

# 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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PLEASE NOTE THERE WILL BE NO MEETING OF THE  
BOARD OF SUPERVISORS ON JULY 13 AND 20, 2004

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

The meeting was called to order at 9:16 a.m.

Tuesday, July 6, 2004

## PLEDGE OF ALLEGIANCE

ROLL CALL: Present - Supervisors Church, Gordon, Hill, Jacobs Gibson and Nevin  
Absent - None

1. 8:15 a.m. CLOSED SESSION  
Conference with Legal Counsel - Existing Litigation  
*Hampton v. Goulart, et. al.*  
*USSF C03 03605 SI*  
  
*Singleton v. County of San Mateo, et. al.*  
*USSF C04-0469 MEJ*  
  
*Public Employee Appointment*  
*Title: County Manager*  
**No Report**

2. 9:00 a.m. REGULAR AGENDA (SEE PAGE 3)  
CONSENT AGENDA (SEE PAGE 4)  
GOVERNING BOARD (SEE PAGE 8)  
**Gordon/Hill**

3. ORAL COMMUNICATIONS - None

## MATTERS SET FOR SPECIFIED TIME

4. 9:00 a.m. Presentation by the San Mateo County Tobacco Education Coalition  
(Supervisor Mark Church)  
**Speaker's recognized by the President:**  
Amy Benjamin  
Don Horsely, Sheriff

5. 9:15 a.m. Hearing to consider a resolution:
- 1) Ordering the annexation of the Lands of Harris to the Fair Oaks Sewer Maintenance District, Woodside area
  - 2) Instructing the Clerk of the Board to transmit to the Town of Woodside a copy of the resolution (Public Works)
    - a) Report and recommendation
    - b) Close hearing **Hill/Gordon**
    - c) Adopt resolution **(066787) Hill/Jacobs Gibson**

**Speaker's recognized by the President:**

Neil Cullen, Director of Public Works

6. 10:00 a.m. Hearing to consider an appeal of the Planning Commission's decision to deny certification of a Negative Declaration and require preparation of a focused Environmental Impact Report for a 4-lot subdivision of a 49,322 square foot parcel located at 40 Bishop Lane, unincorporated West Menlo Park area (Applicant: Ted Misselwitz, Applicant/Owner: Chandelle LLC): (Environmental Services Agency)
- 1) Report and recommendation
  - 2) Close hearing **Nevin/Gordon**
  - 3) Approve or deny appeal

**Speakers recognized by the President:**

Terry Burnes, Planning Administrator

Supervisor Rich Gordon, Board of Supervisors

Supervisor Jerry Hill, Board of Supervisors

Supervisor Mike Nevin, Board of Supervisors

Clifford Bechtel, 7 Monticello Court, Woodside 94062

Alicia Torregrosa, 27 Bishop Lane, Menlo Park 94025

Stuart Weiss, 27 Bishop Lane, Menlo Park 94025

Theodore F. Misselwitz, 7250 North Mercer Way, Mercer Island 98040

Lennie Roberts, 339 La Cuesla, Portola Valley 94028

Janet Davis, 2455 Alpine Road, Menlo Park 94025

Ted Misselwitz, 8 Rock Creek Court, Emerald Hills 94062

Mike Houlihan, 4215 Alpine Road, Portola Valley 94028

Mr. Taft, 26510 Purissima Road, Los Altos 94022

Oscar Firschein, 29 Stone Lane, Menlo Park 94025

Jim Schaff, 100 N. Winchester Blvd. Ste. 200, Santa Clara 95050

Steve Simpson, 603 Jefferson Avenue, Redwood City 94063

David Ivester, 111 Sutter Street Ste., 700, San Francisco 94103

Erik Sundquist, 4221 Burgundy Court, Loomis 95650

Ralph Osterling, 1650 Borel Place, San Mateo 94402

Pete McClosley, 501 Portla Road, Portola Valley 94025

**Staff was asked to clarify language regarding conditions. This item was continued to the meeting of July 27, 2004. Gordon/Jacobs Gibson**

7. 10:15 a.m. Hearing to consider an appeal of the Planning Commission's decision to approve a Coastal Development Permit to construct the Devil's Slide Tunnel project. (Appellant: Coastal Family Alliance, Applicant: Caltrans, Owner: Dana Denman, Andreas Bechtolshiem, June Schanbacher, Charlise Heiser Tr.). This project is appealable to the California Coastal Commission: (Environmental Services Agency)
- 1) Report and recommendation
  - 2) Close hearing **Hill/Gordon**
  - 3) Approve or **deny appeal Hill Gordon**
  - 4) Adopt resolution **(066788)**

**Speakers recognized by the President:**

Terry Burnes, Planning Administrator  
Skip Sowko, CalTrans, 111 Grand Avenue, Oakland  
Chuck Kozak, P.O. Box 370702, Montara 94037  
Zoc Kersteen-Tucker, 776 Buena Vista Street, Moss Beach 94035  
Lennie Roberts, 339 La Cuesla, Portola Valley 94028  
Oscar Braun, 1589 Higgins Canyon Road, Half Moon Bay 94019  
Sid Shadle, 40 Vine Avenue, San Anselmo 94960-2730  
Jeffrey G. Jensen, CalTrans, 111 Grand Avenue, Oakland  
Dr. Francis D. Mensah, CalTrans, 111 Grand Avenue, Oakland  
Chris Vogel, P.O. Box 67, El Granada 94018  
Dana Denman, Shamrock Ranch, Pacifica 94044  
Vic Abadie, P.O. Box 81, Montara 94037-0081  
Kathryn Slater-Carter, P.O. Box 321, Montara 94037  
Supervisor Jerry Hill, Board of Supervisors  
Tom Casey, County Counsel

8. 10:30 a.m. Presentation on Walk Smart (Supervisor Mark Church)

**Speakers recognized by the President:**

Kate Back, Assessor-County Clerk-Recorder's Office

**REGULAR AGENDA**

**COUNTY MANAGER**

9. County Manager's report  
**Speaker's recognized by the President:**  
John L. Maltbie, County Manager  
Assemblymember Leland Yee

**BOARD OF SUPERVISORS**

10. Board members' committee reports
11. Legislative Subcommittee meeting after adjournment of regular meeting - **No meeting**

12. Concur with the recommendations of Supervisor Mike Nevin and Supervisor Rich Gordon in the letter dated January 27, 2004 to Mr. Cliff Donley laying out the points of understanding regarding the construction and landscaping of the new Youth Services Center (Supervisor Mike Nevin and Supervisor Rich Gordon) (continued from June 8, 2004)  
**This item was continued to the meeting of August 31, 2004.**
13.
  - 1) Introduction of an ordinance adding Chapter 7.100, Vehicle Code Enforcement in El Granada Manufactured Home Community, and waiver of reading the ordinance in its entirety  
**This item was continued to the meeting of July 27, 2004 for adoption.**
  - 2) Resolution (066802) setting a time and place for a public hearing to consider the proposed ordinance regarding enforcement of the California Vehicle Code in the El Granada manufactured Home Community (Supervisor Rich Gordon)  
(Tuesday, July 27, 2004 at 9:00 a.m.)
14. Introduction of an ordinance adding Chapter 7.96, Prohibition on Use of Vehicle for Human Habitation, and waiver of reading the ordinance in its entirety (Supervisor Rich Gordon)  
**This item was continued to a date unspecified.**
15. Introduction of an ordinance proposing amendments to the San Mateo County Charter and ordering the amendments to be submitted to the Qualified Electors at the November 2, 2004 Election, and waiver of reading the ordinance in its entirety (Supervisor Mike Nevin and Supervisor Mark Church)  
**This item was moved to the Consent Agenda and continued to the meeting of July 27, 2004 for adoption.**
16. Reintroduction of an ordinance adding Chapter 2.206, Reporting of Improper Governmental Activity, of Title 2 of the San Mateo County Ordinance Code, and waiver of reading the ordinance in its entirety (Supervisor Jerry Hill and Supervisor Mark Church)  
**Speakers recognized by the President:**  
Tom Casey, County Counsel  
**This item was continued to the meeting of July 27, 2004 for adoption. Hill/Jacobs Gibson**

## CONSENT AGENDA

### BOARD OF SUPERVISORS

17. Ratification of a resolution (2280) honoring The Redwood Baptist Church on its 30<sup>th</sup> Anniversary (Supervisor Rose Jacobs Gibson)
18. Proclamation (2281) designating July 23, 2004 as FRIENDS Stuttering Awareness Day (Supervisor Mark Church)

### COUNTY COUNSEL

19. Deny the claim for refund of property taxes by Genentech paid for the 1992 through 1997 tax years for various properties located in South San Francisco area

20. Resolution (066789) authorizing the issuance and sale of Ravenswood City School District Election of 2000 General Obligation Bonds, Series C, prescribing the terms of the sale of bonds and execution of necessary documents, in an amount not to exceed \$2,500,000

#### COUNTY MANAGER

21. Accept a report on responses to the 2003-04 Grand Jury regarding Workplace Relationship Policies and Information Systems Management
22. Approve Revision Order Number 7 to the contract with Turner Construction Company to provide construction management, architectural and engineering services to the San Mateo County Youth Services Center, increasing the amount by \$2,023,484 to \$70,240,038
23. Approve Revision Order Number 8 to the contract with Turner Construction Company to provide construction management, architectural and engineering services to the San Mateo County Youth Services Center, increasing the amount by \$12,182,870 to \$82,431,908
24. Resolution authorizing:
- 1) A Lease/Concession Agreement with SUNBOW, Inc., a California Corporation, doing business as Air West Aircraft Engines for an aircraft maintenance facility of approximately 8,893 square feet at San Carlos Airport for FYs 2004-09, in the monthly amount of \$6,000 plus concession fees equal to one percent of gross revenues, but not less than \$500 per month
  - 2) The County Manager or his designee to accept, execute and/or agree to on behalf of the County, any and all amendments, options, notices, consents, approvals and documents in connection with the Lease/Concession (4/5<sup>th</sup> vote required)  
**This item was continued to the meeting of July 27, 2004.**
25. Resolution (066790) authorizing an amendment to the agreement with Dan and Linda Bortolotti for the Sheriff's Substation located at 500 California Street, unincorporated Moss Beach area, extending the term through June 30, 2009, in the monthly amount of \$5,845.67

#### EMPLOYEE AND PUBLIC SERVICES

26. Report recommending denial of the following claims:  
Claims (Non-Culpable)  
Arthur F. Loveland                      Paul and Chun-Lee Sung  
Travoyie A. Morris
27. Introduction of an ordinance amending the salary ordinance and accepting the report on the total number of positions in the County, and waiver of reading the ordinance in its entirety  
**This item was continued to the meeting of July 27, 2004 for adoption.**
28. Introduction of the Master Salary Ordinance for FY 2004-05, and waiver of reading the ordinance in its entirety  
**This item was continued to the meeting of July 27, 2004 for adoption.**

**HUMAN SERVICES AGENCY**

29. Resolution **(066791)** waiving the Request for Proposal process and authorizing an agreement with the Peninsula Library System for the administration of the Community Information Program for FYs 2004-06, in the amount of \$378,873
30. Resolution **(066792)** authorizing:
- 1) An agreement with The Lesley Foundation for a Facility Improvement Loan for rehabilitation and upgrades at Bonnie Brae Terrace located at 2400 Carlmont Drive, Belmont area for FY 2004-05, in the amount of \$165,000
  - 2) The Director of Human Services Agency to execute amendments and modifications, in an amount not to exceed \$25,000
31. Resolution **(066793)** authorizing the Human Services Agency to donate a surplus property Generac Generator and related electrical switch box to the San Mateo Rotary Floritas Associates, L.P., a non-profit organization to provide back-up power to the Rotary Floritas Senior Housing Development

**PUBLIC WORKS**

32. Resolution **(066794)** approving the Non Disposal Facility Element Revision to the County's Integrated Waste Management Plan
33. Resolution **(066795)** adopting plans and specifications dated June 4, 2004, determining prevailing wage scales, determining the low bidder and awarding a contract to C. F. Archibald Paving, Inc. for the resurfacing of various streets in North Fair Oaks, the Sequoia Tract and West Menlo Park areas, in the amount of \$338,000

**SAN MATEO MEDICAL CENTER**

34. Resolution **(066796)** waiving the Request for Proposal process and authorizing an agreement with the City of Daly City to provide continued custodial and maintenance services to the North County Health Center for the term of June 1, 2004 through May 31, 2006, in the amount of \$380,000
35. Resolution **(066797)**:
- 1) Accepting a Grant Award from Valeant Pharmaceutical International administered through PharmaNet, LLC, in the amount of \$92,800
  - 2) Authorizing an agreement with PharmaNet, LLC to conduct a research study for persons with Chronic Hepatitis C for FYs 2004-06
36. Resolution **(066798)** waiving the Request for Proposal process and authorizing an agreement with PharMerica to provide pharmacy services, including medications, IV therapy services, and consultation services to residents of San Mateo Medical Center Long Term Care for FY 2004-05, in the amount of \$339,600
37. Resolution **(066799)** authorizing agreements with AMN Healthcare, Inc., Arcadia Health Services, Inc., Cross Country Travcorps, Inc., First Call Nursing Services, Medstaff, Nurse Providers, Nurses PRN, Pelican Resources Registry, Relief Nursing Services, Stat Nurses International, and United Nursing International to provide temporary staffing services at San Mateo medical Center and Health Services for FYs 2004-06, in the amount of \$1,645,000

**SHERIFF**

38. Resolution (066800) approving a Non-Tobacco Use Policy for all sworn personnel in the Sheriff's Office and District Attorney's Office who are hired after October 1, 2004 (jointly with District Attorney)

## GOVERNING BOARD

### REGULAR AGENDA

39. 9:30 a.m. Acting as the Governing Board of the Emerald Lake Heights Sewer Maintenance District conduct a hearing to consider adopting a resolution:
- 1) Ordering the annexation of the Lands of Ferguson to the Emerald Lake Heights Sewer Maintenance District
  - 2) Authorizing execution of Supplemental Agreement No. 32 to the Agreement with the Redwood City/Emerald Lake Heights Sewer Maintenance District Agreement for Sewage Transmission, Treatment and Disposal of Sanitary Sewerage
  - 3) Instructing the Clerk of the Board to transmit to the City of Redwood City a copy of the resolution ordering annexation and the executed duplicate original of Supplemental Agreement No. 32
    - a) Report and recommendation
    - b) Close hearing **Nevin/Gordon**
    - c) Adopt resolution **(066801) Hill/Nevin**

The meeting adjourned at 12:10 p.m. in memory of Shirley Olsen, to reconvene on Tuesday, July 27, 2004 at 8:15 a.m. in Closed Session - Litigation and Personnel Matters, and thereafter for the regularly scheduled Board meeting at 9:00 a.m.

# TAPE REGISTER

July 6, 2004

## Tape Number in Order of Use: 2043A/B and 2044A

<u>Agenda Item No.</u>	<u>Tape Number</u>	<u>Footage</u>
1	2043A	006
2		007
3		034
4		037
5		102
9		112
10		267
16		278
6		347
(Item six continues on to Tape 2043B)		
7	2043B	443
(Item seven continues on to Tape 2044A)		
8	2044A	420
39		562