

# BOARD OF SUPERVISORS

Ken Yeager, District 4, President  
Mike Wasserman, District 1, Vice President  
George Shirakawa, District 2  
Dave Cortese, District 3  
S. Joseph Simitian, District 5



Jeffrey V. Smith  
County Executive

Lori E. Pegg  
Acting County Counsel

Lynn Regadanz  
Interim Clerk of the Board

## AGENDA

**January 29, 2013 9:00 AM**

### 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

### Notice to the Public - Meeting Procedures

-- The Board of Supervisors may take other actions relating to the issues as may be determined following consideration of the matter and discussion of the recommended actions.

-- All reports and supporting material are available for review on the internet at [www.sccgov.org/agenda/home](http://www.sccgov.org/agenda/home) and in the Office of the Clerk of the Board of Supervisors the Thursday, Friday, and Monday before the meeting. This information is also available on the table in the rear of the Board Chambers the day of the meeting.

-- Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to all or a majority of the Board of Supervisors (or any other commission, or board or committee) less than 72 hours prior to that meeting are available for public inspection at the Office of the Clerk of the Board, 70 West Hedding Street, 10th Floor, during normal business hours.

-- Persons wishing to address the Board on a regularly scheduled item on the agenda are requested to complete a request to speak form and place it in the tray located near the speaker's podium for the purpose of the record. (Government Code Section 54953.3). Individual speakers will be called to the podium by the President and are requested to limit their comments to two minutes. Groups of speakers on a specific item are asked to limit their total presentation to a maximum of twenty minutes for each side of the issue. NOTE: The President may limit the number or duration of speakers on a matter. (Board Policy Manual, Section 3.5)

NOTE: If you are a lobbyist, complete the Lobbyist Declaration on the reverse side of the request to speak form.

-- Items on the consent calendar may be voted on in one motion at the beginning of the meeting in the morning. The Board may also add regularly scheduled items to the consent calendar at the beginning of the meeting in the morning. If you wish to discuss any of these items, it is necessary to complete a request to speak form and place it in the tray near the podium at the beginning of the meeting in the morning. Items that contain ordinance proposals may be adopted on the consent calendar and the ordinance titles are read into the record by the President or Clerk of the Board.

-- In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Clerk of the Board's Office 24 hours prior to the meeting at (408) 299-5001, TDD (408) 993-8272.

COMMUTE ALTERNATIVES: The Board of Supervisors encourages the use of commute alternatives including bicycles, carpooling, and hybrid vehicles.

Public transit access is available to and from the County Government Center, 70 West Hedding St., San Jose, California by VTA bus lines \*61, 62, 66, 181 and Light Rail. (\*61 Southbound last trip is at 8:55 p.m. for this location.) For trip planning information, contact the VTA Customer Service Department at 408-321-2300 Monday through Friday between the hours of 6:00 a.m. to 7:00 p.m., and on Saturday from 7:30 a.m. to 4:00 p.m. Schedule information is also available on the web at [www.vta.org](http://www.vta.org).

Bicycle parking racks are available in the James McEntee, Sr., Plaza in front of the County Government Center building.

### Opening

1. Roll Call.
2. Pledge of Allegiance.

### Public Issues

3. Public Comment.

This item is reserved for persons desiring to address the Board on any matter not on this agenda. Members of the public who wish to address the Board on any item not listed on the agenda should complete a request to speak form and place it in the tray near the podium. The President will call individuals to the podium in turn. Speakers are limited to one minute. The law does not permit Board action or extended discussion of any item not on the agenda except under special circumstances. If Board action is requested, the Board may place the matter on a future agenda. All statements that require a response will be referred to staff for reply in writing.

4. Approve consent calendar and changes to the Board of Supervisors' Agenda.

Notice to the public: there is no separate discussion of consent calendar items, and the recommended actions are voted on in one motion. If an item is approved on the consent vote, the specific action recommended by staff is adopted. Members of the public who wish to address the Board on any consent items should complete a request to speak form and place it in the tray near the podium. Items removed from the Consent Calendar will be considered at the end of the morning session regular agenda for discussion.

### Board Referrals

5. Direct County Executive to consider feasibility of a joint project with the City of San Jose for a softball complex at Santa Clara County Fairgrounds and report to the Finance and Government Operations Committee on March 14, 2013. (Cortese) (ID# 65861)
6. Direct Administration to report to the Board of Supervisors through Finance and Government Operations Committee with recommendations relating to: (ID# 65961)
  - a. Instituting a daily penalty for late campaign finance disclosure filings, such that the penalty would be assessed each day beyond the due date, until the delinquent report is filed; and,
  - b. Amending the appropriate County Ordinance Code(s) to ensure that contribution limits are applicable to officeholders as well as candidates. (President)

### Board of Supervisors and Board Appointees

7. Accept report from County Executive.
8. Accept report from County Counsel on legal issues and closed session meeting of January 28, 2013.

### Regular Agenda - Items for Discussion

9. Held from January 15, 2013 (Item No. 28): Accept report relating to recommendations from the Santa Clara County Economic Summit including timelines for implementation. (ID# 65959)

10. Held from January 15, 2013 (Item No. 29): Accept report relating to recommendations from the Small Business Summit including timelines for implementation. (ID# 65896)
11. Held from January 15, 2013 (Item No. 30): Accept report relating to recommendations from the Green Economy Summit including timelines for implementation. (ID# 65889)
12. Consider items previously removed from the Consent Calendar.

### Closing

13. Adjourn.
  - a. Adjourn in honor and memory of George Gund III. (Cortese) (ID# 65906)
  - b. Adjourn to the State of the County Address to commence at 11:15 a.m., in the Board of Supervisors' Chambers.

**Consent Calendar - Items will be considered under Item No. 4. Items removed from the consent calendar will be considered at the end of the morning session regular agenda.**

### Minutes Approval

14. Approve minutes of the January 14, 2013 Regular Meeting prior to Closed Session.
15. Approve minutes of the January 15, 2013 Regular Meeting.

### Santa Clara Valley Health and Hospital System

16. Ratify Agreement with National Committee on Quality Assurance relating to providing accreditation survey for Valley Health Plan in an amount not to exceed \$29,525 for period ending December 31, 2015, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65769)
17. Approve Agreement with EHC LifeBuilders relating to providing intensive case management services to chronically homeless individuals and families in an amount not to exceed \$41,667 for period February 1, 2013 through June 30, 2013, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65381)
18. Approve Agreement with Resource Development Associates relating to providing grant writing services in an amount not to exceed \$300,000 for period January 29, 2013 through January 14, 2016, with an option to renew for two additional one-year terms, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65477)
19. Approve extension of extra-help hours beyond the 1,040 hours limitation through Fiscal Year 2013 for 147 registered nurses working as per diem/extra-help nurses for Santa Clara Valley Medical Center and Custody Health Services. (ID# 65419)
20. Approve Fourth Amendment to Service Agreement with Surgical Directions, LLC, relating to providing interim management of central sterile processing, increasing maximum contract amount from \$246,000 to \$546,000, and extending the term from February 6, 2013 through June 30, 2013, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65893)
21. Approve First Amendment to Agreement with Accretive Health, Inc. relating to providing revenue cycle redesign services effective January 29, 2013, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65894)
22. Adoption of Salary Ordinance No. NS-5.13.51 amending Santa Clara County Salary Ordinance No. NS-5.13 relating to the compensation of employees deleting one vacant Associate Telecommunications Technician position and adding one Telecommunications Services Specialist Position in the Santa Clara Valley Health and Hospital System Facilities Department. (ID# 65464)

- Action to Introduce and Preliminarily adopt on January 29, 2013; Roll Call Vote to waive reading, Roll Call Vote to adopt.
  - Action for Final Adoption on February 12, 2013; Roll Call Vote to adopt.
23. Approve Appropriation Modification No. 116 - \$3,010, decreasing revenue and expenditures in the Santa Clara Valley Health and Hospital System, Facilities Department budget, relating to the employee compensation difference between the deleted Associate Telecommunications Technician position and the added Telecommunications Services Specialist position. (Roll Call Vote) (ID# 65888)
24. Consider recommendations relating to providing travel nurse staffing services. (ID# 65799)

Possible action:

- a. Ratify Agreement with HRN Services, Inc., relating to providing travel nurse staffing services in an amount not to exceed \$300,000 for period January 4, 2013 through April 30, 2013, that has been reviewed and approved by County Counsel as to form and legality.
- b. Approve First Amendment to Agreement with HRN Services, Inc., to increase the maximum financial compensation in the Agreement to an amount not to exceed \$1 million and extend the Agreement for the period January 4, 2013 through June 30, 2013, that has been reviewed by County Counsel as to form and legality.
- c. Approve issuance of a Request for Proposals (RFP) by February 2013, for the provision of supplemental nurse staffing services to provide adequate nurse staffing during the implementation of HealthLink training as required to meet the provisions of the EPIC agreement.

### Public Health Department

25. Approve Second Amendment to Agreement with California Department of Public Health relating to providing HIV care and prevention services in an amount not to exceed \$4,945,941 for period July 1, 2010 through June 30, 2013, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65678)
26. Approve Agreement with Willdan Homeland Solutions relating to providing a Pandemic Influenza Preparedness tabletop exercise/educational seminar in an amount not to exceed \$35,000 for period January 29, 2013 through June 30, 2013, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65848)
27. Approve Agreement with Willdan Homeland Solutions relating to providing Strategic National Stockpile training materials in an amount not to exceed \$82,198 for period January 29, 2013 through June 30, 2013, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65849)
28. Approve First Amendment to Agreement with The Abaris Group relating to providing emergency medical services strategic assessment and planning in an amount not to exceed \$250,000 for period July 1, 2012 through April 30, 2013, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65850)
29. Approve Agreement with Hagerty Consulting, Inc., relating to providing revisions to the Santa Clara County Public Health Department Emergency Plans and Annexes in an amount not to exceed \$183,010 for the period January 29, 2013 through June 15, 2013, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65759)

**Department of Alcohol and Drug Services**

30. Consider recommendations relating to 3 Principles training. (ID# 65801)

Possible action:

- a. Approve Request for Appropriation Modification No. 118 - \$3,000, increasing revenue and expenditures in the Department of Alcohol and Drug Services budget. (4/5 Roll Call Vote)
- b. Approve Agreement with County Employees Management Association relating to providing 3 Principles training in an amount not to exceed \$3,000 for period January 29, 2013 through June 30, 2013, that has been reviewed and approved by County Counsel as to form and legality.

**Board of Supervisors**

31. Meeting attendance reports:

- a. Accept report from Supervisorial District One relating to meetings attended through January 22, 2013. (ID# 65951)
- b. Accept report from Supervisorial District Two relating to meetings attended through January 23, 2013. (ID# 65954)
- c. Accept report from Supervisorial District Three relating to meetings attended through January 23, 2013. (ID# 65818)
- d. Accept report from Supervisorial District Four relating to meetings attended through January 23, 2013. (ID# 65958)
- e. Accept report from Supervisorial District Five relating to meetings attended through January 22, 2013. (ID# 65952)

32. Consider recommendations relating to suspension of Rules of the Board of Supervisors and Policy Manual provisions regarding appointment of a Legislative Committee. (President) (ID# 65907)

Possible action:

- a. Find that it is necessary and in the best interest of the County to suspend Chapter 6 of the Board of Supervisors' Policy Manual regarding appointments to the Legislative Committee.
- b. Suspend Rule 35 and related provisions of Rule 33 of the Rules of the Board of Supervisors regarding appointments to Legislative Committee.

33. Accept report from the Board Delegate to the Metropolitan Transportation Commission relating to the meetings of January 9 and January 11, 2013. (Cortese) (ID# 65874)

34. Consider additional Board of Supervisors' assignment for 2013, as recommended by the President of the Board, and approve assignment of Supervisor Cortese as the Board Liaison to the Santa Clara County Youth Task Force. (President) (ID# 65960)

**County Executive**

35. Accept report relating to anticipated Requests for Proposals. (ID# 65898)

36. Accept report relating to approval for placement of an Historic Monument at Alviso Marina County Park to commemorate the steamboat Jenny Lind. (ID# 65824)

37. Consider recommendations relating to 2012 Homeland Security Grant Program (HSGP) Funds. (ID# 65878)

Possible action:

- a. Accept Grant Award from the California Emergency Management Agency relating to grant funding for 2012 HSGP in the amount of \$1,415,843 for period October 12, 2012 through May 31, 2014.
- b. Approve Request for Appropriation Modification No. 121 - \$1,415,843, increasing revenue and expenditures in the Office of the County Executive, Office of the Sheriff and the Public Health Department budgets, and the Contingency Reserve. (4/5 Roll Call Vote)

### **Procurement Department**

38. Approve Agreement No. 5500002228 with Serenity Transportation, Inc. relating to providing deceased human body pick-up and transportation services in an amount not to exceed \$510,000 for period February 1, 2013 through January 31, 2016 with an option to renew for two additional years, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65735)
39. Approve Third Amendment to Agreement No. 5500001607 with Aruba Networks, Inc. relating to providing Aruba Wireless Local Area Network products and related services in an amount not to exceed \$3,750,000 for period March 1, 2013 through February 28, 2014, that has been reviewed and approved by County Counsel as to form and legality. (ID# 65743)
40. Approve delegation of authority to Director of Procurement, or designee, to execute multi-year Agreement relating to Workstation on Wheels in an amount not to exceed \$5,000,000 pending the results of formal solicitation conducted in January 2013 by Procurement Department. (ID# 65938)

### **County Counsel**

41. Adopt Resolution delegating authority to the County Executive to execute two separate Agreements, and to take any and all necessary or advisable actions in order to implement the Agreements, with the State Board of Equalization to prepare for and to administer the County's Retail Transactions and Use Tax Ordinance, following approval by County Counsel as to form and legality. Delegation of authority shall expire at the conclusion of the Agreements. (Roll Call Vote)

### **Clerk of the Board**

42. Approve recommendations relating to resignations from Boards and Commissions. (ID# 65877)

Possible action:

- a. Accept the resignation of Michael Smith from the Historical Heritage Commission.
- b. Accept the resignation of Melanie Daraio from the Child Abuse Council.
- c. Accept the resignation of Elizabeth Casparro from the Health Advisory Commission.

### **Boards and Commissions**

43. Announce appointments and reappointments by individual Board members to various Boards and Commissions (standing item):
- a. Supervisor Cortese: (ID# 65942)
    - i. Appoints Bob Nunez to the Social Services Advisory Committee, seat number 9
    - ii. Appoints Betty Barajas to the Social Services Advisory Committee, seat number 15



44. Approve Board As-a-Whole appointments and reappointments to various Boards and Commissions (standing item):
- a. Supervisor Simitian and Supervisor Cortese nominate: (ID# 65945)
    - i. Liz Kniss for appointment to the Santa Clara County Health Authority Governing Board of Directors, seat number 13.

### Department of Child Support Services

45. Authorize extension of extra-help hours beyond the 1,040 hour limitation through Fiscal Year 2013 for two Office Specialist III positions in the Department of Child Support Services. (ID# 65873)

### Law and Justice

46. Adoption of Ordinance No. NS-19.39 repealing Ordinance No. NS-19.18 and thereby abolishing the Correctional Industries Advisory Board. (ID# 65807)
- Action to Introduce and Preliminarily adopt on January 29, 2013; Roll Call Vote to waive reading, Roll Call Vote to adopt.
  - Action for Final Adoption on February 12, 2013; Roll Call Vote to adopt.
47. Adopt Resolution authorizing an increase in certain recording fees to fund investigation of real estate fraud crimes pursuant to Government Code Section 27388. (Roll Call Vote) (ID# 64913)

### Resolutions, Commendations and Memorials (Roll Call Vote)

48. Adopt Resolution commending Tamara K. Lopez as she retires after 20 years of service to the County of Santa Clara. (Office of the County Counsel) (ID# 65901)
49. Ratify Resolution proclaiming January 21-25, 2013 as "Earned Income Tax Credit Week" in Santa Clara County. (Cortese) (ID# 65905)
50. Adopt Resolution commending Father William J. Stout for his outstanding contribution to the community and heartfelt service to the residents of Santa Clara County. (Cortese) (ID# 65940)
51. Adopt Resolution commending Genevieve Maldonado for her tremendous dedication to her family and her vision of a new world in which she and her family can live together without chemical dependency. (Cortese) (ID# 65946)
52. Adopt Resolution commending Guadalupe Zavala for her tremendous dedication to her family and her vision of a new world in which she and her family can live together without chemical dependency. (Cortese) (ID# 65948)
53. Adopt Resolution commending the United Way Silicon Valley for its ongoing commitment to ensure everyone attains the opportunities to have a good life: a quality education that leads to a stable job, enough income to support a family through retirement, and good health. (Cortese) (ID# 65949)
54. Adopt Resolution commending Gilroy Chamber of Commerce's Spice of Life award recipients: Sig Sanchez, Man of the Year; Barb Granter, Woman of the Year; Costco of Gilroy, Large Business of the Year; Malfalda's Bridal Shop, Small Business of the Year; Gilroy Foundation, Non-Profit of the Year; and, David Boll, Firman B. Voorhies Volunteer of the Year. (Wasserman) (ID# 65953)
55. Adopt Resolution commending founder of "Kards 4 Kids", "Kards 4 You", and "Kards 4 Soldiers" organizations that make greeting cards for people in need, including hospital patients and soldiers overseas. (Wasserman) (ID# 65957)

**Roads and Airports Department**

56. Adopt Resolution requesting radar speed enforcement by California Highway Patrol on Manila Drive. (Roll Call Vote) (ID# 65688)

**Facilities and Fleet**

57. Approve delegation of authority to Director, Facilities and Fleet Department, or designee, to submit Grant Application to California Energy Commission relating to grant funding for natural gas fueling infrastructure in the amount of \$300,000 for period February 7, 2013 to March 30, 2013. (ID# 65897)

**Sanitation District No. 2-3**

58. Accept Monthly Financial Report from County Sanitation District No. 2-3 for period ending December 31, 2012 and authorize payment of bills in an amount not to exceed \$248,391.93. (ID# 65968)

**Final Adoption of Ordinances**

59. Adoption of Salary Ordinance No. NS-5.13.49 amending Santa Clara County Salary Ordinance No. NS-5.13 relating to the compensation of employees adding one Veterinarian Assistant position in the Department of Agriculture and Environmental Management. (ID# 65760)
- Action to Introduce and Preliminarily adopt on January 15, 2013; Roll Call Vote to waive reading, Roll Call Vote to adopt.
  - Action for Final Adoption on January 29, 2013; Roll Call Vote to adopt.
60. Adoption of Ordinance No. NS-1003.64 amending Section 12-37 of the Santa Clara County Ordinance Code adding Manila Drive to the list of streets with a 45 miles per hour speed zone limit. (ID# 65686)
- Action to Introduce and Preliminarily adopt Ordinance on January 15, 2013; Roll Call Vote to waive reading, Roll Call Vote to adopt.
  - Action for Final Adoption of Ordinance on January 29, 2013; Roll Call Vote to adopt.