

# MINUTES

<b>Board Members</b>	<b>County Manager/ Clerk of the Board</b>
Richard S. Gordon	John Maltbie
Mark Church	
Jerry Hill	
Rose Jacobs Gibson	<b>County Counsel</b>
Michael D. Nevin	Tom Casey

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ALL AGENDA ITEMS AND STAFF RECOMMENDATIONS HAVE BEEN APPROVED AND/OR ADOPTED BY UNANIMOUS VOTE UNLESS OTHERWISE NOTED BELOW THE ITEM

Tuesday, March 6, 2001

This meeting was called to order at 9:02 a.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL - All Supervisors present**

- 1      8:15 a.m      CLOSED SESSION - None
- 2.      9:00 a.m.      REGULAR AGENDA (SEE PAGE 5)  
                            CONSENT AGENDA (SEE PAGE 7)

Jacobs Gibson/Hill - The consent agenda was approved with the following changes: Items number 9 and 10 were transferred to the regular calendar, Item number 19 was continued to March 27, 2001, and Item number 36 was continued to March 13, 2001

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agenda are approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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

- 3      ORAL COMMUNICATIONS - None

March 6, 2001

**MATTERS SET FOR SPECIFIED TIME**

- 4      9:45      Hepatitis C Report
- 1)    Accept a report on the status of the Hepatitis C (HCV) epidemic in San Mateo County
  - 2)    Support the adoption of a stronger emphasis on “harm reduction” by proceeding with the development of a program to provide health services, testing, counseling, and prevention services to drug users in the County who are not yet ready or able to enter treatment
  - 3)    Initiate a task force to review and make recommendations on the current status of and the long-term plan for needle exchange in the County as a way to further prevent the spread of Hepatitis C
  - 4)    Continue to support a small infrastructure of HCV education, prevention, testing and counseling efforts with a new annual general fund contribution of \$85,000

Speakers recognized by the President

Margaret Taylor, Direct of Health Services Agency

Dr. Scott Morrow, Health Services Agency

John Maltbie, County Manager

Suzanne Johnk, ACRC, 998 Lakeview Way, Redwood City, 94062

Roger Hutchins, 330 Wisteria, East Palo Alto, 94303

Joey Tranchina, AIDS Prevention Action Network and Hepatitis C Global Foundation, 1404 Madison Ave., Redwood City, 94061

Luther Brock, Sr., Task Force Member, 1048 El Camino Real, Redwood City

Gary Shapiro, 8251 N Delaware St., San Mateo, 94401

Hill/Church - Approved all recommendations

5.      10:00      Hearing to consider an appeal of the Planning Commission’s approval of a Coastal Development Permit to construct a new 2,629 sq ft single family residence and drilling of a domestic well in the Seal Cove area of unincorporated Moss Beach (Applicant/Owner: Michael and Joanne Mahon/Appellants: Judith Macias, Jan Didur, Jeff Tate, and Lennie Roberts). This project is appealable to the California Coastal Commission (Environmental Services Agency) **(Continued from January 30, 2001)**

**CONTINUED**

March 6, 2001

- 1 ) Report and recommendations
- 2 ) Close hearing - Church/Hill
- 3 ) Approve or deny appeal

Speakers recognized by the President

Terry Burnes, Environmental Services Agency  
Jean De Mouthe, County Geologist  
Dean Peterson, Environmental Health Services  
Lennie Roberts, Committee for Green Foothills, 339 La Cuesta, Portola Valley, 94028  
Scott Graham, 495 Stetson, Moss Beach, 94038  
Paul Perkovic, P.O. Box 371149, Montara, 94037-1149  
Jim Elliot, 980 The Alameda, El Granada, 94018  
Michael Mahon, Owner, 863 San Ramon Ave., Moss Beach, 94038  
Joanne Mahon, Owner, 863 San Ramon Ave, Moss Beach, 94038  
Harvey J. Wright, P O Box 371414, Montara, 94037  
David Buckley, 3452 Lisbon Drive, San Jose, 95132  
Tom Mahon, 1445 Sunshine Valley Rd., Montara, 94037

Church/Hill - Deny the appeal, have staff report back on well issue

6. 10 30 Accept the report from the Private Defender Evaluation Committee and direct the County Manager to incorporate the Board's recommendations in the negotiations with the Bar Association for the 2000-05 Private Defender Contract (Assistant County Manager, Paul Scannell)

Close hearing - Hill/Gordon

Speakers recognized by the President

Paul Scannell, Assistant County Manager  
John DiGiacinto, Executive Director, San Mateo County Bar Association, Administrator of the Private Defender Program, 333 Bradford St., Redwood City, 94063  
Judge Walter Harrington  
District Attorney Jim Fox, 400 County Center, Redwood City, 94063  
Kevin Nowalk, 2171 Junipero Serra, #700, Daly City, 94014  
Marc Fagel, Member of the Private Defender Program Evaluation Committee, 39 Bayview, San Carlos, 94070  
Marlene De Lancie, 521 Dorchester, San Mateo, 94402  
Emily, Skolnick ACLU, 345 Parrott Dr., San Mateo, 94402  
Linda Martorana, 1130 Millbrae Ave, Millbrae, 94030

**CONTINUED**

March 6, 2001

Ken Russell, Mid-Peninsula ACLU, 337 Chestnut Ave , Palo Alto, 94306

Seth Yatovitz, 207 High Street, Palo Alto, 94301

Walter E. Hogue, 1933 E. Bayshore Road, Redwood City, 94063

Dan Halpern, 1060 Continental #416, Belmont, 94402

Don Heiman, 1231 North Road, Belmont, 94002

Gordon - Eliminate the training program, establish more outreach and attorney evaluations and have staff report back on the establishment of a County staff position to oversee the contract and could serve as an additional venue for people who had complaints the were not getting addressed

Hill - The contract should be reviewed by a third party to evaluate, not the program necessarily, but of the performance measures, evaluations and assessments.

Church/Jacobs Gibson - 1) Eliminate the training program and 2) establish a three-member committee, possibly with a Judge, to hear the complaints and make recommendations to the Executive Director of the Program who has the ultimate authority to take actions

Hill - No

March 6, 2001

## REGULAR AGENDA

### ENVIRONMENTAL SERVICES

- 7 Resolution (64271) authorizing an agreement rescinding a California Land Conservation (Williamson Act) Contract and replacing it with an Open Space Easement, pursuant to Government Code Section 51255 (Assessor's Parcel Number 087-220-080)

Speakers recognized by the President

Terry Burnes, Environmental Services Agency

Michael McCracken, 840 Malcolm Road, Suite 100, Burlingame, 94010

James F Pratt, 730 Irwin Lane, Santa Rosa, 95401

Church/Jacobs Gibson - The Open Space Easement, Paragraph 3, Grant of Easement, was changed to substitute the words "in perpetuity" for the words "for a period of not less than thirty (30) years." and Paragraph 4, Covenants, was changed to substitute [i] for [I] in the third sentence

### PUBLIC WORKS

8. 1) Determine if the minimum fee charged to fixed based operators should be increased or decreased each year based on the change in the Consumer Price Index
- 2) Resolution (64272) authorizing the minimum fee to be adjusted each year based on the change in the Consumer Price Index beginning July 1, 2001 in order to provide business operators time to determine if they wish to terminate their concession agreement or pay a higher fee (4/5ths vote required)

Speakers recognized by the President

Neil Cullen, Director of Public Works

Hill/Church - The increase will occur on January 1<sup>st</sup> of each year beginning on January 1, 2002

### COUNTY MANAGER

- 9 Resolution (64273) authorizing an amendment to the agreement with Collaborative Economics at an amount not to exceed \$33,500 to conclude their work on the Board's Visioning Project

This item was transferred to the consent agenda.

March 6, 2001

- 10 Resolution (64274) authorizing the Green Building Demonstration Projects at an amount not to exceed \$175,000 to be reimbursed through the California Integrated Waste Management Board Grant

This item was transferred to the consent agenda.

- 11 County Manager s report - None

### **BOARD OF SUPERVISORS**

- 12 Board members committee reports

Jacobs Gibson - Commend Phelicia Jones, Hope Preservation, who coordinated and brought the Black Church Week of Prayer for the Healing of AIDS to the Boards attention

Nevin - Commend Nationally the Black Churches of America for showing the courage to take a stand on AIDS and thank them for their leadership and wish them well

March 6, 2001

## CONSENT AGENDA

### ASSESSOR - COUNTY CLERK - RECORDER

- 13 Resolution (64275) authorizing an amendment to the agreement with Easy Access, Inc for software development and support, extending the term through December 31, 2001 and increasing the amount by not more than \$117,100
- 14 Resolution (64276) authorizing a transfer in the amount of \$223,588 from salary and benefits accounts and unanticipated revenue accounts within the Assessor-County Clerk-Recorder budget units to the salary and benefits accounts and services and supplies accounts within the Elections budget unit

### BOARD OF SUPERVISORS

15. Resolution (1835) honoring and commending the Peninsula Alano Club on the occasion of its 40<sup>th</sup> Anniversary (Supervisor Jerry Hill)
16. Recommendation to reappoint Marianne Maneja to the Mental Health Advisory Board for a term to expire December 31, 2003 (Supervisor Richard Gordon)
17. Recommendation to renew the appointment of Kristine Pereira of Oceana High School to the Youth Commission Board for a term to expire upon her graduation or exit from San Mateo County (Supervisor Richard Gordon)
18. Recommendation to appoint B.J Hutchinson to the Emergency Medical Care Committee representing the American Heart Association for a term to expire March 6, 2005 (Supervisor Michael Nevin)
19. Proclamation designating March 30, 2001 as Cesar Chavez Day (Supervisor Rose Jacobs Gibson)

This item was continued to March 27, 2001

### COUNTY COUNSEL

20. Approve a property tax correction and decrease in the amount of \$26,154 54 for APN 061-441-160 for FY 2000-01 assessed to Arton Investment, Inc

March 6, 2001

21. Introduction of an ordinance amending the County Ordinance Code Section 2 196.020 regarding the reassessment of damaged or destroyed property to reflect the change in the property tax lien date and waiver of reading the ordinance in its entirety

This item continued to March 13, 2001 for adoption.

### **COUNTY MANAGER**

22. Resolution (64277) authorizing a third amendment to the agreement with IOR Services for inspection services related to the construction of the San Mateo County Health Center campus, increasing the not-to-exceed fee by \$30,000 from \$850,000 to \$880,000
23. Resolution (64278) authorizing a tower lease agreement with United Cable Television Corporation for the operation of a Public Safety Communication facility at East Third Avenue in Foster City
24. Resolution (64279) authorizing agreement to exchange public utility easements of equal value with Robert J Turman and Janet T Turman, execute a Quitclaim Deed and accept an Easement Grant Deed in the unincorporated San Carlos area (4/5ths vote required)
25. Resolution (64280) waiving the Request for Proposal process and authorizing an agreement with Frank Battipede for project management and construction administration services for various County projects for the term March 1, 2001 through February 28, 2003 in an amount not to exceed \$234,520
26. Introduction of an ordinance amending the salary ordinance adding one Environmental Health Inspector to the Health Services Agency and waiver of reading the ordinance in its entirety

This item continued to March 13 2001 for adoption

### **EMPLOYEE AND PUBLIC SERVICES**

27. Introduction of an ordinance amending the salary ordinance and accept the report on the total number of positions in the County and waiver of reading the ordinance in its entirety

This item continued to March 13, 2001 for adoption



March 6, 2001

28 Report recommending denial of the following claims:

Claims (Non-culpable)

Julie Ann and William George Bartha  
Michael and Lynn Marie Bulnes  
Barbara A Chappell  
Roy Gregory Harris  
Revealed Solutions Inc.

Emize Smith Jr  
Robert Stephens  
Mark T Tyson  
Judith A Volz  
Bernard Keith Walls

**HEALTH SERVICES AGENCY**

- 29 1) Resolution **(64281)** authorizing agreement with Agbayani Construction , Inc. for renovation of Unit A-7, Building 323, Menlo Park Campus, Department of Veterans Affairs (DVA), Palo Alto Health Care System
- 2) Resolution **(64282)** authorizing a transfer in the amount of \$208,425 (AB 2034 Homeless Mentally Ill grant revenue) to increase the Interagency Agreements - Non-County account for FY 2000-01 to fund the remodeling contract with Agbayani Construction, Inc
- 30 1) Resolution **(64283)** accepting a Peninsula Community Foundation Health Fund a two-year grant in the amount of \$50,000, \$25,000 for FY 2000-01 followed by \$25,000 for FY 2001-02
- 2) Resolution **(64284)** authorizing a transfer in the amount of \$25,000 for FY 2000-01 from Other Foundation Grants to Contact Special Program Services
- 31 Adoption of an ordinance **(04031)** previously introduced amending the salary ordinance adding one full-time Community Program Specialist to Public Health Services for an expanded Black Infant Health Program and waiver of reading the ordinance in its entirety
- 32 Adoption of an ordinance **(04032)** previously introduced amending the salary ordinance adding one full-time Community Worker unclassified to Public Health Services for increased dental services for San Mateo county children and the waiver of reading the ordinance in its entirety

**HUMAN SERVICES AGENCY**

- 33 Resolution **(64285)** authorizing an amendment to the agreement with The Lesley Foundation to provide funding for land acquisition for development of affordable senior housing developed by Mid-Peninsula Housing at a cost of \$572,629 provided by the CDBG/HOME Program

March 6, 2001

**PUBLIC WORKS**

34. Resolution **(64286)** authorizing.
- 1) The installation of stop signs on Avenue Alhambra County Road No 933-A and 933-B, and Santa Anna Street, County Road No 913 in El Granada
  - 2) The removal of stop signs on Coronado Street, County Road No 920-A and 920-B at the intersection of Santa Anna Street and Avenue Alhambra in El Granada
35. Resolution **(64287)** setting a time and place for a public hearing to consider the proposed dissolution of the East Palo Alto County Waterworks District (EPACWD)
36. Resolution adopting Plans and Specification to determine prevailing wage scales and calling for sealed proposals to replace the existing water storage tanks at Cordilleras Center

This item continued to March 13, 2001.

The meeting adjourned at 11.20 a.m to reconvene on Tuesday, March 13, 2001, at 8:15 a m in Closed Session - Litigation and Personnel Matters, and thereafter for the regularly scheduled Board meeting.

# MINUTES

<b>Board Members</b>	<b>County Manager/ Clerk of the Board</b>
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Tuesday, March 13, 2001

This meeting was called to order at 9.02 a.m.

### PLEDGE OF ALLEGIANCE

ROLL CALL Supervisor Gordon absent

1 8:15 a.m. CLOSED SESSION

Conference with Legal Counsel - Existing Litigation

Thomas Derner v. San Mateo County, (WCAB) SFO 0418211

Stacy Bonilla v San Mateo County, (WCAB) SM980830

Settled in the amount of \$30,940

Melvin Harris v San Mateo County, (WCAB) SJO 0180145, CI# SM 947655

Settled in the amount of \$37,327.50

William Osborn v San Mateo County, (WCAB) SFO 0430134, CI# SM990330

Settled in the amount of \$49,342

Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9;

ONE CASE



March 13, 2001

**REGULAR AGENDA**

**COUNTY MANAGER**

6. County Manager's report - None

**BOARD OF SUPERVISORS**

- 7 Board members' committee reports

Church - Thanked Supervisor Jacobs Gibson for inviting City Mayors and Planners to meet with the Honorable Julie Bornstein, Director, California's Department of Housing and Community Development to provide a summary of the Governor's housing agenda

Reported on the Airport Roundtable Committee

Hill - Commented on the meeting with the Honorable Julie Bornstein.

Nevin - Commented on the meeting with the Honorable Julie Bornstein

- 8 Legislative Subcommittee Meeting after adjournment of regular meeting

March 13, 2001

## CONSENT AGENDA

9. Minutes of the meeting of February 27, 2001

### BOARD OF SUPERVISORS

10. Resolution (**1836**) honoring Curtis Covington upon the occasion of his retirement following an exemplary career of over three decades with San Mateo County (Supervisor Nevin)
11. Ratification of a resolution (**1837**) honoring Bill Jackson upon the occasion of his retirement following an exemplary career of over three decades with San Mateo County (Supervisor Nevin)
12. Recommendation to appoint Diane Breslow to the Commission on Aging for a term expiring March 13, 2004 (Supervisor Church)
13. Recommendation to appoint Chuck Gust of Pescadero and Barbara Kossy of Moss Beach to the Resource Conservation District for terms expiring November 30, 2004 (Supervisor Gordon)

### CHIEF INFORMATION OFFICER

14. Resolution (**64288**) waiving the Request for Proposal process and authorizing the purchasing agent to issue a purchase order to Oracle Corporation for database software and support for the Controller's IFAS System

### COUNTY COUNSEL

15. Adoption of an ordinance (**04033**) amending the County Ordinance Code Section 2 196 020 previously introduced, regarding the reassessment of damaged or destroyed property to reflect the change in the property tax lien date and waiver of reading the ordinance in its entirety

### COUNTY MANAGER

16. Resolution (**64289**) authorizing an amendment to the lease agreement with Manor Associates, Ltd to provide for construction of certain modifications to the office at 32 West 25<sup>th</sup> Avenue, San Mateo for the Mental Health Dual Diagnosis and Mentally Ill Offender Services Program in an amount not to exceed \$4,200

March 13, 2001

- 17 Resolution (**64290**) authorizing Use of Premises Permit Agreement with Ravenswood City School District for use of office space for the WIC program at 2160 Euclid Avenue in East Palo Alto (Lease No. 1236) for a three year period retroactive to March 2000 with a monthly permit fee of \$3,168 subject to annual adjustment based on the Consumer Price Index
18. Resolution (**64291**) amending the Software License Agreement with American Management Systems, Inc. to add the PatternStream software component in an amount not to exceed \$35,000
- 19 Adoption of an ordinance amending the salary ordinance previously introduced, adding one Environmental Health Inspector to the Health Services Agency and waiver of reading the ordinance in its entirety
- 20 Accept the report on the 2<sup>nd</sup> Quarterly Performance Measures for County departments
- 21 Accept the report on the CARES Survey Results for April through December 2000

#### **EMPLOYEE AND PUBLIC SERVICES**

22. Adoption of an ordinance (**04035**) previously introduced, amending the salary ordinance and accept the report on the total number of positions in the County and waiver of reading the ordinance in its entirety
23. Report recommending denial of the following claims:

Claims (Non-culpable):

Russell Scott Kashian

Paul and Lynn Simon

Rita M Velazco and Milagros Velazco McClay

#### **ENVIRONMENTAL SERVICES**

24.
  - 1) Resolution (**64292**) authorizing the Director of Environmental Services Agency to submit three grant applications to the California Coastal Conservancy for projects titled San Bruno Mountain State and County Park Habitat Restoration (\$81,670), Edgewood Park and Natural Preserve Habitat Restoration and Education/Interpretive Signage (\$17,000), and the Werder Fishing Pier Master Plan (\$100,000)
  - 2) Authorize the Director of Environmental Services Agency to execute any other documents, required by and for the grants

March 13, 2001

25.
  - 1) Resolution **(64293)** authorizing the Director of Environmental Services Agency to submit a grant application to the California State Integrated Waste Management Board in the amount of \$50,000 for the replacement of playground equipment and structures at Magic Mountain playground facility in the Coyote Point recreation area
  - 2) Authorize the Director of Environmental Services Agency to execute any other documents required by and for the grant
26.
  - 1) Resolution **(64294)** authorizing the Director of Environmental Services Agency to submit a grant application to the California State Water Resources Control Board in the amount of \$340,000 for the design and construction of wash down racks at four park locations
  - 2) Authorize the director of Environmental Services Agency to execute any other documents, including a Letter of Commitment, required by and for the grant

**HEALTH SERVICES AGENCY**

27.
  - 1) Resolution **(64295)** authorizing an amendment to Agreement MS-0001-13 with the California Department of Aging for the Multipurpose Senior Services Program increasing the amount \$37,608 for a total of \$739,385
  - 2) Resolution **(64296)** authorizing a transfer in the amount of \$37,608 from the Federal Categorical Program Funds to Salaries and Benefits and Facility Rent accounts to set up additional appropriation and recognize additional revenues
28. Resolution **(64297)** authorizing agreement with Mental Health Association of San Mateo County for the continuation of the HIV/AIDS Housing Assistance Program for a term beginning March 1, 2001 through February 28, 2002 in an amount not to exceed \$734,000, no net County cost
29. Resolution **(64298)** authorizing an amendment to the agreement with the Regents of the University of California, on behalf of the University of California, San Francisco for medical direction of the emergency medical services system and medical consultation to the Emergency Medical Services Program extending the agreement through December 31, 2002 in an amount not to exceed \$378,000, no net County cost



March 13, 2001

## HUMAN SERVICES AGENCY

30. Resolution (64299)
- 1) Authorizing the Human Services Agency Director to accept a seven month grant from the California Department of Health Services Tobacco Control Section for tobacco prevention youth coalition services for the term of February 1, 2001 through August 31, 2001 in the amount of \$25,000
  - 2) Waiving the Request for Proposals process and authorizing the Human Services Agency to initiate a contract with the Youth Leadership Institute as designated in the grant proposal

## PUBLIC WORKS

- 31 Resolution (64300) adopting plans and specifications, determining prevailing wage scales and calling for sealed proposals for the resurfacing of Crystal Springs Trail and the paving of its extension to San Bruno Avenue
32. Resolution (64301) adopting plans and specification, determining prevailing wage scales and calling for sealed proposals for the Palomar Park and vicinity resurfacing project, San Carlos/Redwood City area

This item was transferred to the regular agenda

### Speakers recognized by the President

Neil Cullen, Director of Public Works

Hill/Church - Delete Clifford Avenue and portion of Palomar Drive from Belle Roche to Bromley Drive due to the future replacement of a failing septic tank with City sewer service

- 33 Resolution adopting the Plans and Specification to determine prevailing wage scales and calling for sealed proposals to replace the existing water storage tanks at Cordilleras Center. **(This item continued from March 6, 2001)**

This item was continued to March 27, 2001.

March 13, 2001

**SHERIFF**

- 34 Resolution (**642302**) authorizing an amendment to the agreement with Management Partners Incorporated, extending the term by six months to a new expiration date of September 30, 2001
35. 1) Introduction of an ordinance amending the salary ordinance adding two Deputy Sheriff positions in the Sheriff's Training Unit and waiver of reading the ordinance in its entirety
- 2) Resolution (**64303**) authorizing a transfer in the amount of \$64,722 from Public Safety Sales Tax revenues to various Salaries and Benefits accounts and Employee and Public Services Recruitment Services, no net County cost (4/5ths vote required)

The ordinance was continued to March 27, 2001 for adoption.

36. 1) Resolution (**64304**) authorizing supplemental Sheriff's Patrol services within the towns of Woodside and Portola Valley
- 2) Introduction of an ordinance amending the salary ordinance adding two Deputy Sheriff positions in the Sheriff's Patrol Bureau and waiver of reading the ordinance in its entirety
- 3) Resolution (**64306**) authorizing a transfer in the amount of \$76,804 from Contract Services accounts to Salaries and Benefits, Source Supplies and Other Charges accounts, no net County cost (4/5ths vote required)

The ordinance was continued to March 27, 2001 for adoption

The meeting adjourned at 10:10 a.m. in memory of Eugene Gheleta, to reconvene on Tuesday, March 27, 2001 at 8:15 a.m. in Closed Session - Litigation and Personnel Matters, and thereafter for the regularly scheduled Board meeting.