

**BOARD OF SUPERVISORS**

S. Joseph Simitian, District 5, President  
Cindy Chavez, District 2, Vice President  
Mike Wasserman, District 1  
Dave Cortese, District 3  
Susan Ellenberg, District 4



Jeffrey V. Smith  
County Executive

James R. Williams  
County Counsel

Megan Doyle  
Clerk of the Board

**SUMMARY OF PROCEEDINGS**  
**October 8, 2019 9:30 AM**  
**Regular Meeting**

BOARD OF SUPERVISORS' CHAMBERS  
County Government Center – 70 West Hedding Street, 1st Floor, San Jose, CA  
Tel. (408) 299-5001 Fax (408) 938-4525 TDD (408) 993-8272

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  
COUNTY LIGHTING SERVICE AREA

**Opening**

**1. Roll Call.**

President Simitian called the meeting to order at 9:31 a.m. A quorum was present.

Attendee Name	Title	Status	Arrived
Mike Wasserman	Supervisor	Present	
Cindy Chavez	Vice President	Present	
Dave Cortese	Supervisor	Present	
Susan Ellenberg	Supervisor	Present	
S. Joseph Simitian	President	Present	

**2. Pledge of Allegiance.**

The Pledge of Allegiance was recited.

**3. Invocation by Rabbi Sheldon Lewis, Rabbi Emeritus Kol Emeth, Palo Alto. (ID# 98797)**

The Invocation was received.

**Ceremonial Presentations**

**4. Announce Adjournments in Memoriam. (See Item No. 36)**

- a. Adjourn in honor and memory of Sophia Trinidad. (Wasserman) (ID# 98770)

The Adjournment was announced.

#### **5. Commendations and Proclamations. (See Item No. 70)**

No Commendations or Proclamations were presented.

### **Public Issues**

#### **6. Public Comment.**

Seven individuals addressed the Board.

#### **7. Approve Consent Calendar and changes to the Board of Supervisors' Agenda.**

Three individuals addressed the Board.

Item Nos. 29 and 30 were added to the Consent Calendar. Item No. 79 was removed from the Consent Calendar. Item Nos. 34 and 62 were held to October 22, 2019. Item No. 32 was held to November 19, 2019. Item Nos. 33 and 77 were held to date uncertain.

Requests were noted for Item Nos. 29 and 59.

Vice President Chavez recused herself on Item No. 62.

**7 RESULT: Approved as Amended**

### **Time Certain - To Be Heard No Earlier Than 10:00 a.m.**

#### **8. Public Hearing - Establishment and modification of fees for the Department of Environmental Health Consumer Protection Division.**

- a. Public Hearing to consider establishment and modification of fees for the Department of Environmental Health Consumer Protection Division. (ID# 98646)
  - i. Open public hearing and receive testimony.
  - ii. Close public hearing.

President Simitian opened the public hearing. No public testimony was received. President Simitian closed the public hearing.

**8.a RESULT: Hearing Closed**

- b. Adopt Resolution amending the current fee schedule for services provided by the Department of Environmental Health. (Roll Call Vote) Resolution # BOS-2019-129 (ID# 97877)

**8.b RESULT: Adopted**

**9. Public Hearing - Implementation of energy efficiency measures under the ESCO Energy Savings Performance Project at County-owned properties. (Facilities and Fleet Department)**

- a. Public Hearing to consider adopting Resolution making findings in compliance with California Government Code Section 4217.10 relating to the implementation of energy efficiency measures under the ESCO Energy Savings Performance Project at County-owned properties with Assessor's Parcel Nos. 497-38-021, 729-56-001, 841-80-001, 841-80-002, 211-02-024, 259-24-035, 259-24-037, 708-05-002, 481-06-038, 237-04-070, 237-14-086, 022-08-044 and 825-09-068. (ID# 98382)
- i. Open public hearing and receive testimony.
  - ii. Close public hearing.

President Simitian opened the public hearing. No public testimony was received. President Simitian closed the public hearing.

**9.a RESULT: Hearing Closed**

- b. Consider recommendations relating to Energy Service Contract with Siemens Industry, Inc. Resolution # BOS-2019-130 (ID# 98510)

Possible action:

- i. Adopt Resolution making all necessary findings as required by California Government Code Section 4217 to approve the Energy Service Contract with Siemens Industry, Inc., relating to the implementation of energy and water conservation measures in an amount not to exceed \$3,000,881 for period October 8, 2019 through fifteen years after the completion of project construction, that has been reviewed and approved by County Counsel as to form and legality; authorizing the Board President to execute the Energy Service Contract; and, delegating authority to the County Executive, or designee, to take all necessary actions to implement the Energy Service Contract. Delegation of authority shall expire five years after contract execution, but no later than October 8, 2024. (Roll Call Vote)
- ii. Approve encumbrance of additional \$300,088 as Supplemental Work Allowance (SWA) for a total encumbered amount of \$3,300,969.
- iii. Authorize the County Executive, or designee, to issue Change Orders, as necessary, against the SWA and to approve modifications to the construction time.
- iv. Approve Request for Appropriation Modification No. 63 - \$3,176,778 transferring funds from the Facilities and Fleet Department Energy and

Sustainability Reserve Account to the Energy Services Project (263-EN15001). (Roll Call Vote)

**9.b RESULT: APPROVED [4 TO 1]**

**MOVER:** S. Joseph Simitian, President

**SECONDER:** Susan Ellenberg, Supervisor

**AYES:** Wasserman, Cortese, Ellenberg, Simitian

**NAYS:** Chavez

**Time Certain - To Be Heard No Earlier Than 10:30 a.m.**

**10. Held from September 24, 2019 (Item No. 18): Approve referral to Administration and/or County Counsel to report to the Board with options for consideration relating to the Fairgrounds and the Fairgrounds Management Corporation. (Chavez) (ID# 98383)**

Taken out of order after Item No. 13.

Considered concurrently with Item No. 31.

Seventeen individuals addressed the Board.

At the request of Vice President Chavez, the Board rejected all proposals submitted in response to the Fairgrounds Request for Proposals relating to real property located at the Santa Clara County Fairgrounds and terminate the Request for Proposals process; and, directed Administration and County Counsel to negotiate a 20-year master agreement with the Fairgrounds Management Corporation (FMC), with any leases of Fairgrounds real estate in excess of one year to be approved by the Board of Supervisors, and to report to the Board on date uncertain relating to the designation of approximately 55 acres of the Fairgrounds as a County park, not including the Monterey Road and Tully Road frontages, the off-track betting facility and the current fair/event space, while excluding parkland from the Park Charter.

At the request of Vice President Chavez, the Board further directed FMC to pursue its master plan consistent with the Guiding Principles adopted by the Board of Supervisors in the Fairgrounds Master Plan process; and, directed Administration, in coordination with FMC, to report to the Board on the potential development of a Heritage Concourse of local historic neon signs at the Fairgrounds event space; and, directed Administration, in coordination with FMC, to report to the Board on date uncertain relating to potential development of a Heritage Concourse of local historic neon signs at the Fairgrounds event space.

Finally, at the request of Vice President Chavez, the Board directed Administration and County Counsel to report to the Board on date uncertain with options for consideration relating to strategies to address concerns regarding open space and investments made by external partners; and, advantages and disadvantages of designating parts of the Fairgrounds as either parkland or open space.

At the request of Supervisor Wasserman, the Board further directed Administration to report to the Board on date uncertain relating to long-term implications of designating 55 acres of the Fairgrounds as a County park, including estimated costs of developing, operating, and maintaining the land; checks and balances over the next twenty years regarding FMC scope of authority; and, to provide an off-agenda report to the Board on date uncertain relating to the 500 units of permanent affordable housing on Fairgrounds property referenced in the report.

At the request of Supervisor Cortese, the Board directed Administration to report to the Board on date uncertain relating to a summary and comparison of dates regarding County park acquisition and activation of parks for public use.

## **10 RESULT: Approved as Amended**

### **Recess**

#### **11. Recess to the Annual Volunteer Luncheon.**

Taken out of order after Item Nos. 24-27.

President Simitian recessed the meeting at 12:37 p.m.

### **Time Certain - Land Use - To Be Heard No Earlier Than 1:30 p.m.**

#### **12. Public Hearing: Stanford University General Use Permit (GUP). (Department of Planning and Development)**

- a. Public Hearing to consider the following: Stanford University's General Use Permit (GUP) Application (Application), Stanford GUP Environmental Impact Report (EIR), Water Supply Assessment, Stanford University Community Plan amendments, Zoning Ordinance amendments, and Development Agreement application. Location: Stanford University Community Plan Area. Zoning: A1 General Use, R1S Low-Density Campus Residential, R3S Medium-Density Campus Residential; OS/G Open Space and Field Research; SCA Special Conservation Area. Supervisorial District: 5. File Nos. PLN98-7165 (7165-98P-99GP-99EIR), PLN16-7165 (7165-16P-16GP-16Z-16EIR), and PLN18-7165 (7165-18DA) (ID# 98755)

- i. Open public hearing and receive testimony.
- ii. Close public hearing.

President Simitian opened the public hearing. Thirty-eight individuals addressed the Board.

On order of President Simitian, no objection being made, the hearing was continued to October 22, 2019.

**12.a RESULT: Continued [No Vote]**

**Next: 10/22/2019 6:00 PM**

- b. Consider recommendations relating to the Stanford University General Use Permit application. (ID# 98788)

Possible action:

- i. Declare intent to certify the Stanford University Final Environmental Impact Report as complete in compliance with the California Environmental Quality Act, as set forth in Attachment A.
- ii. Declare intent to adopt the required findings (CEQA Findings - Attachment B) pursuant to the California Environmental Quality Act regarding the significant environmental impacts of Alternative A, authorizing up to 2,807 student beds and 2,892 housing units, as set forth in Attachment A.
- iii. Declare intent to approve the Water Supply Assessment, as set forth in Attachment C.
- iv. Declare intent to adopt the Statement of Overriding Considerations, as set forth in Attachment D.
- v. Declare intent to adopt the proposed Mitigation Monitoring and Reporting Program (MMRP), as set forth in Attachment E.
- vi. Declare intent to approve the text amendments and land use map amendments to the Stanford University Community Plan, as set forth in Attachment F, based on findings as set forth in Attachment G.
- vii. Declare intent to approve the Zoning Ordinance Map amendments, as set forth in Attachment H, based on findings as set forth in Attachment G.
- viii. Declare intent to approve the Administration Recommended Stanford General Use Permit, subject to the Conditions of Approval as set forth in Attachment I, and based on findings as set forth in Attachment G.
- ix. Declare intent to deny the Development Agreement Application.
- x. Refer to County Counsel to prepare resolutions supporting actions i-ix and to return to the Board for adoption of these resolutions.

The Board of Supervisors is required to make certain findings of fact to approve or deny the subject applications. As the decision-making body, the Board is being asked to review all information in the record, receive public testimony and take action. The required findings of fact for approval of the Community Plan amendments, Zoning Ordinance Map amendments, and the General Use Permit are located in Attachment G. In making a recommendation, the Board shall carefully consider the findings.

The Application submitted by Stanford requests authorization from the County of Santa Clara to construct up to 3,500,000 additional net new square feet of

academic/academic support space and student beds, 550 faculty/staff housing units, 40,000 square feet of childcare/trip reducing facilities, and 50,000 square feet of temporary surge space.

The Stanford University General Use Permit Final Environmental Impact Report (EIR) was published by the County in December 2018 and evaluates environmental impacts from the project as proposed by Stanford University in the Application. A complete environmental analysis for Additional Housing Alternatives A and B was also prepared and circulated for public comment by the County, and included in the EIR, to evaluate the environmental impacts of constructing additional housing to accommodate the academic development proposed in the Application. Additional Housing Alternative A evaluated the environmental impacts of constructing an additional 2,549 units/beds above what Stanford proposed in its Application, analyzing a total of 2,892 housing units and 2,807 beds. Additional Housing Alternative B evaluated the environmental impacts of constructing an additional 1,275 units/beds above what Stanford proposed in its Application, analyzing a total of 1,825 housing units and 2,600 beds.

The Administration recommends that the Board adopt Additional Housing Alternative A, and to condition the project to require a minimum of 2,172 housing units and a maximum 2,892 housing units, and a minimum of 2,600 student beds and a maximum of 2,807 student beds. The Administration's recommendation was supported by the Planning Commission when it made a recommendation on the application on June 27, 2019.

The Board may consider and declare its intent to approve Additional Housing Alternative A, the project as applied for by Stanford University, or one of the other alternatives in the EIR. If the Board intends to approve the project as applied for by Stanford University or one of the other alternatives evaluated in the EIR, the Administration would return to the Board with a revised set of Conditions of Approval, CEQA findings, and General Use Permit findings to reflect the Board's intent.

Supervisor Ellenberg left her seat at 4:00 p.m.

On order of President Simitian, no objection being made, the hearing was continued to October 22, 2019.

**12.b RESULT: Continued [No Vote]      Next: 10/22/2019 6:00 PM**

### Board Referrals

- 13. Approve referral to Administration to report to the Board on October 22, 2019 with options for consideration relating to providing financial assistance to Deferred Action for Childhood Arrivals (DACA) recipients who are in need of support to cover their DACA renewal application fees. (Chavez) (ID# 98754)**

Taken out of order after Item No. 9.

At the request of Vice President Chavez, the Board directed Administration to implement the provision of financial assistance to DACA recipients who are in need of support to cover their DACA renewal application fees, in an amount not to exceed \$200,000; report to the Board to request further funding, if necessary; and, consider administering a means test to determine the maximum number of DACA renewals that can be processed, without slowing down the process or exceeding the budget.

**13 RESULT: Approved as Amended**

**14. Consider recommendations relating to increasing protections for victims of intimate partner violence (IPV) and IPV-related strangulation. (Chavez) (ID# 97781)**

Possible action:

- a. Approve referral to Administration and County Counsel to report to the Board on December 10, 2019 with options for consideration relating to removing barriers to reporting of intimate partner violence and strangulation as it relates to the ability of victims to receive medical attention and medical forensic exams at any of the Sexual Assault Forensic Exam (SAFE) Program locations.
- b. Approve referral to Administration and County Counsel to report to the Board on December 10, 2019 with options for consideration relating to removing barriers to reporting of intimate partner violence and strangulation that arise from victims' concerns of perpetrators gaining access to billing information for medical services.
- c. Approve referral to Administration and County Counsel to report to the Board on December 10, 2019 with options for consideration relating to possible need for legislative changes as it relates to removing barriers to reporting of intimate partner violence and strangulation, including victims' access to medical forensic exams and medical assistance, and concerns relating to perpetrators' access to billing information for such medical services.

Taken out of order after Item Nos. 10 and 31.

At the request of Supervisor Ellenberg, the Board directed Administration to report to the Board on date uncertain relating to how the Office of the Sheriff may collaborate with local law enforcement jurisdictions to address IPV-related emergency calls without violating privacy rights of victims, including which jurisdiction receives and investigates the calls, and how IPV victim data can be assessed and stored without violating their privacy rights; alignment on County protocols similar to the one in the Sexual Assault Draft Protocol adopted by the Board in March 2019; and, to report to the Health and Hospital Committee prior to the December 10, 2019 Board meeting, during the monthly Valley Medical Center operational report, relating to billing processes in place to support sexual assault survivors and domestic violence medical exams.



**14 RESULT: Approved as Amended****15. Approve referral to Administration to report to the Board with options for consideration relating to a study on the public cost of gun violence in Santa Clara County from 2000 to today. (Chavez) (ID# 98671)**

At the request of Vice Chairperson Chavez, the Board directed Administration to report to the Board on date uncertain with a work plan, timeline, scope, and options for consideration relating to a study on the public cost of gun violence in Santa Clara County from 2000 to today.

Supervisor Wasserman requested that Administration report to the Board on date uncertain relating to total costs associated with responding to gun violence, including the continuum of services provided by emergency responders, and legal, medical, and law enforcement professionals.

At the request of President Simitian, the Board directed Administration to report to the Board on date uncertain relating to gun violence data collected from the Office of the Medical Examiner, Office of Education, Public Health Department, County hospitals and clinics, local law enforcement, and to compile and prepare in a manner that can be readily shared with outside academic, governmental, and quasi-governmental agencies and organizations.

**15 RESULT: Approved as Amended****16. Approve referral to Administration to report to the Board on December 10, 2019 with options for consideration relating to identifying law enforcement personnel who have retired or with impending retirement who would be good candidates for critical incident training and response. (Chavez) (ID# 98743)**

Taken out of order after Item No. 12.

At the request of President Simitian, the Board directed Administration to consider other trained professionals, in addition to law enforcement personnel, for critical incident training and response.

**16 RESULT: APPROVED AS AMENDED [4 TO 0]**

**MOVER:** Cindy Chavez, Vice President

**SECONDER:** Dave Cortese, Supervisor

**AYES:** Wasserman, Chavez, Cortese, Simitian

**ABSENT:** Ellenberg

**17. Approve referral to Administration to enter into discussions with Senator Jim Beall's office and the City of San Jose, and report to the Board with options for consideration relating to the feasibility of creating the Santa Teresa Ridge Trail. (Cortese/Wasserman) (ID# 98688)**

**17 RESULT: APPROVED [4 TO 0]**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Simitian  
**ABSENT:** Ellenberg

**18. Approve referral to Administration to report to the Board with options for consideration relating to providing caregiver meals to adults in conjunction with federally funded summer meal programs for low income children in Santa Clara County. (Ellenberg) (ID# 98765)**

Taken out of order after Item No. 27.

President Simitian reconvened the meeting at 1:31 p.m. All members were present.

**18 RESULT: Approved**

### Board of Supervisors and Board Appointees

**19. Held from September 24, 2019 (Item No. 15): Adopt Resolution calling for an amendment to the U.S. Constitution establishing that money is not speech, campaign contributions and expenditures may be limited and regulated by Congress and the States, and only natural persons have constitutional rights. (Roll Call Vote) (Cortese) Resolution # BOS-2019-131 (ID# 98774)**

Taken out of order after Item No. 15.

Nine individuals addressed the Board.

**19 RESULT: Adopted**

**20. Receive report from County Executive.**

Taken out of order after Item No. 17.

At the request of Jeffrey V. Smith, County Executive, James Williams, County Counsel, provided information relating to the public safety power shut down announced by Pacific Gas & Electric (PG&E), including impacts to County residents and County efforts to notify residents of the shut down and available resources.

Vice President Chavez requested that Administration engages In-Home Supportive Services workers relating to the planned PG&E power outage.

Vice President Chavez requested that Administration provide an off-agenda report to the Board on date uncertain relating to the progress of segregating children of different ages in the Receiving, Assessment and Intake Center (RAIC).

Vice President Chavez requested that Administration provide an off-agenda report to the Board relating to the search for an appropriate Family Resource Center (FRC) on the

east side of the County, and Supervisor Cortese requested that the Board consider the report in November 2019.

**20 RESULT: Received****21. Receive report from County Counsel on legal issues and Closed Session meeting of October 7, 2019.**

Mr. Williams reported that at the October 7, 2019 Closed Session by a 4-0 vote with Supervisor Cortese absent for the item, the Board authorized the County to file or join amicus curiae briefs in lawsuits, including East Bay Sanctuary Covenant, et al. v. Barr, et al., U.S. Court of Appeals for the Ninth Circuit, Case No. 19-16487, in support of challenges to the federal government's rule barring asylum for those who have not first applied for and been denied asylum in a transit country.

**21 RESULT: Received****Regular Agenda - Items for Discussion****22. Consider recommendations relating to the Office of Correction and Law Enforcement Monitoring. (ID# 98673)**

Possible action:

- a. Receive report from the Office of the Clerk of the Board of Supervisors and the Office of the County Counsel relating to a selection process for an independent contractor to perform the functions of the Office of Correction and Law Enforcement Monitoring.
- b. Approve the selection of one or more finalist providers and authorize the Clerk of the Board to commence contract negotiations.

Taken out of order after Item No. 18.

One individual addressed the Board.

The Board approved the selection of OIR Group as the finalist provider to perform the functions of the Office of Correction and Law Enforcement Monitoring.

President Simitian requested that the Clerk of the Board and County Counsel conclude contract negotiations before the end of the calendar year, if possible.

**22 RESULT: Approved****23. Receive report relating to potential temporary shelter and affordable housing on the Civic Center Campus. (Office of the County Executive) (ID# 98364)**

Taken out of order after Item No. 21.

At the request of Vice President Chavez, the Board directed Administration to report to the Board to highlight in its next report to the Board on date uncertain that the project is for families with minor children; the project will include a high fence with strictly

controlled access; providers and the community will be clearly advised that walk-up clients are not accepted; the Office of the Sheriff will respond to security issues; and, fencing will be secured against potential intrusions at the rear of the facility.

Supervisor Cortese requested that Administration provide an off-agenda report to the Board on date uncertain relating to when the project will return to the Board for approval of the site plan necessary to file an application with the City of San Jose.

**23 RESULT: RECEIVED [4 TO 0]**

**MOVER:** Cindy Chavez, Vice President

**SECONDER:** Dave Cortese, Supervisor

**AYES:** Wasserman, Chavez, Cortese, Simitian

**ABSENT:** Ellenberg

**24. Receive report from the Office of Supportive Housing relating to loans to construct apartments that are affordable to lower-income households and persons with intellectual and/or developmental disabilities. (ID# 98418)**

Taken out of order after Item No. 19.

Considered concurrently with Item Nos. 25-27.

Nine individuals addressed the Board.

At the request of President Simitian, the Board directed Administration to reallocate funds to the Wilton Court (Palo Alto) project in the event that funds are not fully drawn for the 2330 Monroe (Santa Clara) and Block 15 (Sunnyvale) projects; and, further directed Administration to identify in the current budget process funding sources for the second tranche of funding to occur in Fiscal Year 2020-2021.

Vice President Chavez requested that Administration send the San Andreas Regional Center (SARC) a written request to meet relating to availability of services for residents with intellectual and/or developmental disabilities who do not currently receive SARC services.

Vice President Chavez further requested that Administration report to the Board 12 months after a determination of infeasibility is made, if any, relating to the Wilton Court (Palo Alto), 2230 Monroe (Santa Clara), and Block 15 (Sunnyvale) projects.

President Simitian recessed the meeting at 12:36 p.m.

**24 RESULT: Approved**

**25. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate all legal documents, including but not limited to contracts, loan agreements, deeds of trust, promissory notes, subordination agreements, assignment agreements and amendments, and estoppels relating to one or more loans to Freebird Development Company or affiliate in an amount not to exceed \$3,200,000 for the development of 65 apartments at the Monroe Street**

**Apartments to be located at 2330 Monroe Street in the City of Santa Clara, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive, and subject to administrative staff review and approval of final land use entitlement, California Environmental Quality Act and related due diligence matters, and other standard requirements set forth in the final documentation. Delegation of Authority shall expire on October 8, 2023. (Office of Supportive Housing) (ID# 98334)**

Considered concurrently with Item Nos. 24, 26, and 27.

**25 RESULT: Approved as Amended**

**26. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate all legal documents including but not limited to contracts, loan agreements, deeds of trust, promissory notes, subordination agreements, assignment agreements and amendments, and estoppels relating to one or more loans to Palo Alto Housing Corporation or affiliate in an amount not to exceed \$2,800,000 for the development of 59 apartments at the Wilton Court Apartments to be located at 3703-3709 El Camino Real in the City of Palo Alto, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive, and subject to administrative staff review and approval of final land use entitlement, California Environmental Quality Act and related due diligence matters, and other standard requirements set forth in the final documentation. Delegation of Authority shall expire on October 8, 2023. (Office of Supportive Housing) (ID# 98335)**

Considered concurrently with Item Nos. 24, 25, and 27.

**26 RESULT: Approved as Amended**

**27. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate all legal documents, including but not limited to contracts, loan agreements, deeds of trust, promissory notes, subordination agreements, assignment agreements and amendments, and estoppels relating to one or more loans to The Related Companies of California or affiliate in an amount not to exceed \$4,000,000 for the development of 90 apartments at the Sunnyvale Block 15 project to be located at 365 Mathilda Avenue in the City of Sunnyvale, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive, and subject to administrative staff review and approval of final land use entitlement, California Environmental Quality Act and related due diligence matters, and other standard requirements set forth in the final documentation. Delegation of Authority shall expire on October 8, 2023. (Office of Supportive Housing) (ID# 98336)**

Considered concurrently with Item Nos. 24-26.

**27 RESULT: Approved as Amended****28. Held from October 8, 2019 (Item No. 28): Consider recommendations relating to the replacement of the existing Valley Medical Center-Saint Louise Regional Hospital security camera system. (ID# 98706)**

Possible action:

- a. Receive Anticipated Surveillance Impact Report for Saint Louise Regional Hospital Video Security Camera System.
- b. Adopt finding that the benefits of the surveillance technology outweigh the costs pursuant to Section A40-4 of the Santa Clara County Ordinance Code.
- c. Approve Proposed Surveillance Use Policy for Security Video Cameras at Santa Clara Valley Health and Hospital System Facilities that has been reviewed and approved by County Counsel as to form and legality.
- d. Approve acquisition of a replacement security camera system for Saint Louise Regional Hospital.

Taken out of order after Item No. 28.

President Simitian requested that County Counsel delete the word "improper" in the phrase "behavior or activity that appears to be unauthorized, improper, illegal, or in furtherance of illegal activity" in the Anticipated Surveillance Impact Report and the Proposed Surveillance Use Policy for Security Video Cameras at Santa Clara Valley Health and Hospital System Facilities (Use Policy) and to insert alternative language, if appropriate; and, to include an audit process in paragraph 10 of the Use Policy.

On order of President Simitian, there being no objection, the item was held to October 22, 2019.

**28 RESULT: Held [No Vote] Next: 10/22/2019 9:30 AM****29. Held from September 24, 2019 (Item No. 30): Receive report relating to the development and implementation of a Pay Equity Strategic Plan for the County of Santa Clara. (Office of the County Executive) (ID# 98694)**

Added to the Consent Calendar at the request of Vice President Chavez.

At the request of Vice President Chavez, the Board directed Administration to proceed with proposed actions outlined in the Pay Equity Strategic Plan report, and to report to the Board in January 2020 relating to progress updates.

**29 RESULT: Received****30. Held from September 24, 2019 (Item No. 27): Approve retroactive Lease Agreement with Stanford Health Care relating to the rental of six parking stalls located at 231 Grant Avenue, Palo Alto in an amount not to exceed \$69,843 for**

**period July 1, 2019 through June 30, 2024, that has been reviewed and approved by County Counsel as to form and legality. (Facilities and Fleet Department) (ID# 97864)**

Added to the Consent Calendar at the request of President Simitian and Supervisors Wasserman and Ellenberg.

**30 RESULT: Approved**

**31. Held from September 24, 2019 (Item No. 29): Reject all proposals submitted in response to the Fairgrounds Request for Proposals relating to real property located at the Santa Clara County Fairgrounds and terminate the Request for Proposals process. (Office of the County Executive) (ID# 97652)**

Considered concurrently with Item No. 10.

**31 RESULT: Approved**

**32. Held from August 27, 2019 (Item No. 22): Approve Surveillance Technology Use Policies for existing surveillance technologies, that have been reviewed and approved by County Counsel as to form and legality. (Office of the County Executive).**

- a. Office of Pretrial Services - Electronic Alcohol Monitoring Devices
- b. Office of Pretrial Services - Global Positioning System Electronic Monitoring Devices
- c. Office of the District Attorney - Global Positioning System Trackers
- d. Office of the District Attorney - Night Vision Binoculars
- e. Office of the District Attorney - Third-Party Surveillance Technology
- f. Office of the Sheriff - Court Security Video Cameras
- g. Office of the Sheriff - Facial Recognition Software
- h. Office of the Sheriff Custody Bureau - Portable Digital Audio Recorders

Held to November 19, 2019 at the request of Administration.

**32 RESULT: Held      Next: 11/19/2019 9:30 AM**

**33. Held from September 10, 2019 (Item No. 47): Approve Surveillance Technology Use Policies for existing surveillance technologies, that have been reviewed and approved by County Counsel as to form and legality. (Office of the County Executive)**

- a. Santa Clara Valley Health and Hospital System - Baby Match Technology Used at Santa Clara Valley Medical Center
- b. Santa Clara Valley Health and Hospital System - Badge and Biometric Readers
- c. Santa Clara Valley Health and Hospital System - FairWarning Electronic Health Record Privacy Monitoring System
- d. Santa Clara Valley Health and Hospital System - Mobile Audio and Visual Recording Devices
- e. Santa Clara Valley Health and Hospital System - NicView Camera Technology Used at Santa Clara Valley Medical Center
- f. Santa Clara Valley Health and Hospital System - Professional Research Consultants Communication Technology
- g. Santa Clara Valley Health and Hospital System - Security Cameras Used at Santa Clara Valley Health and Hospital System Facilities
- h. Santa Clara Valley Health and Hospital System - Telephonic and Voice Recording Equipment
- i. Santa Clara Valley Health and Hospital System - Vocera Communication Technology
- j. Santa Clara Valley Health and Hospital System Emergency Medical Services Agency - Mobile Area Routing and Vehicle Location Information System

Held to date uncertain at the request of Administration.

**33 RESULT: Held [No Vote]**

**34. Held from September 24, 2019 (Item No. 24): Adoption of Ordinance No. NS-644 adding Chapter III to Division B19 of the County of Santa Clara Ordinance Code relating to the Safe Storage of Firearms in Unincorporated Areas of the County. (County Counsel)**

- Action to Introduce and Preliminarily adopt on October 8, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 22, 2019; Roll Call Vote to adopt.

Held to October 22, 2019 at the request of County Counsel.

**34 RESULT: Held Next: 10/22/2019 9:30 AM**



**35. Consider items previously removed from the Consent Calendar.**

See Item No. 79.

### Closing

**36. Adjourn. (See Item No. 4)**

President Simitian adjourned the meeting at 5:21 p.m.

**Consent Calendar - Items will be considered under Item No. 7. Items removed from the Consent Calendar will be considered at the end of the regular agenda.**

**37. Minutes Approval:**

- a. Approve minutes of the September 23, 2019 Regular Meeting prior to Closed Session.**

**37.a RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Mike Wasserman, Supervisor

**SECONDER:** Dave Cortese, Supervisor

**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

- b. Approve minutes of the September 24, 2019 Regular Meeting.**

**37.b RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Mike Wasserman, Supervisor

**SECONDER:** Dave Cortese, Supervisor

**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

### Social Services Agency

- 38. Approve Request for Appropriation Modification No. 41 - \$1,970 decreasing revenue and expenditures in the Social Services Agency, Department of Family and Children's Services budget, relating to deleting one Children's Counselor or Associate Children's Counselor position and adding one Social Worker I position in the Social Services Agency. (Roll Call Vote) (ID# 98217)**

**38 RESULT: Approved**

- 39. Adoption of Salary Ordinance No. NS-5.20.31 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees deleting one Children's Counselor or Associate Children's Counselor position and adding one Social Worker I position in the Social Services Agency. (ID# 98214)**

- Action to Introduce and Preliminarily adopt on October 8, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 22, 2019; Roll Call Vote to adopt.

**39 RESULT: ADOPTED (PRELIM.) [UNANIMOUS] Next: 10/22/2019 9:30 AM**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**40. Approve Intergovernmental Memorandum of Understanding with the Santa Clara County Office of Education relating to providing support services for foster youth in an amount not to exceed \$800,000 for period October 8, 2019 through June 30, 2020, with four one-year extension options, that has been reviewed and approved by County Counsel as to form and legality. (ID# 98231)**

**40 RESULT: Approved**

**41. Approve implementation of the Veteran of the Year program. (Social Services Agency, Office of Veterans Services) (ID# 98665)**

**41 RESULT: Approved**

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

**42. Approve Request for Appropriation Modification No. 288 - \$2,000,000 transferring funds within the Santa Clara Valley Medical Center Hospitals and Clinics budget, relating to Fiscal Year 2018-2019 year-end cleanup. (Roll Call Vote) (ID# 98679)**

**42 RESULT: Approved**

**43. Approve Request for revised Appropriation Modification No. 8 - \$25,902 increasing revenue and expenditures in the Santa Clara Valley Medical Center Hospitals and Clinics budget, relating to rollover of unspent capital and fixed asset project balances. (4/5 Roll Call Vote) (ID# 98633)**

**43 RESULT: Approved**

### **Public Health Department**

**44. Approve Request for Appropriation Modification No. 49 - \$50,000 increasing revenue and expenditures in the Public Health Department budget, relating to award of a grant from El Camino Hospital for the Better Health Pharmacy. (4/5 Roll Call Vote) (ID# 98320)**

**44 RESULT: Approved**

**45. Consider recommendations relating to an agreement with the California Department of Public Health for the Women, Infants, and Children program. (ID# 98263)**

Possible action:

- a. Approve Retroactive Agreement with California Department of Public Health relating to providing Women, Infants, and Children program services in an amount not to exceed \$12,501,324 for period October 1, 2019 through September 30, 2022, that has been reviewed and approved by County Counsel as to form and legality.
- b. Approve Request for Appropriation Modification No. 48 - \$145,646 decreasing revenue and expenditures in the Public Health Department budget relating to Women, Infants, and Children program services. (Roll Call Vote)

**45 RESULT: Approved**

**46. Adoption of Salary Ordinance No. NS-5.20.32 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees deleting one Office Specialist III position in the Public Health Department. (ID# 98267)**

- Action to Introduce and Preliminarily adopt on October 8, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 22, 2019; Roll Call Vote to adopt.

**46 RESULT: ADOPTED (PRELIM.) [UNANIMOUS] Next: 10/22/2019 9:30 AM**

**MOVER:** Mike Wasserman, Supervisor

**SECONDER:** Dave Cortese, Supervisor

**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**Behavioral Health Department**

**47. Consider recommendations relating to Short-Doyle/Mental Health Services Act Agreements and Amendments. (ID# 97810)**

Possible action:

- a. Approve First Amendment to Agreement with Asian Americans for Community Involvement relating to providing family and children services increasing the maximum contract amount by \$1,193,769 from \$2,798,772 to \$3,992,541 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.
- b. Approve First Amendment to Agreement with Community Solutions relating to providing adult and older adult services increasing the maximum contract amount by \$4,883,368 from \$8,274,014 to \$13,157,382 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.
- c. Approve First Amendment to Agreement with Community Solutions relating to providing criminal justice services increasing the maximum contract amount by \$7,713,802 from \$5,819,125 to \$13,532,927 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.

- d. Approve First Amendment to Agreement with Community Solutions relating to providing family and children services increasing the maximum contract amount by \$3,672,851 from \$17,258,803 to \$20,931,654 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.
- e. Approve First Amendment to Agreement with Gardner Family Health Network relating to providing adult and older adult services increasing the maximum contract amount by \$5,197,041 from \$6,408,344 to \$11,605,385 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.
- f. Approve First Amendment to Agreement with Momentum for Mental Health relating to providing adult and older adult services increasing the maximum contract amount by \$5,038,272, from \$38,242,635 to \$43,280,907 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.
- g. Approve First Amendment to Agreement with Momentum for Mental Health relating to providing family and children services increasing the maximum contract amount by \$2,695,872 from \$4,856,936 to \$7,552,808 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.
- h. Approve Agreement with Mental Health Systems relating to providing adult and older adult services in an amount not to exceed \$5,756,779 for period October 8, 2019 through June 30, 2020, that has been reviewed and approved by County Counsel as to form and legality.
- i. Approve First Amendment to Agreement with Rebekah Children's Services relating to providing family and children services decreasing the maximum contract amount by \$11,873 from \$13,970,874 to \$13,959,001 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.
- j. Approve First Amendment to Agreement with Seneca Family of Agencies relating to providing family and children services increasing the maximum contract amount by \$1,489,904 from \$12,354,027 to \$13,843,931 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.
- k. Approve Agreement with Telecare Corporation relating to providing adult and older adult services in an amount not to exceed \$10,478,201 for period October 8, 2019 through June 30, 2020, that has been reviewed and approved by County Counsel as to form and legality.

1. Approve First Amendment to Agreement with Uplift Family Services relating to providing family and children services increasing the maximum contract amount by \$2,791,800 from \$37,791,808 to \$40,583,608 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.
- m. Approve Request for Appropriation Modification No. 58 - \$23,087,713 increasing revenue and expenditures in the Behavioral Health Services Department budget, relating to the addition of new Short-Doyle and Mental Health Services Act programs. (4/5 Roll Call Vote)

**47 RESULT: Approved**

- 48. Approve Request for Appropriation Modification No. 47 - \$54,819 transferring funds within the Behavioral Health Services Department budget, relating to adding a position to support the CalWORKs outpatient team. (Roll Call Vote) (ID# 98075)**

**48 RESULT: Approved**

- 49. Adoption of Salary Ordinance No. NS-5.20.29 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees adding one Health Services Representative position in the Behavioral Health Services Department. (ID# 98076)**

- Action to Introduce and Preliminarily adopt on October 8, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 22, 2019; Roll Call Vote to adopt.

**49 RESULT: ADOPTED (PRELIM.) [UNANIMOUS]      Next: 10/22/2019 9:30 AM**

**MOVER:** Mike Wasserman, Supervisor

**SECONDER:** Dave Cortese, Supervisor

**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

### Employee Services Agency

- 50. Adoption of Salary Ordinance No. NS-5.20.28 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees deleting Footnote No. 219 and amending the Salary Schedule to increase the salary of the Employee Benefits Program Manager classification by approximately eight percent, to increase the salary of the Human Resources Support Supervisor classification by five percent, and to increase the salary of the Service Center Manager classification by approximately eight percent. (ID# 98523)**

- Action to Introduce and Preliminarily adopt on October 8, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 22, 2019; Roll Call Vote to adopt.

**50 RESULT: ADOPTED (PRELIM.) [UNANIMOUS] Next: 10/22/2019 9:30 AM**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

### Board of Supervisors

#### 51. Consider the following meeting attendance reports:

- a. Receive report from Supervisorial District One relating to meetings attended through October 8, 2019. (ID# 98744)

**51.a RESULT: Received**

- b. Receive report from Supervisorial District Two relating to meetings attended through October 7, 2019. (ID# 98699)

**51.b RESULT: Received**

- c. Receive report from Supervisorial District Three relating to meetings attended through October 8, 2019. (ID# 98791)

**51.c RESULT: Received**

- d. Receive report from Supervisorial District Four relating to meetings attended through October 3, 2019. (ID# 98783)

**51.d RESULT: Received**

- e. Receive report from Supervisorial District Five relating to meetings attended through September 30, 2019. (ID# 98759)

**51.e RESULT: Received**

### Health and Hospital Committee

- 52. Receive report from the Health and Hospital Committee relating to the meeting of June 27, 2019. (Simitian) (ID# 98738)**

**52 RESULT: Received**

- 53. Receive report from the Health and Hospital Committee relating to the meeting of August 22, 2019. (Simitian) (ID# 98739)**

**53 RESULT: Received**

- 54. Receive report from the Health and Hospital Committee relating to the meeting of September 25, 2019. (Simitian) (ID# 98740)**

**54 RESULT: Received**

**County Executive**

**55. Under advisement from June 4, 2019 (Item No. 15): Receive report from the Office of Emergency Management relating to strategies and recommendations for long-term recovery and reconstruction in the event of a significant disaster. (ID# 98566)**

**55 RESULT: Received**

**56. Consider recommendations relating to the Corporate Sponsorship, Marketing, and Advertising Program. Resolution # BOS-2019-132 (ID# 97842)**

Possible action:

- a. Adopt Resolution adopting the 2019 Annual Review of the Corporate Sponsorship, Marketing, and Advertising Program. (Roll Call Vote)
- b. Approve the 2020 Work Plan for the Corporate Sponsorship, Marketing, and Advertising Program.

**56 RESULT: Approved**

**57. Adopt Resolution extending the delegation of authority to the County Executive or the Chief Operating Officer, to negotiate, execute, amend, or terminate contracts, amendments, assignments, leases, licenses, or other documentation necessary to continue operation and integration of hospital assets, 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, 2020. (Roll Call Vote) Resolution # BOS-2019-133 (ID# 98696)**

**57 RESULT: Adopted**

**58. Approve First Amendment to Agreement with San Jose State University Research Foundation relating to providing reentry service navigation case management services, with no change to the maximum contract amount, and with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality. (ID# 98491)**

**58 RESULT: Approved**

**59. Receive report from the Office of the County Executive relating to activities or initiatives the County could undertake to reduce the prevalence of and assist persons affected by Fetal Alcohol Spectrum Disorder. (ID# 98505)**

At the request of Vice Chairperson Chavez, the Board directed Administration to forward the proposed initiatives to prevent and address Fetal Alcohol Syndrome; report to the Re-Entry Network over the next year; and, provide an off-agenda report to the Board if any expenditures are considered over the next year.

**59 RESULT: Received**



**60. Receive monthly status report on items referred to Administration. (ID# 98478)****60 RESULT: Received****Technology Services and Solutions Department**

**61. Approve delegation of authority to the County Executive, or designee, to submit Grant Application to United States Geological Survey relating to grant funding for improving LiDAR and Imagery effort in the amount of \$499,999 for period Fiscal Year 2019-2020. (ID# 96207)**

**61 RESULT: Approved**

**62. Held from October 8, 2019 (Item No. 62): Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate master service agreements with the qualified pool of 89 companies relating to providing IT professional services, including healthcare, in an amount not to exceed \$25,000,000 and a contract term that starts no earlier than October 8, 2019 and ends no later than June 30, 2020, 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, 2020. (ID# 98152)**

Vice President Chavez recused herself from the Item.

**62 RESULT: HELD [4 TO 0] Next: 10/22/2019 9:30 AM****MOVER:** Mike Wasserman, Supervisor**SECONDER:** Dave Cortese, Supervisor**AYES:** Wasserman, Cortese, Ellenberg, Simitian**RECUSED:** Chavez**County Library District**

**63. Adoption of Salary Ordinance No. NS-5.20.30 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees deleting one Senior Account Clerk or Account Clerk II or Account Clerk I position and adding one Supervising Account Clerk I position in the County Library District. (ID# 98612)**

- Action to Introduce and Preliminarily adopt on October 8, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 22, 2019; Roll Call Vote to adopt.

**63 RESULT: ADOPTED (PRELIM.) [UNANIMOUS] Next: 10/22/2019 9:30 AM****MOVER:** Mike Wasserman, Supervisor**SECONDER:** Dave Cortese, Supervisor**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian**County Counsel**



**64. Adopt Board Policy Resolution amending Board of Supervisors' Policy Manual section 5.7 relating to Public Works Contracts, amending subsection 5.7.5.2 relating to methods of solicitation and adding subsection 5.7.5.5 relating to a conflict of interest policy for design-build projects, and direct the Clerk of the Board to include Policy in Board of Supervisors' Policy Manual. (Roll Call Vote) Resolution # BOS-2019-134 (ID# 98692)**

**64 RESULT: Adopted**

**65. Consider recommendations relating to Conflict of Interest Codes. (ID# 98768)**

Possible action:

- a. Approve the Conflict of Interest Code for Santa Clara County Vector Control District.
- b. Approve the Conflict of Interest Code for Evergreen School District.

**65 RESULT: Approved**

### **Boards and Commissions**

**66. Receive announcement of appointments and reappointments by individual Board members to various Boards and Commissions:**

- a. Supervisor Simitian: (ID# 98767)
  - i. Appoints Nancy Madison to the County of Santa Clara Moscow Sister-County Commission, seat number 4.

**66.a RESULT: Received**

- b. Supervisor Wasserman: (ID# 98772)
  - i. Appoints Rhea Bains to the Youth Task Force, seat number 1.

**66.b RESULT: Received**

**67. Approve Board-As-a-Whole appointments and reappointments to various Boards and Commissions:**

- a. Supervisor Wasserman nominates: (ID# 98771)
  - i. Michael Brookman for appointment to the San Martin Planning Advisory Committee, seat number 5.

**67.a RESULT: Approved**

**68. Consider recommendations relating to resignations from Boards and Commissions. (ID# 98584)**

Possible action:

- a. Accept the resignation of Suzanne Barnes from the Province of Florence, Italy Sister-County Commission.
- b. Accept the resignation of Lynette Parker from the Human Trafficking Commission.
- c. Accept the resignation of Sharon Clute from the Animal Advisory Commission.

**68 RESULT: Accepted**

### Law and Justice

- 69. Approve County sponsorship of Justice for All contest winners in the amount of \$2,000 from the Office of the District Attorney Fiscal Year 2019-2020 budget, to support the Justice for All contest for Santa Clara County youth. (Office of the District Attorney) (ID# 98684)**

**69 RESULT: Approved**

### Commendations and Proclamations

- 70. Commendations and Proclamations. (See Item No. 5)**

- a. Adopt Commendation for Dr. Mary Ann Dewan for her work for the children and youth of Santa Clara County. (Chavez) (ID# 98803)

**70.a RESULT: Adopted**

- b. Adopt Commendation for the Vietnamese American Bar Association of Northern California for its success over the past 21 years and congratulate all the award winners for demonstrating a commitment in serving the Vietnamese American community of the Bay Area. (Cortese) (ID# 98775)

**70.b RESULT: Adopted**

- c. Adopt Commendation for Services, Immigrant Rights and Education Network (SIREN) for its success over the past 32 years in providing services to improve the quality of life for all immigrants and refugees in Santa Clara County. (Cortese) (ID# 98776)

**70.c RESULT: Adopted**

- d. Adopt Proclamation declaring the month of October 2019 as "Domestic Violence Awareness Month" in Santa Clara County. (Cortese) (ID# 98795)

**70.d RESULT: Adopted**

- e. Adopt Commendation for the Diwali Festival for strengthening the Indian American community through celebration of culture, heritage and family in Santa Clara County. (Cortese) (ID# 98778)

**70.e RESULT: Adopted**

- f. Adopt Commendation for the Hispanic Foundation of Silicon Valley for its dedication and service to improve the quality of life for the Latino community in Santa Clara County. (Cortese) (ID# 98779)

**70.f RESULT: Adopted**

- g. Adopt Proclamation declaring October 17, 2019 as "Earthquake Readiness Day" in Santa Clara County. (Office of County Executive) (ID# 98455)

**70.g RESULT: Adopted**

### **Parks and Recreation Department**

- 71. Consider recommendations relating to Professional Services Agreement (PSA) for Social Science and Analysis professional services. (ID# 98175)**

Possible action:

- a. Approve PSA with EMC Research, Inc., relating to providing social science and analysis professional services in an amount not to exceed \$1,000,000 for period October 8, 2019 through October 7, 2024, that has been reviewed and approved by County Counsel as to form and legality.
- b. Authorize the County Executive, or designee, to be the Owner's Authorized Representative to negotiate, execute, amend, terminate, and take any and all necessary or advisable actions relating to this PSA, including issuance of Project Agreements for services during the term of PSA, 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 7, 2024.

**71 RESULT: Approved**

### **Roads and Airports Department**

- 72. Adopt Resolution establishing No Parking Any Time area on a portion of Bear Creek Road near Los Gatos. (Roll Call Vote) Resolution # BOS-2019-135 (ID# 98104)**

**72 RESULT: Adopted**

- 73. Adopt Resolution establishing No Parking Any Time areas on portions of Dunne Avenue, Morgan Hill. (Roll Call Vote) Resolution # BOS-2019-136 (ID# 98524)**

**73 RESULT: Adopted**

- 74. Adoption of Ordinance No. NS-1000.74 amending Section B12-34 of Chapter II of Division B12 of the County of Santa Clara Ordinance Code relating to twenty-five miles-per-hour speed limits. (ID# 98538)**

- Action to Introduce and Preliminarily adopt on October 8, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.

- Action for Final Adoption on October 22, 2019; Roll Call Vote to adopt.

**74 RESULT: ADOPTED (PRELIM.) [UNANIMOUS] Next: 10/22/2019 9:30 AM**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**75. Adopt Resolution requesting the use of radar speed enforcement by California Highway Patrol on Maro Drive, San Jose. (Roll Call Vote) Resolution # BOS-2019-137 (ID# 98519)**

**75 RESULT: Adopted**

### Facilities and Fleet Department

**76. Consider recommendations relating to Greening County Fleet and Operations Study. (ID# 98294)**

Possible action:

- Approve Request for Appropriation Modification No. 45 - \$185,000 transferring funds from the Facilities and Fleet Department Energy and Sustainability Reserve Account to the Greening County Fleet and Operations Study (Project No. 263-PL20001). (Roll Call Vote)
- Approve Service Agreement (SA) with Matrix Consulting Group, Ltd., relating to providing a Greening County Fleet and Operations Study in an amount not to exceed \$185,000 for period September 24, 2019 through September 24, 2020, that has been reviewed and approved by County Counsel as to form and legality.
- Authorize the County Executive, or designee, to negotiate, execute, amend, terminate, and take any and all necessary or advisable actions relating to this SA following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire September 24, 2020.

**76 RESULT: Approved**

**77. Consider recommendations relating to the Facilities and Fleet Department (FAF) Job Order Contracts (JOC). (ID# 98295)**

Possible action:

- Approve Project Manual and Contract Documents and authorize advertisement of JOC-FAF-2019-03 and JOC-FAF-2019-04, and authorize the Clerk of the Board to open bids on Thursday, October 24, 2019 at 2:00 p.m. in the Office of the Clerk of the Board of Supervisors.

- b. Authorize the County Executive, or designee to make clarifications and/or changes, and issue addenda as necessary to the Project Manual and Contract Documents, and/or the advertisement, including the timing of receipt of bids.

Held to date uncertain at the request of Administration.

**77 RESULT: Held      Next: 10/8/2019 9:30 AM**

**78. Consider recommendations relating to the Video Surveillance Upgrade projects (Project Nos. 263-SM19002, 263-SM19003, 263-SM19004, 263-SM19005, 263-SM19007 and 263-SM19008). (ID# 98526)**

Possible action:

- a. Approve the general contractor pre-qualification package for the Video Surveillance Upgrade Projects for the Government Center, Sheriff's Headquarters, Sheriff West Valley Command, Medical Examiner-Coroner, and County Communication Facilities and authorize advertisement of the pre-qualification package. (Project Nos. 263-SM19002, 263-SM19003, 263-SM19004, 263-SM19005, 263-SM19007, and 263-SM19008)
- b. Authorize the County Executive, or designee, to make clarifications, make minor changes, and issue addenda as necessary to the contract documents and the advertisement including the timing of receipt of proposals.
- c. Authorize the County Executive, or designee, to approve pre-qualified general contractors.

**78 RESULT: Approved**

**79. Consider recommendations relating to Bids for construction of the Vietnamese-American Services Center Project No. 263-CP17011. (ID# 98273)**

Possible action:

- a. Award contract to Rodan Builders in the amount of \$33,917,000 with a construction time of 530 calendar days.
- b. Approve encumbrance of \$3,400,000 as Supplemental Work Allowance for a total encumbered amount of \$37,317,000.
- c. Authorize the County Executive, or designee, as the Owner's Authorized Representative, with authority to issue Change Orders, as necessary, consistent with Public Contract Code section 20142.
- d. Ratify Addendum Nos. 1 through 3 to the Bid Documents which modified or clarified the Bid Documents in response to contractor questions.

Removed from the Consent Calendar at the request of Vice President Chavez.

Taken out of order after Item No. 22.

Approved as amended to direct Administration to codify that prevailing wages for glaziers be confirmed for Division 8 - Openings of the scope of the work.

**79 RESULT: Approved as Amended**

**Central Fire Protection District**

**80. Consider recommendations relating to Santa Clara County Central Fire Protection District Personnel Rules and Regulations. (ID# 98223)**

Possible action:

- a. Approve amendment to Policy 108 - Employment Lists and Appointments.
- b. Approve amendment to Policy 110 - Leave of Absences.

The Board of Supervisors, sitting as the Governing Board of the Central Fire Protection District, took the following action:

**80 RESULT: Approved**

**81. Adoption of Santa Clara County Central Fire Protection District Master Salary Ordinance No. CFPD-2020-1 to set position allocation, add classification of Hazardous Materials Inspector, and fix the salary ranges of employees, implementing a three percent general wage increase to employees represented by the International Association of Fire Fighters, Local 1165 General Membership Unit, Battalion Chiefs Unit, and to all unrepresented employees in such offices in the Santa Clara County Central Fire Protection District. (ID# 98022)**

- Action to Introduce and Preliminarily adopt on October 8, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 22, 2019; Roll Call Vote to adopt.

The Board of Supervisors, sitting as the Governing Board of the Central Fire Protection District, took the following action:

**81 RESULT: ADOPTED (PRELIM.) [UNANIMOUS]      Next: 10/22/2019 9:30 AM**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**Final Adoption of Ordinances**

**82. Adoption of Salary Ordinance No. NS-5.20.22 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees deleting one Senior Emergency Medical Services (EMS) Specialist position and adding one Emergency Medical Services (EMS) Specialist position; and amending the Salary Schedule to abolish the classification of Senior Emergency Medical Services (EMS) Specialist and to increase the salary of the Emergency Medical Services (EMS) Specialist classification by eleven percent. (ID# 98330)**

- Action to Introduce and Preliminarily adopt on September 24, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 8, 2019; Roll Call Vote to adopt.

**82 RESULT: ADOPTED (FINAL) [UNANIMOUS]**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**83. Adoption of Salary Ordinance No. NS-5.20.23 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees amending the Salary Schedule to add the classification of Per Diem Radiation Therapist. (ID# 98404)**

- Action to Introduce and Preliminarily adopt on September 24, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 8, 2019; Roll Call Vote to adopt.

**83 RESULT: ADOPTED (FINAL) [UNANIMOUS]**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**84. Adoption of Salary Ordinance No. NS-5.20.24 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees adding Footnote Nos. 235, 236, and 237 authorizing a differential when assigned and performing hyperbaric operator duties with a completed National Board of Diving and Hyperbaric Medical Technology approved hyperbaric medicine introductory training course and 40 hours of preceptorship, possessing a Certified Hyperbaric Technician certificate, and assigned as the facility safety director in support of both O'Connor Hospital and St. Louise Regional Hospital. (ID# 98448)**

- Action to Introduce and Preliminarily adopt on September 24, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 8, 2019; Roll Call Vote to adopt.

**84 RESULT: ADOPTED (FINAL) [UNANIMOUS]**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**85. Adoption of Salary Ordinance No. NS-5.20.25 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees increasing the salary of the Real Estate Agent classification by three percent. (ID# 98449)**

- Action to Introduce and Preliminarily adopt on September 24, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.

- Action for Final Adoption on October 8, 2019; Roll Call Vote to adopt.

**85 RESULT: ADOPTED (FINAL) [UNANIMOUS]**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**86. Adoption of Salary Ordinance No. NS-5.20.26 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees deleting one half-time Veterinarian position and adding one Veterinarian position in Agriculture and Environmental Management. (ID# 98103)**

- Action to Introduce and Preliminarily adopt on September 24, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 8, 2019; Roll Call Vote to adopt.

**86 RESULT: ADOPTED (FINAL) [UNANIMOUS]**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**87. Adoption of Salary Ordinance No. NS-5.20.27 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees adding two unclassified Human Resources Assistant II or Human Resources Assistant I positions in the Employee Services Agency and 47.4 unclassified positions in the Santa Clara Valley Medical Center. Positions shall expire at 11:59 p.m. on March 31, 2021. (ID# 98423)**

- Action to Introduce and Preliminarily adopt on September 24, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 8, 2019; Roll Call Vote to adopt.

**87 RESULT: ADOPTED (FINAL) [UNANIMOUS]**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**88. Adoption of Executive Leadership Salary Ordinance No. NS-20.19.03 amending Santa Clara County Executive Leadership Salary Ordinance No. NS-20.19 relating to compensation of employees deleting one Administrative Services Manager III position and adding one Financial and Administrative Services Manager position in the Office of the County Counsel. (ID# 98319)**

- Action to Introduce and Preliminarily adopt on September 24, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 8, 2019; Roll Call Vote to adopt.



**88 RESULT: ADOPTED (FINAL) [UNANIMOUS]**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**89. Adoption of Executive Leadership Salary Ordinance No. NS-20.19.04 amending Santa Clara County Executive Leadership Salary Ordinance No. NS-20.19 relating to compensation of employees adding one Director, Jail Diversion and Justice Services position in the Santa Clara Valley Health and Hospital System, Behavioral Health Services Department. (ID# 98495)**

- Action to Introduce and Preliminarily adopt on September 24, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 8, 2019; Roll Call Vote to adopt.

**89 RESULT: ADOPTED (FINAL) [UNANIMOUS]**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

**90. Adoption of Ordinance No. NS-1015.56 amending Sections B12-32 and B12-34 of the Santa Clara County Ordinance Code relating to thirty and twenty-five miles-per-hour speed limits. (ID# 98064)**

- Action to introduce and preliminarily adopt on September 24, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on October 8, 2019; Roll Call Vote to adopt.

This Ordinance amends Sections B12-32 and B12-34 of the Santa Clara County Ordinance Code relating to thirty and twenty-five miles-per-hour speed limits.

**90 RESULT: ADOPTED (FINAL) [UNANIMOUS]**  
**MOVER:** Mike Wasserman, Supervisor  
**SECONDER:** Dave Cortese, Supervisor  
**AYES:** Wasserman, Chavez, Cortese, Ellenberg, Simitian

ATTEST:

Megan Doyle, Clerk  
 Board of Supervisors