

April 29, 2003



SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS SANTA CLARA COUNTY

COUNTY GOVERNMENT CENTER
EAST WING
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SAN JOSE, CALIFORNIA 95110
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MEMBERS OF THE BOARD

Donald F. Gage District 1

Blanca Alvarado District 2

Pete McHugh District 3

Jim Beall District 4

Liz Kniss District 5

Peter Kutras Jr.

Acting County Executive

Phyllis A. Perez

Clerk of the Board of Supervisors
(408) 299-4321

**Blanca Alvarado, Chairperson
Board of Supervisors**

April 29, 2003

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

Opening

- . Roll Call – All members present.
- . Recited Pledge of Allegiance.
- . Received invocation by Reverend Lawrence Percell, St. Nicholas Parish, Los Altos.

Public Issues

- * 1. Approved Summary of Proceedings of April 15, 2003 and minutes of March 11 and March 25, 2003.

2. Approved consent calendar and changes to the Board of Supervisors' Agenda.
3. Received the following comments under Public Presentations:
 - a. Received comments from Donna Sandoval, Nina Gomez, Jose Salgado and Fidelia Herrera, Council on Aging homecare counselors, requesting support for maintaining contract mode rather than In-Patient (IP) mode.
 - b. Received comments from Brian O'Neill, Local 715, and Keith Garvey, County Employee Labor Alliance, opposing lay offs and service reductions, supporting Board consideration of Local 715 options to avoid lay offs impacting services, and committing to lobbying efforts at State level.
 - c. Received comments from Rosemary Romo, President, Local 715, requesting consideration of lease renegotiation and sale of County properties rather than lay offs and service reductions.
 - d. Received comments from Rachel Regalado, Chief Steward, Public Health Department, and Tom Starkey, County Employees' Management Association, requesting support for early retirement incentives.
 - e. Received comments from James Roman, Local 715, General Services Agency Custodial employee, requesting staff be directed to identify capital projects which could be delayed and the funds applied to staff positions, and prepare a report on financial implications.
 - f. Received comments from Ester Lavato, Local 715, Child Support Services, requesting that Labor Relations be directed to reopen window to apply for Voluntary Reduced Work hours to avoid employee lay offs.
 - g. Received comments from Crecensia Rodriguez, Custodial employee, opposing lay off of custodial staff.
 - h. Received comments from Frances Diaz, Mental Health Community Worker, opposing mental health staff reductions.
 - i. Received comments from Hran Ibara, Department of Correction, opposing contracting out for inmate health care services and opposing pharmacy staff reductions.
 - j. Received comments from Diana Marroquin, Valley Medical Center (VMC), opposing staff reductions at VMC.

Social Services Agency

- * 4. Approved delegation of authority to Director, Social Services Agency, or designee, to negotiate, execute, and amend Agreement with Second Harvest Food Bank (SHFB) of Santa Clara and San Mateo Counties relating to providing food distribution services in an amount not to exceed \$705,075, for period July 1, 2003 through June 30, 2004, with option for two one-year extensions, following approval by County Counsel as to form and legality. Delegation of authority shall expire on July 1, 2006.

- * 5. Accepted report relating to reorganization goals for Department of Family and Children's Services.

Health & Hospital System

- * 6. Considered recommendations relating to HIV/AIDS Education and Prevention Memorandum of Understanding (MOU) with State Department of Health Services (DHS), Office of AIDS (OA), and took the following actions:
 - a. Accepted Letter of Award from DHS, OA, relating to augmentation to existing Education and Prevention MOU for capacity building projects serving the HIV-positive population or supporting HIV prevention intervention for infected populations, in an amount not to exceed \$25,000, for period July 1, 2002, through June 30, 2003.

 - b. Approved Request for Appropriation Modification No. 155 – \$25,000 increasing revenue and expenditures in the Health and Hospital System, Public Health Department.

- 7. Approved delegation of authority to Executive Director, Health and Hospital System, or designee, to execute First Amendment to Agreement with Aureus Medical relating to providing temporary staffing services in an amount not to exceed \$320,000, for period September 23, 2002 through June 30, 2003, following approval by County Counsel as to form and legality. Delegation of authority shall expire on June 30, 2003. (Supervisor Kniss voted no.)

- * 8. Approved delegation of authority to Director, Valley Medical Center (VMC), Health and Hospital System, to execute Agreement with Teresa Wolf relating to employment as Director, VMC Foundation, for a maximum five-year term, in an amount not to exceed \$110,000 for the first year, with up to a ten percent annual increase to be authorized by the Director, VMC, following approval by County Counsel as to form and legality. Delegation of authority shall expire on June 10, 2008.

- 9. Accepted report relating to Children's Health Initiative (CHI) outreach activities.

Directed Administration to provide semi-annual status reports to Health and Hospital Committee relating to the CHI outreach plan at the County and State level.

- * 10. Accepted report from Public Health Officer relating to continuation of County Needle Exchange Program, and took the following action:

Approved continuation of Local Emergency due to significant risk of spread of HIV/AIDS, Hepatitis C, and other blood-borne pathogens, which was proclaimed by the Board of Supervisors on January 11, 2000.

- * 11. Approved the Project, adopted plans and specifications, and authorized advertisement of Contract Documents for remodel of Public Health Department Emergency Operations Center (DEOC) and Vital Registration Office located at 645 South Bascom Avenue, San Jose. (Project No. 021204).

Opening of Bids: Thursday, May 22, 2003 at 2:00 p.m., in the
Office of the Clerk of the Board of Supervisors

Employee Services Agency

- * 12. Considered recommendations relating to Office of the County Executive, and took the following actions:

- a. Approved Summary Classification Report relating to Program Manager II/I, Integrated Pest Management position.

b. Approved Classification Specification for Manager, Integrated Pest Management position.

c. Waived reading and adopted Salary Ordinance No. NS-5.02.78 (preliminary) amending Santa Clara County Salary Ordinance No. NS-5.02 relating to the compensation of employees deleting one Program Manager I or Program Manager II position and adding one Manager, Integrated Pest Management position in the Office of the County Executive.

Vote: Gage: Yes Alvarado: Yes McHugh: Yes Beall: Yes
Kniss: Yes

* 13. Considered recommendations relating to Health and Hospital System, and took the following actions:

a. Approved Summary Classification Report relating to Clinical Administrative Services Manager position.

b. Approved Classification Specification for Clinical Administrative Services Manager position.

c. Waived reading and adopted Salary Ordinance No. NS-5.02.79 (preliminary) amending Santa Clara County Salary Ordinance No. NS-5.02 relating to compensation of employees adding one Clinical Administrative Services Manager position in the Health and Hospital System, Valley Medical Center.

Vote: Gage: Yes Alvarado: Yes McHugh: Yes Beall: Yes
Kniss: Yes

d. Approved Request for Appropriation Modification No. 153 – \$7,036 transferring funds within the Health and Hospital System, Valley Medical Center budget.

* 14. Approved Fiscal Year 2004 premium rates for various County employee/retiree health and benefit plans, effective July 1, 2003.

15. Considered recommendations relating to Health and Hospital System, Department of Alcohol and Drug Services (DADS), and took the following actions:

- a. Approved Summary Classification Report relating to two Senior Health Care Program Manager positions.
- b. Approved Classification Specification for Division Director, Alcohol and Drug Services position.
- c. Waived reading and adopted Salary Ordinance No. NS-5.02.80 (preliminary) amending Santa Clara County Salary Ordinance No. NS-5.02 relating to compensation of employees deleting two Senior Health Care Program Manager positions and adding two Division Director, Alcohol and Drug Services positions in the Health and Hospital System, DADS.

Vote: Gage: Yes Alvarado: Yes McHugh: Yes Beall: Yes
Kniss: No

Board of Supervisors

- * 16. There was no request for authorization of Board members and/or designees to attend meetings, conferences, and to travel.
17. Considered the following items of concern to refer to Administration for review and report:

Referred to Administration for report on date uncertain: Analysis of feasibility of possible closure of non-essential County Administrative Offices for five days during the winter holidays, effective December 26, 29, 30, 32, 2003, January 2, 2004.

Referred to County Counsel for report off-agenda: Provision of legal opinion relating to the establishment of service contract provisions that limit the work performed pursuant to those contracts to workers who reside within the United States.

Referred to Administration for report off-agenda: Based on County Counsel determination of legality of implementing residency requirements for service contract providers, provide analysis of policy and administrative level advantages and disadvantages of implementation.

Referred to Administration for report on date uncertain: Review of an alternate facility for relocating the Braille Transcription Project.

18. Accepted verbal report from Supervisor Gage, Chairperson, Housing, Land Use, Environment and Transportation Committee, relating to meeting of April 17, 2003 regarding the Williamson Act, South County Airport Hangar Project, and Affordable Housing issues.

19. Accepted report from Supervisor Alvarado, Chairperson, Public Safety and Justice Committee, relating to the Fiscal Year 2004 Substance Abuse and Crime Prevention Act (SACPA) Plan.

Committee Items for Board Action:

- a. Adopted Resolution approving Fiscal Year 2004 Substance Abuse and Crime Prevention Act (SACPA) Plan; authorizing Acting County Executive, or designee, to complete and submit plan documentation, and to execute documents necessary to receive funding with no fiscal impact to the County, following approval by County Counsel as to form and legality; affirming County will comply with SACPA and California Code of Regulations; and, assuring funds received will be deposited into a trust fund.
- b. Approved addition of treatment provider representative, or designee, to Proposition 36 Steering Committee, as designated by Steering Committee.

Announced next meeting scheduled for May 8, 2003.

20. Accepted report from Supervisor McHugh, Chairperson, Finance and Government Operations Committee (FGOC), relating to meeting of March 27, 2003.

Committee Items for Board Information:

- a. Approve Minutes prepared by Clerk for meetings of September 18, 2002 and October 25, 2002 (Item 4).
- b. Approve Boards and Commissions annual work plans (Item 5).

- c. Accept internal audit of Tax Collector – custody/internal control report (Item 6).
- d. Accept nine–month implementation status report on management audit of General Services Agency (GSA) Capital Programs (Item 7).
- e. Accept six–month implementation status report on internal audit of workers' compensation (Item 8).
- f. Accept capital bond projects status report (Item 9).
- g. Accept report relating to fiscal impact of Governor's budget proposal to sweep all undesignated court fees to State and impact on County operations (Item 10).
- h. Accept report identifying funds from one information technology project that can be returned to General Fund (Item 11)

Committee Recommendations for Board Action:

- i. Consider recommendations from Administration relating to employee benefits internal audit items 8.5 and 8.8 (Item 12).

Approved the following Committee recommendations:

Approved recommendations from Administration to a) report back on whether County should self–insure supplemental long–term disability plan after completion of analysis by outside consultant planned to be done by May 2003 (Item 8.5), b) reduce Supplemental Life Insurance premiums by 25 percent and increase benefit by 77 percent while drawing down excess reserves over ten years (Item 8.8), and c) maintain current Supplemental Life Insurance rate structure based on salary and benefit coverage (Item 8.8).

- j. Consider Fiscal Year 2004 budget submittals for following budget units for which FGOC has responsibility: Board of Supervisors; Clerk of the Board; County Executive; Office of Affordable Housing; Office of the Assessor; County Counsel; Registrar of Voters; Information Services Department; Office of Procurement; Intra–governmental Services; General Services Agency, County Communications; General Services Agency, Facilities; Office of Human Relations; Employee Services Agency, Risk Management; Finance Agency,

Controller–Treasurer; Finance Agency, Tax Collector; Finance Agency, Clerk–Recorder; Finance Agency, Department of Revenue (Items 13 through 30).

Approved the following Committee recommendations:

Accepted reports and directed Administration to a) submit recommended budget for Board's budget units with reductions in salaries, benefits, supplies, and services to current level budget that equal full reduction target established on January 14, 2003, b) provide report prior to Budget Workshop that provides (1) impact of suspending payment of dues to National Association of Counties (NACo) and Association of Bay Area Governments (ABAG) and (2) risk analysis associated with those audits that are proposed to be paid for with non–General fund sources; c) provide status report relating to Habitat Conservation Plan, d) provide monthly status reports, to commence in May or June, relating to implementation of new electronic voting system that compares actual to planned achievement on critical milestones; e) provide off–agenda status report on entire cost of Accounting Systems and Procurement (ASAP) Project and estimated savings to General Fund; and, f) provide report on combined impact of proposed deletions of custodial classifications if Superior Court does not select the County to continue custodial services.

k. Considered and approved Committee direction and referrals made in Committee Items for Board Information:

1. Referred to Administration for consideration: Development of the following two policies:

a) re–evaluation of market value of properties and determination of minimum bid prior to secured property auction, and b) review of trust fund ending balances at end of each fiscal year and distribution of excess funds back to General Fund (Item 6).

2. Directed Administration to report back within 30 days on inability to develop comprehensive policy on capital project funding for all County agencies due to limitations of ASAP application to meet the different reporting capabilities of each agency (staff response to audit recommendation 2.1), (Item 7).

21. Accepted report from Supervisor McHugh, Chairperson, Finance and Government Operations Committee (FGOC), relating to Management Audit of Department of Child Supported Services (DCSS).

Committee Items for Board Action:

- a. Approved FGOC recommendations relating to Management Audit of DCSS as outlined in audit matrix.
 - b. Considered audit recommendation 2.1 and determined that DCSS should conduct in–depth analysis of management reporting needs, and develop and prepare management information reports measuring performance on collections, delinquencies, orders established, timeliness, and compliance with Federal and State requirements, task management, cost effectiveness, and other pertinent information.
22. Accepted report from Supervisor Kniss, Chairperson, Health and Hospital Committee, relating to meeting of April 2, 2003.

Committee Items for Board Information:

- a. Approve Policies and Procedures for Hospital Sponsored Clinics and Exempt Clinics
- b. Accept Compliance Status Report
- c. Accept Health Insurance Portability and Accountability Act of 1996 (HIPAA) Update
- d. Accept Healthy Kids Monthly Report
- e. Accept Medical Staff Report and Approved Credentials
- f. Accept Period 8 Financial Reports
- g. Accept Valley Health Plan Enrollment Report
- h. Accept Valley Health Plan Advisory Group minutes of January, 2003
- i. Accept report relating to historical overview of the Department of Alcohol and Drug Services (DADS)
- j. Accept report relating to historical overview of Public Health Department

k. Review proposed budgets of Health and Hospital System general fund
Departments

Committee requested Office of the County Executive to evaluate budget reduction proposals of Mental Health Department and DADS for impact on Criminal Justice System, for report to Public Safety and Justice Committee.

Committee requested Office of the County Executive to provide cost-savings analysis related to redirecting services from West Valley facility.

1. Valley Community Outreach Services

Committee requested alternatives to reducing Psychiatric Social Worker for bilingual case management and counseling to children and families at Alum Rock Union Elementary School District.

2. DADS

Committee requested additional information on cost associated with request to add one clerical position and on-going funding of the Learning Institute.

3. Public Health Department

Committee requested that Office of the County Executive provide off-agenda report relating to revenue and allocation of Tobacco Settlement Funds.

Committee requested that Public Health Department provide alternatives to reducing Tobacco Prevention Fund and information relating to services by South County Mobile Van including how and where clients will receive services if mobile van is eliminated.

4. Mental Health Department

Committee requested that Director, Mental Health Department, provide alternative sources to meet financial shortfall reflected in proposed Fiscal Year 2004, 24-hour care budget.

5. Children's Shelter and Custody Health Services

1. Accepted Executive Director's Verbal Report

Committee discussed potential partnership of Valley Medical Center and Lucile Packard Children's Hospital at Stanford.

23. Accepted report from Supervisor Beall, Chairperson, Legislative Committee, relating to meeting of April 17, 2003.

Committee Items for Board Action:

- a. Adopted Policy to not actively support legislation imposing new State mandates.
- b. Opposed reductions to Supplementary Security Income (SSI) and Library Transaction–Based Reimbursement, but do not include in County's State budget priorities.
- c. **Held to date uncertain:** Support of Assembly Bill (AB) 1221 (Steinberg/Campbell) relating to California Balanced Communities Act.
- d. Supported AB 216 (Chan) relating to Youth Alcohol Recovery Centers.
- e. Supported, with proposed amendments, AB 20 (Lieber) relating to court testimony of dependent adults.
- f. Opposed California State Association of Counties' (CSAC) Legislative Proposal relating to Emergency Medical Services (EMS) governance and directed Administration to notify CSAC of opposition from the Board of Supervisors.
- g. Accepted report relating to Seventh Annual Joint Advocacy Trip with Silicon Valley Manufacturing Group (SVMG).

Referred to Legislative Committee for report on date uncertain: Review value to the County of joint trips to Sacramento with SVMG to lobby State Legislators.
- h. Accepted report relating to State budget strategy.
- i. Accepted report relating to State funding for County agricultural pesticide regulation.

24. Accepted report from Supervisor Beall, Chairperson, Children, Seniors and Families Committee, relating to meeting of April 16, 2003.

Committee Items for Board Information:

- a. Accept report back relating to cost saving measures for School–Linked Services' (SLS) proposed Fiscal Year 2004 Budget.
 - b. Accept presentation from Department of Family and Children's Services (DFCS) relating to tentative reorganization plan. (See Board agenda Item No. 5)
 - c. Accept report back relating to revised Department of Child Supported Services (DCSS) Performance–Based Budgeting measures for Fiscal Year 2003–2004.
 - d. Accept report relating to DCSS reorganization and implementation of new business model pilot project.
 - e. Accept status report relating to Department of Aging and Adult Services, Public Administrator/Guardian/Conservator Office.
 - f. Accept annual report relating to Status Offender Services.
 - g. Accept annual report relating to Educational Rights Project.
 - h. Accept status report relating to Out–of–Home–Care Placement Initiatives.
 - i. Approve Minutes of January 21 and February 5, 2003.
 - j. Discuss budget update relating to children, seniors and families services and forward recommendations to the Board of Supervisors.
 - k. Accept report from Director, Social Services Agency.
 - l. Accept report from Director, DCSS.
 - m. Announce next meeting of Children, Seniors and Families Committee on Wednesday, May 7, 2003, 10:00 a.m. in Isaac Newton Senter Auditorium, First Floor, County Government Center.
25. Accepted report from Supervisor Gage, Board Delegate to the Valley Transportation Authority.

Announced next meeting scheduled for May 7, 2003.

26. There was no report from Chairperson Alvarado.

- * 27. There was no report on long-term planning and budget strategies.

County Executive

28. **Held to May 6, 2003:** Consideration of recommendations relating to Office of Affordable Housing and use of affordable housing funds.

Possible action:

- a. Approve recommendations relating to preliminary allocation of affordable housing funds and process for distribution.
 - b. Authorize Administration to proceed with preparation of two Requests for Proposals (RFPs) for distribution of \$5.5 million in affordable housing funds to implement allocations for Category 1 Multifamily Housing Program (MHP) Eligible Projects and Category 2 non-MHP Eligible Projects.
 - c. Approve Request for Appropriation Modification No. 156 – increasing revenue and expenditures in the Office of the County Executive, Office of Affordable Housing budget to complete transfer of year one housing set-aside funds to Affordable Housing Fund.
- * 29. Approved Request for Appropriation Modification No.157 – \$3,900 increasing revenue and expenditures in the Office of the County Executive budget relating to one-time grant revenue awarded by Lucile Packard Foundation for Children's Health to fund planning retreat for the Children's and Families Leadership Team.
30. Considered recommendations relating to Directed Recording Electronic (DRE) voting system, and took the following actions:
- a. Approved Agreement with Sequoia Voting Systems, Inc. relating to providing electronic touch-screen voting equipment and services, and absentee voting system, in an amount not to exceed \$18,904,509.38 for period April 29, 2003 through September 30, 2008.
(Supervisor Kniss voted no.)

- b. Approved Escrow Agreement with DSI Technology Escrow Services relating to providing administration and monitoring of equipment and services provided by Sequoia Voting Systems, Inc. for period April 29, 2003 through September 30, 2008. (Supervisor Kniss voted no.)
 - c. Accepted report relating to fiscal implication of Agreement with Sequoia Voting Systems, Inc. (Supervisor Kniss voted no.)
 - d. Accepted report relating to proposal to conduct limited pilot during November 2003 and March 2004 elections, requiring voters to generate voter-verified paper record of vote cast at time of vote, including process to test accuracy of small random sample of touch-screen machines using voter-verified paper records, and to submit proposal to Secretary of State for necessary authorization. (Supervisor Kniss voted no.)
 - e. Accepted report relating to Registrar of Voters' DRE Project Timeline and milestone accomplishments. (Supervisor Kniss voted no.)
 - f. **Held to date uncertain:** Acceptance of report relating to creating citizen committee, including criteria for selection and role of members, or expanding existing committee, to monitor election systems and testing of logic and accuracy of each unit.
31. Accepted quarterly status report relating to implementation of the Integrated Pest Management and Pesticide Use Ordinance for period November 2002 through March 2003.
- * 32. Accepted report relating to joint budget letter to Governor Gray Davis and members of the State legislature from California State Association of Counties (CSAC), League of California Cities (LCC), and California Special Districts Association (CSDA).

County Counsel

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

Boards & Commissions

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

<u>Appointee Name</u>	<u>Recommended By</u>	<u>Board/Commission</u>
Cheryl Crose	Alvarado	Mental Health Board
Patrick Kwok	Chairperson	Bay Area Air Quality Management District

- * 35. Considered recommendation relating to one-time allocation of funding from County Children's Trust Fund (CTF) to Social Services Agency (SSA) in an amount not to exceed \$315,000, and took the following actions:
- a. Approved allocation of \$45,000, effective July 1, 2003, for Program Evaluation and Outcome Measurement training for General Fund Contract Agencies serving children and families, budgeted in the SSA for Fiscal Year 2003–2004.
 - b. Approved allocation of \$270,000, effective July 1, 2003, for Child Abuse Prevention services in accordance with State mandated requirements governing Office of Child Abuse Prevention funds, for Fiscal Year 2003–2004.
36. Approved 2003 Annual Work Plans for Planning Commission and various advisory Boards and Commissions reviewed by Board of Supervisors' Committees.

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| a. Advisory Commission for Persons with Disabilities | n. Historical Heritage Commission |
| b. Airport Land Use Commission | o. Hsinchu, Taiwan Sister County Commission |
| c. Airports Commission | p. Human Relations Commission |
| d. Animal Advisory Commission | q. Moscow, Russia Sister County Commission |
| e. Advisory Commission on Consumer Affairs | r. National Guard and Veterans' Affairs Commission |

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| f. Child Abuse Council | s. Parks and Recreation |
| g. Commission on the Status of Women | t. Personnel Board |
| h. Council on Equal Employment Opportunities | u. Planning Commission |
| i. Domestic Violence Council | v. Board of Plumbing Examiners |
| j. Fairgrounds Management Corporation | w. Roads Commission |
| k. Fish and Game Commission | x. Senior Care Commission |
| l. Florence, Italy Sister County Commission | y. Social Services Advisory Commission |
| m. Health Advisory Commission | |

Directed Clerk of the Board to advise boards, commissions and committees of the requirement to include prior year accomplishments in future annual work plans.

- * 37. Considered recommendations relating to resignations from and declaring a vacancy on various Boards and Commissions, and took the following actions:
- a. Accepted resignation from Erin O. Simile from Child Abuse Council for a four-year term expiring on June 30, 2004. Appointee shall represent community at large. Position is rotating and remains with District 5 until expiration of term.
 - b. Accepted resignation from Manuel Valdez from Council on Equal Employment Opportunities for a four-year term expiring on June 30, 2003. Appointee shall be a representative of a Latino member organization. Position is rotating and remains with District 3 until expiration of term.
 - c. Declared position vacant on Province of Florence, Italy Sister-County Commission, previously held by Patricia Sausedo, for a three-year term expiring on June 30, 2005. Appointee must have previously demonstrated interest in matters pertaining to the relationship between Italy and the United States. Position is allocated to District 5.
- * 38. Approved request from Fish and Game Commission for an expenditure from the Fines and Forfeitures Fund in an amount not to exceed \$2,500 for the 12th Annual 2003

Almaden Valley Rotary Kids Free Fishing Weekend, May 3 and 4, 2003, at the Los Gatos Creek Park – Campbell Percolation Ponds.

- * 39. Approved request from Fish and Game Commission for an expenditure from the Fines and Forfeitures Fund in an amount not to exceed \$2,500 for the 2003 Fish–A–Thon Event that will be held on May 3, 2003 at the Stevens Creek Quarry, Cupertino.

Law & Justice

- * 40. Approved Request for Appropriation Modification No. 158 – \$386,112 increasing revenue and expenditures in the Probation Department budget relating to one–time revenue available to help offset Juvenile Justice Crime Prevention Act (JJCPA) budget reductions in Fiscal Year 2003 for approved programs funded by JJCPA.
- * 41. Adopted Resolution affirming membership of the Santa Clara County Juvenile Justice Coordinating Council (SCCJJCC) and delegating authority to Chief Probation Officer, or designee, and/or Chairperson of the Board of Supervisors to submit the Juvenile Justice Crime Prevention Act (JJPCA) grant application and execute standard Grant Agreement with State Board of Corrections, including necessary documents to extend or amend Grant Agreement that have no fiscal implications, following approval by County Counsel as to form and legality, and providing certain assurances necessary for implementation of Fiscal Year 2004 Comprehensive Multiagency Juvenile Justice Plan Modification.
- * 42. Adopted Resolution delegating authority to Chief Probation Officer, or designee, to negotiate, execute, amend, or terminate Agreements for Fiscal Years 2004, 2005, and 2006 with City of Sunnyvale, City of Santa Clara, Franklin–McKinley School District, and Agreement with City of Cupertino and Cupertino Union School District, relating to delinquency prevention, early intervention, and diversion services for youth, following approval by County Counsel as to form and legality. Delegation of authority shall expire on June 30, 2006.

Finance Agency

- * 43. Adopted Resolution authorizing issuance of Berryessa Union School District General Obligation Bonds, 1999 Election, Series C, in a principal amount not to exceed

\$18,002,111.60 relating to financing repair and renovation of schools within the District.

- * 44. Adopted Resolution authorizing issuance of Cambrian School District General Obligation Bonds, 2002 Election, Series A, in a principal amount not to exceed \$15,525,000 relating to acquisition, construction, reconstruction, and modernization of District capital facilities.

1:30 p.m. Time Certain

- 45. Resolutions, Commendations and Memorials.
 - a. Adopted and presented Resolution proclaiming May 2003 as "Drowning Prevention Month" in Santa Clara County. (Health and Hospital System, Public Health Department)
 - b. Adopted and presented Resolutions commending Jerry Larson, Michelle Covert, Jeannine Jordan, and Claire La Scola for dedication and tireless efforts on behalf of persons living with and/or affected by HIV and AIDS as they receive the 2002 David Leslie Burgess Lifetime Achievement Award. (Public Health Department)
 - c. Adopted Resolution proclaiming May 1, 2003 as "Loyalty Day" in Santa Clara County. (McHugh)
 - d. Adopted Resolution commending Crosscultural Community Services Center for providing basic education, employment training and placement, cross-cultural, and social adjustment services to approximately 1,200 at-risk youth and families. (McHugh)
 - e. Adopted Resolution proclaiming May 2003 as "Veterans' Appreciation Month" in Santa Clara County. (McHugh)
 - f. Adopted Resolution commending Asian Americans for Community Involvement (AACI) as it celebrates 30 years of dedicated service to the community. (Beall)

- g. Adopted Resolution commending Correctional Sergeant Heidi Russell as she retires after 25 years of service to the County of Santa Clara Clara. (Department of Correction)
- h. Adopted and presented Resolution commending Judge Stephen V. Manley for contributions to the criminal justice system and residents of the County. (Alvarado)
- i. Adopted and presented Resolution commending Voting Rights Advisory Committee for dedication and commitment to developing and maintaining the County's Bilingual Voter Program. (Chairperson)
- j. Adopted and presented Resolution proclaiming April 2003 as "National Volunteer Month" in Santa Clara County. (Chairperson)
- k. Adopted and presented Resolution proclaiming April 28 through May 4, 2003 as "West Nile Virus Awareness Week" in Santa Clara County. (Vector Control District)

2:00 p.m. Hearing

46. Convened hearing to consider the temporary closing of Marsh Road, Arroyo Hondo Road, and Mount Day Road located in the unincorporated area in Supervisorial District 1, and took the following actions:
- a. Opened public hearing and received testimony.
 - b. Closed public hearing.
 - c. Adopted Resolution authorizing Administration to issue encroachment permit for installation of a gate on Marsh Road at intersection with Felter Road and providing that authorized closure of Marsh Road, Arroyo Hondo Road, and Mount Day Road shall not exceed an 18-month period.

Directed Administration to request San Francisco Water Department to consider replacing manual gate with electronic gate and to remove or open remaining gate on Marsh Road.

Referred to Administration for report on date uncertain: Evaluation of status and legality of other gates on County roads in the vicinity of Marsh Road, Arroyo Hondo Road and Mount Day Road.

Environmental Resources Agency

- * 47. Adopted Resolution establishing fee schedule for various animal care and control services.
- * 48. Approved First Amendment to Agreement with Mark Thomas & Co., Inc. relating to providing civil engineering, architectural, and other professional design services for various projects within the County Park system for period August 29, 2003 through February 28, 2005.
- * 49. Approved First Amendment to Professional Services Agreement (PSA) with Environmental Sciences Associates (ESA) relating to providing environmental consulting and planning services for period May 15, 2001 through May 15, 2004, and updating ESA Hourly Rate Schedule.
- * 50. Adopted Resolution approving filing of application to State Parks and Recreation Department for Land and Water Conservation Funds for Los Gatos Creek County Park Day Use Area Development Project; certifying that the County has matching funds and the Project is compatible with land use plans of jurisdictions immediately surrounding the Project; and, delegating authority to Director, Parks and Recreation Department, Environmental Resources Agency, to negotiate, execute, and submit necessary documents for completion of the Project, following approval by County Counsel as to form and legality.

51. Considered recommendations relating to selection of use and management plan option for Little Arthur Creek, and took the following actions:

Selected Option 3 as use and management plan for Little Arthur Creek, the "no project" option, that seeks an exchange of property for other appropriate land adjacent to County park and take no further action.

Roads & Airports

- * 52. Considered recommendations relating to various County roads projects, and took the following actions:
- a. Approved Contract Change Order No. 2 – Final – 2002 East County Pavement Repair and Resurfacing at Various Locations, Contract No. 02–23, Contractor – G. Bortolotto Company, Inc. Net decrease of \$277.04 and a decrease of eight working days.
 - b. Approved Contract Change Order No. 1 – Final – Fleming Avenue and Mahoney Avenue Roadway Improvement Project, Contract No. 02–24, Contractor – Wattis Construction Co., Inc. Net decrease of \$16,696.69 and an increase of five working days.
 - c. Approved Contract Change Order No. 1 – Final – Capitol Expressway Overlay and Pedestrian Walkway Improvements between Seven Trees Boulevard and Highway 101, Contract No. 02–26, Contractor – Pavex Construction. Net decrease of \$80,854.66 and an increase of six working days.
 - d. Accepted Projects as complete and authorized Clerk of the Board to execute Notices of Completion of Contract and Acceptance of Work for Contract Nos. 02–23, 02–24, and 02–26.

- * 53. Approved the Project, adopted plans and specifications, and authorized advertisement of Contract Documents for 2003 Pavement Repair and Overlay on Almaden Road and Bear Creek Road.

Opening of Bids: Thursday, May 29, 2003 at 2:00 p.m., in the
Office of the Clerk of the Board of Supervisors

- * 54. Approved delegation of authority to Director of Procurement to execute Third Amendment to Agreement with L.A. Consulting, Inc. relating to providing consulting services for development and implementation of Maintenance Management System (MMS), increasing compensation by \$123,103 for a total contract amount not to exceed \$243,103, and extending term from June 30, 2003 through October 31, 2004, following approval by County Counsel as to form and legality.
- * 55. Approved Quitclaim Deed, Agreement, and necessary documents relating to conveyance of 0.12 acres of excess County–owned real property adjacent to intersection of San Tomas Aquino Parkway and Gleason Avenue to City of San Jose for neighborhood park purposes.
- * 56. Considered recommendations relating to Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grants for Palo Alto Airport, Reid–Hillview (RHV) Airport, and South County Airport, and took the following actions:
 - a. Authorized Administration to submit AIP grant application to FAA in an amount not to exceed \$495,000 relating to reconstruction of primary access road to Palo Alto Airport.
 - b. Authorized Administration to submit AIP grant application to FAA in an amount not to exceed \$750,000 relating to security improvements at RHV.
 - c. Authorized Administration to submit AIP grant application to FAA in an amount not to exceed \$1,300,000 relating to Aircraft Noise and Flight Track Monitoring System at RHV.

- d. Approved draft Request For Proposals (RFP) for Aircraft Noise and Flight Track Monitoring System at RHV and authorized Administration to issue RFP following approval by County Counsel as to form and legality, and acceptance of grant offer from FAA.
 - e. Authorized Administration to submit AIP grant application to FAA in an amount not to exceed \$680,000 relating to Automated Weather Observation System and security improvements at South County Airport.
 - f. Authorized Administration to submit grant applications to State Department of Transportation (Caltrans) relating to matching funds, upon receiving FAA AIP grant offers.
 - g. Authorized Chairperson to accept grant offers from FAA and Caltrans.
- * 57. Considered recommendations relating to recurring airport special events, and took the following actions:
- a. Approved delegation of authority to Director, Roads and Airports Department, to approve recurring special event requests from San Martin Wings of History – Air Museum to hold fly-ins at South County Airport in conjunction with their Spring and Fall museum events.
 - b. Approved delegation of authority to Director, Roads and Airports Department, to approve recurring special event requests from Reid–Hillview Airport Association (RHVAA) to conduct Reid–Hillview Airport Day.

General Services Agency

- * 58. Approved the Project, adopted plans and specifications, and authorized advertisement of Contract Documents for Easter Seals Community Center Parking Improvements, 750 Empey Way, San Jose (Project No. AC2029).

Opening of Bids: Thursday, May, 29 2003 at 2:00 p.m., in the
Office of the Clerk of the Board of Supervisors

- 59. Approved the Projects, adopted plans and specifications, and authorized advertisement of Contract Documents for Exterior Lighting and Electrical Service Upgrades at William F. James and Harold Holden Boys Ranches (Project No. AC0017), and Exterior Lighting Upgrades at Muriel Wright Residential Center (Project No. AC2009).

Opening of Bids: Thursday, June 12, 2003 at 2:00 p.m., in the
Office of the Clerk of the Board of Supervisors

- * 60. Accepted Report on Bids for construction of Vector Control Service Yard, and took the following actions:
 - a. Awarded contract to Vitton Construction Co., Inc., in the amount of \$2,097,277 with construction time of 300 calendar days.
 - b. Approved encumbrance of an additional \$210,000 as Supplemental Work Allowance for a total encumbered amount of \$2,307,277.
 - c. Authorized Manager, Capital Programs Division, Facilities Department, General Services Agency, or designee, to issue Change Orders, as necessary, against Supplemental Work Allowance.
 - d. Ratified Addenda Nos. 1, 2, and 3.

- * 61. Considered recommendations relating to professional consulting services for capital projects, and took the following actions:
 - a. Approved Professional Services Agreement (PSA) with 3D/International, Inc. relating to providing program and project management professional services for capital projects, in an amount not to exceed \$6,000,000, for period April 29, 2003 through April 29, 2008.
 - b. Authorized Manager, Capital Programs Division, Facilities Department, General Services Agency, to be Owner's Authorized Representative to execute Project Agreements and perform other administrative functions pursuant to the PSA, following approval by County Counsel as to form and legality

Central Fire Protection District

- * 62. Considered recommendations relating to acceptance of real property from the City of Morgan Hill, and took the following actions:
 - a. Accepted Grant Deeds from City of Morgan Hill for real property located at 18300 Monterey Road and 2100 East Dunne Avenue.
 - b. Approved Certifications of Acceptance for Grant Deeds.

Sanitation District

- * 63. Accepted Monthly Financial Report from County Sanitation District No. 2–3 for period ending March 31, 2003 and authorized payment of bills in an amount not to exceed \$370,814.98.

Closing

- 64. Announced Monday, May 5, 2003, at 1:30 p.m. as the date and time for closed session to discuss items noticed pursuant to the Brown Act.

Adjourn in Memoriam

Adjourned in honor and memory of Don Bunce, orthopedist, former star athlete at Woodside High School and Stanford University Rose Bowl "MVP"; and, authorized that a letter of condolence be forwarded to the family.

Adjourned to Yom Hashoah Holocaust Remembrance at 3:45 p.m. in the Board Chambers, County Government Center; and, subsequently adjourning to Monday, May 5, 2003, at 1:30 p.m. for an open and public session in the 10th Floor Supervisors' Conference Room, County Government Center, 70 West Hedding Street, San Jose, for the purpose of identifying designated representatives to discuss salaries, salary schedules, or fringe benefits of represented and unrepresented employees, or related to labor negotiations, or to disclose real property negotiations if discussion will take place to purchase, sell, exchange or lease real property; and, subsequently adjourning into a closed session to discuss items noticed by the County Counsel and Clerk of the Board.

ATTEST: PHYLLIS PEREZ

Clerk of the Board of Supervisors