

BOARD OF SUPERVISORS

Susan Ellenberg, District 4, President
Otto Lee, District 3, Vice President
Sylvia Arenas, District 1
Cindy Chavez, District 2
S. Joseph Simitian, District 5



James R. Williams
County Executive

Tony LoPresti
County Counsel

Curtis Boone
Acting Clerk of the Board

MINUTES
February 6, 2024 9:30 AM
Regular Meeting

BOARD OF SUPERVISORS CHAMBERS
70 West Hedding Street, San Jose, CA 95110
Telephone (408) 299-5001

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

Call to Order

1. Roll Call.

President Ellenberg called the meeting to order at 9:30 a.m. A quorum was present.

Status	Attendee Name and Title
Present	Sylvia Arenas, Supervisor Cindy Chavez, Supervisor S. Joseph Simitian, Supervisor Otto Lee, Vice President Susan Ellenberg, President
Absent	None

Opening

2. Pledge of Allegiance.

The Pledge of Allegiance was recited.

3. Invocation by Abbot Venerable Master Jian Sheng from the Chung Tai Zen Center of Sunnyvale. (Lee)

Supervisor Arenas took her seat at 9:34 a.m.

The Invocation was received.

Ceremonial Presentations

4. Announce Adjournments in Memoriam. (See Item No. 40)
No Adjournments were announced.
5. Commendations and Proclamations. (See Item No. 68)
No Commendations or Proclamations were presented.

Public Issues

6. Public Comment.
Seven individuals addressed the Board.
7. Approve Consent Calendar and changes to the Board of Supervisors' Agenda.
Two individuals addressed the Board.
Item Nos. 24, 26, 27, 28, and 29 were added to the Consent Calendar. Item Nos. 13, 37, and 62 were held to February 27, 2024.
Requests were noted for Item Nos. 24, 26, 27, 28, 29, and 50.
President Ellenberg and Supervisor Simitian abstained on Item No. 82.
Corrections were noted for Item Nos. 8, 61, and 64.
The Deputy Clerk read an oral summary for the compensation changes for the County of Santa Clara local agency executives as listed in Item No. 82.

MOTION TO: Approve as amended **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

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

8. Consider recommendations relating to the Fiscal Year (FY) 2023-2024 Mid-Year Budget Review (Office of the County Executive)
Possible action:
 - a. Approve Request for Appropriation Modification No. 116 – \$478,230,476 increasing and adjusting budgetary revenues and appropriations in various departments and funds to address needs and to better align the FY 2023-2024 budget with current experience.
 - b. Introduce and preliminary adopt Salary Ordinance No. NS-5.24.49, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees, adding and deleting various positions as part of FY 2023-2024 Mid-Year Budget Review.
 - c. Receive report relating to the status of the General Fund budgetary revenues and appropriations for FY 2023-2024, including the initial projection of the FY 2023-2024 fund balance, and the projected status of the FY 2024-2025 General Fund Budget.

(ID# 24-2110)

Corrected to reflect the requirement of a 4/5 vote for Request for Appropriation Modification No. 116.

One individual addressed the Board.

President Ellenberg requested that Administration report to the Board on date uncertain relating to including a high-level summary of the net impact of FY 2023-2024 Mid-Year budget adjustments in the form of a table or chart in addition to the narrative descriptions presented in the FY 2023-2024 Mid-Year Budget Review.

Supervisor Arenas requested that County Counsel provide an off-agenda report to the Board on date uncertain relating to options for Supervisorial District staff to participate in budget discussions and the integration of equity-based budget tools.

At the request of Supervisor Arenas, the Board directed Administration to report to the Board on February 27, 2024 relating to options to award the FY 2023-2024 inventory grant initially allocated to Nueva Vida to the Gilroy Foundation South County Open Streets Proposal.

Supervisor Arenas requested that Administration provide an off-agenda report to the Board during the FY 2024-2025 Budget process relating to a Countywide incentive program for County employees to report opportunities for increased efficiency, including options to standardize the program across all County agencies.

Vice President Lee requested that Administration report to the Finance and Government Operations Committee on date uncertain relating to the total savings achieved through cost-saving measures submitted by County employees and consider special recognition for employees who contributed innovative ideas.

At the request of Supervisor Simitian, the Board directed Administration to provide an off-agenda report to the Board on date uncertain relating to the current status of, and FY 2024-2025 plan for, the Urban Forestry Program.

<p>MOTION TO: Approve RESULT: Pass [5 - 0] MOTION BY: Arenas SECOND BY: Ellenberg AYES: Arenas, Chavez, Simitian, Lee, Ellenberg</p>

9. Public hearing to consider adjustment of fees for Building Plan Check and Inspection Services provided by the Department of Planning and Development.

Possible action:

- a. Open public hearing and receive testimony.
- b. Close public hearing.
- c. Adopt Resolution adjusting existing fees for services provided by or through the Building Section of the Department of Planning and Development (Department Recommendation).

OR

- d. Adopt Resolution adjusting existing fees for services provided by or through the Building Section of the Department of Planning and Development (Even Distribution).

Resolution # BOS-2024-15 (ID# 24-4301)

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

At the request of Supervisor Chavez, the Board directed Administration to report to the Board during the June 2024 Budget Hearing relating to options for consideration regarding a policy for annual incremental fees increases related to cost recovery.

At the request of Vice President Lee, the Board directed Administration to report to the Board in six months relating to an evaluation of similar fee increase programs in neighboring jurisdictions.

At the request of Supervisor Chavez, the Board directed Administration to report to the Board through the Finance and Government Operations Committee on date uncertain relating to initiating an evaluation to consider impact fees in certain areas to address equity issues, and to determine whether resources are available to fund amenities in different communities.

At the request of Vice President Lee, the Board directed Administration to report to the Board through the Finance and Government Operations Committee on date uncertain relating to an evaluation regarding the efforts of other jurisdictions to address similar environmental projects.

The Board adopted the Resolution adjusting existing fees for services provided by or through the Building Section of the Department of Planning and Development (Department Recommendation).

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

10. Receive report from the Office of the County Executive relating to reports coming to the Board as part of the Fiscal Year 2023-2024 Mid-Year Budget Review.
(ID# 24-4244)

Taken out of order after Item No. 11.

President Ellenberg reconvened the meeting at 1:36 p.m. with all members present.

Six individuals addressed the Board relating to Item Nos. 10, 12, and 14-22.

Supervisor Simitian made a motion to approve Item Nos. 10, 12, and 14-22.

Supervisor Chavez seconded the motion. President Ellenberg made a substitute motion to consider Item Nos. 10, 12, and 14-22 individually.

MOTION TO: Consider items individually **RESULT:** Pass [3 - 2]

MOTION BY: Ellenberg **SECOND BY:** Arenas

AYES: Arenas, Lee, Ellenberg

NAYS: Chavez, Simitian

At the request of Supervisor Chavez, the Board directed Administration to report to the Board on date uncertain relating to cost recovery, cost avoidance, and a more robust cost accounting as a whole in the Fiscal Year 2024-2025 Recommended Budget.

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Simitian **SECOND BY:** Chavez

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

11. Under advisement from June 27, 2023 (Item No. 11): Receive report from the Office of the County Executive relating to a definition of equity, and the application of equity in countywide strategic planning and budgetary decisions. (ID# 24-4186)

Taken out of order after Item No. 9.

Two individuals addressed the Board.

At the request of Supervisor Arenas, the Board directed Administration to schedule a study session during the Fiscal Year 2024-2025 Budget process relating to the application of equity in Countywide strategic planning and budget decisions.

At the request of Supervisor Chavez, the Board directed Administration to report to the Board during the equity study session relating to demonstration or implementation projects through the Budget process as examples of embedding County policy into business practices and applying principles of equity into quantifiable outcomes.

At the request of Supervisor Chavez, the Board directed Administration to incorporate census tract data and disaggregated data for ethnic groups into the application of equity in Countywide strategic planning and budget decisions.

At the request of Supervisor Chavez, the Board directed Administration to report to the Board during the equity study session relating to efforts of the Federal government to award transportation grants to locations designated as areas of concern requiring investment in low-income communities and communities of color.

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Arenas **SECOND BY:** Chavez

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

President Ellenberg recessed the meeting at 1:04 p.m.

12. Under advisement from November 7, 2023 (Item No. 10): Consider recommendations from the Public Health Department (PHD) relating to the proposed Blue Zones Project in partnership with the City of San José. (LA-1)

Possible action:

- a. Receive report from the Public Health Department relating to the proposed Blue Zones Project in partnership with the City of San José.
- b. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate agreement with the City of San José relating to the Blue Zones Project in an amount not to exceed \$150,000, and a contract term that starts no earlier than February 6, 2024 and ends no later than June 30, 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 June 30, 2025.
- c. Approve Request for Appropriation Modification No. 154 - \$150,000 transferring funds from the General Fund Contingency Reserve to the PHD budget, relating to matching funds for the City of San José's Blue Zones Project. (4/5 vote)

(ID# 24-4200)

Taken out of order after Item No. 10.

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Simitian **SECOND BY:** Chavez
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

13. Under advisement from September 19, 2023 (Item No. 13): Receive report relating to options to establish a third round of funding in the amount of \$10 million for an All-Inclusive Playground Grant Program. (LA-1) (ID# 24-2180)

Held to February 27, 2024 at the request of Administration.

MOTION TO: Hold **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

14. Under advisement from December 12, 2023 (Item No. 13): Consider recommendations relating to option for allocation in the capital project budget of the Fairgrounds Management Corporation. (Office of the County Executive)

Possible action:

- a. Receive report from the Office of the County Executive relating to Fairgrounds Management Corporation business plan and capital project budget.
- b. Approve Request for Appropriation Modification No. 156 - \$500,000 transferring funds from the General Fund Contingency Reserve to the Facility and Fleet Department budget relating to establishing a Fairgrounds Capital Improvements reserve for near-term improvements to be made at the site.
- c. (4/5 Vote)

(ID# 24-4190)

At the request of President Ellenberg, the Board directed Administration to report to the Board on date uncertain with a detailed explanation of the request from the Fairgrounds Management Corporation (FMC) for additional funding to address operating losses in Calendar Year 2023; and, provide a recommendation for Board consideration relating to the appropriate level of support or oversight to improve transparency and strategic planning for any additional County-funded capital investments by FMC.

James R. Williams, County Executive, noted a correction to Page No. 7 of the written report advising that the County made contributions in the amount of approximately \$8 million to reimburse FMC from 2020 through 2023 instead of \$4.2 million as described in the report.

At the request of President Ellenberg, the Board directed Administration to report to the Board on date uncertain with options for consideration relating to strengthening the relationship between the County and FMC, including different models for analysis and the associated historical background; and, in addition to establishing a Fairgrounds Capital Improvements Reserve for near-term improvements, directed Administration not to direct any funding allocations to FMC prior to Board consideration.

At the request of Supervisor Chavez, the Board directed Administration to report to the Board through the Finance and Government Operations Committee on date uncertain relating to all Board requested information regarding FMC; and, decouple FMC financial issues from FMC governance issues, including the contractual relationship between the County and FMC, and partnerships with the San Jose Earthquakes, Major League Cricket, and Cirque du Soleil.

At the request of Vice President Lee, the Board directed Administration to report to the Board through the Finance and Government Operations Committee on date uncertain relating to details of the \$11.6 million in revenue projected by FMC, including an analysis from Administration, the methodology to project FMC revenue, and a comparison of prior year revenue projections and actual revenue.

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Lee **SECOND BY:** Chavez

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

15. Under advisement from October 3, 2023 (Item No. 11): Consider recommendations relating to adding three positions in the Office of Veterans Services, Social Services Agency.

Possible action:

- a. Approve Request for Appropriation Modification No. 145 - \$77,273 transferring funds from the General Fund Contingency Reserve to the Social Services Agency budget, relating to adding three alternately staffed Veterans Services Representatives II/I. (4/5 Vote)
- b. Introduce and preliminarily adopt Salary Ordinance No. NS-5.24.54, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees adding three Veterans Services Representative II or Veterans Services Representative I positions in the Social Services Agency.

(ID# 24-4219)

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Simitian **SECOND BY:** Lee

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

16. Under advisement from August 29, 2023 (Item No. 19): Approve Request for Appropriation Modification No. 152 - \$300,000 transferring funds from the General Fund Contingency Reserve to the Office of the County Executive budget relating to funding of efforts related to agricultural worker housing. (4/5 Vote) (ID# 24-1852)

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Arenas **SECOND BY:** Chavez

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

17. Under advisement from December 12, 2023 (Item No. 11): Receive report from the Office of the County Executive relating to strategies for implementing the recommendations from the Hate Prevention and Inclusion Task Force to prevent and respond to hate incidents and hate crimes in Santa Clara County. (ID# 24-3293)

At the request of Supervisor Chavez, the Board directed Administration report to the Children, Seniors, and Families Committee on date uncertain relating to options to allocate ongoing funding to community-based organizations or County staff for implementation of recommendations from the Hate Prevention and Inclusion Task Force.

At the request President Ellenberg, the Board further directed Administration to synchronize consideration of hate prevention work with development of the Violence Prevention Strategic Plan to seek opportunities for maximization and potential sharing of resources.

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Lee

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

18. Under advisement from December 12, 2023 (Item No. 14): Consider recommendations relating to the Reid-Hillview Airport site.

Possible action:

- a. Approve Request for Appropriation Modification No. 151 - 300,000 transferring funds from the General Fund Contingency Reserve to the Office of the County Executive budget relating to funding of planning and outreach efforts related to the Reid-Hillview Airport site. (4/5 Vote)
- b. Adopt Resolution authorizing the County Executive to execute an inter-fund loan from the General Fund to the Airport Enterprise Fund. (4/5 Vote)
- c. Approve Request for Appropriation Modification No. 158 - \$300,000 increasing expenditures in the Airport Enterprise Fund budget, relating to necessary and urgent planning and outreach projects eligible for funding consistent with all applicable laws and contractual restrictions. (4/5 Vote)

(ID# 24-4355)

Supervisor Chavez made a motion to approve the item. Vice President Lee seconded the motion. Discussion ensued, and Supervisor Chavez withdrew the motion.

At the request of Supervisor Chavez, the Board held the item to the Fiscal Year 2024-2025 Budget process.

MOTION TO: Hold **RESULT:** Pass [4 - 1]

MOTION BY: Chavez **SECOND BY:** Lee

AYES: Chavez, Simitian, Lee, Ellenberg

NAYS: Arenas

19. Under advisement from June 12, 2023 (Item No. 26): Receive report from Santa Clara Valley Healthcare and the Facilities and Fleet Department relating to recommendations for fund sources to implement the second phase of energy efficiency efforts at County hospitals. (ID# 24-2181)

Vice President Lee requested that Administration report to the Finance and Government Operations Committee in August 2024 relating to investments in energy conservation projects and estimated returns on investments.

MOTION TO: Receive **RESULT:** Pass [5 - 0]
MOTION BY: Lee **SECOND BY:** Chavez
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

20. Under advisement from December 12, 2023 (Item No. 12): Receive report from the Social Services Agency, Department of Family and Children's Services for consideration relating to an incentive-based program to encourage foster youth to complete medical and dental well-being exams in accordance with the Bright Futures Periodicity schedule. (ID# 24-4257)

MOTION TO: Receive **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Lee
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

21. Under advisement from December 12, 2023 (Item No. 9): Receive report from Santa Clara Valley Healthcare relating to options for consideration regarding support of establishing a permanent Obstetrics and Gynecology Urgent Care Clinic in the Santa Clara Valley Healthcare system. (ID# 24-2662)

Supervisor Chavez requested that Administration report to the Board on date uncertain relating to the terms and conditions considered to determine if a Medical Social Worker position can be added at the proposed Obstetrics and Gynecology Urgent Care Clinic.

MOTION TO: Receive **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Simitian
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

22. Under advisement from November 7, 2023 (Item No. 17): Introduce and preliminarily adopt Salary Ordinance No. NS-20.23.08, an Ordinance amending Santa Clara County Executive Leadership Salary Ordinance No. NS-20.23, amending Section 2 - Positions, Salary Range, Transfers, and Inplacement, adding subsection (f) providing a one-time payment up to 10% of the salary upon satisfactory completion of the 18-month probationary period for specialized, difficult to fill positions. (ID# 24-4317)

This Ordinance amends the Executive Leadership Salary Ordinance to amend the compensation and benefits for executive leadership and elected officials.

Vice President Lee requested that Administration report to the Board on date uncertain with options for consideration relating to providing new employees of specialized and difficult to fill positions a one-time payment up to 10 percent of the salary in three payments, one-third at the start of employment, one-third at 18 months of employment, and one-third at three years of employment.

MOTION TO: Adopt (preliminary) **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Lee
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Time Certain - To Be Heard No Earlier Than 1:00 p.m.

23. Under advisement from December 19, 2023 (Item 4d): Receive report from the Department of Family and Children's Services and other County Departments related to Child Welfare Procedures and Protocols. (ID# 24-4312)

Supervisor Chavez requested that Administration include line staff union representatives in the discussions regarding updates to the legal staffing process.

Supervisor Chavez requested that Administration report to the Board on date uncertain relating to written roles and responsibilities of individuals engaged in Child Welfare Procedures and Protocols.

Supervisor Chavez requested that President Ellenberg consider scheduling a mid-year study session relating to Child Welfare Procedures and Protocols.

Supervisor Chavez requested that Administration include in future quarterly reports to the Board an updated matrix recommendation structure, including information relating to the source of each recommendation, staff assignments and responses, timelines for completion, and next steps; and, incorporate all initiatives proposed by the Joint Foster Youth Task Force.

At the request of Supervisors Chavez and Arenas, the Board directed Administration to include in the next quarterly report to the Board information relating to the distinction between voluntary and involuntary services, including investigation into County structures, policies, procedures, and partnerships to effectively track when children and families are entering County systems.

At the request of Supervisors Chavez and Arenas, the Board directed Administration and County Counsel to report to the Board on date uncertain relating to options to establish an ad hoc committee to address key issues regarding Child Welfare Procedures and Protocols.

At the request of Supervisors Chavez and Arenas, the Board directed Administration to provide in the next quarterly report to the Board an expanded matrix recommendation structure in the direction of a comprehensive Department of Family and Children's Services (DFCS) Reform Work Plan, including clear outlined goals and objectives, staff and department involvement, milestones and timelines driven by DFCS's mission; and, further requested that the DFCS Reform Work Plan seek to unify the Board's directives to improve the DFCS system, including the directives provided at the December 19, 2023 Special Meeting and focused on outcome data.

At the request of Supervisors Chavez and Arenas, the Board directed Administration to include in the next quarterly report to the Board options for consideration to expand court oversight, including options to expand court supervision to additional targeted sub-populations.

At the request of Supervisors Chavez and Arenas, the Board directed Administration to report to a potential future Child Welfare Procedures and Protocols Ad Hoc Committee on date uncertain relating to an updated Operational Policies and Procedures policy categorized by subject area rather than by month, including information regarding previous and current policies with marked revisions of each policy; and, identification

of changes that relate to the assessment of risk or safety, and/or correct actions for staff.

At the request of Supervisors Arenas and Chavez, the Board directed Administration to report to the Board on a potential future Child Welfare Procedures and Protocols Ad Hoc Committee on date uncertain relating to key issues and service array.

At the request of Supervisors Chavez and Arenas, the Board directed Administration to include the Child Abuse Prevention Council in the DFCS study to be conducted in collaboration with the Probation Department and the Behavioral Health Services Department; and, include in the next quarterly report to the Board information relating to the impacts of recent child welfare practice trends on juvenile justice-involved youth.

At the request of Supervisors Chavez and Arenas, the Board directed Administration to report to the Board in Spring 2024 at a study session relating to DFCS protocol issues, including additional requests and information on the effectiveness of community-based services within DFCS.

At the request of Supervisors Chavez and Arenas, the Board directed Administration and requested that the District Attorney and the Sheriff provide a joint presentation in the next quarterly report to the Board relating to interagency communication and cooperation, including the implementation of the Joint Response Protocol, and a proposal to implement an Electronic Suspected Child Abuse Report System in the County.

At the request of Supervisor Simitian, the Board directed County Counsel and Administration to provide an off-agenda report to the Board on date uncertain, confidential if necessary, relating to options regarding requesting access to the California Department of Social Services (CDSS) report regarding the Phoenix Castro case that respect the privacy of all parties involved. Vice President Lee requested that County Counsel and Administration include in the off-agenda report information relating to options for litigation and an estimated timeline for drafting a complaint to CDSS.

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

24. Receive report from the Social Services Agency, Department of Family and Children's Services, relating to the programmatic services provided at the Hub. (ID# 24-4320)

Added to the Consent Calendar at the request of Supervisor Arenas.

At the request of Supervisor Chavez, the Board directed Administration to report to the Board on date uncertain relating to mechanisms to create integrated projects with a client centered approach, specifically regarding physical infrastructure.

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

25. Receive Transition Age Youth Annual Report for Fiscal Year 2022-2023 from the Social Services Agency, Department of Family and Children's Services. (ID# 23-1835)

Supervisor Simitian left his seat at 5:29 p.m.

Supervisor Chavez requested that the Administration include in future housing reports to the Board information relating to addressing gaps in services for transition age youth.

MOTION TO: Receive **RESULT:** Pass [4 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Lee, Ellenberg
ABSENT: Simitian

26. Receive report from the Social Services Agency, Department of Family and Children's Services, relating to timely medical and dental examinations for children in the County's child welfare system. (ID# 24-4321)

Added to the Consent Calendar at the request of President Ellenberg and Vice President Lee.

At the request of Supervisor Chavez, the Board directed Administration to include in future timely medical and dental reports information relating to incentive strategies and results, particularly regarding older children.

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

27. Approve retroactive Agreement with HopSkipDrive, Inc., relating to providing foster youth transportation to school of origin and child-oriented services in an amount not to exceed \$374,574 for period July 1, 2023 through June 30, 2024, with two one-year extension options, that has been reviewed and approved by County Counsel as to form and legality. An exemption to competitive procurement has been approved by the Office of Countywide Contracting Management pursuant to Board of Supervisors Policy 5.6.5.1(D)(1). (LA-1) (ID# 23-1741)

Added to the Consent Calendar at the request of President Ellenberg.

At the request of Supervisor Chavez, the Board directed Administration to provide an off-agenda report to the Board on date uncertain relating to efforts to ensure program access and flexible transportation for foster youth.

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

28. Receive report from the Social Services Agency, Department of Family and Children's Services, relating to the Welcoming Center evaluation and steps to transfer operations from Seneca Family of Agencies to the County of Santa Clara. (ID# 24-4327)

Added to the Consent Calendar at the request of President Ellenberg and Vice President Lee.

At the request of Supervisor Chavez, the Board directed Administration to report to the Board on a quarterly basis on the regular agenda, until the transfer is complete, relating to the Welcoming Center evaluation and steps to transfer operations to the County.

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

29. Approve retroactive Third Amendment to Agreement with Seneca Family of Agencies relating to providing Intensive Services Foster Care-Plus Program, previously called Enhanced Therapeutic Foster Care, increasing the maximum contract amount by \$1,175,616 from \$2,293,368 to \$3,468,984, and extending the agreement for a 12-month period through June 30, 2024, that has been reviewed and approved by County Counsel as to form and legality. (LA-1) (ID# 23-1647)

Added to the Consent Calendar at the request of President Ellenberg, Vice President Lee, and Supervisor Arenas.

At the request of Supervisor Chavez, the Board directed Administration to include in future Child Welfare Procedures and Protocols reports information relating to fundamental changes to intensive services agreements, if recommended by staff.

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

30. Consider recommendations relating to the Strengthening All Families Equitably program. (LA-1)

Possible action:

- a. Approve retroactive Agreement with Gardner Family Health Network, Inc., doing business as Gardner Health Services, relating to providing Strengthening All Families Equitably program services in an amount not to exceed \$580,000 for period December 1, 2023 through June 30, 2024, with four one-year and one five-month extension options, that has been reviewed and approved by County Counsel as to form and legality.
- b. Approve retroactive Agreement with Odd-Fellow Rebekah Children's Home of California relating to providing Strengthening All Families Equitably program services in an amount not to exceed \$580,000 for period December 1, 2023 through June 30, 2024, with four one-year and one five-month extension options, that has been reviewed and approved by County Counsel as to form and legality.
- c. Approve retroactive Agreement with Pacific Clinics relating to providing Strengthening All Families Equitably program services in an amount not to exceed \$580,000 for period December 1, 2023 through June 30, 2024, with four one-year and one five-month extension options, that has been reviewed and approved by County Counsel as to form and legality.

(ID# 23-1757)

Supervisor Chavez requested that Administration provide an off-agenda report to the Board on date uncertain relating to identifying gaps in nonprofit partners services for children with higher-level needs.

Supervisor Chavez requested that Administration include in the matrix with future reports to the Board a more robust contract history, status of implementation, and placement of services on the continuum of care.

MOTION TO: Approve **RESULT:** Pass [4 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Lee, Ellenberg

ABSENT: Simitian

Board Referrals

31. Approve referral to Administration to report to the Board on May 7, 2024 with options for consideration relating to the viability and costs associated with declaring Lunar New Year a County holiday. (Lee) (ID# 24-4250)

Eleven individuals addressed the Board.

Approved as amended to direct Administration to report to the Board on March 26, 2024.

MOTION TO: Approve as amended **RESULT:** Pass [4 - 0]

MOTION BY: Lee **SECOND BY:** Chavez

AYES: Arenas, Chavez, Lee, Ellenberg

ABSENT: Simitian

Board of Supervisors and Board Appointees

32. Adopt Resolution to reaffirm prior recognition of the flag of the former Republic of Vietnam as the official flag of the Vietnamese American community in Santa Clara County and oppose the display of the flag of the Socialist Republic of Vietnam on County-owned flag poles. (Lee/Chavez) Resolution # BOS-2024-16 (ID# 24-4247)

Five individuals addressed the Board.

MOTION TO: Adopt **RESULT:** Pass [4 - 0]

MOTION BY: Lee **SECOND BY:** Chavez

AYES: Arenas, Chavez, Lee, Ellenberg

ABSENT: Simitian

33. Receive report from County Executive. (ID# 24-4337)

Mr. Williams provided information relating to Vote by Mail ballots for the March 2024 election and advised that additional information is available on the Registrar of Voters website. He further expressed appreciation to the Office of Emergency Management for their efforts during the recent storms and power outages.

RESULT: Received

34. Receive report from County Counsel on legal issues and Closed Session meeting of February 5, 2024. (ID# 24-4338)

Tony LoPresti, County Counsel, stated that there were no reportable actions taken at the February 5, 2024 Closed Session meeting.

RESULT: Received

Regular Agenda - Items for Discussion

35. Consider recommendations relating to assisting recently-arrived migrant families and individuals who are seeking asylum with accessing critical housing and safety net services. (LA-1)

Possible action:

- a. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate an agreement with Amigos de Guadalupe Center for Justice and Empowerment relating to providing coordination of temporary emergency shelter and referrals to support services for families and individuals who intend to seek asylum and who entered the United States after the end of Title 42, increasing the maximum contract amount by \$200,000 from \$510,000 to \$710,000 with no change in term of the 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 on June 30, 2024.
- b. Approve Request for Appropriation Modification No. 159 - \$200,000 transferring funds from the General Fund Contingency Reserve to the Office of the County Executive budget relating to providing coordination of temporary emergency shelter and referrals to support services for families and individuals who intend to seek asylum and who entered the United States after the end of Title 42. (4/5 Vote)
- c. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate agreements with 16 organizations relating to providing immigrant legal support services in an amount not to exceed \$24,392,770 with no change in term of the 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 on June 30, 2024.

(ID# 24-4281)

Five individuals addressed the Board.

MOTION TO: Approve **RESULT:** Pass [4 - 0]

MOTION BY: Lee **SECOND BY:** Chavez

AYES: Arenas, Chavez, Lee, Ellenberg

ABSENT: Simitian

36. Under advisement from October 19, 2023 Public Safety and Justice Committee (Item No. 4), receive report from the Public Health Department relating to violence prevention and intervention mapping. (ID# 24-1945)

Two individuals addressed the Board.

At the request of President Ellenberg, the Board directed Administration to prioritize consideration of violence prevention grant applicants' community engagement planning practices, as well as applicants' existing neighborhood ties; and, provide an off-agenda report to the Board on date uncertain relating to the outcome of violence prevention grants once awards have been made.

At the request of Supervisor Arenas, the Board directed Administration to include in the next violence prevention and intervention mapping report to the Board information relating to identified service gaps in South County to facilitate creation of a baseline in terms of services that are needed, and programs that are important and effective.

At the request of Supervisor Chavez, the Board directed Administration to include in the violence prevention and intervention mapping workplan for Board consideration on date uncertain information relating to the integration of Board directives at a policy level that does not require referrals requesting a coordinated approach, and instead promotes a unified culture that integrates priorities at a rapid pace.

MOTION TO: Receive **RESULT:** Pass [4 - 0]
MOTION BY: Ellenberg **SECOND BY:** Arenas
AYES: Arenas, Chavez, Lee, Ellenberg
ABSENT: Simitian

37. Under advisement from November 7, 2023 (Item No. 18): Receive report from the Behavioral Health Services Department relating to options to identify and lawfully provide addiction services and treatment options in locations of greatest needs and the cost of implementation. (ID# 24-4353)

Held to February 27, 2024 at the request of Administration.

MOTION TO: Hold **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

38. Consider items previously removed from the Consent Calendar. (ID# 24-4288)
 No items were removed from the Consent Calendar.

Closing

39. Adjourn. (See Item No. 4) (ID# 23-1775)

President Ellenberg adjourned the meeting at 7:07 p.m.

Consent Calendar - Items will be considered under Item No. 7. Items removed from the Consent Calendar will be considered at the end of the Regular Agenda.

40. Minutes Approval: (ID# 24-4333)

- a. Approve minutes of the January 22, 2024 Regular Meeting: Presentations and Closed Session. (ID# 24-4350)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

- b. Approve minutes of the January 23, 2024 Regular Meeting. (ID# 24-4351)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

- c. Approve minutes of the January 25, 2024 Special Meeting – State of the County. (ID# 24-4352)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Social Services Agency

41. Consider recommendations relating to a reclassification of one Program Manager II to Program Manager III in the Social Services Agency.

Possible action:

- a. Introduce and preliminarily adopt Salary Ordinance No. NS-5.24.45, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees deleting one Program Manager II position and adding one Program Manager III position in the Social Services Agency.
- b. Approve Request for Appropriation Modification No. 142 - \$3,041 increasing revenue and expenditures in the Social Services Agency budget, relating to a class study of one Program Manager II. (4/5 Vote)

(ID# 23-1843-01)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

42. Approve Agreement with Exemplar Human Services, LLC, relating to providing reporting tools and services in an amount not to exceed \$595,000 for period February 6, 2024 through June 30, 2025, that has been reviewed and approved by County Counsel as to form and legality. A sole 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). (LA-1) (ID# 23-1840)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

43. Consider recommendations relating to extending two unclassified positions in the Program Support, Research, and Evaluation Department in the Social Services Agency.

Possible action:

- a. Approve Request for Appropriation Modification No. 119 - \$48,041 increasing estimated revenue and expenditure appropriations in the Social Services Agency budget, relating to extending two unclassified IT Business Analyst or Associate IT Business Analyst positions. (4/5 Vote)
- b. Introduce and preliminarily adopt Salary Ordinance No. NS-5.24.52, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees revising Footnote 871 to extend the expiration date for two unclassified IT Business Analyst or Associate IT Business Analyst positions in the Social Services Agency. Positions shall expire at 11:59 p.m. on September 1, 2024.

(ID# 24-2071)

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

44. Introduce and preliminarily adopt Salary Ordinance No. NS-5.24.50, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees deleting one Administrative Assistant position and adding one Management Analyst or Associate Management Analyst position in the Social Services Agency. (ID# 24-2069)

MOTION TO: Adopt (preliminary) **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

45. Consider acceptance of donation of \$10,000 from the Scheler Family Survivor's Trust on behalf of the Social Services Agency.

Possible action:

- a. Accept donation.
- b. Authorize President of the Board to forward letter of appreciation to the Scheler Family Survivor's Trust.

(ID# 24-1886)

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

46. Consider acceptance of donation of \$10,000 from the Scheler Family Exemption Trust on behalf of the Social Services Agency.

Possible action:

- a. Accept donation.

- b. Authorize President of the Board to forward letter of appreciation to the Scheler Family Exemption Trust.
(ID# 24-1870)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Santa Clara Valley Healthcare

47. Approve retroactive Fourth Amendment to Agreement with CEP America-Anesthesia, PC, relating to providing anesthesia coverage for surgical and obstetrics services, at O'Connor Hospital (SCVH-O'Connor) 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. (LA-1) (ID# 24-2658)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

48. Approve retroactive Fourth Amendment to Agreement with Professional Research Consultants, Inc., relating to providing patient satisfaction and patient experience surveys, increasing the maximum contract amount by \$1,325,000 from \$5,583,900 to \$6,908,900, and extending the Agreement for a 12-month period through December 31, 2024, that has been reviewed and approved by County Counsel as to form and legality. An exception to Board of Supervisors Policy 5.4.5.4, Length of Term of Contracts, has been approved by the Office of Countywide Contracting Management. (LA-1) (ID# 24-2048)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

49. Approve extension of extra-help hours beyond the current 1,040 hours limitation for the remainder of Fiscal Year 2023-2024 for 699 extra-help Santa Clara Valley Healthcare clinical and support services staff. (ID# 24-2166)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Employee Services Agency

50. Consider recommendations relating to a temporary sign-on bonus program for lateral and academy graduate correctional and enforcement deputies for the Office of the Sheriff.
Possible action:
- a. Approve a Temporary Sign-On Bonus Program in an amount not to exceed \$3,500,000 for lateral and Academy graduate correctional and enforcement

deputies for the Office of the Sheriff, providing a sign-on bonus totaling up to \$40,000, for lateral correctional and enforcement deputy candidates, and a sign-on bonus totaling up to \$20,000 for Academy graduate correctional and enforcement deputy candidates, subject to Program requirements.

- b. Ratify Side Letter Agreement with the Correctional Peace Officers' Association (CPOA) relating to measures to incentivize lateral hires from other law enforcement agencies into classifications represented by the CPOA, that has been reviewed and approved by County Counsel as to form and legality.
- c. Ratify Side Letter Agreement with the Deputy Sheriff's Association (DSA) relating to measures to incentivize lateral hires from other law enforcement agencies into classifications represented by the DSA, that has been reviewed and approved by County Counsel as to form and legality.
- d. Ratify Side Letter Agreement with the Service Employees International Union, Local 521, relating to measures to incentivize referrals of lateral hires from other law enforcement agencies into classifications represented by the DSA and the CPOA, that has been reviewed and approved by County Counsel as to form and legality.
- e. Ratify Side Letter Agreement with the County Employees Management Association relating to measures to incentivize referrals of lateral hires from other law enforcement agencies into classifications represented by the DSA and the CPOA, that has been reviewed and approved by County Counsel as to form and legality.

(ID# 24-3357)

At the request of Vice President Lee, the Board directed Administration to provide an off-agenda report to the Board on date uncertain relating to the payment schedule for lateral bonuses and how the implementation will ensure longevity of new lateral hires.

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

51. Introduce and preliminarily adopt Salary Ordinance No. NS-5.24.48, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees deleting one Database Administrator or Associate Database Administrator position and adding one Senior Database Administrator position in Technology Services and Solutions. (ID# 24-2059)

MOTION TO: Adopt (preliminary) **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Board of Supervisors

52. Consider recommendations relating to sponsorship of the 2024 Friar Mateo Sheedy Luncheon Celebration. (Chavez) (LA-1)

Possible action:

- a. Approve waiver of Board of Supervisors' Policy 3.68.4.2 which requires approval of sponsorship at least 30 days before the event/activity.
- b. Approve County sponsorship of the Sacred Heart Nativity School in the amount of \$750 from the Supervisorial District Two allocation in the Office of the Clerk of the Board Fiscal Year 2023-2024 budget to support the 2024 Friar Mateo Sheedy Luncheon Celebration.

(ID# 24-4314)

MOTION TO: Approve **RESULT:** Pass [5 - 0]**MOTION BY:** Chavez **SECOND BY:** Arenas**AYES:** Arenas, Chavez, Simitian, Lee, Ellenberg

53. Consider recommendations relating to sponsorship of the Hoang Sa Truong Sa event, hosted by the South Vietnamese Navy Veterans - NorCal. (Lee) (LA-1)

Possible action:

- a. Approve waiver of Board of Supervisors' Policy 3.68.4.2 which requires approval of sponsorship at least 30 days before the event/activity.
- b. Approve County sponsorship of the South Vietnamese Navy Veterans - NorCal in the amount of \$1,000 from the Supervisorial District Three allocation in the Office of the Clerk of the Board Fiscal Year 2023-2024 budget, to support the Hoang Sa Truong Sa event.

(ID# 24-4220)

MOTION TO: Approve **RESULT:** Pass [5 - 0]**MOTION BY:** Chavez **SECOND BY:** Arenas**AYES:** Arenas, Chavez, Simitian, Lee, Ellenberg

54. Announce travel for elected officials as follows: (ID# 24-4298)

- a. Lawrence E. Stone, Assessor, will travel to New York, NY to attend the Urban Land Institute Spring Meeting on April 8-11, 2024. (ID# 24-4203)

RESULT: Announced

55. Pursuant to Government Code Section 53232.3(d), no member of the Board of Supervisors attended a meeting, as defined in Government Code Section 54952.2(a), at the expense of the County of Santa Clara for period January 18, 2024 through January 31, 2024. (ID# 24-4356)

RESULT: Announced**County Executive**

56. Approve usage of funding from the Office of the County Executive budget for travel to Palm Springs, California, for Supervisor Chavez to attend and serve as keynote speaker at the Aviation Noise and Emissions symposium on March 4-5, 2024. (ID# 24-4319)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

57. Receive report from the Office of the County Executive relating to anticipated solicitations. (ID# 24-2175)

MOTION TO: Receive **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

58. Receive monthly status report on the items referred to Administration. (ID# 24-4331)

MOTION TO: Receive **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Office of Supportive Housing

59. Approve amended delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate all legal documents, including but not limited to contracts, loan agreements, deeds of trust, promissory notes, subordination agreements, assignment agreements, option to acquire, and estoppels relating to one or more loans with Charities Housing Development Corporation of Santa Clara County or affiliate, increasing the maximum loan amount by \$1,070,694 from \$12,100,000 to \$13,170,694 for the development of 106 new affordable housing units, plus two manager's units referred to as Civic Center to be located at 1601 Civic Center Multifamily Affordable Housing Development, Santa Clara, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive, and subject to Administration review of related due diligence matters and other standard requirements set forth in the final documentation. Delegation of authority shall expire on December 31, 2026. (LA-1) (ID# 24-2053)

MOTION TO: Hold **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

60. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate all legal documents such as contracts, loan agreements, amendments, deeds of trust, promissory notes, subordination agreements, assignment agreements, assumption amendments, regulatory agreements, and estoppel agreements with Carroll Street Associates or its affiliate, relating to an existing County loan in the total principal amount of \$200,008 for Carroll Inn, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2026. (LA-1) (ID# 24-2176)

MOTION TO: Hold **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

61. Adopt Resolution delegating authority to the County Executive, or designee, to execute an amendment to a State of California Standard Agreement and any and all other amendments and documents required or deemed necessary for Homekey Program funds and the Standard Agreement relating thereto for the conversion of the Crestview Hotel into affordable and supportive housing, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2026. Resolution # BOS-2024-17 (ID# 24-2123)

Corrected to reflect that the item is subject to the Levine Act. (LA-1)

MOTION TO: Adopt **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

62. Under advisement from November 1, 2022 (Item No. 13): Consider recommendations relating to real property located at 4388 Alpine Road, Portola Valley. (LA-1)
Possible action:
- a. Approve Request for Appropriation Modification No. 147 - \$1,500,000 increasing estimated expenditure appropriations in the Office of Supportive Housing budget, relating to a residual receipts loan to AbilityPath Housing, or affiliate, to support the Affordable Housing Development. (4/5 Vote)
 - b. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate all legal documents, including but not limited to contracts, loan agreements, deeds of trust, promissory notes, subordination agreements, assignment agreements, and estoppels relating to one or more loans with AbilityPath Housing or affiliate, in an amount not to exceed \$1,500,000 for the development of 11 new affordable housing units, plus two manager's units, referred to as Willow Commons to be located at 4388 Alpine Road, Portola Valley, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive, and subject to Administration review of related due diligence matters and other standard requirements set forth in the final documentation. Delegation of authority shall expire on December 31, 2026. (ID# 24-3289)

Held to February 27, 2024 at the request of Administration.

MOTION TO: Hold **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

63. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate a retroactive option to extend lease agreement with the City of San José relating to use of 937 Locust Street as a temporary housing site in an amount not to exceed \$63,000 per year and a contract term that begins no earlier than July 1, 2023 and ends no later than June 30, 2033, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2026.
(ID# 24-2083)

MOTION TO: Hold **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

64. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate agreements, such as exclusive negotiating agreements or development agreements with Eden Housing, or their affiliate(s), in connection with the planning of a potential affordable housing development of approximately 5 acres of property located at 10333 N. Wolfe Road, Cupertino, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2026. (ID# 24-4302)

Corrected to reflect that the item is subject to the Levine Act. (LA-1)

MOTION TO: Hold **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

County Library

65. Introduce and preliminarily adopt Salary Ordinance No. NS-5.24.51, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees adding two Library Clerk positions and one Janitor position to the Santa Clara County Library District. (ID# 24-2168)

MOTION TO: Adopt (preliminary) **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Boards and Commissions

66. Approve Board-As-a-Whole appointments and reappointments to various Boards and Commissions: (ID# 24-4336)
- a. Supervisor Ellenberg nominates:
 - i. Patti Selan for appointment to the Personnel Board, seat number 4.
(ID# 24-4260)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Office of the District Attorney

67. Approve an exception to Board Policy 3.44, Use of County Facilities, to facilitate the conduct of the Blood Alcohol Storage Conditions Study. (ID# 24-3297)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Commendations and Proclamations

68. Commendations and Proclamations. (See Item No. 5) (ID# 24-4308)
- a. Adopt Commendation for Santa Clara Family Health Plan for their commitment to celebrating and preserving Vietnamese heritage and culture in Santa Clara County through their 3rd Annual Lunar New Year Celebration. (Arenas) (ID# 24-4315)

MOTION TO: Adopt **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

- b. Adopt Commendation for the Vietnamese Catholic Community in the Diocese of San José for their steadfast dedication to sharing Vietnamese experiences, customs, and traditions with the broader Santa Clara County community on the occasion of the 2024 New Year Festival. (Chavez/Lee) (ID# 24-4305)

MOTION TO: Adopt **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

- c. Adopt Commendation for Lien Hoi Cuu Quan Nhan Bac Cali & Councilmember Bien Doan for strengthening the Vietnamese American community through celebration of TET and promoting tradition, culture, heritage, and family in Santa Clara County. (Lee) (ID# 24-4251)

MOTION TO: Adopt **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Department of Planning and Development

69. Approve Ninth Amendment to Agreement with Metropolitan Planning Group DBA M-Group relating to providing planning project management services to complete its work processing the land use entitlement applications for the Z-Best Composting Facility, with no change to the maximum contract amount, and extending the Agreement for a 10-month period through December 31, 2024, that has been reviewed and approved by County Counsel as to form and legality. An exception to Board of Supervisors Policy 5.4.5.4, Length of Term of Contracts, has been approved by the Office of Countywide Contracting Management. (LA-1) (ID# 24-3354)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Parks and Recreation Department

70. Approve Fourth Amendment to the All-Inclusive Playground Grant Funding Agreement with the City of Mountain View relating to construction of the Magical Bridge Playground at Rengstorff Park, with no change to the grant award amount and match requirement, extending the deadline for the playground to be opened to the public by October 31, 2024, revising Grant Scope to reflect the portion of the project to be completed and submitted for reimbursement during the reimbursement eligibility period, that has been reviewed and approved by County Counsel as to form and legality. (LA-1) (ID# 24-1867)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

71. Consider acceptance of gift/donation of \$18,000 from the Friend of Martial Cottle Park on behalf of the Parks and Recreation Department.
Possible action:
- a. Accept gift.
 - b. Authorize President of the Board to forward letter of appreciation to the Friends of Martial Cottle Park.
- (ID# 24-4252)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Roads and Airports Department

72. Receive report from the Roads and Airports Department relating to an emergency procurement to repair sewer lines at 101 Skyport Drive, San Jose, CA 95110.
(ID# 23-1792)

MOTION TO: Receive **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

73. Adopt Resolution establishing one-way stop control for intersection of Lavender Lane with Orange Blossom Lane. Resolution # BOS-2024-18 (ID# 24-4259)

MOTION TO: Adopt **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Facilities and Fleet Department

74. Consider recommendations relating to Professional Services Agreements (PSA) for architectural-engineering (AE) and related professional design services for various projects at the County of Santa Clara. (LA-1)

Possible action:

- a. Approve PSA with Dreyfuss + Blackford Architecture relating to providing AE and related professional design services in an amount not to exceed \$5,000,000 for period February 6, 2024 through February 5, 2029, that has been reviewed and approved by County Counsel as to form and legality.
- b. Approve PSA with Fong & Chan Architects relating to providing AE and related professional design services in an amount not to exceed \$5,000,000 for period February 6, 2024 through February 5, 2029, that has been reviewed and approved by County Counsel as to form and legality.
- c. Approve PSA with Interactive Resources, Inc. relating to providing AE and related professional design services in an amount not to exceed \$5,000,000 for period February 6, 2024 through February 5, 2029, that has been reviewed and approved by County Counsel as to form and legality.
- d. Approve PSA with DG Architects, Inc. dba DGA relating to providing AE and related professional design services in an amount not to exceed \$5,000,000 for period February 6, 2024 through February 5, 2029, that has been reviewed and approved by County Counsel as to form and legality.
- e. Approve PSA with JCA/AET JV relating to providing AE and related professional design services in an amount not to exceed \$5,000,000 for period February 6, 2024 through February 5, 2029, that has been reviewed and approved by County Counsel as to form and legality.
- f. Approve PSA with Russell + Lopes Architects relating to providing AE and related professional design services in an amount not to exceed \$5,000,000 for period February 6, 2024 through February 5, 2029, that has been reviewed and approved by County Counsel as to form and legality.
- g. Authorize the County Executive, or designee, to be the Owner's Authorized Representative to negotiate, execute, amend, and take any and all necessary or advisable actions relating to the PSA, including issuance of Project Agreements for services during the term of the PSA, extension of the PSA term by up to six months, and increase of the maximum compensation limit by up to \$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 February 5, 2029.

(ID# 23-1629)

<p>MOTION TO: Approve RESULT: Pass [5 - 0] MOTION BY: Chavez SECOND BY: Arenas AYES: Arenas, Chavez, Simitian, Lee, Ellenberg</p>
--

75. Consider recommendations relating to 2024 Job Order Contracts (JOCs). California Environmental Quality Act (CEQA): Exempt from CEQA pursuant to Sections 15301 and 15303 of the CEQA Guidelines.

Possible action:

- a. Authorize the County Executive, or designee, to issue a Prequalification Package for contractors seeking to bid on County of Santa Clara JOCs, determine the pool of prequalified contractors based on the approved Contractor Prequalification Package, and to conduct a determination appeal hearing if necessary.
- b. Approve the JOC Bidding and Contracting Documents (Project Manuals) relating to Backlog Programs and other Board-approved Projects for both low bid JOCs and best value JOCs.
- c. Approve delegation of authority to the County Executive, or designee, to solicit and/or resolicit up to ten individual JOCs on a best value basis, or alternatively on a low bid basis if the best value process is not feasible, using the approved Project Manuals, and direct the Clerk of the Board to advertise and to open low bid JOC bids, when applicable, in the Office of the Clerk of the Board of Supervisors for period February 6, 2024 through December 31, 2024. Delegation of authority shall expire on December 31, 2024.
- d. Approve delegation of authority to the County Executive, or designee, to make clarifications, make minor changes, and issue addenda as necessary to the contract documents and the advertisement, including the timing of receipt of proposals. Delegation of authority shall expire on December 31, 2024.

(ID# 24-3360)

MOTION TO: Approve **RESULT:** Pass [5 - 0]

MOTION BY: Chavez **SECOND BY:** Arenas

AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

76. Consider recommendations relating to Building M Cafe Renovation. California Environmental Quality Act (CEQA): Exempt from CEQA pursuant to Sections 15301 and 15303 of the CEQA Guidelines. (Project No. 263-CP19020-10).

Possible action:

- a. Award contract to BCCI Construction in the amount of \$6,401,719 with a construction time of 275 calendar days.
- b. Approve encumbrance of additional \$960,258 as Supplemental Work Allowance for a total encumbered amount of \$7,361,977.
- c. Authorize the County Executive, or designee, as the Owner's Authorized Representative, including but not limited to authority to issue Change Orders as necessary against the allowance for Supplemental Work pursuant to Public Contract Code section 20142 and to approve modifications to the Contract Time.
- d. Ratify Addendum to Bid Documents Nos. 1-5, which modified or clarified the Bid Documents in response to contractor questions.

(ID# 24-3356)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

77. Consider recommendations relating to adding an Administrative Services Manager I in the Facilities and Fleet Department.

Possible action:

- a. Approve Request for Appropriation Modification No. 143 - \$88,591 transferring funds from various department budgets to the Facilities and Fleet Department budget relating to adding one Administrative Services Manager I position.
- b. Introduce and preliminarily adopt Salary Ordinance No. NS-5.24.53, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees adding one Administrative Services Manager I position in the Facilities and Fleet Department.

(ID# 24-2049)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

78. Consider recommendations relating to intention to purchase real property necessary to expand access for primary and specialty health services at Saint Louise Regional Hospital.

Possible action:

- a. Adopt Resolution of Intent to Purchase Real Property located at 9460 No Name Uno, Gilroy, California, Assessor's Parcel No. 835-05-033.
- b. Authorize Clerk of the Board to set Tuesday, March 12, 2024, at no earlier than 10:00 a.m., as the date and time to consider acquisition of the Real Property.
- c. Direct Administration to negotiate, sign, amend, or terminate a purchase and sale agreement contingent on Board of Supervisors approval, with the trustee in bankruptcy of the Estate of Elessar Properties, LLC, relating to acquiring the real property at 9460 No Name Uno in an amount not to exceed \$14,000,000, following approval by County Counsel as to form and legality and approval by the Office of the County Executive.
- d. Approve establishment of Capital Improvement Project 263-CP24033 "Purchase 9460 No Name Uno."
- e. Approve Request for Appropriation Modification No. 157- \$14,000,000 transferring funds from 263-CP20002 "Silver Creek Improvements" to Capital Project No. 263-CP24033 "Purchase 9460 No Name Uno."

(ID# 24-4181)

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Central Fire Protection District

79. Receive reports from the Santa Clara County Central Fire Protection District relating to the Fiscal Year 2022-2023 Annual Comprehensive Financial Report and Memorandum on Internal Control and Required Communications. (ID# 24-1911)

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

MOTION TO: Receive **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

80. Approve Agreement with Quality Cleaning Professionals, LLC, relating to providing performance-based janitorial services for the Santa Clara County Central Fire Protection District in an amount not to exceed \$1,750,000 for period February 6, 2024 through March 31, 2026, with one two-year extension option, that has been reviewed and approved by County Counsel as to form and legality. (LA-1) (ID# 24-3394)

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

MOTION TO: Approve **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Final Adoption of Ordinances

81. Final adoption of Salary Ordinance No. NS-5.24.47, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees adding one Supervising Account Clerk I position in the Roads and Airports Department. (ID# 23-1746-01)

MOTION TO: Adopt (final) **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

82. Final adoption of Salary Ordinance No. NS-20.23.06, an Ordinance amending Santa Clara County Executive Leadership Master Salary Ordinance No. NS-20.23 relating to compensation of employees increasing the flat rate salaries of the Assessor, District Attorney, and Sheriff by 2.6163 percent. (ID# 24-1858-01)

This Ordinance amends the Executive Leadership Salary Ordinance to amend the compensation and benefits for executive leadership and elected officials.

MOTION TO: Adopt (final) **RESULT:** Pass [3 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Lee
ABSTAIN: Simitian, Ellenberg

83. Consider recommendations relating to various actions in the Office of the District Attorney.

Possible action:

- a. Final adoption of Salary Ordinance No. NS-20.23.07, an Ordinance amending Santa Clara County Executive Leadership Master Salary Ordinance No. NS-20.23 adding one Communications Director-District Attorney’s Office position in the Office of the District Attorney; adding one Assistant District Attorney; and deleting one Unclassified Assistant District Attorney.
- b. Final adoption of Salary Ordinance No. NS-5.24.46, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees adding one Unclassified Assistant to the District Attorney position in the Office of the District Attorney and amending the Salary Schedule to add the classification of Unclassified Assistant to the District Attorney.

(ID# 24-1859-01)

Ordinance No. NS-20.23.07 amends the Executive Leadership Salary Ordinance to amend the compensation and benefits for executive leadership and elected officials.

MOTION TO: Adopt (final) **RESULT:** Pass [5 - 0]
MOTION BY: Chavez **SECOND BY:** Arenas
AYES: Arenas, Chavez, Simitian, Lee, Ellenberg

Susan Ellenberg, President
Board of Supervisors

Signed and certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.

Attest:

Curtis Boone, Acting Clerk
Board of Supervisors
(cm/cr/ck)