The meeting was called to order at 9:12 a.m.

December 13, 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
Kate Comfort Harr, HIP Housing

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 7)
   CONSENT AGENDA (SEE PAGE 8)

Item 14 was transferred from the Regular agenda to the Consent agenda.

Item 37 Supervisor Carole Groom abstained.

Item 55 was transferred from the Consent agenda to the Regular agenda.

Motion: Jacobs Gibson / Second: Tissier

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agenda are approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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 to set agenda: Pine / 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) Conference with Legal Counsel - Existing Litigation

*Satorre, Ray, et al., v. Mark Church, et al.*
San Mateo County Superior Court Case No. 504866

B) Public employee performance evaluation: Acting County Manager

The Board recessed to the regular Closed Session at 1:23 p.m.

The Board reconvened the open session at 4:15 p.m.
County Counsel made the following report: No reportable action was taken.

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

*Speakers recognized by the President:*
Supervisor Don Horsley, Board of Supervisors
Kellyx Nelson, Resource Conservation District

5. 9:00 a.m. Presentation of a resolution (3269) honoring Brooke Knight upon her retirement from Broadway by the Bay (Supervisor Carole Groom)

*Speakers recognized by the President:*
Supervisor Carole Groom, Board of Supervisors
Brooke Knight, Recipient

*Motion: Jacobs Gibson / Second: Tissier*

6. 9:00 a.m. Presentation of the Bay Area Air Quality Management District’s Great Race for Clean Air trophy (Supervisor Carole Groom)

*Speakers recognized by the President:*
Supervisor Carole Groom, Board of Supervisors
7.  9:15 a.m.  Presentation of the San Mateo County Children, Youth and Family Budget 2011 (Supervisor Carole Groom)

   **Speakers recognized by the President:**
   Supervisor Carole Groom, Board of Supervisors
   Supervisor Dave Pine, Board of Supervisors

8.  9:15 a.m.  Presentation of 2011 Women in County Government honorees (Supervisor Carole Groom)

   **Speakers recognized by the President:**
   Supervisor Adrienne Tissier, Board of Supervisors
   Michelle Mendez, President, Women in County Government

9.  9:15 a.m.  Resolution authorizing the County Manager or his designee to: (County Manager)

   A) Execute an agreement with Stanford University to extend for two additional years to December 31, 2013, the terms of the Stanford University offer to fund the study of improvements to the trail along Alpine Road between Portola Valley and Menlo Park, no Net County Cost; and

   B) Proceed with all necessary steps to bring a proposed Lower Alpine Trail Improvement project to this Board for consideration within the time frame set forth in the extension agreement with Stanford University

   1) Report and recommendation

   2) Close public hearing

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

   3) Adopt resolution

   **Motion did not pass.**

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

   **Speakers recognized by the President:**
   Jim Porter, Public Works
   Larry Horton, Stanford University
   Supervisor Adrienne Tissier, Board of Supervisors
   Supervisor Dave Pine, Board of Supervisors
   Supervisor Rose Jacobs Gibson, Board of Supervisors
   Dave Holland, Assistant County Manager
   Larry Gibbs, Ladera
   Diana Gerba, Menlo Park
   Janet Davis, Menlo Park
Christine Martens, Portola Valley
George Mader, Portola Valley
Marianne Ault-Riche, Menlo Park
Lennie Roberts, Committee for Green Foothills
Noel Hirst, Portola Valley
Jean Harman, Menlo Park
Colin Heyne, Silicon Valley Bicycle Coalition
Sherry Lund, Portola Valley
PJ Utz, Portola Valley
John Langbein, Redwood City
Colin Cahill, Portola Valley
Marianne Williams, Menlo Park
Neil Scott, Menlo Park
Walter Nelson, Menlo Park
Jeff Blohm, Portola Valley
Barry Weingast, Menlo Park
Chris Rubin, Menlo Park
Joseph Dwordk, Portola Valley
Arlene Lindblom, Menlo Park
Sidney Overland, Menlo Park
Lovinda Beal, Portola Valley
Alan Goetz, Portola Valley
Rob Decker, Portola Valley
Ellyn Rubin, Portola Valley
Mel Rubin, Portola Valley
Karen Butterfield, Portola Valley
Luke Vania, Menlo Park
Andy Tucker, Portola Valley
Shandon Lloyd, Portola
Brian Tetruel, Portola Valley
Brad Rock, Ladera
Karen Ferguson, Menlo Park
Pete Pierce, Menlo Park
Mike Harding, Menlo Park
Ron Alexander, Menlo Park
Ian Peterson, Menlo Park
Ameka Peterson, Menlo Park
John Peterson, Menlo Park
Steve Schmidt, Menlo Park
Greg Richardson, Menlo Park
Scott T. Spencer, Menlo Park
Ted Huang, Portola Valley
Cindy Welton, Menlo Park
Ginger Holt, Menlo Park
Massimiliano Fatica, Menlo Park
Lucia Tedesco, Menlo Park
Diana Sunshine, Ladera
Rob Mathews, Portola Valley
Judith Bulon, Portola Valley
10. 9:30 a.m. Acting as the Governing Board of the Fair Oaks Sewer Maintenance District and after conducting a public hearing, adopt a resolution (071734): (Public Works)

A) Ordering the annexation of the Lands of Daley located at 205 Lindenbrook Road, Woodside to the Fair Oaks Sewer Maintenance District; and

B) Directing the Director of the Public Works Department 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) Close public hearing

Motion: Jacobs Gibson / Second: Horsley

3) Adopt resolution

Motion: Tissier / Second: Jacobs Gibson

Speakers recognized by the President:
Jim Porter, Public Works
Magalli Yoho, Woodside
Supervisor Rose Jacobs Gibson, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors

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

11. 9:30 a.m. Acting as the Governing Board of the Fair Oaks Sewer Maintenance District and after conducting a public hearing, adopt a resolution (071735): (Public Works)

A) Ordering the annexation of the Lands of Hollister located at 245 Laning Drive, Woodside to the Fair Oaks Sewer Maintenance District; and

B) Directing the Director of the Public Works Department 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) Close public hearing

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

3) Adopt resolution

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

**Speakers recognized by the President:**
Jim Porter, Public Works

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

12. 9:45 a.m. Public hearing to consider: (Planning and Building)

   A) Adoption of an ordinance *(04593)* amending Chapter 17, Light Industrial/Edison /North Fair Oaks Zoning District, to add indoor exercise and leisure facilities in the unincorporated North Fair Oaks area and waiver of reading the ordinance in its entirety; and

   B) Certifying the Mitigated Negative Declaration as complete and adequate in accordance with the California Environmental Quality Act; and

   C) Approving a Use Permit to allow conversion of a former beer distribution facility into an indoor multi-sports and recreational facility by adopting findings and conditions of approval

1) Report and recommendation

2) Close public hearing

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

3) Approve or deny ordinance

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

4) Certify Mitigated Negative Declaration

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

5) Approve or deny Use Permit

   **Motion: Tissier / Second: Jacobs Gibson**
Speakers recognized by the President:
Jim Eggemeyer, Planning and Building
Supervisor Don Horsley, Board of Supervisors
Supervisor Carole Groom, Board of Supervisors
Supervisor Rose Jacobs Gibson, Board of Supervisors
Supervisor Adrienne Tissier, Board of Supervisors
Supervisor Dave Pine, Board of Supervisors
John Beiers, County Counsel
Marcus Maita, Applicant
Joe Fernando, United LLC
Brian Wood, United LLC
Greg Munks, Sheriff’s Office
Hugo Barrales, Redwood City
Barbara Bonilla, Sheriff’s Activities League
Holly Mcfarland, Maita / Sports House
Jerry Justice, Sheriff’s Office
Mike Otte, Sheriff’s Office
Adam Reininger, Sheriff’s Office
Gabriela Valencia, Redwood City

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

13. 1:30 p.m. Presentation of Service Awards (455 County Center, Room 101, Redwood City)
(County Manager)

REGULAR AGENDA

HUMAN RESOURCES
14. Resolution (071736):

A) Terminating the applicability of Government Code section 31664.1 to specified safety
members of the County retirement system; and

B) Making the employee share of cost to fund cost of living adjustments for retirement
benefits and Government Code sections 31664 and 31664.2 applicable to specified
safety members of the County retirement system effective January 8, 2012

This item was moved to the consent agenda.

COUNTY MANAGER
15. County Manager’s report – No report

Speakers recognized by the President:
Martin Fox, Belmont
Board members’ committee reports

Supervisor Adrienne Tissier congratulated the County’s Human Resources Director, Donna Vaillancourt was honored on November 29, 2011 at the California State Association of Counties meeting with the Circle of Service Award for her service to the county. Ms. Vaillancourt was also recognized for her ongoing participation with the County Personnel Administrators Association of California.

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.

17. Approve the minutes for the meetings of November 15 and 29, 2011

ASSESSOR-COUNTY CLERK-RECORDER

18. Resolution (071737):

A) Accepting the certificate of the Chief Elections Officer as the statement of the results of the vote as determined by the official canvass of the November 8, 2011 Consolidated Municipal, School, and Special District Election; and

B) Declaring the person or persons elected to or nominated for certain offices on the Midcoast Community Council

BOARD OF SUPERVISORS

19. Resolution (071738) authorizing the President of the Board to execute a letter to the State Department of Food and Agriculture indicating the County’s support of the direct to consumer stakeholder process currently being undertaken, and stating further, the Board’s support of reasonable state regulations so that small dairies can be relieved of burdensome regulation and directly contract with consumers (Supervisor Don Horsley)

20. Recommendation for the appointment of Michael George Epp, representing Substance Abuse Family Member, to the Mental Health and Substance Abuse Recovery Commission, term expiring September 30, 2014 (Supervisors Dave Pine and Don Horsley)

21. Recommendation for the appointment of Adele Berg to the Workforce Investment Board, term expiring June 30, 2014 (Supervisor Rose Jacobs Gibson)

22. Recommendation for the appointment of Ryan Boyle to the Workforce Investment Board, term expiring June 30, 2014 (Supervisor Rose Jacobs Gibson)
23. Recommendation for reappointments of the following persons to the North Fair Oaks Council:
(Supervisor Rose Jacobs Gibson)
   A) Laura Caplan and Esperanza Vazquez, terms expiring December 31, 2013
   B) Beatriz Cerrillo, Dale Miller, Manuel Ramirez, and John Shott, terms expiring December 31, 2014

24. Ratification of a resolution (3270) honoring Norma Gomez for her years of service to the City of San Mateo (Supervisor Carole Groom)

25. Ratification of a resolution (3271) honoring John Lee for his years of service to the City of San Mateo (Supervisor Carole Groom)

26. Ratification of a resolution (3272) honoring the City of Belmont Pedestrian/Bicycle Bridge (Supervisor Carole Groom)

COUNTY COUNSEL
27. Approve corrections to the identified tax rolls and corresponding tax refunds

28. Resolution (071739) appointing David John Irwin to the Board of Directors of the Westborough Water District

COUNTY MANAGER
29. Resolution (071740) authorizing:
   A) An agreement with Hinderliter, de Llamas & Associates for the provision of sales tax analysis, recovery and consulting services for the term of January 1, 2012 through December 31, 2014 in an amount not to exceed $500,000; and
   B) The County Manager or his designee to execute subsequent amendments and minor modifications in an amount not to exceed $25,000

30. Resolution (07171) authorizing:
   A) An amendment to the lease agreement with 1390 El Camino Real, LLC, a California Limited Liability Company, for office space located at 1390 El Camino Real, San Carlos, extending the term through January 31, 2013, eliminating the County’s Extension Options, authorizing the County to terminate the lease on 90 days notice, and increasing the monthly base rent by $620.78 to $4,363.95; and
   B) The County Manager or his designee to accept or execute notices, options, and documents associated with the amendment and agreement including but not limited to extension or termination of the lease under the terms set forth
31. Resolution (071742) authorizing:

A) An amendment to the lease agreement with 550 Quarry Road, LLC, a California Limited Liability Company, for office and warehouse space located at 550 Quarry Road, San Carlos, extending the term through October 31, 2012, at the current base rent of $88,986.11 and authorizing the County to terminate the lease on 90 days notice; and

B) The County Manager or his designee to accept or execute notices, options, and documents associated with the amendment and lease including but not limited to extension or termination of the lease under the terms set forth

32. Resolution (071743) extending the provision of continued employment status for reservists called for duty in connection with military expeditions and operations to combat terrorism and in connection with military operations in Afghanistan and Iraq until June 30, 2012

COURTS
33. Recommendation for the reappointment of Bonnie Miller to the Juvenile Justice and Delinquency Prevention Youth Commission, term ending December 31, 2015

GOVERNING BOARD
34. Resolution 2011-09 (071744) authorizing the Executive Director of the Housing Authority to execute an Adoption Agreement for Section 457(b) Deferred Compensation and its associated documents with The Variable Annuity Life Insurance Company to comply with recent legislative changes

HEALTH SYSTEM
35. Resolution (071745) authorizing:

A) An agreement with Addiction Research and Treatment, Inc. for the provision of narcotic replacement therapy services for the term of December 1, 2011 through June 30, 2012 in an amount not to exceed $400,000; 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

36. Resolution (071746) authorizing:

A) An agreement with Pacific Footcare Podiatry Group, Inc. for the provision of podiatry services for the term of February 1, 2012 through January 31, 2014 in an amount not to exceed $259,200; 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
37. Resolution (071747):

A) Waiving the Request for Proposals process and authorizing agreements with Seton Medical Center, Seton Medical Center-Coastside, Sequoia Hospital, Menlo Park Surgical Hospital, Ravenswood Family Health Center, Mills-Peninsula Health Services-Peninsula Medical Center, Mills-Peninsula Health Services-Mills Health Center, and Stanford Hospital and Clinics for the provision to participate in the National Bioterrorism Hospital Preparedness Program for the term of September 1, 2011 through August 31, 2014 in the aggregate amount of $298,500 for these and all other hospitals and healthcare facilities in the County that contract with Public Health to participate in the program, no Net County Cost; and

B) Authorizing the Chief of the Health System or her designee to execute agreements to add other hospitals and/or healthcare facilities who desire to contract with Public Health to participate in the program

C) The Chief of the Health System or her designee to execute subsequent amendments and minor modifications in an amount not to exceed $25,000

**Abstained: Supervisor Carole Groom**

38. Resolution (071748) authorizing:

A) An amendment to the agreement with Dixon Hughes Goodman, LLP, formerly known as Dixon Hughes, PLLC, for the provision of Independent Review Organization services, increasing the amount by $130,000 to $230,000, extending the term through April 30, 2015; 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

39. A) Introduction of an ordinance amending the Master Salary Ordinance to add positions in the Family Health Services Division and waiver of reading the ordinance in its entirety; and

This item was continued to the meeting of January 10, 2012 for adoption.

B) Resolution (071749) authorizing a transfer in the amount of $530,218 from Unanticipated Revenue to Salary Special Expenses in Family Health Services for FY 2011-12 (4/5ths vote required)

40. Resolution (071750) authorizing the acceptance of a Base Award Augmentation from the California Department of Public Health, Tuberculosis Control Branch for the provision of tuberculosis prevention and control activities for the term of July 1, 2011 through June 30, 2012 in the amount of $17,070

41. Adoption of an ordinance (04594) amending the Master Salary Ordinance, previously introduced on November 15, 2011 and waiver of reading the ordinance in its entirety
HUMAN RESOURCES

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

   Julia E. Bonilla        Clara Rodriguez
   Nina DiMassimo          Elizabeth Sanchez
   Martin Lopez            Michael Whitlach
   Pescadero Creek Inn

B) Application for leave to present a late claim: No statutory basis for excuse

   Helen Coneff

43. Resolution (071751) waiving the Request for Proposal process and authorizing:

   A) The Human Resources Director to execute renewal agreements with Kaiser, Blue
      Shield, and Secure Horizons for the provision of health coverage for County Employees,
      retirees and their dependents in an aggregate amount not to exceed $91,000,000 for the
      term of January 1, 2012 through December 31, 2012; and

   B) The Human Resources Director or her designee to execute subsequent amendments
      and minor modifications in an amount not to exceed $25,000

44. Resolution (071752) authorizing the Human Resources Director to:

   A) Continue the agreement with CalPERS to pre-fund Other Post-Employment Benefits;
      and

   B) Select CalPERS' moderate investment strategy with a discount rate of 7.06% instead of
      the current 7.75% rate

45. Introduction of an ordinance amending the salary ordinance and accepting the report on the
    total number of position in the County and waiver if reading the ordinance in its entirety

   This item was continued to the meeting of January 10, 2012 for adoption.

INFORMATION SERVICES

46. Resolution (071753) authorizing:

   A) An agreement with Sable Computer, Inc., doing business as KIS (Keep it Simple) for the
      provision of design, configuration and implementation assistance for the conversion from
      Novell NetWare to the County's Active Directory structure for the term of December 14,
      2011 through December 13, 2012 in an amount not to exceed $329,233; and

   B) The Chief Information Officer or his designee to execute designee to execute
      subsequent amendments and minor modifications in an amount not to exceed $25,000
PROBATION

47. Resolution (071754) authorizing a revenue agreement with the San Mateo County Superintendent of Schools for the provision of staffing support by the Probation Department to community schools for the term of July 1, 2011 through June 30, 2012 in an amount not to exceed $450,552

48. Resolution (071755) authorizing:

   A) Agreements with the Art of Yoga Project, Mind Body Awareness and Fresh Lifelines for Youth for the provision of services for at-risk and system involved youth for the term of July 1, 2011 through June 30, 2014 in the amounts of $165,000, $149,919 and $336,000 respectively, no Net County Cost; and

   B) The Chief Probation Officer or his designee to execute subsequent amendments and minor modifications in an amount not to exceed $25,000

49. Resolution (071756) authorizing:

   A) Agreements with StarVista and Fresh Lifelines for Youth for the provision of services for at-risk and system involved youth for the term of July 1, 2011 through June 30, 2014 in the amounts of $331,200 and $618,000 respectively, no Net County Cost; and

   B) The Chief Probation Officer or his designee to execute subsequent amendments and minor modifications in an amount not to exceed $25,000

50. Resolution (071757) authorizing:

   A) Agreements with Peninsula Family YMCA, Pyramid Alternatives, Peninsula Conflict Resolution Center and El Centro de Libertad for the provision of services to at-risk and system involved youth for the term of July 1, 2011 through June 30, 2014 in the amounts of $378,261, $338,037, $350,205 and $173,535 respectively, no Net County Cost; and

   B) The Chief Probation Officer or his designee to execute subsequent amendments and minor modifications in an amount not to exceed $25,000

PUBLIC WORKS

51. Resolution (071758) authorizing the Director of the Public Works Department or his designee to:

   A) Execute a grant contract with the California Department of Parks and Recreation for construction projects within four County Parks in the amount of $608,876; and

   B) Execute any other documents associated with the acceptance of grant funding

   C) Execute and record deed restrictions to ensure that the property improved with grant funds is used for the purpose for which the funds were provided

52. Resolution (071759) authorizing an agreement with Mavericks Invitational, Inc. to allow vehicles to park at the Half Moon Bay Airport during the one-day Mavericks Invitational Surf Contest (4/5ths vote required)
53. Resolution (071760) authorizing:

A) An agreement with Marin County for the provision of County Program Director services to Fishery Network of Central California Coastal Counties for the term of October 1, 2010 through March 31, 2013 in the amount of $142,432.78; and

B) The Director of the Public Works Department to accept and issue change orders to provide additional services requested by Marin County, or to address unforeseen issues as they may arise in consideration of Marin County’s agreement to pay the County additional compensation for additional work or changed services

54. Resolution (071761) rejecting all bids received for the Morgue Renovation Project at San Mateo Medical Center and directing the Director of the Public Works Department to inform the bidders of this determination

55. Resolution (071762) establishing a No Parking Zone at the northeast corner of the intersection of Santa Cruz Avenue and Palo Alto Way, West Menlo Park area

This item was moved to the regular agenda.

Speakers recognized by the President:
Roberta Morris, Menlo Park
Jim Porter, Public Works
Supervisor Adrienne Tissier, Board of Supervisors

Motion: Tissier / Second: Jacobs Gibson

SHERIFF
56. A) Resolution (071763):

1) Accepting the FY 2011 National Justice Information Sharing Initiative grant award for the term of October 1, 2011 through March 31, 2013 in the amount of $90,240; and

2) Authorizing the Sheriff or his designee to execute all necessary documents in connection with the grant including but not limited to agreements, amendments, and grant assurances

B) Resolution (071764) authorizing a transfer in the amount of $90,240 from Unanticipated Revenue to Other Professional Contract Services (4/5ths vote required)

57. Resolution (071765) authorizing a transfer in the amount of $150,000 from reserves to various accounts to purchase the replacement/upgrade hardware, software and implementation of the Storage Area Network appliances (4/5ths vote required)

The meeting adjourned at 4:16 p.m. in memory of Lee Buffington, John Bernard, Steve Shubunka, and Dennis Richardson.