilizing solely the \$4,729,066 of grant funding, with other public agencies, for the purpose of reimbursing those agencies for the cost of personnel assigned to the Northern California Regional Intelligence Center.

Enactment No: Resolution-075936

CLOSED SESSION

The Board adjourned to Closed Session at 1:25 p.m. to discuss the following items with no reportable action to follow by John C. Beiers, County Counsel.

49. Conference with Legal Counsel - Existing Litigation

County of San Mateo v. The Hertz Corporation et al.
San Mateo County Superior Court Case No. CIV538421

Conference with Legal Counsel - Anticipated Litigation

Initiation of litigation pursuant to subdivision (d)(4) of Gov't Code Section 54956.9
Two cases

Public Employee Appointment

Title: County Manager

Conference with Real Property Negotiators

Property: 500 County Center, Redwood City
Agency negotiator: Nicholas Calderon
Negotiating parties: Eunice Calvert-Banks
Under Negotiation: Price, Terms of Payment

ADJOURNMENT

The meeting adjourned in memory of Steve Penna, Jeff Kishiyama and Zenaida Soriano at 1:25 p.m.