



MINUTES - FINAL

Hybrid Meeting

Tuesday, October 18, 2022

9:00 AM

<https://smcgov.zoom.us/j/92029203668>

*****HYBRID MEETING - IN-PERSON AND BY VIDEOCONFERENCE*****

The meeting began at 9:02 a.m.

Instructions on written and verbal public comments were read in both English and Spanish.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 5 - Supervisor Dave Pine, Supervisor Carole Groom, Supervisor Don Horsley, Supervisor Warren Slocum, and Supervisor David J. Canepa

HONORING THE LIFE OF / BOARD MEMBER REMARKS

Supervisor Warren Slocum honored the life of Peter Fortenbaugh.

Supervisor Don Horsley honored the lives of Rosa Perez and Carlos Gonzalez.

Supervisor David Canepa honored the lives of Angela Santillan and Mary Helen Tevis Fields.

PUBLIC COMMENT

Verbal Comment(s) via ZOOM:

Martin Fox, Burnett Silveria, Deacon Lauren McCombs, Debra Leschyn, Elsa Schafer, Fran Pollard, Adria Arko, and speaker from C.A. Native Plant Society - Yerba Buena Chapter.

Verbal Comments from Chambers:

Jim Lawrence and Beth von Emster

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Motion: Pine / Second: Slocum

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

PRESENTATIONS AND AWARDS

1. Experiences and History of People of Color with Disabilities in San Mateo County: Ligia Andrade Zuniga.

Sponsors: Supervisor Don Horsley

Speakers recognized by the President:

Supervisor Don Horsley, Ligia Andrade Zuniga, Beth Von Emster, Supervisor David Canepa and Paul Bocanegra.

2. Informational Presentation: Behavioral Health Commission Crisis Response Recommendations

Sponsors: Supervisor Dave Pine

Speakers recognized by the President:

Chris Rasmussen - Chair of County Behavioral Health Commission, Sheila Brar - Vice Chair, Mike Callagy - County Executive, Supervisor David Canepa, Pat Willard, and Clara Jaeckel.

3. Presentation of a proclamation designating October 2022 as Domestic Violence Awareness Month and presentation of an honorary resolution recognizing Melissa Gibbs as the 2022 Barbara Hammerman Award Recipient.

Sponsors: Supervisor Carole Groom

Speakers recognized by the President:

Supervisor Carole Groom, Karen Ferguson - CORA, and Melissa Gibbs.

Motion: Groom / Second: Pine

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

Enactment No: Proc No. - 4485 and 4486

4. Presentation of a proclamation designating October 2022 as Filipino American History Month.

Sponsors: Supervisor David J. Canepa

Speakers recognized by the President:

Supervisor David Canepa, Dr. Hazel Benigno, and Perla Ibarrientos.

Motion: Canepa / Second: Horsley

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

Enactment No: Proc/Hon. Res-4487

- 5. Presentation on the Annual Housing Heroes Awards.

Sponsors: Supervisor Carole Groom

Speakers recognized by the President:

Supervisor Carole Groom and Lee Harrison.

MATTERS SET FOR SPECIFIED TIME

9:30 a.m.

DEPARTMENT PERFORMANCE PRESENTATIONS

- 6. San Mateo County Health - Louise F. Rogers, Chief

Additional speakers recognized by the President:

Marc Meulman - Health, Chester Kunnappilly - Health, Lisa Mancini - Health, Carlos Morales - Health, Lizelle de la Luna - Health, and Supervisor Carole Groom.

- 7. Human Services Agency - Ken Cole, Director

- 8. Child Support Services - Kim Cagno, Director

The Board went into recess at 12:23 p.m.

The Board resumed to open session at 12:55 p.m. with all Supervisors present.

10:30 a.m.

BOARD OF SUPERVISORS

- 9. Receive staff report regarding proposed minimum wage ordinance, receive public input regarding proposed minimum wage ordinance, and direct staff to develop and present to the Board of Supervisors for its consideration a Minimum Wage Ordinance.

Sponsors: Supervisor Dave Pine and Supervisor Don Horsley

Speakers recognized by the President:

All Supervisors spoke on this item, Lina Silberman - Legislative Aide for District 3, Rita Mancera - Puente, Judith Guerreo, Coastside Hope, Davud Burruto - Chief Legislative Aide for District 1, Jen Stalzer - Deputy County Attorney, Rosa Shields, and Charles Stone - City of Belmont.

No direction provided by the Board.

Motion made by Supervisor Carole Groom, seconded by Supervisor Dave Pine and approved unanimously to amend the agenda to hear Item No. 14 before Item No. 10.

REGULAR AGENDA

PLANNING AND BUILDING

- 14. Recommendation to uphold the appeal of the Planning Commission’s denial of a Minor Subdivision, Grading Permit, and Resource Management Permit for a proposed 3-lot subdivision, in the unincorporated Highlands area of San Mateo County. Three conditions related to fire safety have been added to the project to address Planning Commission’s denial findings, and Planning staff recommends approval with the incorporation of the new conditions, and adoption of the Revised Recirculated Initial Study/Mitigated Negative Declaration.

Speakers recognized by the President:

Steve Monowitz - Director of Planning and Building.

Applicants: Matthew Francois, KErry MacDonald, and David Shu

Appellants: Winter King-Shute (Mihaly & Weinberger), Lennie Roberts, Gary Trott, and Liesje Nicolas.

Public Speakers: Kim Ricket, Ronald Ricket, and Tania Leung.

Motion: Slocum / Second: Groom

Yes: 4 - Pine, Groom, Horsley, and Slocum

No: 1 - Canepa

HEALTH

- 10. Recommendation to:

- A) Introduce an ordinance amending Section 5.64.070 ordinance amending Section 5.64.070 (collection of fees) of Chapter 5.64 (fees for enforcement of state public health laws) of Title 5 (business regulations) of the San Mateo County Ordinance Code, relating to imposition of fees for enforcement of state public health laws, and waive the reading of the ordinance in its entirety; and

- B) Adopt a resolution authorizing the Director of the Environmental Health Services division of San Mateo County Health, or designee(s), to implement a program to pay for a one-time credit equal to the difference between the cost of the current annual fee and the cost of the new annual fees, if increased pursuant to the ordinance passed herein, at a total cost not to exceed \$2,100,000, for certain Environmental Health Services-regulated businesses which qualify as small businesses under the American Rescue Plan Act (ARPA).

Speakers recognized by the President:

Heather Forshey - Health, Blythe Young, and Jen Grand-Lejano.

Motion: Horsley / Second: Slocum

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

Enactment No: Resolution-079227

HOUSING

11. Public hearing regarding the Authorization for the Amended Plan and Application for the 2021 calendar year's Permanent Local Housing Allocation (PLHA) Funds from the State of California Department of Housing and Community Development:
- A) Open public hearing
 - B) Close public hearing
 - C) Adopt a resolution:
 - 1. Representing and certifying that if the County of San Mateo Department of Housing (DOH) receives a grant of Permanent Local Housing Allocation (PLHA) funds from the California Department of Housing and Community Development (CA HCD) pursuant to the August 17, 2022 Permanent Local Housing Allocation Notice of Funding Availability (PLHA NOFA), attached hereto as Exhibit A, that DOH will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA Program, as well as any and all contracts DOH may have with the CA HCD; and
 - 2. Authorizing and directing DOH to receive a PLHA grant, in an amount not to exceed \$7,257,300, the five-year estimate of the PLHA formula allocations stated in Appendix C of the current California PLHA NOFA, in accordance with all applicable rules and laws; and
 - 3. Representing and certifying that DOH agrees to use the PLHA funds for eligible activities as approved by the CA HCD and in accordance with all PLHA Program requirements, PLHA Program Guidelines, other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement, its Application, and other contracts between DOH and the CA HCD; and
 - 4. Representing and certifying that DOH shall be subject to the terms and

conditions as specified in the Standard Agreement, the PLHA Program Guidelines, and any other applicable SB 2 guidelines published by the CA HCD; and

- 5. Representing and certifying that the County has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), "entity" means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation; and
- 6. Representing and certifying that if funds are used for the development of an Affordable Rental Housing Development, the Local government shall make PLHA assistance in the form of a low-interest, deferred loan to the Sponsor of the Project, and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with a Local government-approved underwriting of the Project for a term of at least 55 years; and
- 7. Approving, pursuant to section 302(c)(4) of the PLHA Final Guidelines, the County's amended PLHA Plan attached hereto as Exhibit B, and certifying compliance with all public notice, comment and hearing requirements in accordance with the Guidelines; and
- 8. Authorizing the Department of Housing Director to execute the PLHA Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the PLHA grant awarded to Applicant, as the CA HCD may deem appropriate.

Speakers recognized by the President:

Ray Hodges - Director of Housing and Karen Coppock.

Motion to open the public hearing: Groom / Second: Slocum

Verbal roll call vote was taken:

Yes: 5 - Pine, Groom, Horsley, Slocum; and Canepa

No: 0

Public Speakers:

None

Motion to close the public hearing: Groom / Second: Horsley

Verbal roll call vote was taken:

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

Motion to approve the resolution: Pine / Second: Groom

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

Enactment No: Resolution-079228

HUMAN SERVICES AGENCY

12. Adopt a resolution authorizing an agreement with LifeMoves to provide non-congregate homeless shelter services for the term of October 18, 2022 through June 30, 2027, for a total obligation amount not to exceed \$22,985,417.

Speakers recognized by the President:

Ken Cole, Director of Human Service Agency

Motion: Pine / Second: Groom

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

Enactment No: Resolution-079229

OFFICE OF SUSTAINABILITY

13. Recommendation to:

- A) Adopt a resolution adopting the 2022 Draft San Mateo County General Plan Climate Element and adopting the 2022 Draft Community Climate Action Plan; and
- B) Adopt a resolution adopting the Final Initial Study - Negative Declaration for both the 2022 Draft San Mateo County General Plan Climate Element and the 2022 Draft Community Climate Action Plan.

Speakers recognized by the President:

Carolyn Bloede - Director of Office of Sustainability, Alana Andrade - Office of Sustainability, Supervisor Dave Pine and Supervisor Carole Groom.

Motion: Pine / Second: Groom

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

Enactment No: Resolutions-079230 and 079264

COUNTY EXECUTIVE

15. **Measure K:** Recommendation to:

- A) Adopt a resolution authorizing a one-time grant to St. Francis Center of Redwood City to support the renovation of four (4) affordable housing units in an amount not to exceed \$77,536, and authorizing the County Executive, or designee, to execute the agreement; and

- B) Approve an Appropriation Transfer Request (ATR) in the amount of \$77,536 appropriating Measure K funds from Non-Departmental Services Reserves to Non-Departmental Services Miscellaneous Other Contributions to support the rehabilitation of four affordable housing units at St. Francis Center of Redwood City.

Speakers recognized by the President:

Mike Callagy - County Executive

Motion: Slocum / Second: Groom

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

Enactment No: Resolutions-079231 and 079232

- 16. **Measure K:** Adopt a resolution authorizing a one-time grant of district-discretionary **Measure K** funds, not to exceed \$10,000, to CyArk for the development of a 3D web-based virtual tour of Pigeon Point Lighthouse, and authorizing the County Executive, or designee, to execute the grant agreement.

Sponsors: Supervisor Don Horsley

Speakers recognized by the President:

Supervisor Don Horsley

Motion: Horsley / Second: Pine

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

Enactment No: Resolution-079233

- 17. **Measure K:** Adopt a resolution authorizing a one-time grant of district-discretionary **Measure K** funds, not to exceed \$75,000, to California Clubhouse to pilot the next phase of the Supported Employment Program and authorizing the County Executive, or designee, to execute the grant agreement.

Sponsors: Supervisor Don Horsley

Speakers recognized by the President:

Supervisor Don Horsley

Motion: Horsley / Second: Groom

Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa

No: 0

Enactment No: Resolution-079234

CONSENT AGENDA

ASSESSOR-COUNTY CLERK-RECORDER-ELECTIONS

- 18. Adopt a resolution authorizing the Chief Elections Officer, or designee, to execute an agreement with Robert Half International, Inc. for essential elections-related contract labor services, in an amount not to exceed \$440,000 for the term of October 18, 2022 through December 31, 2022, and granting of a waiver of the competitive bidding requirement for acquisition of these services pursuant to Section 2.83.050(e) of the San Mateo County Ordinance Code.

Enactment No: Resolution-079235

- 19. Adopt a resolution authorizing an amendment to the agreement with Triune Infomatics, Inc. for the services of Shalini Guda Padmanath, extending the term end date from October 31, 2022, to June 30, 2023, and increasing the amount payable by \$130,680 to an amount not to exceed \$326,194.

Enactment No: Resolution-079236

BOARD OF SUPERVISORS

- 20. Adopt a resolution modifying the membership of the Domestic Violence Council to include, as an Appointed Member, a second individual representing a non-profit agency providing legal services to battered women.

Sponsors: Supervisor Carole Groom

Enactment No: Resolution-079237

COUNTY ATTORNEY

- 21. Adopt a resolution authorizing a third amendment to the agreement with Hanson Bridgett LLP, increasing the maximum amount payable by \$100,000, to an amount not to exceed \$400,000 and extend the term to June 30, 2023.

Enactment No: Resolution-079238

- 22. Approve corrections to the identified tax rolls and corresponding tax refunds.

COUNTY EXECUTIVE

- 23. Adopt a resolution finding that the ongoing COVID-19 pandemic state of emergency presents imminent risks to the health or safety of attendees and that it continues to

directly impact the ability of members of the Board of Supervisors to meet safely in person.

Enactment No: Resolution-079239

24. Recommendation to:

- A) Adopt a resolution accepting donations totaling \$100,620 and a grant in the amount of \$62,000; and
- B) Approve an Appropriation Transfer Request (ATR) in the total amount of \$162,620 by transferring such amount to the Office of Arts and Culture (OAC).

Enactment No: Resolutions-079240 and 079241

25. Adopt a resolution authorizing the Director of the Project Development Unit, or designee, to execute amendments to the agreement with CMI Contractors to provide Inspector of Record services, extending the term through December 31, 2024, and increasing the contract amount up to \$350,000 for a revised not to exceed amount of \$950,000.

Enactment No: Resolution-079242

26. Accept this informational report on the 2022 State and Federal Legislative sessions.

DEPARTMENT OF EMERGENCY MANAGEMENT

27. Recommendation to:

- A) Adopt a resolution authorizing the Director of the Department of Emergency Management to enter into an agreement with the California Governor’s Office of Emergency Services for the distribution of funding for High Frequency Equipment in the amount of \$60,000 for the term of April 1, 2022, to October 31, 2023; and
- B) Approve an Appropriation Transfer Request (ATR) in the total amount of \$60,000 from Cal OES.

Enactment No: Resolutions-079243 and 079244

HEALTH

28. Adopt a resolution authorizing an amendment to the Supplemental Nutrition Assistance Program - Education Grant from the California Department of Public Health, extending the term through September 30, 2023, and increasing the amount by \$533,403 to an amount not to exceed \$2,133,612.

Enactment No: Resolution-079245

29. Adopt a resolution authorizing an agreement with Addiction Research and Treatment, Inc.

for narcotic replacement therapy services, for the term of July 1, 2022, through June 30, 2023, in an amount not to exceed \$2,223,104.

Enactment No: Resolution-079246

- 30.** Adopt a resolution authorizing the Chief of San Mateo County Health, or designee, to execute agreements and any associated amendments with Bay Area PL Services and Lookout Health Corporation for the term of July 16, 2022, through June 30, 2023, in an amount not to exceed \$3,560,000 between the two agreements.

Enactment No: Resolution-079247

- 31.** Adopt a resolution authorizing an agreement with Fivebase, LLC for configuration and programmatic expansion services of San Mateo County's myAvatar system for the term of October 1, 2022 through June 30, 2025, in an amount not to exceed \$646,228.

Enactment No: Resolution-079248

- 32.** Adopt a resolution authorizing an agreement with the California Department of Public Health to provide funding to San Mateo County Health to conduct public health emergency preparedness activities, for the term of July 1, 2022, through June 30, 2027, in an amount not to exceed \$5,921,919.

Enactment No: Resolution-079249

- 33.** Adopt a resolution authorizing an agreement with the City and County of San Francisco Mayor's Office of Housing and Community Development for funding to provide housing and related services to persons living with HIV/AIDs for the term of July 1, 2022, through June 30, 2023, in an amount not to exceed \$832,116.

Enactment No: Resolution-079250

- 34.** Adopt a resolution authorizing an amendment to the agreement with Michael Trindade, MD extending the term by one month through November 30, 2022, and increasing the amount payable under the agreement by \$60,000 to an amount not to exceed \$560,000.

Enactment No: Resolution-079251

- 35.** Adopt a resolution authorizing an amendment to the agreement with Gaurav Abbi, MD, A Professional Corporation, extending the term by one month through November 30, 2022, and increasing the amount payable under the agreement by \$60,000 to an amount not to exceed \$506,953.

Enactment No: Resolution-079252

- 36.** Adopt a resolution authorizing an agreement with Renata Jarosz, DO to provide physical medicine and rehabilitation services for the term of November 1, 2022, through October 31, 2024, in an amount not to exceed \$ 631,200.

Enactment No: Resolution-079253

37. Adopt a resolution authorizing an amendment to the agreement with Kenton Fong, MD extending the term of the agreement by one month through November 30, 2022 and increasing the amount payable under the agreement by \$100,000 to an amount not to exceed \$775,000.

Enactment No: Resolution-079254

38. Adopt a resolution authorizing an amendment to the agreement with Hubert Shih, MD extending the term of the agreement by one month through November 30, 2022 and increasing the amount payable under the agreement by \$60,000 to an amount not to exceed \$710,000.

Enactment No: Resolution-079255

39. Adopt a resolution authorizing an agreement with Crystal Chen, OD to provide optometry services for the term of November 1, 2022, through September 30, 2025, in an amount not to exceed \$400,000.

Enactment No: Resolution-079256

HOUSING

40. **Measure K:** Adopt a resolution:

- A) Approving Affordable Housing Fund (AHF) 10.0 commitments of up to \$54,361,963, consisting of \$19,800,000 in **Measure K** Fiscal Year (FY) 2022-23 funds approved by the Board of Supervisors for affordable housing purposes; \$25,336,972 in American Rescue Plan Act (ARPA) funds; \$2,429,991 in **Measure K** funds allocated in previous AHF rounds but returned as project cost savings; \$864,000 in **Measure K** funds for former foster youth allocated in a previous AHF round but returned due to adjustments in project plans; \$931,000 in State of California Department of Housing and Community Development (State HCD) Permanent Local Housing Allocation funds; and \$5,000,000 in County Mental Health Services Act Project-Based Housing program funds for ten new construction affordable rental housing developments and one existing property with units that will be preserved as affordable and rehabilitated, including all conditions attached to such funding recommendations; and
- B) Authorizing the Director of the Department of Housing (DOH), or designee, in consultation with the County Attorney, to negotiate and execute contracts and other documents necessary to fund the affordable housing projects, as indicated in Attachment A.

Enactment No: Resolution-079257

HUMAN RESOURCES

41. Adopt an ordinance amending Section 2.71.100 of the San Mateo County Ordinance Code regarding County employee overtime, previously introduced on October 4, 2022, and waive the reading of the ordinance in its entirety.

Enactment No: Ordinance-4870

42. Adopt a resolution authorizing an amendment to the Master Salary Resolution 079043 to split one full-time position into two half-time positions, delete four positions, add nine positions, set the salary range of two classifications, add equity adjustment language for four classifications, and addition of two special compensation provisions; and accept the updated report of biweekly salaries by classification.

Enactment No: Resolution-079258

43. Report recommending the denial of claims (Non-culpable)

HUMAN SERVICES AGENCY

44. **Measure K:** Adopt a resolution authorizing an agreement with Pivotal Connections to provide educational support services to San Mateo County foster youth for the term of October 1, 2022, through September 30, 2025, for a total obligation amount not to exceed \$800,010.

Enactment No: Resolution-079259

INFORMATION SERVICES

45. Adopt a resolution authorizing an amendment with Granicus, Inc. for a Software as a Service (SaaS) solution for e-mail subscription services, extending the term through October 31, 2023, and increasing the amount by \$76,313.27, for a not to exceed amount of \$574,668.03.

Enactment No: Resolution-079260

46. Adopt a resolution authorizing an amendment to the agreement with Mesa Energy Systems, Inc. to provide critical cooling, power systems support, and maintenance services, extending the term through November 20, 2023, and increasing the agreement amount by \$126,502, in an amount not to exceed \$956,856.

Enactment No: Resolution-079261

47. Adopt a resolution authorizing an agreement with Interpersonal Frequency, LLC to provide website maintenance, development, and hosting services for the County's website and content management system for the term of October 18, 2022, through October 17, 2025, and in an amount not to exceed \$649,118.67.

Enactment No: Resolution-079262

PLANNING AND BUILDING

- 48. Adopt a resolution authorizing an agreement with SWCA Environmental Consultants to perform tasks necessary to prepare an Environmental Impact Report for the proposed Cypress Point affordable housing project for the term of October 24, 2022 through August 30, 2023 in an amount not-to-exceed \$244,263.

Enactment No: Resolution-079263

Board adjourned to closed session at 3:00 p.m. with no reportable action to report out by John Nibbelin - County Attorney.

CLOSED SESSION

- 49. **Conference with Legal Counsel - Existing Litigation:**
Estate of Sandra Lee Harmon v. County of San Mateo et al
United States District Court
Case No. 21-CV-01463-THT

Conference with Labor Negotiator:
Negotiations: American Federation of State, County and Municipal Employees (AFSCME) and Service Employees International Union (SEIU) - Extra Help Units; Deputy Sheriff's Association Sworn/Safety Personnel (DSA); and Probation and Detention Association (PDA).

Agency designated representative attending Closed Session: Kelly Tuffo

ADJOURNMENT

The meeting adjourned at 3:00 p.m.