

MINUTES

PLEASE NOTE THERE WILL BE NO MEETING OF THE
BOARD OF SUPERVISORS ON NOVEMBER 22, 29 AND DECEMBER 6, 2011

The meeting was called to order at 9:05 a.m.

November 15, 2011

PLEDGE OF ALLEGIANCE

ROLL CALL – Present: Supervisors Pine, Groom, Horsley, Jacobs Gibson, and Tissier
Absent: None

1. 9:00 a.m. ORAL COMMUNICATIONS AND PUBLIC TESTIMONY ON CONSENT OR CLOSED SESSION AGENDA ITEMS

Speakers recognized by the President:

Martin Fox, Belmont
Mark DePaul, Redwood City
Janet Davis, Menlo Park

If your subject is not on the agenda, or if you wish to speak on a consent or closed session agenda item, the President will recognize you at this time. **Speakers are customarily limited to two minutes.** A speaker's slip is required.

2. [REGULAR AGENDA](#) (SEE PAGE 6)
[CONSENT AGENDA](#) (SEE PAGE 8)

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agenda are approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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.

Motion Tissier / Second: Jacobs Gibson

3. 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) Public employee performance evaluation: County Counsel
- B) Public employee appointment title: County Manager

The Board recessed to the regular Closed Session at 12:20 p.m.

**The Board reconvened the open session at 2:42 p.m.
County Counsel made the following report:**

The Board in a unanimous vote took action to appoint John Maltbie as the Acting County Manager effective December 1, 2011. A subcommittee of the Board consisting of Supervisor Tissier and Supervisor Pine will negotiate a contract with Mr. Maltbie to be brought to the Board at a special meeting on November 29, 2011 at 9:00 a.m. In addition, the Board directed the Human Resources Director to report back in 90 days on a process for selecting a permanent County Manager.

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.

- 4. 9:00 a.m. Presentation of a proclamation (**3266**) designating November 15, 2011 as National Memory Screening Day (Supervisor Adrienne Tissier)

Speakers recognized by the President:

Supervisor Adrienne Tissier, Board of Supervisors
Daizel Gasperian, Silverado Senior Living

Motion: Tissier / Second: Jacobs Gibson

- 5. 9:00 a.m. Public hearing to consider resolutions (**071714 - 071715**) amending the North Fair Oaks Community Plan, adopting: (Planning and Building) (Continued from the meeting of November 1, 2011)
 - A) A comprehensive amendment to the North Fair Oaks Community Plan; and directing staff to, at a later date, to prepare amendments to the County's Zoning Ordinance to implement the updated Community Plan and to prepare an Implementation Program for the amended Community Plan; and
 - B) A Statement of Overriding Considerations related to Environmental Impacts identified in the Final Environmental Impact Report for the amended North Fair Oaks Community Plan; a mitigation monitoring program for the mitigation measures described in the Final Environmental Impact Report; and certifying the Final Environmental Impact Report prepared for the amended North Fair Oaks Community Plan as complete and adequate

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

Motion: Jacobs Gibson / Second: Pine

- 3) Adopt resolutions

Motion: Jacobs Gibson / Second: Tissier

Speakers recognized by the President:

Jim Eggemeyer, Planning and Building
Will Gibson, Planning and Building
Vivien Marsh, Menlo Park
Katie Grandy, Menlo Park
Margy Kahn, Menlo Park
Susan Brown, Menlo Park
Denise Sullivan, Menlo Park
Janet Davis, Menlo Park
Joan Hebert, Menlo Park
Linda Hendrickson, Menlo Park
Eric Lane, Atherton
Rena Lane, Atherton
Craig McCreight, Menlo Park
Sharon Hofstedt, Menlo Park
Alan Hebert, Menlo Park
Angharad Musladin, Menlo Park
Catherine Habiger, Menlo Park
Michael Putz, Menlo Park
Marius Ciorte, Menlo Park
Shannon Ciorte, Menlo Park
Charu Gupta, Menlo Park
Deirdre Samuelsson, Menlo Park
Marisa Raya, Association of Bay Area Governments
Chuck Sholtz, Palo Alto
Rachel Freiberg, Menlo Park
Nancy Allen, Menlo Park
Kristen Anderson, Child Care and Early Education Planning
Jean Fraser, Health System
P. Chokkalingam, Menlo Park
Roger Macfarlane, Menlo Park
Eric Nielson, Menlo Park
Supervisor Rose Jacobs Gibson, Board of Supervisors
John Beiers, County Counsel
Supervisor, Don Horsley, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors

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

6. 9:15 a.m. Public hearing to consider two appeals of the Planning Commission's on the Exclusive Fresh project located at 165 and 175 Airport Street, unincorporated Princeton: (Planning and Building)

- A) Appeal of the Planning Commission's issuance of a Use Permit Renewal, Variance, and Coastal Development Exemption for the continued operation of a wholesale seafood processing business (Appellant: Julian McCurrach by Gregory Antone / Owner/Applicant: Philip Bruno); and

Uphold the Planning Commission's decision to hold the Use Permit Renewal, PLN 2001-00553, in abeyance for an interim period of time (two years) subject to the Interim Operating Conditions as listed in Attachment A, while updates to the Airport Land Use Compatibility Plan for the Half Moon Bay Airport and County Zoning Regulations are being processed.

Motion: Horsley / Second: Jacobs Gibson

- B) Appeal of the Planning Commission's denial of an exception request to exceed the maximum lot coverage allowed in the zoning district (Appellants: Philip Bruno by Michael McCracken / Owner/Applicant: Philip Bruno)

Vacate the Planning Commission's action to deny the Variance and Coastal Development Permit Exemption, PLN 2010-00250; thus, the Variance and Coastal Development Permit Exemption will revert to a pending application status until such time that new information is presented on the matter, or such time changes to the underlying zoning regulations are made.

Motion: Horsley / Second: Jacobs Gibson

- 1) Report and recommendations
- 2) Close public hearing

Motion: Tissier / Second: Horsley

- 3) Approve or deny appeal

Speakers recognized by the President:

Steve Monowitz, Planning and Building
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors
Greg Antone, Attorney for the Appellant
Julian McCurrach, Appellant
Michael McCracken, Attorney for the Applicant
Margie McDougal, Exclusive Fresh

Jeff Peck, El Granada
Lennie Roberts, Committee for Green Foothills
William Schuster, Montara
Tim Fox, County Counsel
Supervisor Carole Groom, Board of Supervisors
Philip Bruno, Owner, Exclusive Fresh
Supervisor Rose Jacobs Gibson, Board of Supervisors
Jim Eggemeyer, Planning and Building

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

7. 9:30 a.m. Public hearing to consider an urgency ordinance **(4591)** amending the San Mateo County Ordinance Code (Zoning Annex) Division VI, Part 1, Chapter 20 "S" (Combining Districts) for ten months and fifteen days to: (4/5ths vote required) (Planning and Building)

A) Add the "S-75" Combining District (Weekend Acres)

B) Find that the potential for oversized development allowed by the existing zoning regulations represents a threat to the welfare of the Weekend Acres

1) Report and recommendation

2) Close public hearing

Motion: Tissier / Second: Pine

3) Adopt interim ordinance

Motion: Tissier / Second: Horsley

Speakers recognized by the President:

Jim Eggemeyer, Planning and Building
Supervisor Carole Groom, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors
Lennie Roberts, Committee for Green Foothills
Sidney Overland, Menlo Park

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

8. 9:30 a.m. Public hearing to consider the: (Health System)
- A) Proposed elimination of the County's Methadone Treatment Program
 - B) Introduction of an ordinance amending the Master Salary Ordinance and waiver of reading the ordinance in its entirety
 - 1) Report and recommendation
 - 2) Close public hearing
- Motion: Jacobs Gibson / Second: Horsley**
- 3) Approve or deny elimination
- Motion to approve: Tissier / Second: Pine**
- 4) Introduce ordinance
- This item was continued to the meeting of December 13, 2011 for adoption.**

Speakers recognized by the President:

Jean Fraser, Health System
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Rose Jacobs Gibson, Board of Supervisors

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

9. 1:30 p.m. Presentation of Service Awards (455 County Center, Room 101, Redwood City)
(County Manager)

REGULAR AGENDA

COUNTY MANAGER

10. Resolution **(071716)**:
- A) Waiving the Request for Proposal process and authorizing an agreement with Accenture LLP to assist the County in identifying and capturing savings and developing a basic benefits tracking program to track Countywide savings for the term of November 15, 2011 through March 31, 2012 in the amount of \$1,000,000 to be paid over three years based on savings to the County; and
 - B) Authorizing the County Manager or designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000

Speakers recognized by the President:

Reyna Farrales, County Manager's Office
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors

Ayes: Supervisors Groom, Horsley, Jacobs Gibson and Tissier

Noes: Supervisor Pine

11. A) Approve nine SMCSAVES grant proposals recommended by the Finance and Operations Committee

Motion: Jacobs Gibson / Second: Horsley

- B) Adopt a Resolution **(071717)** authorizing the County Manager to execute Appropriation Transfer Requests appropriate to fund the approved SMCSAVES proposals

Motion: Jacobs Gibson / Second: Horsley

Speakers recognized by the President:

Peggy Jensen, Deputy County Manager
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Rose Jacobs Gibson, Board of Supervisors
Supervisor Don Horsley, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Martin Fox, Belmont

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

Noes: None

12. Accept the new Countywide Information Technology Strategic Plan as well as current fiscal year priority Countywide Information Technology initiatives (Information Services Department)

Motion: Tissier / Second: Pine

Speakers recognized by the President:

Chris Flatmoe, Information Services Department

13. County Manager's report – **No report**

BOARD OF SUPERVISORS

14. Board members' committee reports – **No reports**

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.

15. Approve the minutes for the meeting of November 1, 2011

BOARD OF SUPERVISORS

16. Recommendation for the appointment of Supervisor Carole Groom to the California State Association of Counties Board of Directors 2011-2012 (Supervisor Carole Groom)
17. Recommendation for the appointment of Supervisor Don Horsley to the San Mateo County Transportation Authority Board, term ending December 31, 2013 (Supervisor Carole Groom)
18. Ratification of a resolution **(3267)** honoring Laverne Seiler as Millbrae's 2011 Woman of the Year (Supervisor Dave Pine)
19. Ratification of a resolution **(3268)** honoring Daniel Quigg as Millbrae's 2011 Man of the Year (Supervisor Dave Pine)

COUNTY MANAGER

20. Resolution **(071718)** authorizing:
 - A) A lease agreement with Gloria Maita Trust Et Al for approximately 2,232 square feet of office space located at 3151 Edison Way, in unincorporated North Fair Oaks, for the provision of the Sheriff's Activities League and Community Policing Unit for the term of November 1, 2011 through October 31, 2014, with one option to extend for an additional five year term, for an initial monthly base rent of \$2,232 with 3% annual increases thereafter; and
 - B) The County Manager or his designee to accept or execute notices, options and documents associated with the lease including but not limited to extension or termination of the lease under the terms set forth therein

COURTS

21. Approve the appointment of Erika Landeros-Gomez to the Juvenile Justice and Delinquency Prevention Youth Commission, term ending December 31, 2013

DISTRICT ATTORNEY

22. Resolution **(071719)** ratifying the:
 - A) Submission of a grant application to the Victim/Witness Assistance Program for FY 2011-12 for fund administered through the California Emergency Management Agency in the amount of \$380,081, \$289,421 is Net County Cost; and
 - B) Execution of the grant award agreement and authorizing the District Attorney to make any extensions or amendments thereof which do not require commitment of county funds

GOVERNING BOARD

23. Acting as the Board of Commissioners of the Housing Authority, adopt Resolution 2011-07 **(071720)** authorizing the Executive Director of the Housing Authority to execute:
- A) An agreement with Community Overcoming Relationship Abuse to provide funds under the Provider-Based Assistance program for the term of November 15, 2011 through November 14, 2014 in an amount not to exceed \$979,334; and
 - B) Subsequent amendments and minor modifications in an amount not to exceed \$25,000
24. Acting as the Board of Commissioners of the Housing Authority, adopt Resolution 2011-08 **(071721)** authorizing the Executive Director of the Housing Authority to execute:
- A) An agreement with Bayview Painting & Construction, Inc. for the provision of general site improvements at El Camino Village for the term of November 21, 2011 through March 31, 2012 in an amount not to exceed \$189,262; and
 - B) Subsequent amendments and minor modifications in an amount not to exceed \$25,000

HEALTH SYSTEM

25. Resolution **(071722)** authorizing:
- A) An agreement with the City and County of San Francisco for the provision of funding for primary health care and psycho-social services to individuals with HIV/AIDS for the term of March 1, 2011 through February 29, 2012 in the amount of \$2,051,641; and
 - B) The Chief of the Health System or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000
26. Resolution **(071723)** authorizing:
- A) An agreement with Quest Diagnostics Nichols Institute for the provision of laboratory reference testing for the San Mateo Medical Center for the term of April 1, 2011 through March 31, 2012 in an amount not to exceed \$1,000,000; and
 - B) The Chief of the Health System or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000
27. Resolution **(071724)** authorizing:
- A) An amendment to the agreement with the Department of Veterans Affairs Palo Alto Health Care System for the provision of space and resources for the Willow Clinic and Methadone Treatment Program, extending the term through February 10, 2012, increasing the amount by \$311,110.32 to \$3,916,952.32; and
 - B) The Chief of the Health System or her designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000

28. Resolution **(071725)** authorizing an amendment to the agreement with San Mateo Health Commission for the provision of Medi-Cal Services for Health Plan of San Mateo clients, and amending conditions for receipt of supplemental payments for the term of July 1, 2011 through June 30, 2012
29. Resolution **(071726)** authorizing an amendment to the agreement with Mary Jane Que doing business as Simple Living Adult Residential Facility/Simple Living 2 Residential Care Home for the Elderly for the provision of residential board and care services to mentally ill clients, increasing the amount by \$51,800 to \$143,075, \$2,140 is Net County Cost

HUMAN RESOURCES

30. Report recommending denial of the following claims: (Non-Culpable)

Brandon Felkins, Yindy Chow, Ting Kun Chow, Maggi Lai and Kuen Chow Mak	Jonathan T. Lynn Win Maung Kenneth McEntee Stage Road Enterprises
---	--
31. Adoption of an ordinance **(04592)** amending the salary ordinance and accepting the report on the total number of positions in the County, previously introduced on November 1, 2011 and waiver of reading the ordinance in its entirety

HUMAN SERVICES AGENCY

32. Resolution **(071727)**:
 - A) Authorizing the formation of the San Mateo County Community Action Agency Board that will meet the State Department of Community Services and Development's Community Services Block Grant contract requirement; and
 - B) Appointing the public sector and private sector members of the San Mateo County Community Action Agency Board; and
 - C) Authorizing the Human Services Director or her designee to accept and execute the 2011 Community Services Block Grant State Contract and subsequent amendments

INFORMATION SERVICES

33. Resolution **(071728)**:
 - A) Authorizing agreements with 314e Corporation and AgreeYa Solutions for the provision of contingency staffing services for the term of December 9, 2011 through December 8, 2014 in a cumulative amount not to exceed \$1,500,000 for both agreements; and
 - B) Limiting the County's total fiscal obligation under both agreements to not to exceed \$1,500,000 in aggregate; and
 - C) Authorizing the Chief Information Officer or his designee to execute subsequent amendments and minor modifications in an amount not to exceed \$25,000

PLANNING AND BUILDING

34. Resolution **(071729)** authorizing an agreement with the City of San Carlos for the provision of code enforcement services in the incorporated City of San Carlos for the term of November 15, 2011 through November 14, 2013 for payment in an amount not to exceed \$50,000

PUBLIC WORKS

35. Resolution **(071730)** setting a time and place for a public hearing on the garbage and recyclables collection rates or the unincorporated franchised area within the South Bayside Waste Management Authority service area, exclusive of County Service Area No. 8 (North Fair Oaks) and West Bay Sanitary District

(January 24, 2012 at 9:30 a.m.)

SHERIFF

36. Resolution **(071731)** authoring the:
- A) President of the Board to execute an amendment to the Law Enforcement Services agreement with the City of San Carlos adding the provisions of the Retirement – Unfunded Actuarial Accrued Liabilities; and
 - B) Sheriff to include such provisions in current and future agreements for law enforcement services where the contracting agency has an ongoing commitment for related accrued unfunded liabilities; and any related amendments to current agreements will be brought back to the Board of Supervisors for approval

This item was moved to the regular agenda.

Speakers recognized by the President:

Greg Munks, Sheriff's Office
Jim Saco, County Manager's Office
David Bailey, SamCERA
Randy Royce, Council Member, City of San Carlos
Jeff Maltbie, City Manager, City of San Carlos
Supervisor Don Horsley, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Rose Jacobs Gibson, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors
John Beiers, County Counsel

Motion: Tissier / Second: Jacobs Gibson

Ayes: Supervisors Groom, Jacobs Gibson and Tissier

Noes: Supervisors Pine and Horsley

The meeting adjourned at 5:16 p.m.