

September 23, 2008



# SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS  
SANTA CLARA COUNTY

COUNTY GOVERNMENT CENTER  
EAST WING  
70 WEST HEDDING STREET  
SAN JOSE, CALIFORNIA 95110  
(408) 299-5001 FAX (408) 298-8460  
TDD (408) 993-8272

<http://www.sccgov.org>

## MEMBERS OF THE BOARD

Donald F. Gage District 1

Blanca Alvarado District 2

Pete McHugh District 3

Ken Yeager District 4

Liz Kniss District 5

Peter Kutras Jr.

County Executive

Phyllis A. Perez

Clerk of the Board of Supervisors

(408) 299-5001

**Pete McHugh, Chair**  
**Board of Supervisors**

## September 23, 2008

Convened as the Board of Supervisors of the County of Santa Clara and sitting as the Governing Board of all Special Districts, the Fire Districts, the Financing Authority, the In-Home Supportive Services Public Authority, Vector Control District, and Sanitation District Number 2-3.

### Opening

- Roll Call - All members present.
- Recited Pledge of Allegiance.
- Received invocation by Dr. Eli Taub.
- Announced dedication of meeting and adjournment in honor and memory of Peter Camejo and Joseph C. Diaz.

## Public Issues

1. Received the following comment under Public Comment:

Received comments from Jeff Segol, Management Audit Division, Harvey M. Rose Associates, LLC, reporting that the Memory Walk sponsored by the Alzheimer's Association raised more than \$250,000 and expressing appreciation to all participants.

2. Approved consent calendar and changes to the Board of Supervisors' Agenda.
3. Approved Summary of Proceedings of September 9, 2008.

## Social Services Agency

- \* 4. Waived reading and adopted Salary Ordinance No. NS-5.09.27 (preliminary) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees deleting one Human Resources Assistant II or Human Resources Assistant I position, and adding one Human Resources Support Supervisor position in the Social Services Agency, Department of Fiscal and Administrative Services, Human Resources.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes
- \* 5. Waived reading and adopted Salary Ordinance No. NS-5.09.26 (preliminary) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees deleting one Account Clerk II position and adding one Accountant/Auditor-Appraiser position in the Social Services Agency, Department of Aging and Adult Services, In-Home Supportive Services.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes
- \* 6. Considered recommendations relating to data warehouse and business intelligence system professional services, and took the following actions:

- a. Approved release of a vendor selection process for data warehouse and business intelligence system professional services.
  - b. Adopted Resolution delegating authority to the Director, Social Services Agency, or designee, to negotiate, execute, amend, and terminate Agreement awarded for data warehouse and business intelligence system professional services, in an amount not to exceed \$1,200,000 unless additional revenue is available, for period October 1, 2008 through June 30, 2009, including option for an additional one-year term, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2010.
- \* 7. Approved delegation of authority to the Director, Social Services Agency, or designee, to negotiate, execute, amend, and terminate a Memorandum of Understanding with Maximus, Inc., relating to providing work space, including but not limited to telephone, photocopy, and fax access, for period October 1, 2008 through September 30, 2009, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on September 30, 2012.
- \* 8. Considered recommendations relating to the Family Transportation Program, and took the following actions:
- a. Approved recommendation to utilize California Work Opportunity and Responsibility to Kids (CalWORKs) Incentive Reserve in the amount of \$1,000,000 as matching funds for the Lifeline Second-Cycle funding for the Outreach and Escort, Inc. (Outreach) Family Transportation Program for period July 1, 2009 through June 30, 2012.
  - b. Approved delegation of authority to the Director, Social Services Agency, or designee, to negotiate, execute, amend, and terminate Agreements with Outreach relating to the Family Transportation Program, in an amount not to exceed \$1,000,000 unless additional revenue is available, for period July 1, 2009 through June 30, 2012, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2012.

- \* 8A. Considered recommendations relating to 1870, 1879, and 1888 Senter Road Cabling Contract, and took the following actions:
  - a. Approved award of contract to Itech Solution in the amount of \$130,000.
  - b. Approved encumbrance of an additional \$13,000 as Supplemental Work Allowance (SWA) for total encumbered amount of \$143,000.
  - c. Directed the Director, Procurement Department, or designee, to notify the contractor; obtain insurance and bonds; and, award, execute, amend, and administer the contract.

### **Santa Clara Valley Health and Hospital System**

- \* 9. Adopted Resolution delegating authority to the Director, Public Health Department, or designee, to negotiate, execute, amend, extend, renew, and terminate Agreements with various cities and non-profit organizations for administration of flu clinics at no cost to the County, for period October 1, 2008 through September 30, 2013, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on September 30, 2013.
- 10. Considered adoption of Resolution naming the pediatric clinic at Valley Health Center Gilroy, and took the following actions:
  - a. Opened public hearing and there was no testimony.
  - b. Closed public hearing.
  - c. Adopted Resolution naming the pediatric clinic at Valley Health Center Gilroy, 7475 Camino Arroyo, the "Karie Lyn Anchondo Pediatric Clinic."
- \* 11. Approved delegation of authority to the Chief Executive Officer, Santa Clara Valley Health and Hospital System (SCVHHS), or designee, to amend Agreement with Supplemental Provider Services, Inc., a Medical Corporation, relating to providing supplemental provider staffing services throughout Santa Clara Valley Medical Center, increasing the maximum annual compensation by \$193,450 from \$6,039,851 to

\$6,233,301 for period May 21, 2007 through May 20, 2008, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on October 31, 2008.

### Board of Supervisors

- \* 12. Announced travel for members of the Board of Supervisors and other elected officials as follows:
  - a. Assessor Lawrence Stone will travel to Shell Beach, California, to attend the California Assessors' Association and State Board of Equalization Annual Conference on November 17-21, 2008.
  - b. Supervisor Yeager will travel to Europe to attend the American Association of State Highways and Transportation Officials and Federal Highway Administration (AASHTO/FHWA) International Tour on September 23 - October 4, 2008, at no cost to the County.
- \* 13. Accepted reports from members of the Board of Supervisors relating to meetings attended through September 17, 2008.
- 14. Considered the following items of concern and referred to Administration for review and report:
  - a. **Referred to Administration for report to Public Safety and Justice Committee:** Preparation of monthly status report relating to youth awaiting placement in juvenile ranch facilities.
  - b. **Referred to Administration for report to Housing, Land Use, Environment, and Transportation Committee, subsequently reporting to Board:** Analysis relating to the current Floor Area Calculation (FAC) in the Zoning Ordinance regarding underlying lots in the "-n1" zone, including possible solutions such as no longer exempting basements from the FAC, exempting secondary buildings under 500 square feet from the FAC only if the secondary building is used as a garage, reducing the Floor Area Ratio, and creating a Lot Coverage standard.

15. Accepted report from Supervisor Gage, Chairperson, Housing, Land Use, Environment, and Transportation Committee, relating to the meeting of August 21, 2008 regarding:
- a. Acceptance of gift of \$55,665 from the estate of Carla Miller on behalf of the Santa Clara County Animal Shelter. (Board accepted gift on August 26, 2008, Agenda Item No. 67)

**Referred to the Administration for report off-agenda to Housing, Land Use, Environment, and Transportation on date uncertain:** Review of expenditures of \$55,665 gift to the Animal Shelter from the estate of Carla Miller.

- b. Approval of draft procedures for the distribution of funds from the Stanford Affordable Housing Fund. (See September 23, 2008 Board Agenda, Item No. 34)

**Referred to the Administration for report on October 14, 2008:** Evaluation of whether the Fabian Way Project by Bridge Housing in the City of Palo Alto can receive authorization to begin construction.

- c. Approval of recommendation from the Department of Agriculture and Environmental Management on initiating a request for proposals to obtain a contractor to provide garbage, recycling, and yardwaste services for unincorporated Garbage District 2 (San Martin, Gilroy, and Morgan Hill). (Board approved action on August 26, 2008, Item No. 66)
- d. Acceptance of recommendation from the Historical Heritage Commission (HHC) to adopt Ordinance No. NS-300.794 amending Section 61 of Chapter V of Division A6 of the Santa Clara County Ordinance Code, reducing the number of HHC members, adding appointment qualifications, and adding language concerning absences; and, approved revisions to the HHC Rules of Procedures to conform to the Ordinance amendments. (See September 23, 2008 Board Agenda, Item No. 43)

- \* 16. Accepted report from Supervisor Alvarado, Chairperson, Public Safety and Justice Committee relating to the meeting of September 11, 2008.

Accepted Committee agenda items 4, 5, and 8 as information only.

- 17. Accepted report from Supervisor Kniss, Chairperson, Health and Hospital Committee, relating to the meeting of September 10, 2008.
  - a. Approved Policies and Procedures.
  - b. Approved Medical Staff Credentials.
  - c. Accepted agenda items 5, 7, and 9-16 as information only.
- \* 18. There was no report from Chair McHugh, Chairperson, Finance and Government Operations Committee.
- 19. Accepted report from Supervisor Kniss, Chairperson, Legislative Committee, relating to meeting of September 16, 2008.
  - a. Supported Proposition 1A relating to The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.
  - b. Opposed Proposition 5 relating to Non-Violent Drug Offenses: Sentencing, Parole, and Rehabilitation.
  - c. Took a neutral position on Proposition 6 relating to the Safe Neighborhood Act. (Supervisor Alvarado voted no.)
  - d. Opposed Proposition 9 relating to Criminal Justice System: Victim's Rights (Marsy's Law).
  - e. Adopted Resolution in support of naming the United States Postal Service facility located at 1750 Lundy Avenue, San Jose, as the "Gordon N. Chan Post Office Building."

- f. Adopted Resolution calling on Congress to authorize the President to convene a White House conference on children and youth in 2010.
- g. Accepted Committee agenda items 4 and 11-13 as information only.

- \* 20. There was no report from Supervisor Yeager, Chairperson, Children, Seniors and Families Committee.
- \* 21. There was no report from Supervisors Gage and Kniss, Board Delegates, Santa Clara Valley Transportation Authority (VTA).
- \* 22. There was no report from Supervisor Yeager, Board Delegate, Metropolitan Transportation Commission.
- \* 23. There was no report from Supervisors Alvarado and Gage, Board Delegates, Local Agency Formation Commission (LAFCo).
- \* 24. There was no report from Supervisors Kniss and Yeager, Board Delegates, Bay Area Air Quality Management District.

### **County Executive**

- 25. Accepted verbal report from County Executive relating to status of California State Budget and announcing American Red Cross Blood Donation Drive, September 30 and October 1, 2008.
- 26. Considered recommendations relating to Final Grand Jury Report regarding safety and operational concerns at Santa Clara County Communications Center, and took the following actions:
  - a. Approved response from Administration to Final Grand Jury Report relating to safety and operational concerns at Santa Clara County Communications Center.

- b. Authorized Chair and Clerk of the Board of Supervisors to forward department response to Grand Jury Report to the Presiding Judge of the Superior Court with approval that response constitutes the response of the Board of Supervisors, consistent with provisions of California Penal Code Section 933(c).
27. Considered recommendations relating to Final Grand Jury Report regarding In-Home Supportive Services payroll process for providers, and took the following actions:
  - a. Approved response from Administration to Final Grand Jury Report relating to In-Home Supportive Services payroll process for providers.
  - b. Authorized Chair and Clerk of the Board of Supervisors to forward department response to Grand Jury Report to the Presiding Judge of the Superior Court with approval that response constitutes the response of the Board of Supervisors, consistent with provisions of California Penal Code Section 933(c).
28. Considered recommendations relating to Final Grand Jury Report regarding County building maintenance cost and customer service, and took the following actions:
  - a. Approved response from Administration to Final Grand Jury Report relating to County building maintenance cost and customer service.
  - b. Authorized Chair and Clerk of the Board of Supervisors to forward department response to Grand Jury report to the Presiding Judge of the Superior Court with approval that response constitutes the response of the Board of Supervisors, consistent with provisions of California Penal Code Section 933(c).
29. Considered recommendations relating to Final Grand Jury Report relating to Santa Clara County contracting practices, and took the following actions:
  - a. Approved response from Administration and Santa Clara Valley Health and Hospital System to Final Grand Jury Report relating to Santa Clara County contracting practices.
  - b. Authorized Chair and Clerk of the Board of Supervisors to forward department response to Grand Jury report to the Presiding Judge of the Superior Court with approval that response constitutes the response of the Board of Supervisors, consistent with provisions of California Penal Code Section 933(c).

- \* 30. Considered recommendations relating to appointments of unopposed candidates to special districts in the November 4, 2008 consolidated election, and took the following actions:
- a. Accepted Certificates of Election Facts and Requests to fill vacant offices by appointment.
  - b. Adopted Resolutions appointing Directors and Commissioners to the following Districts:  
  
John Zoglin, Wesley F. Alles, and Uwe R. Kladde  
El Camino Hospital District (three Full-Term Directors)  
  
Ernest Solomon and Brian Holtz  
Purissima Hills Water District (two Full-Term Directors)  
  
Sequoia Tomas Hall and Garnetta Annable  
Santa Clara County Open Space Authority, Districts 3 and 4  
(one Full-Term Director in each District)  
  
Eugene Zambetti  
Saratoga Fire Protection District (one Full-Term Commissioner)
- \* 31. Considered recommendations relating to the County Regional Public and Internal Notification System, and took the following actions:
- a. Approved Agreement with Blackboard Connect Inc. (BCI) relating to providing a County Regional Public and Internal Notification System, in an amount not to exceed \$4,380,000 for period September 23, 2008 through September 30, 2011, with an option to extend the Agreement for two additional years.
  - b. Approved delegation of authority to the Chief Information Officer, Information Services Department, or designee, to amend the Agreement with BCI to make administrative and business process changes, following approval by County

- Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on September 30, 2013.
- c. Approved allocation of an amount not to exceed \$30,000 for period September 23, 2008 through September 30, 2011, with an option to extend the Agreement for two additional years for the Director, County Communications, Office of the County Executive, and the Director, Procurement Department, or designees, to establish Agreements with AT&T and Verizon to acquire electronic 911 databases relating to emergency data to be used in the County's emergency notification system.
  - d. Approved delegation of authority to the Director, Office of Emergency Services, or designee, to negotiate, execute, and amend Agreements with various cities, public safety special districts, and other entities that may be involved in regional or localized notification processes within the region of Santa Clara County, relating to accessing the County's emergency notification system for sending emergency and community notification messages for period September 23, 2008 through September 30, 2013, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on September 30, 2013.
  - e. Approved allocation of an amount not to exceed \$325,000 for period September 23, 2008 through September 30, 2011 to be used for the Public and Employee Awareness Campaign for the notification service.
  - f. Approved allocation of an amount not to exceed \$260,000 for period September 23, 2008 through September 30, 2011, with an option to extend the Agreement for two additional years for the Chief Information Officer, Information Services Department, or designee, to establish an Agreement with a service provider to implement a Notification Program Communication and Collaboration web site service.
  - g. Approved allocation of an amount not to exceed \$150,000 for period September 23, 2008 through March 31, 2010 for additional resources required for technical and business training and support of the notification system rollout.
  - h. Approved Request for Appropriation Modification No. 46 - \$1,830,000 transferring funds from the General Fund Reserve account to the Information Services Department, Office of Emergency Services, and County Communications budgets.

- \* 32. Considered recommendations relating to acquisition of workstations, desktops, laptops, monitors, and related services, and took the following actions:
- a. Approved delegation of authority to the Director, Procurement Department, or designee, to amend Agreement No. 5500000942 with Hewlett Packard (HP) relating to providing workstations, desktops, laptops, monitors, and related services, extending the term for one year from October 1, 2008 through September 30, 2009; increasing the compensation by \$2,500,000 for a total contract amount not to exceed \$18,000,000; and, making administrative and business process changes, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on September 30, 2009.
  - b. Approved extension of the delegation of authority to the Director, Procurement Department, or designee, to conduct a solicitation relating to the purchase of workstations, desktops, laptops, monitors, and related services. Delegation of authority shall expire on September 30, 2009.
33. Approved delegation of authority to the Director, Procurement Department, or designee, to amend Agreement No. 5500000766 with AT&T Datacomm relating to providing Cisco products and related maintenance, increasing compensation by \$3,500,000 for a total contract amount not to exceed \$14,000,000, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2008.

**Referred to Administration for report to the Finance and Government Operations Committee on date uncertain:** Review of solution for interface incompatibility between accounting systems of Procurement Department and Health and Hospital System.

- \* 34. Approved the Procedures for Distribution of Stanford Affordable Housing Fund.

(See September 23, 2008 Board Agenda, Item No. 15-b)

- \* 35. Considered recommendations relating to providing ongoing governance, operation, and maintenance of the Monterey Bay Area Microwave System (MBAMS), and took the following actions:
- a. Approved delegation of authority to the Director, County Communications, Office of the County Executive, or designee, to negotiate, execute, amend, and terminate Agreements with the Counties of Monterey, San Benito, and Santa Cruz relating to the ongoing governance, operation, and maintenance of the MBAMS, for period October 1, 2008 through September 30, 2013, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on September 30, 2013
  - b. Authorized the Director, County Communications, Office of the County Executive, or designee, to serve as the County representative on the MBAMS Governance Committee and to assign staff to participate as members of the MBAMS Technical Committee.
- \* 36. Considered recommendations from the Office of the County Executive relating to the transfer of responsibilities for trial court facilities pursuant to the Trial Court Facilities Act of 2002, from the County of Santa Clara (County) to the Judicial Council of California, Administrative Office of the Courts (AOC), and took the following actions:
- a. Approved recommendation to enter into various Transfer Agreements necessary to transfer to the Judicial Council of California, pursuant to the Trial Court Facilities Act of 2002 (Senate Bill 1732), certain real properties used as Court Facilities, and execute any and all necessary documents to implement the intent of the Transfer Agreements for the following Court Facilities: Santa Clara Courthouse, 1095 Homestead, Santa Clara, Assessor's Parcel Number (APN) 269-22-094; Sunnyvale Courthouse, 605 W. El Camino, Sunnyvale, APN 165-02-004; Sunnyvale Parking Lease, 605 W. El Camino, Sunnyvale, APN 165-02-005; and, Juvenile Hall, 840 Guadalupe Parkway, San Jose, APN 259-04-014.
  - b. Approved delegation of authority to the County Executive, Assistant County Executive, Office of the County Executive, or designee, to grant consent or provide extensions of time periods in the Agreements, make any non-substantive

changes, and execute other documents determined to be necessary to implement the intent of the Agreements, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive.

- c. Approved delegation of authority to the Director, Facilities and Fleet Department, or designee, to transfer or assign utility accounts relating to certain Court Facilities to the AOC, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2009.
- d. Approved delegation of authority to the Director, Procurement Department, or designee, to amend service contracts with Applied Power, Pacific Coast Trane Service, Reliant Water Management, San Jose Boiler Works, and Sonitrol relating to providing building equipment operations and maintenance services, and deleting references to Court facilities, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2009.

37. Considered recommendations relating to Agreement with EHC LifeBuilders, Inc. (EHC), and took the following actions:

- a. Approved Agreement with EHC relating to administration of a pilot Shelter Outreach Centers (SOC) Program, in an amount not to exceed \$1,514,066 one-time expenditure for the operating period of November 1, 2008, through October 31, 2009.
- b. Approved delegation of authority to the County Executive, Office of the County Executive, or designee, to execute necessary Amendments to Agreement with EHC relating to administration of a pilot SOC Program, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on October 31, 2009.
- c. Approved Request for Appropriation Modification No. 42 - \$1,114,066 transferring funds within the Office of Affordable Housing from the Affordable Housing Fund to the Homeless Concerns Fund.
- d. Approved delegation of authority to the County Executive, Office of the County Executive, or designee, to execute Licenses to Use State Military Facility for Sunnyvale and Gilroy Armories, following approval by County Counsel as to

form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on October 31, 2008.

### County Counsel

38. There was no report from County Counsel on legal issues.

### Clerk of the Board

39. Considered recommendations relating to broadcasting of County of Santa Clara public meetings, and took the following actions:

- a. Accepted report relating to broadcasting of County of Santa Clara public meetings.
- b. Considered Request for Appropriation Modification No. 39 - \$125,000 transferring funds from the General Fund Contingency Reserve to the Clerk of the Board budget relating to hiring two consultants to develop an overall broadcasting strategy for a progressive, phased approach including broadcasting options, costs, and resources, both one-time and on-going, with a recommendation for a more immediate proof of concept (pilot) interim solution to provide broadcast; and, provide a schematic design and cost estimates for long-term capital requirements of sound, lighting, power, and equipment to support the broadcast of various public meetings.
- c. Considered proposed schedule for broadcast project.
- d. Considered request to authorize the Administration to initiate discussions with Santa Clara Valley Transportation Authority relating to possible share of cost to participate in broadcast capability.

#### **Referred to Administration for report to Finance and Government**

**Operations Committee on date uncertain:** Analysis of report and preparation of recommendations regarding report regarding broadcasting of County public meetings.

## Boards & Commissions

- \* 40. Announced the following appointments by individual Board members to various Boards and Commissions:

**Supervisor Alvarado (District 2):**

<u>Appointee Name</u>	<u>Board/Commission Name</u>
Anne Mack	Senior Care Commission

**Supervisor Kniss (District 5):**

<u>Appointee Name</u>	<u>Board/Commission Name</u>
Nancy Marshall	Domestic Violence Council
Reverend Larry Wildemuth	Domestic Violence Council
Andrea Eaton	Advisory Commission on Consumer Affairs

- \* 41. Approved the following Board As-a-Whole appointment to Boards and Commissions:

<u>Appointee Name</u>	<u>Recommended By</u>	<u>Board/Commission</u>
Susie Rivera	Kniss	Juvenile Hall Advisory Board

- \* 42. Approved the following recommendations relating to resignations from Boards and Commissions:

- a. Accepted resignation of Lance Beizer from the Child Abuse Council for a four-year term expiring June 30, 2010. Appointee shall represent Public Agencies. Position is allocated to District 4.
- b. Accepted resignation of Raymond Pole from the Advisory Council to the Council on Aging for a three-year term expiring June 30, 2010. Appointee must be over 60 years of age and reside within the District. Position is allocated to District 5.

- \* 43. Considered recommendations from Historical Heritage Commission (HHC) relating to amendments to Santa Clara County Ordinance Code and to HHC Rules of Procedures (ROP), and took the following actions:
- a. Waived reading and adopted Ordinance No. NS-300.794 (preliminary) amending Section 61 of Chapter V of Division A6 of the Santa Clara County Ordinance Code, reducing the number of HHC members, adding appointment qualifications, and adding language concerning absences.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes
  - b. Approved revisions to the HHC ROP to conform with the Ordinance amendments.

(See September 23, 2008 Board Agenda, Item No. 15-d)

- \* 44. Approved Request for Appropriation Modification No. 40 - \$4,500 recognizing funds from the Fish and Game Commission Special Revenue Fund for an expenditure in an amount not to exceed \$4,500 to Snow Goose Productions to make a documentary on California Fish and Game Wardens.

### Law & Justice

- \* 45. Waived reading and adopted Salary Ordinance No. NS-5.09.25 (preliminary) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees deleting one Community Worker position and adding one Messenger Driver position in the Office of the Public Defender.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes
- \* 46. Approved delegation of authority to the Sheriff, Office of the Sheriff, and County Executive, Office of the County Executive, or designees, to negotiate, execute, amend, and terminate Memorandum of Understanding with the Santa Clara County Office of Education relating to providing two Deputy Sheriff School Resource Officers, in an amount not to exceed \$300,000 for period July 1, 2008 through June 30, 2009, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2009.

**Department of Child Support Services**

- \* 47. Approved Request for Appropriation Modification No. 43 - \$100,000 increasing revenue and expenditures in the Department of Child Support Services budget relating to a Special Improvement Project Federal Grant.

**Finance Agency**

- \* 48. Accepted annual report from the Controller-Treasurer Department relating to the petty cash balances held by departments as of June 30, 2008.
- \* 49. Approved Appropriation Modification No. YE-28, adjusting final Fiscal Year 2008 revenues and appropriations between objects and budget units.

**1:30 p.m. Time Certain**

## 50. Resolutions, Commendations, and Memorials:

- a. Adopted and presented Resolution commending Phyllis Perez for high standards of quality work, courtesy, and professionalism; and, her dedication to the residents of Santa Clara County for the past 43 years. (Alvarado)
- b. Adopted and presented Resolution proclaiming the month of October 2008 as "Employment of Persons with Disabilities Awareness Month" in Santa Clara County. (Advisory Commission for Persons with Disabilities)
- c. Adopted and presented Resolution proclaiming October 2008 as "Domestic Violence Awareness Month" in Santa Clara County. (Domestic Violence Council)
- d. Ratified Resolution, presented on September 14, 2008, commending Pastor Jack C. Longley of Trinity Presbyterian Church for his leadership over the past 30 years. (Yeager)

- e. Adopted Resolution proclaiming September 22-26, 2008, as "Valley Care Staff Appreciation Week" in Santa Clara County. (Santa Clara Valley Medical Center)
- f. Adopted Resolution commending U.S. Representative Mike Honda for his unwavering commitment to the Santa Clara County community and as a recipient of the Gardner Community Spirit Award. (Alvarado)
- g. Adopted Resolution commending the Peninsula Stroke Association for 15 years of providing outstanding public education about stroke, stroke prevention, and stroke warning signs. (Kniss)
- h. Adopted Resolution proclaiming October 2008 as "National Arts and Humanities Month," proclaiming October 5, 2008, as "California Arts Day," and calling upon our citizens to celebrate, promote, and encourage the arts through greater participation and advocacy. (Alvarado)
- i. Adopted Resolution commending Dr. Fernando S. Mendoza for outstanding contributions in research and education that benefit Mexican-American children and the community as a whole. (Alvarado)
- j. Adopted Resolution proclaiming September 28, 2008, as "Gold Star Mothers Day" in Santa Clara County. (Chair)
- k. Adopted and presented Resolution proclaiming the month of October as "History Month" in Santa Clara County. (Chair)
- l. Ratified Resolutions, presented on September 15, 2008 at the joint meeting with the City Council of San Jose, commending Dave Cortese and Forrest Williams for their years of valuable service to the residents of Santa Clara County. (Chair)
- m. Adopted Resolution proclaiming October 10, 2008, as "Double Tenth National Day" in Santa Clara County. (McHugh)
- n. Adopted Resolution commending "28th Annual Italian Family Festa" as a valuable and vibrant event commemorating and promoting the rich Italian-American heritage in Santa Clara County. (McHugh)

**2:00 p.m. Hearing**

51. Convened hearing to consider recommendations from the Office of the County Executive and Office of the County Counsel relating to proposed model social host ordinance.
- a. Accepted report on the preparation of a model social host ordinance.
  - b. Considered recommendation from the Office of the County Executive to approve the proposed model social host ordinance.
  - c. Opened public hearing and received testimony.
  - d. Closed public hearing.
  - e. Waived reading and adopted Ordinance No. NS-637 (preliminary), as amended to include one-year exemption for landlords and Stanford University, adding Chapter III of Division B13 of the Santa Clara County Ordinance Code relating to Social Host Responsibility For Underage Drinking.  
**Vote:** Gage: Yes Alvarado: No McHugh: Yes Yeager: Yes Kniss: No

**Referred to Administration for report in December 2009:** Preparation of information on outcomes of County Ordinance on Social Host Responsibility for Underage Drinking, program developed by Stanford University to address underaged drinking on campus, and one-year exemption granted to landlords and Stanford University.

**2:00 p.m. Land Use Hearing**

52. Convened hearing to consider request for proposed tentative map for a two-lot subdivision of property located at 1540 Hillview Road, unincorporated Los Altos. Property of Rita Bunge. (File No. 9784-14-70-08S) (Supervisory District 5)
- a. Opened public hearing and there was no testimony.
  - b. Closed public hearing.

- c. Adopted Resolution accepting a Categorical Exemption (California Environmental Quality Act Section 15315, Class 15) and approving tentative map for a two-lot subdivision of property located at 1540 Hillview Road, unincorporated Los Altos.

53. **Continued to November 18, 2008:** Hearing to consider request for proposed tentative map for a four-lot subdivision of property located at 560 Church Avenue, San Martin. Property of Kathy Conrique. (File No. 2878-73-28-07S-07EA) (Supervisory District 1)

Possible actions:

- a. Open public hearing and receive testimony.
- b. Close public hearing.
- c. Adopt Resolution adopting Negative Declaration and approving a tentative map for a four-lot subdivision at 560 Church Avenue, San Martin. (Roll Call Vote)

**OR**

- d. Deny request for tentative map and refer to County Counsel for preparation of findings.

### **Department of Planning and Development Services**

54. Considered recommendations relating to preparation of a Green Building Ordinance, and took the following actions:

- a. Accepted report relating to preparation of a Green Building Ordinance including supplemental information regarding house sizes, other green building programs, and the Build it Green Checklist.
- b. Directed Administration to proceed in drafting a Green Building Ordinance.

Directed Administration to include a threshold of 3,000 square feet for higher Green Building Standards in the draft Green Building Ordinance and to remove

proposed 150-point cap for energy efficiency standards. (Chair McHugh and Supervisor Gage voted no)

### **Parks and Recreation Department**

55. Considered recommendations relating to the Sanborn County Park Trails Master Plan and Initial Study/Mitigated Negative Declaration, and took the following actions:
- a. Adopted Resolution adopting Mitigated Negative Declaration based on findings that the Mitigated Negative Declaration was prepared in accordance with law and reflects the County's independent judgment and analysis, that the Board has considered the Mitigated Negative Declaration and all comments received during the comment period, and that there is no substantial evidence in the record that the Project, as mitigated, will have a significant impact on the environment.
  - b. Adopted Mitigation Monitoring and Reporting Program.
  - c. Identified the Clerk of the Board of Supervisors and the Department of Parks and Recreation as the location and custodian of the documents or other material that constitute the record of proceedings upon which this decision is based.
  - d. Approved the Project.

**Directed Administration to prepare report for consideration on date uncertain:** Preparation of information on concerns expressed by three members of the public relating to road maintenance issues, public notification timelines, and dogs on park trails.

- \* 56. Considered recommendations relating to Coyote Lake Campground Sewage Dump Station at Coyote Lake Harvey Bear Ranch County Park, and took the following actions:
- a. Adopted Resolution adopting Negative Declaration based on findings that the Negative Declaration was prepared in accordance with law and reflects the County's independent judgment and analysis, that the Board has considered the Negative Declaration and all comments received during the comment period, and that there is no substantial evidence in the record that the Project will have a significant impact on the environment.

- b. Approved the Project, adopted plans and specifications, and authorized advertisement of Contract Documents for the Coyote Lake Campground Sewage Dump Station at Coyote Lake Harvey Bear Ranch County Park.

Opening of Bids:            Thursday, October 23, 2008, at 2:00 p.m., in the  
   Office of the Clerk of the Board of Supervisors.

### **Roads & Airports**

- \* 57. Considered recommendations relating to Palo Alto Access Road Repair Project, Contract 07-32, and Lawrence Expressway Pedestrian Pathway Project between Saratoga Avenue and Prospect Road, Contract 08-07, and took the following actions:
  - a. Approved Contract Change Order No. 1 Final - Palo Alto Access Road Repair Project, Contract 07-32. Contractor - El Camino Paving, Inc. Net decrease of \$33,582.14 and an increase of 38 working days.
  - b. Approved Contract Change Order No. 1 Final - Lawrence Expressway Pedestrian Pathway Project between Saratoga Avenue and Prospect Road, Contract 08-07. Contractor - JJR Construction, Inc. Net decrease of \$23,952.00 and a decrease of four working days.
  - c. Accepted Project as complete and authorized Clerk of the Board to execute Notice of Completion and Acceptance of Work on Contract 07-32, Palo Alto Access Road Repair Project. Contractor - El Camino Paving, Inc.
  - d. Accepted Project as complete and authorized Clerk of the Board to execute Notice of Completion and Acceptance of Work on Contract 08-07, Lawrence Expressway Pedestrian Pathway Project between Saratoga Avenue and Prospect Road. Contractor - JJR Construction, Inc.
  
- \* 58. Considered recommendations relating to traffic actions on various County maintained roadways, and took the following actions:
  - a. Adopted Resolution establishing one-way stop control for Dawnridge Drive approach to Magdalena Avenue, Los Altos Hills.

b. Adopted Resolution establishing a "Physically Challenged" parking stall adjacent to 3118 Garden Avenue, San Jose.

- \* 59. Approved the Project, adopted plans and specifications, and authorized advertisement of contract documents for the San Tomas Expressway and Hamilton Avenue Intersection Improvements Project.

Opening of Bids: Thursday, October 23, 2008, at 2:00 p.m.,  
in the Office of the Clerk of the Board of Supervisors.

### Facilities and Fleet

60. Considered recommendations relating to Lease Agreement with Cornerstone Properties IIS, LLC, and Cornerstone Properties IIJ, LLC, for premises located at 1650 South Amphlett Blvd., Suite 213, San Mateo, and took the following actions:
- a. Approved Lease Agreement with Cornerstone Properties IIS, LLC and IIJ, LLC relating to the premises located at 1650 South Amphlett Boulevard, San Mateo, for an annual rent not to exceed \$52,339.20 commencing January 1, 2009, with an annual increase of ten cents per square foot per year, for period September 23, 2008 through December 31, 2014, with an option to renew for an additional five-year period at the same terms.
  - b. Approved delegation of authority to the Director, Facilities and Fleet Department, or designee, to negotiate and execute documents needed to administer the Lease, including exercise of renewal option, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on the last day of the Lease term or renewal option, if exercised.
- \* 61. Approved Request for Appropriation Modification No. 35 - \$75,000 increasing revenue and offsetting appropriations in the Facilities and Fleet Department budget to fund purchase of new and replacement food service equipment for the County Government Center, West Julian Campus, Charcot Campus, Junction Cafe, and the Berger Service Center Cafeterias.

- \* 62. Considered recommendations relating to James Ranch Security Fence, Project 263-CP05008, and took the following actions:
  - a. Approved Appropriation Modification No. 33 - \$60,000 transferring funds within the Facilities and Fleet Department (FAF), Capital Programs budget, to James Ranch Security Fence, Project 263-CP05008 for sallyport construction.
  - b. Approved award of contract to FenceCorp, Inc., in the amount of \$136,768.
  - c. Approved encumbrance of an additional \$25,000 as Supplemental Work Allowance for a total encumbered amount of \$161,768.
  - d. Directed the Director, FAF, or designee, to notify the contractor; obtain insurance and bonds; and, award, execute, amend, and administer the contract.
  
- \* 63. Approved Appropriation Modification No. 37 - \$4,240,600 increasing revenue and expenditures in the Santa Clara Valley Medical Center budgets, utilizing existing budget expenditure appropriations in the General Capital Improvement Fund relating to equipment and furnishing purchases for Valley Health Centers Sunnyvale, Gilroy, and Milpitas.

### **Central Fire Protection District**

- \* 64. Adopted Resolution of the Board of Supervisors, County of Santa Clara, authorizing Chair to sign the Mutual Agreement page of the East Foothills Community Wildfire Protection Plan.
  
- \* 65. Considered recommendations relating to the coverage areas and possible annexations into the Santa Clara County Central Fire Protection District, aka Santa Clara County Fire Department (SCCFD), and took the following actions:
  - a. Provided direction and authority to the SCCFD Chief.
  
  - b. Accepted report from the County Executive and SCCFD Chief, relating to a letter from the City of Morgan Hill, dated July 30, 2008, expressing interest in pursuing annexation into the SCCFD.

- c. Directed the SCCFD Chief to collaborate with the City of Morgan Hill to initiate annexation of the City into the SCCFD.
- d. Directed the SCCFD Chief to collaborate with the South Santa Clara County Fire District to initiate discussions regarding annexation of the South County Fire District into SCCFD, contingent upon annexation of the City of Morgan Hill into the SCCFD.

### **South Santa Clara County Fire Protection District**

- \* 66. Adopted Resolution of the Board of Supervisors, County of Santa Clara, authorizing the Chair to sign the Mutual Agreement page of the Croy Fire Area Community Wildfire Protection Plan.
- \* 67. Deleted from Agenda.
- \* 68. Considered recommendations relating to the coverage areas and possible annexations into the Santa Clara County Central Fire Protection District, aka Santa Clara County Fire Department (SCCFD), and took the following actions:
  - a. Provided direction and authority to the SCCFD Chief.
  - b. Accepted report from the County Executive and SCCFD Chief relating to a letter from the City of Morgan Hill, dated July 30, 2008, expressing interest in pursuing annexation into the SCCFD.
  - c. Directed the SCCFD Chief to collaborate with the City of Morgan Hill to initiate annexation of the City into the SCCFD.
  - d. Directed the SCCFD Chief to collaborate with the South Santa Clara County Fire District to initiate discussions about annexation of the South County Fire District into SCCFD, contingent upon annexation of the City of Morgan Hill into the SCCFD.

## Sanitation District

- \* 69. Accepted Monthly Financial Report from County Sanitation District No. 2-3 for period ending August 31, 2008, and authorized payment of bills in an amount not to exceed \$100,765.03.

## Final Adoption of Ordinances

- \* 70. Adopted Salary Ordinance No. NS-5.09.24 (final) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees adding two Automotive Attendant positions in the Facilities and Fleet Department, Fleet Management Division.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes
- \* 71. Adopted Salary Ordinance No. NS-5.09.23 (final) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees deleting one Supervising Legal Clerk position and adding one Clerk-Recorder Supervisor position in the Finance Agency, Office of the Clerk-Recorder, and adding the classification of Operating Room Business Manager and deleting 26 job classifications from the Salary Schedule.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes
- \* 72. Adopted Salary Ordinance No. NS-5.09.22 (final) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees deleting one Accountant Assistant position and adding one Associate Management Analyst B or Associate Management Analyst A position in the Facilities and Fleet Department.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes
- \* 73. Adopted Salary Ordinance No. NS-20.08.04 (final) amending Salary Ordinance No. NS-20.08 relating to the compensation of employees adding Footnote No. 3 and adjusting the flat rate salary for classification of Clerk of the Board of Supervisors.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes

- \* 74. Adopted Salary Ordinance No. NS-5.09.18 (final) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees deleting one Account Clerk II or Account Clerk I position and adding one Accountant Assistant position in the Office of the County Counsel.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes
- \* 75. Adopted Salary Ordinance No. NS-5.09.19 (final) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees adding one half-time Management Aide position in the Public Health Department, Santa Clara Valley Health and Hospital System.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes
- \* 76. Adopted Salary Ordinance No. NS-5.09.16 (final) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees adding two Health Program Specialist positions, one Administrative Assistant position, one half-time Management Aide position, one half-time Health Planning Specialist III position, two Health Planning Specialist II positions, and one Public Health Nutritionist position in the Public Health Department, Santa Clara Valley Health and Hospital System.  
**Vote:** Gage: Yes Alvarado: Yes McHugh: Yes Yeager: Yes Kniss: Yes

### Closing

77. There was no announcement of date and time for closed session to discuss items noticed pursuant to the Brown Act.

Adjourned in honor and memory of Peter Camejo, Green Party Leader; and, Joseph C. Diaz, World War II Veteran and lifetime member of the Historical Society of the City of Mountain View; and, authorized that letters of condolence be forwarded to the families.

Adjourned to a regular meeting on Tuesday, October 14, 2008, at 9:30 a.m., in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San Jose.

ATTEST: PHYLLIS PEREZ  
Clerk of the Board of Supervisors