

COUNTY OF SAN MATEO

BOARD OF SUPERVISORS

Board of Supervisors
 Dave Pine, 1st District
 Carole Groom, 2nd District
 Don Horsley, 3rd District
 Warren Slocum, 4th District
 David J. Canepa, 5th District

County Manager/
 Clerk of the Board
 John L. Maltbie
 County Counsel
 John C. Beiers

Hall of Justice
 400 County Center
 Redwood City, CA 94063
 650-363-4123 T
www.smagov.org



MINUTES

Meeting was called to order at 9:02 a.m.

TUESDAY, JANUARY 10, 2017

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Supervisors Dave Pine, Carole Groom, Warren Slocum, David J. Canepa, President Don Horsley presiding.

Staff Present: Mr. John L. Maltbie, County Manager/Clerk of the Board; Mr. John C. Beiers, County Counsel; and Ms. Sherry Golestan, Deputy Clerk of the Board.

PUBLIC COMMENT

Speakers Recognized by the President:

Mr. Martin Fox, Belmont

Ms. Kathryn M.K. Geary, San Mateo

This item is reserved for persons wishing to address the Board on any County-related matters that are as follows: 1) Not otherwise on this meeting agenda; 2) Listed on the Consent Agenda; 3) County Manager's Report on the Regular Agenda; or 4) Board Members' Reports on the Regular Agenda. Public comments on matters not listed above shall be heard at the time the matter is called.

As with all public comment, members of the public who wish to address the Board should complete a speaker's slip to make a public comment. Speakers are customarily limited to two minutes, but an extension can be provided to you at the discretion of the Board President.

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Item No. 19 was pulled from consent to regular agenda by Supervisor Horsley for discussion.

Motion: Pine / **Second:** Slocum

Ayes: Pine, Groom, Horsley, Slocum, Canepa

Noes: None

19. Resolution **(074979)** authorizing an agreement with the City and County of San Francisco Department of Public Health HIV Services for funding to provide primary health care and psycho-social services to individuals with HIV/AIDS, for the term of March 1, 2016 through February 28, 2017, in an amount not to exceed \$1,179,267.

Speakers Recognized by the President:

Ms. Louise Rogers, Chief of Health System

Motion: Horsley / Second: Slocum

Ayes: Pine, Groom, Horsley, Slocum, Canepa

Noes: None

(This item is to set the final consent and regular agenda, and for the approval of the items listed on the consent agenda. All items on the consent agenda are approved by one action.)

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.

2. 9:15 a.m.

Conduct a public hearing regarding the adoption of the 2017 Garbage and Recyclables Rates for 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:

Speakers Recognized by the President:

Ms. Danielle Lee, Assistant Director, Office of Sustainability

Supervisor Carole Groom, Board of Supervisors

Supervisor Warren Slocum, Board of Supervisors

Supervisor Dave Pine, Board of Supervisors

1) Open public hearing

Motion: Groom / Second: Slocum

Ayes: Pine, Groom, Horsley, Slocum, Canepa

Noes: None

2) Close public hearing

Motion: Groom / Second: Slocum

Ayes: Pine, Groom, Horsley, Slocum, Canepa

Noes: None

3) Resolution (**074970**) adopting the 2017 Garbage and Recyclables Rates for 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.

Motion: Slocum / Second: Groom

Ayes: Pine, Groom, Horsley, Slocum, Canepa

Noes: None

1. 9:00 a.m.

Acting as the Governing Board of County Service Area No. 8, conduct a public hearing regarding the adoption of the 2017 Garbage and Recyclables Rates in County Service Area

No. 8 (North Fair Oaks):

Speakers Recognized by the President:

Ms. Danielle Lee, Assistant Director, Office of Sustainability

- 1) Open public hearing

Motion: Pine / Second: Groom**Ayes: Pine, Groom, Horsley, Slocum, Canepa****Noes: None**

- 2) Close public hearing

Motion: Groom / Second: Slocum**Ayes: Pine, Groom, Horsley, Slocum, Canepa****Noes: None**

- 3) Resolution (**074969**) adopting the 2017 Garbage and Recyclables Rates in County Service Area No. 8 (North Fair Oaks).

Motion: Horsley / Second: Slocum**Ayes: Pine, Groom, Horsley, Slocum, Canepa****Noes: None**

3. 9:30 a.m.

Conduct a public hearing regarding the vacation of the public service easement located between APNs 068-151-180 and 068-151-190 at the terminus of Oak Park Way in Unincorporated Emerald Lake Hills:

Speakers Recognized by the President:

Mr. Nicholas Calderon, Real Property Manager

- 1) Open public hearing

Motion: Groom / Second: Pine**Ayes: Pine, Groom, Horsley, Slocum, Canepa****Noes: None**

- 2) Close public hearing

Motion: Groom / Second: Canepa**Ayes: Pine, Groom, Horsley, Slocum, Canepa****Noes: None**

- 3) Adopt a resolution (**074971**) authorizing the vacation of the public service easement located between APNs 068-151-180 and 068-151-190 at the terminus of Oak Park Way in Unincorporated Emerald Lake Hills.

Motion: Slocum / Second: Groom**Ayes: Pine, Groom, Horsley, Slocum, Canepa****Noes: None****REGULAR AGENDA**

PLANNING AND BUILDING

4. Recommendation for the second reading of the Ordinance to:

- A) Adopt an ordinance (**04768**) amending Chapter 22.5 (Second Unit Ordinance) of Division VI, Part One (Zoning Regulations) of the San Mateo County Ordinance Code, by making the required findings in Attachment A, and waive reading of the ordinance in its entirety; and

Motion: Groom / Second: Canepa

Ayes: Pine, Groom, Horsley, Slocum, Canepa

Noes: None

- B) Adopt a resolution (**074972**) directing staff to submit the amended Second Unit Ordinance (Chapter 22.5 of the County Zoning Regulations) to the California Coastal Commission for review and certification.

Motion: Pine / Second: Slocum

Ayes: Pine, Groom, Horsley, Slocum, Canepa

Noes: None

Speakers Recognized by the President:

Mr. Steve Monowitz, Director of Planning and Building

Supervisor Carole Groom, Board of Supervisors

Supervisor Warren Slocum, Board of Supervisors

Mr. Tim Fox, Deputy County Counsel

Supervisor Dave Pine, Board of Supervisors

Mr. Will Gibson, Planner, Planning and Building

Supervisor Don Horsley, Board of Supervisors

Mr. John C. Beiers, County Counsel

Supervisor David J. Canepa, Board of Supervisors

Ms. Maureen Lennon, Moss Beach

PUBLIC WORKS

5. Introduction of an ordinance amending Chapter 7.04 of the San Mateo County Ordinance Code regarding prima facie speed limits on Alpine Road, and waive the reading of the ordinance in its entirety:

- A) Repealing the portion of Section 7.04.045, which reads, "Along Alpine Road beginning at a point approximately 0.38 miles southerly of Junipero Serra Boulevard and extending to a point approximately 200 feet northerly of La Cuesta Drive"; and
- B) Amending Section 7.04.035 - Speed limit thirty-five miles per hour – to add the following language: "Along Alpine Road beginning approximately 200 feet northerly of La Cuesta Drive, to a point approximately 0.38 miles southerly of Junipero Serra Boulevard."

Speakers Recognized by the President:

Mr. James Porter, Director of Public Works

Supervisor Don Horsley, Board of Supervisors

Supervisor Dave Pine, Board of Supervisors

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Motion: Groom / Second: Slocum
Ayes: Pine, Groom, Horsley, Slocum, Canepa
Noes: None

6. Introduction of an amendment to the San Mateo County Ordinance Code repealing Section 7.88.10, to remove reference to a midblock crosswalk on Industrial Road south of Taylor Way, and waive the reading of the ordinance in its entirety.

Speakers Recognized by the President:

Mr. James Porter, Director of Public Works

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Motion: Pine / Second: Canepa
Ayes: Pine, Groom, Horsley, Slocum, Canepa
Noes: None

7. Introduction of an ordinance establishing Section 7.88.20 "Yield Here to Pedestrians" signs and legends, authorizing the Director of Public Works, or his designee, to establish and maintain "Yield Here to Pedestrians" signs and legends, on County-maintained roads, as needed, and waive of the reading of the ordinance in its entirety.

Speakers Recognized by the President:

Mr. James Porter, Director of Public Works
 Supervisor Dave Pine, Board of Supervisors
 Supervisor Carole Groom, Board of Supervisors

Motion: Groom / Second: Pine
Ayes: Pine, Groom, Horsley, Slocum, Canepa
Noes: None

COUNTY MANAGER

8. County Manager's Report #1 of 2017

Speakers Recognized by the President:

Mr. John L. Maltbie, County Manager
 Supervisor Dave Pine, Board of Supervisors
 Supervisor Warren Slocum, Board of Supervisors

BOARD OF SUPERVISORS

9. Board Members' Reports

Supervisor Horsley thanked the Department of Public Works and Human Services Agency for their work during the current storm season in preparation in cities such as Belmont and San Carlos. Also, although some Pescadero roads were closed, the town and fire station were not flooded and that project improved conditions.

CONSENT AGENDA

All items on the consent agenda are approved by one action 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.

ASSESSOR-COUNTY CLERK-RECORDER

10. Resolution **(074973)** authorizing implementation of the Portola Valley School District Governing Board's request that future board elections be moved from odd to even-numbered years.
11. Resolution **(074974)** authorizing implementation of the San Mateo-Foster City School District Governing Board's request that future board elections be moved from odd to even-numbered years.
12. Resolution **(074975)** authorizing implementation of the San Carlos School District Governing Board's request that future board elections be moved from odd to even-numbered years.
13. Resolution **(074976)** authorizing an agreement with Digital Deployment, Inc., for website redesign implementation, in the maximum amount of \$162,000, for the period of January 10, 2017 through January 10, 2018.

BOARD OF SUPERVISORS

14. Recommendation for an appointment and reappointment to the Health Commission, each for a term ending January 1, 2021: (Supervisor Don Horsley)
 - A) George Pon, R.Ph., representing Pharmacist; and
 - B) Ligia Andrade Zuniga, representing Public Beneficiary member.
15. Recommendation for the reappointments of Supervisor Carole Groom and Jaquelyn Marie Brown to the Law Library Board of Trustees, representing Board Trustee members, each for a term ending December 31, 2017. (Supervisor Don Horsley)
16. Recommendation for reappointments to the Commission on the Status of Women, each for a term ending December 31, 2020: (Supervisor Don Horsley)
 - A) Manufou Liaiga-Anoa'I; and
 - B) Kristy Koberna; and
 - C) Linda Koelling; and
 - D) Darya Larizadeh; and
 - E) Marguerite Manchen; and
 - F) Anisha Weber; and
 - G) Tanisha Hughes; and
 - H) Shweta Bhatnagar.

HEALTH SYSTEM

17. Resolution **(074977)** authorizing an amendment to the agreement with CareFusion Solutions, LLC to provide additional equipment rental and support services, increasing the amount by \$70,000, to an amount not to exceed \$1,220,000.

18. Resolution **(074978)** authorizing an amendment to the agreement with Vavrinek, Trine, Day and Co., LLP, to provide certified public accounting and tax preparation services, extending the term to December 31, 2017, and increasing the amount by \$100,000 to an amount not to exceed \$275,000.

HUMAN RESOURCES

20. Resolution **(074980)** authorizing an amendment to the agreement with CONCERN:EAP as the County's Employee Assistance Program vendor to provide work-life benefits and resources to County employees and their dependents, extending the term through December 31, 2018, increasing the amount by \$310,000, to an amount not to exceed \$465,000.
21. Resolution **(074981)** authorizing an amendment to the Master Salary Resolution to add seventeen positions, delete eight positions, adjust salary of one position and add one special compensation rule.
22. Report recommending the denial of claims (Non-culpable)

PUBLIC WORKS

23. Resolution **(074982)** authorizing an agreement with HydroScience Engineers, Inc. to provide an updated feasibility study, permitting services, prepare plans and specifications, and provide bidding and construction administration support related to the Memorial Park Wastewater Treatment and Infrastructure Replacement Project, for the term of January 10, 2017 through January 9, 2020, in an amount not to exceed \$1,000,240.
24. Resolution **(074983)** authorizing the Director of Public Works, or his designee, to submit the filing of an application for funding from the Metropolitan Transportation Commission, committing any necessary matching funds, and stating assurance to complete the San Mateo Countywide Cape Seal Project.
25. Resolution **(074984)** authorizing "No Parking" during Specified Hours zones on Middlefield Road, in the North Fair Oaks region, for street sweeping:
 - A) No Parking, from 5:00 a.m. to 7:00 a.m., on Fridays, on the east side of Middlefield Road, from Douglas Avenue continuing in a southeasterly direction for approximately 4,800 feet, ending at Encina Avenue; and
 - B) No Parking, from 5:00 a.m. to 7:00 a.m., on Thursdays, on the west side of Middlefield Road, from Flynn Avenue continuing in a southeasterly direction for approximately 544 feet, within County limits; and
 - C) No Parking, from 5:00 a.m. to 7:00 a.m., on Thursdays, on the west side of Middlefield Road, from MacArthur Avenue continuing in a southeasterly direction for approximately 4,800 feet, ending north of Encina Avenue.

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
- 1) CSM v. AMBAC Financial Group, et al.
San Francisco Superior Court Case No. CGC-08-489223; JCCP No. 4555
 - 2) Jennings v. Rodriguez
136 S.Ct. 2489

The Board recessed to regular closed session for discussion at 10:25 A.M.

The Board reconvened to open session at 10:40 A.M.

County Counsel made the following report: The Board discussed both items and in the matter of County of San Mateo v. AMBAC Financial Group, et al. unanimously authorized a settlement \$127,000 to be paid by Defendant Standard and Poors to the County of San Mateo.

In the matter of Jennings v. Rodriguez, the Board unanimously authorized the filing of a joiner in an amicus curiae brief with Santa Clara County.

The meeting adjourned in memory of Ernest Davis, Sr., Mary Ann Gardner, Charles "Chuck" Hege Saylor, and Eva Ratto at 10:41 a.m.