

May 5, 2009

BOARD OF SUPERVISORS

Liz Kniss, District 5, President
 Ken Yeager, District 4, Vice President
 Donald F. Gage, District 1
 George Shirakawa, District 2
 Dave Cortese, District 3



Gary Graves
 Acting County Executive

Ann Miller Ravel
 County Counsel

SUMMARY OF PROCEEDINGS OF MAY 5, 2009

BOARD OF SUPERVISORS' CHAMBERS
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SANTA CLARA COUNTY BOARD OF SUPERVISORS
 SPECIAL DISTRICTS
 THE FIRE DISTRICTS
 FINANCING AUTHORITY
 PUBLIC AUTHORITY OF SANTA CLARA COUNTY
 VECTOR CONTROL DISTRICT
 SANITATION DISTRICT NO. 2-3

Opening

- . Roll Call - All members present.
- . Recited Pledge of Allegiance.
- . Received invocation by Reverend Louann Roberts, Facility Chaplain, Elmwood Correctional Center for Women.
- . Announced dedication of meeting and adjournment in honor and memory of Bennetta Bing Schramm, Dan Lairon, III, Andy Le, Kenneth Frasse, and Steve Goodman.

Public Issues

1. Received the following comments under Public Comment:

Brian Schmidt, Legislative Advocate, Committee for Green Foothills, raised questions and expressed disagreement relating to the development of the proposed El Rancho San Benito Project.

George Perez, Superintendent, Mount Pleasant Elementary School District, requested punitive action and expressed concern regarding Supervisorial authority relating to the Mount Pleasant Elementary School District.

Joy Almquist and Grace Abidog, Public Health Nurses, Santa Clara Valley Health and Hospital System (SCVHHS), spoke of the importance of nurses and requested further analysis regarding budget reductions relating to public health.

Pedro Lagrimas, concerned citizen, spoke of issues regarding public health and expressed appreciation to SCVHHS nurses.

Received written comments from Nina Chagoya and Hoa Nguyen, concerned citizens, expressing appreciation to public health staff for providing exemplary service.

2. Approved consent calendar and changes to the Board of Supervisors' Agenda. (Items with an asterisk [*] in front of the number were on the consent calendar and were voted on in one motion at the beginning of the meeting.)
- * 3. Approved Summary of Proceedings of April 21, 2009 and minutes of March 3 and March 24, 2009.

Social Services Agency

- * 4. Approved delegation of authority to the Director, Social Services Agency, or designee, to negotiate, execute, amend, and terminate Agreement with InTelegy Corporation relating to providing consulting services for the Medi-Cal Service Center and the Food Stamp Program, in an amount not to exceed \$235,645 for period May 5, 2009 through June 30, 2010, 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.

- * 5. Adopted Resolution delegating authority to the Director, Social Services Agency, or designee, to negotiate, execute, amend, and terminate Memoranda of Understanding with restaurants in Santa Clara County that have elected to participate in the Food Stamp Restaurant Meals Program for period July 1, 2009 through June 30, 2010, with option of two additional one-year terms, following approval of a boilerplate Memorandum of Understanding 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.

- * 6. Approved Request for Appropriation Modification No. 174 - \$903,499 transferring funds within the Social Services Agency budget relating to the purchase of computer and communications equipment.

Santa Clara Valley Health and Hospital System

- 7. Adopted the 2008 Santa Clara County Emergency Medical Services Plan and authorized submission to the California Emergency Medical Services Authority.

- 8. **Held to May 19, 2009:** Adoption of Resolution delegating authority to the Chief Executive Officer, Santa Clara Valley Health and Hospital System, or designee, to execute Agreements and subsequent Amendments with Advanced Clinical Employment Staffing, LLC; Cross Country TravCorps, Inc., dba Cross Country Staffing; HealthSource Global Staffing, Inc.; HRN Services, Inc.; Maxim Healthcare Services, Inc., dba TravelMax; and, Medical Staffing Network, Inc., dba InteliStaf Travel, relating to providing travel nurse staffing at Santa Clara Valley Medical Center and Children's Shelter and Custody Health Services, in an amount not to exceed \$3,500,000 per fiscal year for period July 1, 2009 through June 30, 2014, 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, 2014. (Roll Call Vote)

- 9. Considered recommendations relating to award of purchasing and installation of the NEC 2400 telephone equipment and Vocera voice communications system for Valley Specialty Center and Valley Health Centers at Sunnyvale and Gilroy, and took the following actions:

- a. Ratified Agreement with NEC Unified Solutions, in the amount of \$2,750,759.70.
- b. Accepted the Project as complete and approved payment to NEC Unified Solutions.

Employee Services Agency

- * 10. Adopted Resolution making certain determinations and certifications in support of an Owner Controlled Insurance Program (OCIP) for Phase One of the Santa Clara Valley Medical Center Seismic Safety Project, delegating authority to the Director, Risk Management, to acquire insurance, negotiate and execute Amendments for existing Agreements with Gallagher and Rackich to implement the OCIP, and delegating authority to the Director of Facilities, Santa Clara Valley Health and Hospital System, to negotiate and execute an addendum to the Project Labor Agreement to provide for an alternative Dispute Resolution Program for Workers' Compensation claims.

Board of Supervisors

- * 11. There was no announcement of travel for members of the Board of Supervisors and other elected officials.
- * 12. Accepted reports from members of the Board of Supervisors relating to meetings attended through April 29, 2009.
13. Considered items of concern and referred to Administration for review and report.

Referred to Administration for report through Finance and Government Operations Committee (FGOC) on date uncertain: Review of all policies relating to travel by County employees, including the costs, approval process, and related issues associated with local and out-of-state travel.

Referred to Administration for report through FGOC on date uncertain: Preparation of information relating to registration fee policies associated with attending conferences.

14. Considered recommendations relating to participation in the Prescription Drug Discount Program through the National Association of Counties (NACo), and took the following actions:
 - a. Approved County participation in the NACo Prescription Drug Discount Program and distribution of Program cards through appropriate means across the County, and directed staff to report to the Health and Hospital Committee (HHC) with an update on implementation on the Discount Program in August 2009.
 - b. Approved delegation of authority to the County Executive, Office of the County Executive, or designee, to execute Agreement through NACo relating to the Prescription Drug Discount Program, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive.

Referred to Administration for report through HHC on date uncertain:
Direction to Administration to provide the Board with information evaluating participation in the NACo Prescription Drug Discount Program after a period of one year.

15. Accepted report from Supervisor Gage, Chairperson, Housing, Land Use, Environment, and Transportation Committee relating to the meeting of April 16, 2009, and took the following actions:
 - a. Adopted Resolution establishing and updating fees for applications to Williamson Act contracts and Open Space Easements. (Item 5)
 - b. Accepted Committee agenda Item 6 for information only.
 - c. Approved First Amendments to Participating Agency Agreements, with the County of Santa Clara as the Certified Unified Program Agency, relating to providing administration of the Unified Hazardous Waste and Hazardous Materials Management Program. (Item 7)
 - d. **Continued to May 19, 2009:** Hearing to consider reauthorizing and increasing the Countywide Assembly Bill 939 Implementation Fee and Countywide Solid Waste Planning Fee. (Item 8)
 - e. Adopted Resolution revising the fee schedule for Animal Care and Control. (Item 9)

- f. Accepted Committee agenda Items 10 and 11 for information only.
 - g. Considered recommendation from the Airports Commission that Administration be directed to provide written communication to the City of San Jose Envision San Jose 2040 General Plan Update Task Force requesting that Task Force not assume that Reid-Hillview Airport will be closed between now and 2040 in its potential land use scenarios as part of the City's General Plan Update process, and took no action. (Item 12)
 - h. Accepted County Airports Quarterly Noise Report from the Roads and Airports Department, Airports Division. (Item 13)
 - i. Accepted quarterly report relating to Agreements executed by the Director, Roads and Airports Department, pursuant to the authority delegated by the Board of Supervisors on March 28, 2006. (Item 14)
 - j. Accepted report relating to draft Request for Proposals (RFP) for Vehicle Leasing and Maintenance. (Item 15)
 - k. Accepted annual status report relating to County activities relating to the homeless mentally ill. (Item 16)
 - l. Accepted report relating to the Draft Preferred Alternative for the Martial Cottle Park Master Plan. (Item 17)
- * 16. Accepted report from Supervisor Shirakawa, Chairperson, Public Safety and Justice Committee, relating to meeting of April 23, 2009, and accepted Committee agenda items 5 and 6 as Board information only.
- * 17. Accepted report from President Kniss, Chairperson, Health and Hospital Committee, relating to meeting of April 14, 2009, and accepted Committee agenda items 5-23 as Board information only.
- * 18. Accepted report from Supervisor Yeager, Chairperson, Finance and Government Operations Committee (FGOC), relating to the meeting of April 14, 2009, and took the following actions:

- a. Accepted report relating to vehicle lease options and reducing greenhouse gas emissions, and directed staff to report back to FGOC with a request for proposals for lease purchases and a fiscal analysis of lease options and savings.
 - b. Accepted Committee agenda items 5 and 7-23 as Board information only.
- * 19. There was no report from President Kniss, Chairperson, Legislative Committee.
 - * 20. There was no report from Supervisor Cortese, Chairperson, Children, Seniors, and Families Committee (CSFC).
 - * 21. There was no report from Supervisor Gage or President Kniss, Board Delegates to the Santa Clara Valley Transportation Authority (VTA).
 - * 22. Accepted report from Supervisor Yeager, Board Delegate to the Metropolitan Transportation Commission, relating to meeting of April 22, 2009.
 - * 23. Accepted report from President Kniss, Board Delegate to the Local Agency Formation Commission (LAFCo), relating to meeting of April 8, 2009.
 - * 24. Accepted report from President Kniss, Board Delegate to the Bay Area Air Quality Management District, relating to meetings of April 1 and April 15, 2009.

County Executive

25. Accepted report from Acting County Executive relating to modified guidelines for school closures for Swine Flu, and reaffirmation of County bond rating by Standard and Poor's and Moody's.
26. Accepted report relating to Swine Flu and Santa Clara County response, and adopted Resolution ratifying proclamation declaring state of local emergency issued by the Acting County Executive in his capacity as Director of Emergency Services on April 29, 2009.

- * 27. Accepted monthly status report on items referred to Administration for action or report back.
- * 28. Adopted Resolution declaring intention to sell real property and improvements at 590 E. Middlefield Road, Mountain View (Assessor's Parcel Nos. 160-58-006 and 160-58-019), and delegating authority to the Acting County Executive, or designee, to execute any and all documents necessary to facilitate the conveyance of the property.

County Counsel

- 29. There was no report from County Counsel on legal issues.

Boards & Commissions

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

Supervisor Gage (District 1):

Appointee Name

Sergey Savastiour

Board/Commission Name

County of Santa Clara/Region of
Moscow, Russia, Sister-County Commission

Supervisor Yeager (District 4):

Appointee Name

Rita Piziali

Board/Commission Name

County of Santa Clara/
Province of Florence, Italy
Sister-County Commission

Andrew Chow

County of Santa Clara/
Hsinchu, Taiwan Republic of China
Sister-County Commission

- * 31. Approved the following Board As-a-Whole appointments to various Boards and Commissions:

<u>Appointee Name</u>	<u>Recommended By</u>	<u>Board/Commission</u>
Gregory Zieman	Yeager	Child Abuse Council
Karen Anton	Cortese	Certification Appeals Board

32. Approved the following recommendations relating to resignations from Boards and Commissions:
- Accepted resignation of James Yeh from the County of Santa Clara/Hsinchu, Taiwan, Sister-County Commission for a three-year term expiring June 30, 2009. Appointee shall have previously demonstrated interest or participation in matters pertaining to the relationship between China and the U.S. Position is allocated to District 1.
 - Accepted resignation of Thomas Di Stefano from the County of Santa Clara/Province of Florence, Italy, Sister-County Commission for a three-year term expiring June 30, 2009. Appointee shall have previously demonstrated interest or participation in matters pertaining to the relationship between Italy and the U.S. Position is allocated to District 5.
 - Accepted resignation of Mario Ozuna-Sanchez from the Juvenile Hall Advisory Board for a three-year term expiring June 30, 2009. Appointee shall be a Social Services professional with an understanding of juvenile justice systems. Position is allocated to District 3.

Law and Justice

33. Considered recommendations relating to the Victim Witness Assistance Center, and took the following actions:
- Adopted Resolution delegating authority to the District Attorney, or designee, to execute Grant Agreement with the California Emergency Management Agency (CalEMA) relating to the Fiscal Year 2010 Victim Witness Assistance Program Grant, in an amount not to exceed \$646,384, including documents necessary to extend or amend the Grant Agreement without fiscal impact, for period July 1,

2009 through June 30, 2010, 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, 2010.

- b. Adopted Resolution delegating authority to the District Attorney, or designee, to execute Joint Powers Contract Agreement with the California Victim Compensation and Government Claims Board (VCGCB) relating to providing victim compensation and emergency services, including documents necessary to extend or amend the Agreement without fiscal implications, in an amount not to exceed \$3,393,339 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 December 31, 2012.

Finance Agency

34. Accepted presentation relating to bond issuance for Fiscal Year (FY) 2009-2010 Tax and Revenue Anticipation Notes (TRANS) for Campbell Union School District.

Adopted Resolution providing for borrowing of funds in the name of Campbell Union School District for FY 2009-2010 and the issuance and sale of 2009 TRANS in an amount not to exceed \$5,000,000.

35. Accepted presentation relating to bond issuance for Fiscal Year (FY) 2009-2010 Tax and Revenue Anticipation Notes (TRANS) for Fremont Union High School District.

Adopted Resolution providing for borrowing of funds in the name of Fremont Union High School District for FY 2009-2010 and the issuance and sale of 2009 TRANS in an amount not to exceed \$20,000,000.

36. Accepted presentation and authorized filing of Detailed Investment Portfolio Listing for period ending March 31, 2009, under advisement from February 10, 2009.

- * 37. Approved revised Santa Clara County Parking Penalty Schedule for all County parking jurisdictions patrolled by County issuing agencies, effective May 11, 2009.

11:00 a.m. Time Certain

38. Presented Unity in Diversity Awards.

Recessed to Unity in Diversity Festivities in the James P. McEntee Plaza

1:30 p.m. Time Certain39. **Held to May 19, 2009:** Acceptance of award from the Northern California Solar Energy Association.

40. Resolutions, Commendations, and Memorials.

- a. Adopted Resolution proclaiming May 2009 as "Historic Preservation Month" in Santa Clara County. (Historical Heritage Commission)
- b. Ratified Resolution, presented on April 30, 2009, commending Judy Rickard for commitment to and accomplishments in the field of public service. (Yeager)
- c. Adopted Resolution commending the Building Peaceful Families organization on its Grandmothers Recognition Luncheon. (Yeager)
- d. Adopted Resolution commending Chris Fleming for contributions to the San Jose and Los Gatos communities, and for successful efforts in mainstreaming the developmentally challenged. (Yeager)
- e. Adopted and presented Resolution proclaiming May 2009 as "Water Awareness Month" in Santa Clara County. (Yeager)
- f. Adopted Resolution proclaiming May 17-23, 2009 as "Emergency Medical Services Week" in Santa Clara County. (Santa Clara Valley Health and Hospital System)
- g. Adopted and presented Resolution proclaiming May 2009 as "Foster Care Month" in Santa Clara County. (Social Services Agency)

- h. Adopted and presented Resolution commending Betty F. Malks as she retires after 21 years of dedicated service to the people of the County of Santa Clara. (Social Services Agency).
- i. Adopted Resolution proclaiming May 17-23, 2009 as "National Public Works Week" in Santa Clara County. (Roads and Airports Department)
- j. Adopted Resolution proclaiming April 20-June 1, 2009, the "12th Anniversary of Unity in Diversity Observance, 'Embrace All'," and calling upon County employees and residents to participate in the spirit and activities of the observance. (President)
- k. Ratified Resolution, presented April 23, 2009, commending the Honorable Joseph H. Huber for outstanding contributions, fairness, and leadership as a Civil Court Judge. (Kniss)
- l. Adopted Resolution commending Rick Van Mell for significant contributions to AchieveKids, youth in our community, and the Mental Health Program of Santa Clara County. (Kniss)
- m. Adopted Resolution commending Laura Arrillaga-Andreessen for vibrant leadership in philanthropy and for outstanding commitment to building and strengthening the capacity of nonprofits locally, and throughout the world. (President)
- n. Adopted and presented Resolution proclaiming May 3-9, 2009 as "Wildfire Awareness Week" in Santa Clara County. (Yeager)
- o. Adopted Resolution commending the Iranian Scholarship Foundation for its commitment to students who pursue education and commitment to positive community service. (President)
- p. Adopted Resolution commending Self-Help for the Elderly for its outstanding efforts to raise funds to provide much needed services to seniors in the County of Santa Clara. (Yeager)

- q. Adopted Resolution proclaiming May 15, 2009 as "Palestinian Cultural Day" in Santa Clara County. (Cortese)
- r. Ratified Resolution, presented on April 23, 2009, commending David Tanquary for tremendous dedication and service to the residents of Santa Clara, and unwavering commitment to making his community one of safety and pride. (Cortese)
- s. Adopted and presented Resolution proclaiming the May 2009 as "Lions Club International's Recycle For Sight Month" in Santa Clara County. (Cortese)
- t. Ratified Resolution proclaiming April 30, 2009 as "Black April Remembrance Day 2009" in Santa Clara County. (Cortese)
- u. Ratified Resolution, presented on April 11, 2009, commending the Filipino American World War II Veterans of Santa Clara County for their great contributions and selfless service to the United States of America during World War II. (Cortese)
- v. Ratified Resolution, presented on April 25, 2009, commending the Asian American Women's Alliance for its outstanding work in buiding supported among Asian American women in Santa Clara County. (Cortese)
- w. Ratified Resolution, presented on April 23, 2009, commending Pablo Lopez for tremendous dedication and service to the residents of Santa Clara and unwavering commitment to making his community one of safety and pride. (Cortese)
- x. Ratified Resolution, presented on April 23, 2009, commending James Arnaudo for heartfelt dedication and service to the residents of Santa Clara and unwavering commitment to making his community one of compassion, safety, and pride. (Cortese)
- y. Ratified Resolution, presented on April 21, 2009, commending Dennis Jones for raising awareness of the importance and significance of history, both as it occurred in the past and how it has shaped current society, through the initiation and continuance of the History Day Competition. (Cortese)

- z. Ratified Resolutions, presented on April 21, 2009, commending the following individuals for raising awareness of the importance and significance of history, both as it occurred in the past and how it has shaped current society. (Cortese)

Nancy Nguyen, through her group exhibit on Marie Curie
 Sienna Tabuena-Frolli, through her exhibit on Dr. Seuss
 Sang Hua, through her group exhibit on Marie Curie
 Deewie Penaflor, through her documentary on Ninoy Aquino
 Diana Nguyen, through her group exhibit on Rosa Parks
 Jessica Lam, through her group exhibit on Rosa Parks
 Karen Tang, through her group exhibit on Marie Curie

41. Approved and presented Certificates of Appreciation to the following Employees of the Month for May 2009.

David Lucio
 Investigator II

Office of the Public Defender
 Investigation

James Greer
 Lieutenant

Office of the Sheriff
 Records

Tuyet Nguyen
 Management Analyst

Social Services
 CalWIN Division/Program Bureau

Samantha Bailey
 Health Services Representative

Santa Clara Valley Health
 and Hospital System
 Valley Medical Center, Renal Care Center

Gary Cocroft
 Fire Captain

Santa Clara County Fire Department
 Monta Vista Fire Station
 Operations Division

Certificate of Appreciation will be forwarded to:

Thomas M. Bush, M.D.	Santa Clara Valley Health
Chief of Rheumatology	and Hospital System
Assistant Medical Director	Valley Medical Center
	Department of Medicine

2:00 p.m. Hearing

42. Convened hearing to consider recommendations relating to the adoption of the Fiscal Year (FY) 2010 Action Plan, including \$3,867,893, as amended, in funding allocations for use of Community Development Block Grant (CDBG), Home Investment Partnership Act (HOME), and American Dream Downpayment Initiative (ADDI) funds, as required by the U.S. Department of Housing and Urban Development (HUD).
- a. Opened public hearing and received no testimony.
 - b. Closed public hearing.
 - c. Approved proposed allocation of FY 2010 HUD funds received for the CDBG, HOME, and ADDI Programs, and the proposed contract conditions, as recommended by the Housing and Community Development (HCD) Program Advisory Committee and contingency plans for final HUD grant amounts.
 - d. Approved recommended project allocations of the Board of Supervisors' discretionary share (\$114,067) of the funding.
 - e. Approved FY 2010 Action Plan and authorized the Office of Affordable Housing (OAH) staff to edit and make necessary revisions to the draft, accepted public comments and Board directed ion, and submit the approved Action Plan to HUD by May 15, 2009.
 - f. Authorized OAH staff to prepare Agreements, Amendments, loan documents, and other related contract documents with non-profit agencies and participating non-entitlement cities to fund their local CDBG projects, including previously approved but not yet completed city projects based on Board approval of the FY 2010 funding allocations from the CDBG and HOME competitive pools and the

Board's discretionary share, and authorized the current Board President, or designee, to execute all documents, following approval by County Counsel as to form and legality.

- g. Authorized the Acting County Executive, or designee, to execute necessary documents required by HUD to receive FY 2010 CDBG, HOME, and ADDI funds.
 - h. Authorized the Office of the County Executive, Office of Budget and Analysis, to increase revenue and expenditures in the OAH budget to reflect approved allocations in the FY 2010 Final Budget.
 - i. Directed staff to work over the next year with the non-entitlement cities and the non-profit sector to streamline the process for administering Federal funds provided through the CDBG and HOME programs to ensure that no County General Fund monies are being used to subsidize these programs by 2010.
43. Convened hearing to consider approval of the Draft Substantial Amendment to the Urban County Consolidated Plan 2008 Action Plan in order to receive \$717,484 from the Homelessness Prevention and Rapid Re-Housing Program (HPRP) of the American Recovery and Reinvestment Act (ARRA).
- a. Opened public hearing and received testimony.
 - b. Closed public hearing.
 - c. Approved the Draft Substantial Amendment to the Urban County Consolidated Plan 2008 Action Plan for the HPRP.
 - d. Authorized the Acting County Executive, or designee, to prepare and execute all necessary documents required by the U.S. Department of Housing and Urban Development (HUD) to submit the Substantial Amendment.
 - e. Directed the Acting County Executive, or designee, to prepare and release a Request for Proposals for expenditure of \$717,484 in accordance with the HUD guidance on the HPRP funds.
 - f. Directed the Acting County Executive, or designee, to return to the Board with recommendations for allocation of the HPRP funding.

2:00 p.m. Land Use Hearing

44. Convened hearing to consider recommendations relating to Zoning Ordinance text amendments to the use classifications and regulations for Wireless Telecommunication Facilities and adoption of associated Design Guidelines.
 - a. Opened public hearing and received testimony.
 - b. Closed public hearing.
 - c. Approved Statement of Exemption from the California Environmental Quality Act.
 - d. Adopted Ordinance No. NS-1200.324 amending certain provisions of Appendix I of the County of Santa Clara Ordinance Code-Zoning to establish new use regulations for Wireless Telecommunications Facilities.
 - e. Adopted Wireless Telecommunication Facilities Design Guidelines.

Department of Planning and Development Services

45. Considered recommendations relating to establishing the Schedule of Fines to be imposed by the Department of Planning and Development, and took the following actions:
 - a. Accepted report relating to administrative fines/penalties.
 - b. Adopted Resolution approving the Schedule of Administrative Fines to be imposed by the Department of Planning and Development to implement Ordinance No. NS-300.800 regarding Division A37 of Title A of the Santa Clara County Ordinance Code relating to administrative fines/penalties; procedure, review, and appeal.

Parks and Recreation Department

- * 46. Considered recommendations relating to approval of Fiscal Year (FY) 2009 Historical Heritage Grant Program Projects, and took the following actions:
- a. Approved recommendations relating to project scope of work, budget, grant funding levels, and Grant Agreement project conditions for FY 2009 Historical Heritage Grant Program applications to allocate a total of \$164,450 from the Park Charter Historical Heritage Fund to the J. Gilbert Smith History House Restoration Project (\$15,500), the Dyer House Restoration/Preservation Project (\$60,000), and the Coyote Post Office Restoration Project (\$88,950).
 - b. Approved delegation of authority to the Director, Parks and Recreation Department, or designee, to execute Project Agreements for Board approved Historic Heritage Projects, in an amount not to exceed \$164,450 for period beginning July 1, 2010, 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, 2015.
47. Considered recommendations relating to staffing changes in the Parks and Recreation Department and the Office of the Sheriff to be implemented for the Parks Patrol Program for the remainder of Fiscal Year (FY) 2009 and the entire FY 2010, and took the following actions:
- a. Accepted expansion of the Parks Patrol Program to include six additional Deputy Sheriff positions deployed as four full-time Deputy assignments and four six-month seasonal Deputy assignments.
 - b. Waived reading and adopted Salary Ordinance No. NS-5.09.85 (preliminary) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees unfunding four vacant Park Ranger II or Park Ranger I positions in the Parks and Recreation Department and adding eight Deputy Sheriff positions in the Office of the Sheriff.
Vote: Gage: Yes Shirakawa: Yes Cortese: Yes Yeager: Yes Kniss: Yes
 - c. Approved Request for Appropriation Modification No. 171 - \$309,874 transferring funds within the Parks and Recreation Department budget, and

increasing revenue and expenditures in the Office of the Sheriff budget for FY 2009.

Referred to Housing, Land Use, Environment, and Transportation (HLUET) Committee for consideration before FY 2010 Budget Hearing: Review of Parks Charter Fund guidelines relating to the proposed expenditure of \$2.5 million for expansion of Parks Patrol Program for FY 2010 from the Parks Charter Fund.

Department of Agriculture and Environmental Management

- * 48. Approved Request for Appropriation Modification No. 175 - \$364,199.26 increasing revenue and expenditures in the Department of Agriculture and Environmental Management budget relating to the Fiscal Year 2009 State contract for the Pierce's Disease Control Program.

Roads and Airports

- * 49. Accepted Report on Bids for construction of Pavement Repair on Oregon/Page Mill Expressway from Interstate 280 to U.S. Highway 101.
 - a. Awarded contract to O.C. Jones & Sons, Inc., in the amount of \$767,918, which includes a Supplemental Work Allowance (SWA) in accordance with the Contract Documents, and a construction time of 60 working days.
 - b. Authorized the Director, Roads and Airports Department, to issue change orders against the SWA and to approve modifications to the construction time.
- * 50. Considered recommendations relating to the County Lighting Service Area (CLSA) Fiscal Year (FY) 2010 assessments, and took the following actions:
 - a. Accepted CLSA Fiscal Year 2010 Preliminary Assessment Report and filed with the Clerk of the Board of Supervisors.
 - b. Authorized the Clerk of the Board to set Tuesday, June 9, 2009, at 2:00 p. m., as the date and time for public hearing to consider protest and objections to CLSA FY 2010 Preliminary Assessment Report, and adopted Resolution approving CLSA assessments for FY 2010.

- * 51. Accepted Report on Bids for construction of the Foothill Expressway Bicycle Improvement Under Loyola Bridge Project, Federal Project No. CML 5937(130).
 - a. Awarded contract to Golden Bay Construction, Inc., in the amount of \$199,989, which includes a Supplemental Work Allowance (SWA) in accordance with the contract documents, and a construction time of 30 working days.
 - b. Authorized the Director, Roads and Airports Department, to issue change orders against the SWA and to approve modifications to the construction time.

- * 52. Approved the Project, adopted plans and specifications, and authorized advertisement of Contract Documents for the 2009 Slurry Seal for County Roads at Various Locations Project.

Opening of Bids: Thursday, May 21, 2009, at 2:00 p.m.,
in the Office of the Clerk of the Board of Supervisors.

- * 53. Approved the Project, adopted plans and specifications, and authorized advertisement of Contract Documents for Job Order Contract JOC-RAD-2009-01, including Construction Task Catalog, Technical Specifications, and Special Provisions.

Opening of Bids: Thursday, May 28, 2009, at 2:00 p.m.,
in the Office of the Clerk of the Board of Supervisors.

- * 54. Approved Real Estate Exchange Agreement and Grant Deed with Taylor Morrison of California, LLC, relating to the exchange of land located on the easterly side of the northbound Lawrence Expressway off ramp to El Camino Real in Santa Clara.

- * 55. Considered recommendations relating to Agreement with Maintstar for maintenance management system (MMS), and took the following actions:
 - a. Approved Agreement with Maintstar relating to providing MMS technical support, in an amount not to exceed \$110,000 for period May 5, 2009 through December 31, 2011.

- b. Approved delegation of authority to the Director, Roads and Airports Department, to execute future Amendments to the Agreement with Maintstar, if necessary, to extend the expiration date and to increase the maximum compensation limit (MCL) by \$90,000 to a total MCL not to exceed \$200,000, 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, 2011.

Facilities and Fleet

- * 56. Considered recommendations relating to the Civic Center Parking Garage (CCPG), and took the following actions:
 - a. Adopted Resolution establishing a revised fee structure for use of the CCPG and authorizing the Director, Facilities and Fleet Department (FAF), or designee, to adjust the fees up to specified amounts, effective July 1, 2009.
 - b. Approved delegation of authority to the Director, FAF, or designee, to increase the fees relating to the CCPG, in an amount not to exceed five percent per annum for period July 1, 2010 through December 30, 2010, 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 30, 2010.

Central Fire Protection District

- * 57. Approved delegation of authority to the Fire Chief, Santa Clara County Central Fire Protection District, or designee, to negotiate, execute, amend, and terminate Fire and Emergency Medical Services Agreements with various agencies, 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, 2014.
- * 58. Considered recommendations relating to Contract Amendment between the California Public Employees' Retirement System (CalPERS) and the Santa Clara County Central Fire Protection District (County Fire), and took the following actions:

- a. Adopted Resolution authorizing the President to execute Contract Amendment.
- b. Authorized the President to execute Contract Amendment with CalPERS Board of Administration relating to Section 21548, Pre-Retirement Option 2W Death Benefit, for safety members.

Vector Control District

- * 59. Considered recommendations relating to Santa Clara County Vector Control District Benefit Assessment, and took the following actions:
- a. Approved the Preliminary Engineer's Report dated April 2009 for Fiscal Year (FY) 2009-2010.
 - b. Adopted Resolution of Intention to levy assessments for FY 2009-2010, preliminarily approved the Engineer's Report, and provided for notice of hearing for the Santa Clara County Vector Control District Mosquito, Vector, and Disease Control Assessment.
 - c. Authorized the Clerk of the Board to set Tuesday, May 19, 2009, at 2:00 p.m., as the date and time for hearing to consider proposed continuation of the assessment.

Sanitation District

- * 60. Approved Agreement with Vargas and Company relating to providing audit services in a total amount not to exceed \$31,700 for Fiscal Years 2008-2009 (\$9,960), 2009-2010 (\$10,600), and 2010-2011 (\$11,140).

Final Adoption of Ordinances

- * 61. Adopted Salary Ordinance No. NS-5.09.82 (final) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees adding eight Psychiatrist III positions, 19 Psychiatric Social Worker II positions, one half-time Psychiatric Social Worker II position, and eight Health Services Representative positions in Santa Clara Valley Medical Center.

Vote: Gage: Yes Shirakawa: Yes Cortese: Yes Yeager: Yes Kniss: Yes

- * 62. Adopted Salary Ordinance No. NS-5.09.80 (final) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees deleting three vacant Legal Clerk or Legal Clerk Trainee positions and two vacant Office Specialist I positions and adding five Child Support Officer II or Child Support Officer I positions in the Department of Child Support Services.

Vote: Gage: Yes Shirakawa: Yes Cortese: Yes Yeager: Yes Kniss: Yes

- * 63. Adopted Salary Ordinance No. NS-5.09.83 (final) amending Santa Clara County Salary Ordinance No. NS-5.09 relating to the compensation of employees adding two Revenue Collections Officer or Revenue Collections Clerk positions in the Finance Agency, Department of Revenue.

Vote: Gage: Yes Shirakawa: Yes Cortese: Yes Yeager: Yes Kniss: Yes

Closing

64. Announced Tuesday, May 12, 2009, as date for possible closed session that could be held from day-to-day, and May 18, 2009, at 2:00 p.m., as date and time for closed session to discuss items noticed pursuant to the Brown Act.

Adjourned on honor and memory of Dan Lairon, III, Principal of Seven Trees School in San Jose; Andy Le, co-founder of Tuscan Realty and Chief Executive Officer of GD Commercial Real Estate; Kenneth Frasse, Chief Executive Officer of the Santa Clara Valley Blind Center; Steve Goodman, retired General Manager of the Santa Clara County Sanitation District Four; and, Bennetta Bing Schramm, long-time Gilroy resident; and, authorized that letters of condolence be forwarded to the families.

Adjourned to Tuesday, May 12, 2009, at 1:30 p.m., in the Chambers of the Board of Supervisors, for the Budget Workshop to review and discuss the Acting County Executive's Fiscal Year 2010 Recommended Budget; subsequently adjourning to a possible closed session which could be held from day-to-day in the Tenth Floor Supervisors' Conference Room, 70 West Hedding Street, San Jose; and, subsequently adjourning to Monday, May 18, 2009, at 2:00 p.m., in the Tenth Floor Supervisors' Conference Room for an open public session for the purpose of identifying designated representatives to discuss salaries, or related to labor negotiations, or to disclose real property negotiations; subsequently adjourning into a closed session to discuss items properly noticed.

