

# 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

## AGENDA

**September 10, 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

### 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.

-- Language interpretation services are available. Please contact the Office of the Clerk of the Board at (408) 299-5001 no less than three business days prior to the meeting to request an interpreter.

-- All reports and supporting material are available for review on the internet at [sccgov.iqm2.com](http://sccgov.iqm2.com) 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 at the rear of Chambers for the purpose of the record. (Government Code Section 54953.3). Request to Speak Forms must be submitted prior to the start of public comment for the desired item, and for items on the Consent Calendar or added to the Consent Calendar, prior to the call for public comment on the Consent Calendar. Individual speakers will be called to the podium by the President and are requested to limit their comments to the time specified by the President. The Board shall provide at least twice the allotted time to members of the public who utilize interpreters or translators, unless simultaneous translation equipment is used. 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. (Rules of the Board, Section 18)

-- Persons wishing to use the County's systems to present audio/video materials when addressing the Board must provide the materials to the Office of the Clerk of the Board at least two business days in advance of the meeting. Speakers with audio/video materials must adhere to the same time limits as other speakers and will not be granted additional time to address the Board. The County does not guarantee the ability to present audio/video material, and the President may limit or prohibit the use of the County's systems for the presentation of such material.

-- Items that contain ordinance proposals may be adopted on the Consent Calendar. The title of an ordinance as listed on the agenda is incorporated and read into the record of proceeding for the agenda item.

-- Pursuant to Government Code section 1091.5(a)(9), this notice is provided to disclose that the following Board Members have a non-interest in the identified government entities on which they serve that may contract with the County: Association of Bay Area Governments Executive Board (Chavez, Cortese, Wasserman, Simitian); Bay Area Air Quality Management District (Chavez); Local Agency Formation Commission (Wasserman, Ellenberg, Chavez); Metropolitan Transportation Commission (Cortese); San Francisco Bay Conservation and Development Commission (Cortese); Valley Transportation Authority Board of Directors (Chavez, Cortese, Ellenberg); West Valley Sanitation District Board (Wasserman, Simitian).

-- In compliance with the Americans with Disabilities Act and the Brown 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. For trip planning information, visit [www.vta.org](http://www.vta.org) or contact the VTA Customer Service Department at (408) 321-2300.

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.

## Ceremonial Presentations

3. Announce Adjournments in Memoriam. (See Item No. 52)
  - a. Adjourn in honor and memory of Scott Chan. (Simitian) (ID# 98441)
  - b. Adjourn in honor and memory of Kendra Chan. (Simitian) (ID# 98442)
  - c. Adjourn in honor and memory of Chuck D. Seaver. (Ellenberg) (ID# 98416)
4. Commendations and Proclamations. (See Item No. 79)

## Public Issues

5. Public Comment.

This item is reserved for persons desiring to address the Board on: (1) any matter not on this agenda, (2) the report from the County Executive, and (3) the report from the County Counsel. Members of the public who wish to address the Board on these topics should complete a Request to Speak Form and place it in the tray at the rear of Chambers. The President will call individuals to the podium in turn. All Request to Speak Forms must be submitted prior to the start of Public Comment.

Speakers are limited to the following: three minutes if the Board President or designee determines that five or fewer persons wish to address the Board; two minutes if the Board President or designee determines that between six and fourteen persons wish to address the Board; and one minute if the Board President or designee determines that fifteen or more persons wish to address the Board.

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. Statements that require a response may be referred to staff for reply in writing.

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

Items removed from the Consent Calendar will be considered at the end of the regular agenda for discussion. The Board may also add items on the regular agenda to the Consent Calendar.

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 Consent Calendar items should comment under this item. Each speaker is limited to two minutes total.

### **Time Certain - To Be Heard No Earlier Than 9:30 a.m.**

## 7. Public Hearing - Acquisition of property located at 2300 Enborg Lane, San Jose. (County Counsel)

- a. Hearing to consider adoption of Resolution of Necessity relating to acquisition of property located at 2300 Enborg Lane, San Jose necessary for the County's Receiving, Assessment, and Intake Center, property of Hearts and Minds Activity Center, Inc. (Assessor's Parcel No. 282-03-016). (ID# 98385)
  - i. Open public hearing and receive testimony.
  - ii. Close public hearing.
- b. Adopt Resolution of Necessity determining that the public interest and necessity require the acquisition of the Hearts and Minds Activity Center, Inc.'s interest under a ground lease in property and a building located at 2300 Enborg Lane, San Jose, and authorizing the filing of eminent domain proceedings. (4/5 Roll Call Vote) (ID# 98378)

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

## 8. Public Hearing - Consolidated Annual Performance and Evaluation Report (CAPER). (Office of Supportive Housing)

- a. Public Hearing to consider recommendations relating to Fiscal Year (FY) 2018-2019 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant and HOME Investment Partnerships Programs. (ID# 97713)
  - i. Open public hearing and receive testimony.
  - ii. Close public hearing.
- b. Consider recommendations relating to the FY 2018-2019 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs. (ID# 97714)

Possible action:

- i. Approve Draft FY 2018-2019 CAPER for the CDBG and HOME programs.

- ii. Authorize the Office of Supportive Housing to incorporate public comments and submit the final CAPER to the U.S. Department of Housing and Urban Development by September 30, 2019.
9. Public Hearing - Purchase of real property located at 1695 Alum Rock Avenue, San Jose. (Office of Supportive Housing)
- a. Public Hearing to consider the purchase of real property located at 1695 Alum Rock Avenue, San Jose, for a public purpose. (Supervisory District Three) (ID# 98133)
    - i. Open public hearing and receive testimony.
    - ii. Close public hearing.
  - b. Consider recommendations relating to the purchase and ground lease of real property located on 1695 Alum Rock Avenue, San Jose, Assessor's Parcel No. 481-12-106 (the Property). (ID# 98131)

Possible action:

- i. Adopt Resolution finding the acquisition of the Property is exempt from California Environmental Quality Act; finding the acquisition of the Property serves a public purpose; and approving a delegation of authority to the County Executive, or designee, to negotiate, enter into, and sign all agreements and documents necessary or required to acquire and consummate the purchase of the Property, and to take all other necessary action to complete the acquisition, in an amount not to exceed \$4,264,466, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of Authority shall expire on September 10, 2022. (Roll Call Vote)
- ii. Approve delegation of authority to the County Executive, or designee, to take any and all necessary or advisable actions relating to the Ground Lease and Regulatory Agreement, including but not limited to negotiating and executing the Ground Lease and Regulatory Agreement; implementing, amending, modifying, enforcing, terminating, and managing the Ground Lease and Regulatory Agreement and their respective terms, with a contract term not to exceed 79 years, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive; and, negotiating, entering into, and executing any and all other documents and agreements necessary or advisable in relation to the Ground Lease or Regulatory Agreement, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire simultaneously with the expiration of the Ground Lease.

10. Public Hearing - Purchase of real property located at 2904 Corvin Drive, Santa Clara. (Office of Supportive Housing)
- a. Public Hearing to consider the purchase of real property located at 2904 Corvin Drive, Santa Clara, for a public purpose. (Supervisory District Four) (ID# 98151)
    - i. Open public hearing and receive testimony.
    - ii. Close public hearing.
  - b. Consider recommendations relating to the purchase and ground lease of real property located on 2904 Corvin Drive, Santa Clara, Assessor's Parcel No. 216-33-034 (the Property). (ID# 98149)

Possible action:

- i. Adopt Resolution finding the acquisition of the Property is exempt from the California Environmental Quality Act; find the acquisition serves a public purpose; and approving a delegation of authority to the County Executive, or designee, to negotiate, enter into, and sign all agreements and documents necessary or required to acquire and consummate the purchase of the Property, and to take all other necessary action to complete the acquisition, in an amount not to exceed \$9,500,000 following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of Authority shall expire on September 10, 2022. (Roll Call Vote)
  - ii. Approve delegation of authority to the County Executive, or designee, to take any and all necessary or advisable actions relating to the Ground Lease and Regulatory Agreement, including but not limited to negotiating and executing the Ground Lease and Regulatory Agreement; implementing, amending, modifying, enforcing, terminating, and managing the Ground Lease and Regulatory Agreement and their respective terms, with a contract term not to exceed 79 years, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive; and, negotiating, entering into, and executing any and all other documents and agreements necessary or advisable in relation to the Ground Lease or Regulatory Agreement, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire simultaneously with the expiration of the Ground Lease.
11. Public Hearing - Acquisition of real property for a public park purpose as part of Coyote Creek parkway Integrated Natural Resources Management Plan and Master Plan Assessor's Parcel Nos. 678-08-033, 678-08-036, 678-08-044, 678-08-047, 678-08-049, and 678-08-056, as part of an exchange with the City of San Jose. (Parks and Recreation Department)

**This hearing has been cancelled.**

**Board Referrals - Time Certain - To Be Heard No Earlier Than 1:30 p.m.**

12. 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/Cortese)

**Board Referrals**

13. Approve referral to Administration and County Counsel to provide regular progress reports to the Board regarding efforts to improve the security and integrity of elections in Santa Clara County. (Simitian)
14. Approve referral to waive the provisions of the All-Inclusive Playground Grant Program Round Two Procedural Guide to accommodate an application by the Happy Hollow Foundation. (Chavez)
15. Approve referral to Administration to report to the Board with options for consideration relating to restoring Title X reproductive health services for Santa Clara County women. (Chavez) (ID# 98354)
16. Approve referral to Administration to report to the Board with options for consideration relating to a regional Hate Crimes Task Force. (Chavez) (ID# 98218)
17. Approve referral to County Counsel to oppose the proposed federal rule changes for Supplemental Nutrition Assistance Program Categorical Eligibility. (Ellenberg/Simitian) (ID# 98301)
18. Approve referral to Administration to report to the Board within 60 days with options for consideration relating to improvements to the Master Gardeners' access road at Martial Cottle Park. (Cortese) (ID# 98216)
19. Consider recommendations relating to Building Electrification Reach Codes. (Cortese) (ID# 98411)

**Possible action:**

- a. Approve referral to Administration to submit a Letter of Interest to Silicon Valley Clean Energy relating to receiving a Reach Code Grant in the amount of \$10,000.
- b. Approve referral to Administration to report to the Board within 90 days, through the Housing, Land Use, Environment, and Transportation Committee, with a review of the feasibility of adopting proposed Electrification Reach Codes, potential impacts on the County, and the resources required to develop an amendment to adopt proposed Electrification Reach Codes for the 2019 Energy Code to help reduce carbon emissions associated with new construction, reduce costs in new construction, improve indoor air quality and safety of County building stock, support affordable housing, and increase adoption of electric vehicles.

**Board of Supervisors and Board Appointees**

20. Receive report from County Executive.
21. Receive report from County Counsel on legal issues and closed session meeting of September 9, 2019.

**Jail Reform Study Session**

22. Receive report from the Office of the County Executive, Office of the Sheriff, Custody Health Services, and Facilities and Fleet Department relating to the updated status of jail reform efforts. (ID# 96232)
23. Under advisement from December 18, 2018 (Item No. 20) and June 18, 2019 (Item 20): Receive report from the Office of the County Executive relating to an inventory and evaluation of parenting programs at Elmwood Correctional Complex, Main Jail Complex, and Reentry Resource Center; and, contact visitation in the jails. (Office of the County Executive) (ID# 96587)
24. Consider recommendations relating to Agreement with FIRST 5 Santa Clara County relating to providing parenting education and support services. (ID# 97557)

## Possible action:

- a. Approve Agreement with FIRST 5 Santa Clara County relating to providing parenting education and support services in an amount not to exceed \$500,000 for period September 10, 2019 through September 9, 2020, that has been reviewed and approved by County Counsel as to form and legality.
  - b. Approve Request for Appropriation Modification No. 31 - \$500,000 transferring funds from the AB109 Reserve Fund Balance to the Criminal Justice Systemwide Costs budget relating to providing parenting education and support services. (Roll Call Vote)
25. Held from June 4 2019 (Item No. 34): Receive report from Office of the County Executive relating to options for consideration on placements for high-needs women leaving the County jail. (ID# 95251)
  26. Under advisement from May 7, 2019 (Item No. 20): Receive report from the Facilities and Fleet Department relating to the status of deferred maintenance projects. (ID# 97022)
  27. Receive report from the Office of the County Executive and the Facilities and Fleet Department relating to the status of the Elmwood Campus Service Model and Operational Planning Plan. (ID# 98129)
  28. Held from August 13, 2019 (Item No. 39): Consider recommendations relating to Bids for construction of Main Jail and Elmwood Custody Health Services Staff Work Area Modifications (Project No. 263-CP17038). (Facilities and Fleet Department) (ID# 97795)

## Possible action:

- a. Award contract to Agbayani Construction Corporation in the amount of \$610,000 with a construction time of 240 calendar days.
  - b. Approve encumbrance of additional \$200,000 as Supplemental Work Allowance (SWA) for a total encumbered amount of \$810,000.
  - c. Authorize the County Executive, or designee, to issue Change Orders, as necessary, against the allowance for Supplemental Work and to approve modifications to the construction time consistent with Public Contract Code Section 20142.
  - d. Ratify Addendum No. 1 to Bid Documents which modified or clarified the Bid Documents in response to contractor questions.
29. Held from June 18, 2019 (Item No. 32): Consider recommendations relating to the Jail Inmate Services Program. (Office of the Sheriff) (ID# 98395)

## Possible action:

- a. Adopt finding that the benefits of the surveillance technology for the Office of the Sheriff outweigh the costs pursuant to Section A40-4 of the Santa Clara County Ordinance Code.
  - b. Approve or receive Proposed Surveillance Use Policy for the Inmate Calling Systems for Office of the Sheriff, which has been reviewed and approved by County Counsel as to form and legality.
  - c. Approve or receive Proposed Surveillance Use Policy for the Inmate Tablet Services Platform for Office of the Sheriff, which has been reviewed and approved by County Counsel as to form and legality.
  - d. Approve Agreement with Legacy Long Distance International, Inc., dba Legacy Inmate Communications relating to providing Inmate Calling Systems and Inmate Tablet Services Platform at no cost to the County, for period August 27, 2019 through August 26, 2022, with one two-year extension option, that has been reviewed and approved by County Counsel as to form and legality.
30. Under advisement from August 27, 2019 (Item No. 20): Approve plan from Administration relating to implementing subsidized inmate phone calls. (Office of the County Executive) (ID# 98353)
31. Under advisement from March 19, 2019 (Item No. 12): Receive report from the Office of the County Executive relating to the assessment of County programs for family finding and reunification. (ID# 96704)
32. Receive report from the Office of the County Executive relating to the implementation of the Community Awaiting Placement Supervision Service and the addition of programming elements. (ID# 96769)



33. Under advisement from December 4, 2018 (Item No. 11): Receive report from Behavioral Health Services Department relating to the implementation of Jail Diversion Programs and expansion of the capacity in the community to serve criminal justice clients with mental illness and co-occurring mental health and substance use disorders. (Behavioral Health Services Department) (ID# 96924)
34. Receive report from the Office of the Sheriff relating to in-custody terminology used to define inmate housing. (ID# 98318)

### Regular Agenda - Items for Discussion

35. Receive report from the Employee Services Agency related to organizational transformation efforts in collaboration with the Stanford Center for Leadership and Transformation. (ID# 98308)
36. Under advisement from August 13, 2019 (Item No. 12): Consider recommendations relating to possible retail transactions (sales) and use tax of five-eighths of one cent. (County Counsel) (ID# 98426)  
Possible action:
  - a. Receive report from the Office of the County Counsel and Office of the County Executive relating to a possible retail transactions (sales) and use tax of five-eighths of one cent.
  - b. Adopt Resolution ordering and calling a special election to implement a retail transactions (sales) and use tax of five-eighths of one cent; and consolidating the election with the statewide election on November 3, 2020. (4/5 Roll Call Vote)
37. Under advisement from August 13, 2019 (Item No. 12): Adoption of Ordinance No. NS-7.20 implementing a retail transactions (sales) and use tax in Santa Clara County at a rate of five-eighths of one cent. (County Counsel) (ID# 98427)
  - Action to Introduce and Preliminarily adopt on September 10, 2019; Roll Call Vote to waive reading, 4/5 Roll Call Vote to adopt.
  - Action for Final Adoption on September 24, 2019; 4/5 Roll Call Vote to adopt.
38. Held from August 27, 2019 (Item No. 16): Receive report from the Office of Supportive Housing relating to an expenditure strategy for extremely-low income and very-low income housing and revolving Housing Bond proceeds. (Office of Supportive Housing) (ID# 96124)
39. Under advisement from May 9, 2017 (Item No. 13) and December 18, 2018 (Item No. 39): Receive report from Office of Supportive Housing relating to partnership with the Santa Clara County Housing Authority and use of Section 8 Project Based Vouchers. (ID# 96125)
40. Under advisement from March 19, 2019 (Item No. 16) and May 7, 2019 (Item No. 15): Receive report from the Office of the County Executive relating to Countywide

participation in the Government Alliance on Race and Equity and development of a Countywide racial and social equity strategy. (ID# 98374)

41. Consider recommendations relating to contracts for services with rape crisis center service providers. (Office of the County Executive) (ID# 98154)

Possible action:

- a. Approve Request for Appropriation Modification No. 46 - \$600,000 transferring funds from the General Fund Contingency Reserve to the Office of the County Executive, Office of Women's Policy budget relating to rape crisis center services. (4/5 Roll Call Vote)
- b. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate agreement with Community Solutions and relating to providing rape crisis center services in an amount not to exceed \$97,000 and a contract term that starts no earlier than September 15, 2019 and ends no later than February 1, 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 February 1, 2020.
- c. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate agreement with YWCA Silicon Valley relating to providing rape crisis center services in an amount not to exceed \$503,000 and a contract term that starts no earlier than September 15, 2019 and ends no later than February 1, 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 February 1, 2020.

42. Under advisement from May 21, 2019 (Item No. 13): Consider recommendations relating to the County Goals for Environmental Stewardship for Protection of Streams and Riparian Corridors. (Office of the County Executive) (ID# 98158)

Possible action:

- a. Receive report from Office of Sustainability, Department of Parks and Recreation, and Consumer and Environmental Protection Agency relating to County Goals for Environmental Stewardship for Protection of Streams and Riparian Corridors.
- b. Approve addition of Goal No. 12: Develop educational programs and volunteer service opportunities that promote local stewardship of streams and riparian corridors and develop programs of ecologically compatible recreational use of streams and riparian corridors.

43. Approve Request for Appropriation Modification No. 22 - \$207,000 transferring funds from the General Fund Contingency Reserve to the Department of Planning and Development budget, relating to Community Restitution Account expenditures for Code Enforcement costs. (4/5 Roll Call Vote) (ID# 97898)

44. Adoption of Executive Leadership Salary Ordinance No. NS-20.19.02 amending Santa Clara County Executive Leadership Salary Ordinance No. NS-20.19 relating to compensation of employees increasing the flat rate salary of the Assessor, District Attorney, and Sheriff classifications by 3.09 percent. (ID# 98284)
- Action to Introduce and Preliminarily adopt on September 10, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
  - Action for Final Adoption on September 24, 2019; Roll Call Vote to adopt.
45. Held from August 27, 2019 (Item No. 18): Approve a neutral position on Senate Bill 5 (Beall, McGuire, and Portantino). (Office of the County Executive) (ID# 98232)
46. Held from August 13, 2019 (Item No. 35): 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) (ID# 95127)
- a. Office of the Assessor - Video Cameras in the Assessor's Office
  - b. Office of the County Executive Office of Emergency Services - Situational Awareness Tools
  - c. Probation Department - Electronic Monitoring Program Devices
  - d. Procurement Department - Audio Recorders
  - e. Registrar of Voters - Security Cameras
  - f. Roads and Airports Department - Airport Noise and Operations Monitoring System
  - g. Roads and Airports Department - Facility Security Camera Systems
  - h. Social Services Agency - Telephonic and Voice Recording Equipment
  - i. Social Services Agency - Video Security Cameras
47. Held from August 13, 2019 (Item No. 36): 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) (ID# 95700)
- 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
48. Held from August 13, 2019 (Item No. 37): Consider recommendations relating to the In-Car Video Recording System (Dash Cam System). (Office of the Sheriff) (ID# 98394)

Possible action:

- a. Adopt finding that the benefits of the surveillance technology outweigh the costs pursuant to Section A40-4 of the Santa Clara County Ordinance Code.
  - b. Approve Agreement with Axon Enterprises, Inc., relating to providing Public Safety Video Equipment in an amount not to exceed \$2,200,000 for period June 18, 2019 through June 17, 2022, with two one-year extension options, that has been reviewed and approved by County Counsel as to form and legality. A single source exception to competitive procurement has been approved by the Office of Countywide Contracting Management pursuant to Board of Supervisors Policy 5.6.5.1(D)(2)(a).
  - c. Approve or receive Surveillance Use Policy for the In-Car Video Recording System (Dash Cam System), that has been reviewed and approved by County Counsel as to form and legality.
  - d. Receive Anticipated Surveillance Impact Report for the In-Car Video Recording System (Dash Cam System).
49. Under advisement from August 13, 2019 (Item No. 17): 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) (ID# 98278)
- Action to Introduce and Preliminarily adopt on September 10, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
  - Action for Final Adoption on September 24, 2019; Roll Call Vote to adopt.

**Request from Supervisor Cortese to hold item to September 24, 2019.**

50. Under advisement from June 18, 2019 (Item No. 13): Receive report from the Finance Agency relating to Senior Parcel Tax Exemption. (Finance Agency)

**Request from Administration to hold item to September 24, 2019.**

51. Consider items previously removed from the Consent Calendar.

**Closing**

52. Adjourn. (See Item No. 3)

**Consent Calendar - Items will be considered under Item No. 6. Items removed from the consent calendar will be considered at the end of the regular agenda.**

53. Minutes Approval:

- a. Approve minutes of the August 26, 2019 Regular Meeting prior to Closed Session.
- b. Approve minutes of the August 27, 2019 Regular Meeting.

**Public Health Department**

54. Approve Request for Appropriation Modification No. 32 - \$20,520 increasing revenue and expenditures in the Public Health Department budget, relating to a funding award for the Public Health Laboratory. (4/5 Roll Call Vote) (ID# 98115)
55. Approve delegation of authority to the County Executive, or designee, to submit annual grant applications and related certifications to Health Resources and Services Administration (HRSA) for the Ryan White HIV/AIDS Emergency Relief Grant Program in an amount not to exceed the funding ceiling established by HRSA, for period March 1, 2020 through February 28, 2025, 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 February 28, 2025. (ID# 98287)

**Behavioral Health Department**

56. Approve First Amendment to Agreement with Caminar for Mental Health relating to providing voluntary peer respite beds, increasing the maximum contract amount by \$9,852 from \$2,662,318 to \$2,672,170, with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality. (ID# 97673)
57. Approve First Amendment to Agreement with Campbell Unified School District relating to providing School Linked Services (SLS), modifying the scope of work, with no change to the maximum contract amount and no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality. (ID# 97819)

**Employee Services Agency**

58. Consider recommendations relating to the Library Page and Library Clerk series classification study. (ID# 98087)

Possible action:

- a. Approve job specification and amend Classification Plan to add classification of Library Circulation Aide.
- b. Abolish the classification of Library Clerk I.
- c. Revise and retitle the job specification of Library Clerk II to Library Clerk.

59. Adoption of Salary Ordinance No. NS-5.20.18 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees deleting forty-three half-time Library Clerk II or Library Clerk I positions, twenty-six Library Clerk II or Library Clerk I positions, and thirteen Senior Library Clerk or Library Clerk II or Library Clerk I positions and adding twenty-one half-time Library Circulation Aide positions, forty-three half-time Library Clerk positions, twenty-six Library Clerk positions, and thirteen Senior Library Clerk or Library Clerk positions in the County Library District; revising Footnote 220; and amending the Salary Schedule to add the classification of Library Circulation Aide, abolish the classification of Library Clerk I, retitle the classification of Library Clerk II to Library Clerk, increase the salary of the Library Clerk classification by eleven percent, and increase the salary of the Library Page classification by twenty-three percent. (ID# 98090)

- Action to Introduce and Preliminarily adopt on September 10, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on September 24, 2019; Roll Call Vote to adopt.

60. Adoption of Salary Ordinance No. NS-5.20.20 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees deleting one Human Resources Assistant II or Human Resources Assistant I position and adding one Human Resources Support Supervisor position in the Employee Services Agency. (ID# 98208)

- Action to Introduce and Preliminarily adopt on September 10, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on September 24, 2019; Roll Call Vote to adopt.

61. Adoption of Salary Ordinance No. NS-5.20.21 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees deleting one Office Specialist II position and adding one Executive Assistant I or Administrative Assistant position in the Employee Services Agency. (ID# 98213)

- Action to Introduce and Preliminarily adopt on September 10, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
- Action for Final Adoption on September 24, 2019; Roll Call Vote to adopt.

62. Held from August 27, 2019 (Item No. 40): Approve retroactive Revenue Agreement with Part D Advisors relating to reopening the County's past Retiree Drug Subsidy filings to audit and appeal for additional subsidies from the Centers for Medicare and Medicaid Services in an amount not to exceed \$1,524,754 for period September 1, 2019 through August 30, 2020, with two one-year extension options, that has been reviewed and approved by County Counsel as to form and legality. (ID# 98276)

### Board of Supervisors

63. Approve travel to New York City, New York for Supervisor Dave Cortese to attend the First Annual Global Climate Restoration Forum on September 17, 2019. (ID# 98444)
64. Announce travel for elected officials as follows:
- Laurie Smith, Sheriff, will travel to Mackinac Island, Michigan, to attend the Major County Sheriff's Association's 2019 Conference from September 23, 2019 through September 27, 2019. (ID# 98369)
65. Consider the following meeting attendance reports:
- Receive report from Supervisorial District One relating to meetings attended through September 10, 2019. (ID# 98391)
  - Receive report from Supervisorial District Two relating to meetings attended through September 9, 2019. (ID# 98405)
  - Receive report from Supervisorial District Three relating to meetings attended through September 10, 2019. (ID# 98429)
  - Receive report from Supervisorial District Four relating to meetings attended through September 5, 2019. (ID# 98408)
  - Receive report from Supervisorial District Five relating to meetings attended through September 3, 2019. (Simitian) (ID# 98393)

### Children, Seniors, and Families Committee

66. Receive report from the Children, Seniors and Families Committee relating to the meeting of August 21, 2019. (Chavez) (ID# 98262)

### County Executive

67. 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. (ID# 97652)
68. Consider recommendations relating to Silicon Valley Creates' Fiscal Year 2019-2020 funding for the promotion of arts and culture in Santa Clara County. (ID# 97298)

Possible action:

- Receive report relating to Transient Occupancy Tax revenues and Silicon Valley Creates.

- b. Approve allocation of \$192,531 of Fiscal Year 2018-2019 County Transient Occupancy Tax revenues collected to Silicon Valley Creates.
69. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate documents relating to administrative aspects of the Owner Controlled Insurance Program (OCIP) for the Santa Clara Valley Health and Hospital System Seismic Safety Project and to authorize payments pursuant to the insurance agreement in an amount not to exceed \$4,400,000 for period September 10, 2019 through June 30, 2021, 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, 2021. (ID# 93807)
70. Receive monthly status report on items referred to Administration. (ID# 98200)

### **Office of Supportive Housing**

71. Approve retroactive Fourth Amendment to Agreement with the City of San Jose relating to providing supportive housing and services for people experiencing homelessness and the Universal Pass for Life Improvement from Transportation program, increasing the maximum contract amount by \$975,000 from \$4,362,000 to \$5,337,000, and extending the agreement for a 12-month period through June 30, 2020, that has been reviewed and approved by County Counsel as to form and legality. (ID# 97076)

### **Technology Services and Solutions Department**

72. Approve Second Amendment to Agreement with International Business Machines Corporation (IBM), relating to providing disaster recovery services, amending the scope of work, with no change to the maximum contract amount and no change to the term of the agreement, that has been reviewed and approved by County Counsel as to form and legality. (ID# 97735)
73. Approve Request for Appropriation Modification No. 10 - \$98,001,887 rebudgeting funds in Fiscal Year 2019-2020 to support information technology projects. (4/5 Roll Call Vote) (ID# 98261)

### **Boards and Commissions**

74. Receive announcement of appointments and reappointments by individual Board members to various Boards and Commissions:
- a. Supervisor Ellenberg: (ID# 98264)
    - i. Reappoints Gregory Zieman to the Child Abuse Prevention Council, seat number 13.
75. Approve Board-As-a-Whole appointments and reappointments to various Boards and Commissions:



- a. Supervisor Wasserman nominates: (ID# 98433)
    - i. An individual to be identified for appointment to the San Martin Planning Advisory Committee, seat number 5.
  - b. Supervisor Chavez nominates: (ID# 98163)
    - i. Damon Silver for appointment to the Re-Entry Network as the alternate for seat number 9.
    - ii. Steve Olmos for appointment to the Re-Entry Network as the alternate for seat number 15.
  - c. Supervisor Simitian nominates: (ID# 98368)
    - i. Joanne Benjamin for appointment to the Metropolitan Transportation Commission (MTC) Regional Measure 3 Independent Oversight Committee.
    - ii. David Fung for appointment to the MTC Regional Measure 3 Independent Oversight Committee.
76. Accept the resignation of Mullissa Willette from the Citizens' Advisory Commission on Elections. (ID# 98268)

### Law and Justice

77. Approve First Amendment to Agreement with the County of San Mateo in support of the Northern California Regional Intelligence Center increasing the maximum contract amount by \$43,280 from \$177,675 to \$220,955 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality. (ID# 98148)

### Finance Agency

78. Consider recommendations relating to appropriation modifications needed to finalize revenue and expenditure appropriations for Fiscal Year (FY) 2018-2019 and carry forward certain appropriation to FY 2019-2020. (ID# 98198)

#### Possible action:

- a. Approve FY 2019-2020 Revised Request for Appropriation Modification No. 001 adjusting revenue and expenditure appropriations previously approved on June 18, 2019 (Item No. 97) in order to reconcile to the final FY 2018-2019 funds available. (Roll Call Vote)
- b. Approve FY 2019-2020 Request for Appropriation Modification No. 001A increasing expenditure appropriations relating to encumbrances carried forward from FY 2018-2019 to FY 2019-2020. (4/5 Roll Call Vote)
- c. Approve FY 2018-2019 Request for Appropriation Modification No. YE03 increasing revenue and expenditure appropriations in FY 2018-2019 in order to

meet regulatory obligations to close the fiscal year-end balance to defined parameters. (4/5 Roll Call Vote)

### Commendations and Proclamations

#### 79. Commendations and Proclamations. (See Item No. 4)

- a. Adopt Proclamation declaring April 2020 as "Distracted Driving Awareness Month" in Santa Clara County. (Simitian)
- b. Adopt Commendation for U Star Productions for its success over the past five years and the continuing enrichment it brings to the residents of Santa Clara County. (Cortese) (ID# 98413)
- c. Adopt Commendation for the 2019 Moon Festival for its success over the past 29 years and the continuing enrichment it brings to the residents of Santa Clara County. (Cortese) (ID# 98414)
- d. Adopt Commendation for Rotary Club of Cupertino for its dedication and service to improve the quality of life for the residents in Santa Clara County. (Cortese) (ID# 98415)
- e. Adopt Proclamation declaring October 1, 2019 as "China National Day" in Santa Clara County and congratulate the Chinese American community on its 70th Anniversary. (Cortese) (ID# 98419)
- f. Adopt Commendation for the Philippine Professional and Business Society of Santa Clara Valley, Inc., on the occasion of its 56th Anniversary and 42nd Scholarship Award Night in Santa Clara County. (Cortese) (ID# 98409)
- g. Adopt Proclamation declaring September 16, 2019 as "Mexican Independence Day" in Santa Clara County to recognize the Mexican American community and to honor the many contributions Mexican Americans have made to our community. (Cortese) (ID# 98410)
- h. Adopt Commendation for the Korean Full Moon Festival and congratulate the Korean Full Moon Festival 2019 Committee for its dedication to making Santa Clara County a community of cultural richness and warmth, for all to share. (Cortese) (ID# 98412)

### Department of Planning and Development

80. Under advisement from September 12, 2017 (Item No. 18): Receive report from Administration relating to High Speed Rail and an analysis of the proposed fourth alternative for High Speed Rail alignment in Santa Clara County for conformance with Board of Supervisors recommendations. (ID# 98281)

**Parks and Recreation Department**

81. Approve Request for Appropriation Modification No. 6 - \$70,496,131 adjusting Parks and Recreation Department capital program re-appropriation estimates. (Roll Call Vote) (ID# 98137)
82. Approve First Amendment to Agreement with The Gordian Group relating to providing Job Order Contracting solutions for Department of Parks and Recreation, 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# 96821)
83. Consider recommendations relating to the nonrenewal of Land Conservation (Williamson Act) Contracts on parcels now owned by the County of Santa Clara. (ID# 98192)

## Possible action:

- a. Authorize the nonrenewal of Land Conservation Contract No. 68.108 with respect to Assessor's Parcel No. (APN) 464-06-021.
- b. Authorize the nonrenewal of Land Conservation Contract No. 68.028 with respect to APNs 627-06-002, 627-07-013, and 627-07-014.
- c. Authorize the nonrenewal of Land Conservation Contract No. 70.153 with respect to APNs 825-31-015, 825-31-017, 825-31-019, 825-31-020, 825-31-021, 825-31-023, and 825-31-024.

**Consumer and Environmental Protection Agency**

84. Approve County of Santa Clara Green Stormwater Infrastructure Plan. (ID# 97727)

**Roads and Airports Department**

85. Approve Request for Appropriation Modification No. 2 - \$29,516,662 adjusting the re-budgeting of the Roads and Airports Department estimated revenue and expenditure appropriations to support capital projects previously approved by the Board of Supervisors on June 18, 2019. (4/5 Roll Call Vote) (ID# 97863)

**Facilities and Fleet Department**

86. Approve License Agreement with Elizabeth Bishop, an individual, doing business as The Mental Health Group of Alcoholics Anonymous relating to providing use of space at County owned property located at 231 Grant Avenue, Palo Alto in an amount not to exceed \$6,000 for period September 10, 2019 through September 9, 2024, that has been reviewed and approved by County Counsel as to form and legality. (ID# 98132)
87. Approve retroactive Lease Agreement with Stanford Health Care relating to the rental of six parking stalls located at 231 Grant Avenue, Palo Alto for 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. (ID# 97864)

88. Approve Request for Appropriation Modification No. 3 - \$2,934,000 re-appropriating funds within the Facilities and Fleet Department budget relating to encumbered vehicle purchases, Santa Clara Valley Medical Center Dental Suite Tenant Improvement expenses, and Oakland Warehouse Tenant Improvement expenses. (4/5 Roll Call Vote) (ID# 97893)
89. Approve Request for Appropriation Modification No. 4 - \$38,000 reappropriating funds within the Facilities and Fleet Department budget relating to the Energy Renewables for Revenue Fund operating expenses. (4/5 Roll Call Vote) (ID# 97891)
90. Approve Request for Appropriation Modification No. 5 - \$431,894,250 reappropriating funds within the Facilities and Fleet Department (FAF) budget relating to Capital Improvement Fund projects, reappropriating funds within the FAF budget from various Bond Funds relating to the Capital Improvement Fund for Board Approved Bond Projects, and reappropriating funds within the FAF budget relating to transferring out funds related to a Board Approved Bond Project. (4/5 Roll Call Vote) (ID# 97892)
91. Approve Request for Appropriation Modification No. 7 - \$1,312,958 re-appropriating funds within the Facilities and Fleet Department, Fleet Management budget relating to Fiscal Years 2019 and 2020 vehicle-related purchases. (Roll Call Vote) (ID# 98004)

### **Central Fire Protection District**

92. Consider recommendations relating to grant award from California Office of Emergency Management Agency (Cal OES) to purchase Mobile Operations Satellite Emergency Systems equipment for the Santa Clara County Central Fire Protection District. (ID# 98018)

Possible action:

- a. Accept Cal OES grant award in the amount of \$4,000,000 to purchase Mobile Operations Satellite Emergency Systems equipment.
- b. Approve Request for Appropriation Modification No. 40 - \$4,000,000 increasing revenues and expenditures in the Santa Clara County Central Fire Protection District budget, relating to the acceptance of a Cal OES Grant. (4/5 Roll Call Vote)

### **Final Adoption of Ordinances**

93. Adoption of Salary Ordinance No. NS-5.20.08 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees amending the Salary Schedule to increase the salaries of various classifications. (ID# 98189)
  - Action to Introduce and Preliminarily adopt on August 27, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
  - Action for Final Adoption on September 10, 2019; Roll Call Vote to adopt.

94. Adoption of Salary Ordinance No. NS-5.20.15 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees increasing the salary of the Senior Patient Business Services Clerk by six percent. (ID# 98061)
- Action to Introduce and Preliminarily adopt on August 27, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
  - Action for Final Adoption on September 10, 2019; Roll Call Vote to adopt.
95. Adoption of Salary Ordinance No. NS-5.20.17 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees deleting one Senior Training and Staff Development Specialist or Training and Staff Development Specialist position and adding two Associate Management Analyst or Management Aide positions in the Office of the County Executive. (ID# 97881)
- Action to Introduce and Preliminarily adopt on August 27, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
  - Action for Final Adoption on September 10, 2019; Roll Call Vote to adopt.
96. Adoption of Salary Ordinance No. NS-5.20.19 amending Santa Clara County Salary Ordinance No. NS-5.20 relating to compensation of employees adding two half-time Clinical Nurse III or Clinical Nurse II or Clinical Nurse I positions, one half-time unclassified Dentist position, one half-time Dialysis Technician position, four half-time Health Services Representative positions, one half-time Licensed Vocational Nurse or Medical Assistant position, one half-time Medical Social Worker II or Medical Social Worker I position, one half-time Medical Unit Clerk position, one half-time Nurse Practitioner position, one half-time Office Specialist III position, one half-time Operating Room Clerk or Medical Unit Clerk position, one half-time Optometrist position, one half-time Psychiatric Nurse II or Psychiatric Nurse I position, and one half-time Senior Health Services Representative position in the Santa Clara Valley Medical Center. (ID# 98073)
- Action to Introduce and Preliminarily adopt on August 27, 2019; Roll Call Vote to waive reading, Roll Call Vote to adopt.
  - Action for Final Adoption on September 10, 2019; Roll Call Vote to adopt.