



MINUTES - DRAFT

Hybrid Meeting

Tuesday, July 26, 2022

9:00 AM

<https://smcgov.zoom.us/j/98185294603>

*****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

President Don Horsley lead the Pledge.

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 Carole Groom announced that this Friday from 10am - 2pm, the 18th Annual Disaster Preparedness Day will take place at the San Mateo Event Center. Supervisor Groom also announced that today is the 32nd anniversary of signing the Americans with Disabilities Act.

Supervisor Carole Groom honored the lives of Nancy Bates and Fred Bertetta, Jr.

Supervisor Don Horsley talked about ending homelessness in San Mateo County.

PUBLIC COMMENT

Verbal Comment(s) via ZOOM:

Martin Fox; Brent Turner; Ann; Ron Snow; Mercedes Segura; and Zachary

Kirk.

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Motion to set the agenda and approve consent agenda items: Groom / Second: Pine

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

No: 0

MATTERS SET FOR SPECIFIED TIME

9:15 AM

GOVERNING BOARD

1. Acting as the Governing Board of County Service Area No. 8, conduct a public hearing:

A) Open public hearing

B) Close public hearing

C) Adopt a resolution:

- 1. Adopting the Garbage and Recyclables Collection Service Charges Report for County Service Area No. 8 (North Fair Oaks) for fiscal year 2022-23; and
- 2. Directing the Director of the Office of Sustainability to file the Garbage and Recyclables Collection Service Charges Report for County Service Area No. 8 (North Fair Oaks) for fiscal year 2022-23 with the County Controller; and
- 3. Authorizing the Director of the Office of Sustainability to refund any overcharges resulting from data, data entry, or computation errors; and
- 4. Authorizing the Director of the Office of Sustainability to revise the Garbage and Recyclables Collection Service Charges Report for County Service Area No. 8 (North Fair Oaks) for fiscal year 2022-23 as a result of any parcel changes received from the County Assessor and/or County Controller before July 31, 2022, and to file the revised Service Charges Report with the County Controller.

Verbal Comment(s) via ZOOM:

Carolyn Bloede, Director of Office of Sustainability

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:

Ron Snow

Motion to close the public hearing: Pine / Second: Slocum
 Verbal roll call vote was taken:
 Yes: 5 - Pine, Groom, Horsley, Slocum, and Canepa
 No: 0

Motion to adopt the resolution: Slocum / Second: Groom

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

No: 0

Enactment No: Resolution-079045

REGULAR AGENDA

GOVERNING BOARD

2. Acting as the Governing Board of the ten County Sewer Maintenance and Sanitation Districts, conduct a public hearing:
 - A) Open public hearing
 - B) Close public hearing
 - C) Adopt a resolution:
 1. Authorizing the imposition of sewer service charges for Fiscal Year (FY) 2022-23; and
 2. Directing the filing of the FY 2022-23 Sewer Service Charges Report (the "Charges Report") for the ten (10) County Sewer Maintenance and Sanitation Districts with the County Controller; and
 3. Authorizing the Director of Public Works to refund any overcharges resulting from data, data entry, or computational errors; and
 4. Authorizing the Director of Public Works to revise the Charges Report as a result of any parcel changes received from the County Assessor and/or County Controller and to file the revised Charges Report with the County Controller.

Verbal Comment(s) via ZOOM:

Ann Stillman, Director of Public Works

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: Pine / Second: Groom

Verbal roll call vote was taken:

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

No: 0

Motion to adopt the resolution: Horsley / Second: Pine

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

No: 0

Enactment No: Resolution-079046

PARKS

- 3. Adopt a resolution accepting the Revised Flood Park Landscape Plan.

Verbal Comment(s) via ZOOM:

Nicholas Calderon, Director of Parks; Supervisors Horsley, Groom, Pine, Slocum and Canepa; Scott Marshall; Grettel Villalobos; Michelle Beasley; Bret Simon; Sara; Alma Ortega; Alice Newton; Lourdes Best; Ron Snow; Michael Murphy; Nettie Wijsman; Shari Conrad; Ralph Vomaske; Nancy Baugh; Lilian Tashiro; Mason Lok; and Brendan Webster.

Motion: Slocum / Second: Groom

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

No: 0

Enactment No: Resolution-079047

PLANNING AND BUILDING

- 4. Recommendation to:

A) Open public hearing

B) Close public hearing

- C) Adopt a resolution adopting the Initial Study and Mitigated Negative Declaration for the General Plan Land Use Map Amendment, Zoning Map Amendment, Minor Subdivision, and Grading Permit for the project at 501 Palmer Lane in the unincorporated North Fair Oaks area; and
- D) Adopt a resolution amending the San Mateo County General Plan Land Use Map to assign a land use designation of Single-family Residential to a 9,500 square foot portion of Assessor's Parcel Number 060-162-130, at 501 Palmer Lane in the unincorporated North Fair Oaks area; and
- E) Adopt an ordinance amending Chapter 2 of Division VI of the San Mateo County Ordinance Code (Zoning Annex) to revise the zoning maps, Appendix A, to assign a zoning designation of R-1/S-93 (One-family Residential/S-93 Combining District) to a 9,500 sq. ft. portion of Assessor's Parcel Number 060-162-130 at 501 Palmer Lane in the unincorporated North Fair Oaks area, previously introduced to the Planning Commission on June 22, 2022, and wave reading of the ordinance in its entirety; and
- F) Approve the Minor Subdivision and Grading Permit, County File Number PLN 2018-00271, by making the required findings and adopting the conditions of approval in Attachment A.

Verbal Comment(s) via ZOOM:

Steve Monowitz, Director of Planning and Building; and Summer Burlison, Senior Planner; Supervisors Groom, Pine, Horsley, Slocum, and Canepa.

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

Verbal roll call vote was taken:

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

No: 0

Public Speakers:

Jennifer Acheson; Doris Ann Girerd; James Breitenstein; Michael Templeton; and John Picard.

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

Verbal roll call vote was taken:

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

No: 0

Motion to adopt subheadings "C through F": Horsley / Second: Pine

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

No: 0

Enactment No: Resolution Nos. 079048 and 079049
Ordinance-4868

The Board went into recess at 11:18 a.m.

The Board resumed to open session at 11:31 a.m. with all Supervisors present.

5. Recommendation to:

- A) Find Connect the Coastside: The San Mateo County Midcoast Comprehensive Transportation Management Plan, to be consistent with the County General Plan and Local Coastal Program; and
- B) Adopt a resolution to adopt Connect the Coastside: The San Mateo County Midcoast Comprehensive Transportation Management Plan.

Verbal Comment(s) via ZOOM:

Steve Monowitz, Director of Planning and Building; Chanda Singh, Senior Planner; Supervisor Dave Pine; Supervisor David Canepa; Rick Nahass; Ann; Veronika Vostinak; and JQ Oeswein.

This Resolution was adopted.

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

No: 0

Enactment No: Resolution-079050

COUNTY EXECUTIVE

6. Measure K: Recommendation to:

- A) Adopt a resolution authorizing a one-time grant to the Coastside Adult Day Health Center (CADHC) to support ongoing operations in an amount not to exceed \$80,000, and authorizing the County Executive, or designee, to execute the agreement; and
- B) Approve an Appropriation Transfer Request (ATR) in the amount of \$80,000 appropriating **Measure K** funds from Non-Departmental Services Reserves to Non-Departmental Services Miscellaneous Other Contributions to support ongoing operations of CADHC.

Sponsors: Don Horsley

Verbal Comment(s) via ZOOM:

Supervisor Don Horsley

Motion: Horsley / Second: Groom

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

No: 0

Enactment No: Resolutions-079051 and 079052

7. **Measure K:** Adopt a resolution authorizing a one-time grant of district-discretionary **Measure K** funds, not to exceed \$50,000, to Abundant Grace for the Full Circle Food Justice, Farm Apprenticeship, and Conservation Crew programs, providing an exception to the criteria for district-discretionary **Measure K** funds to allow repeat funding within the current budget cycle, and authorizing the County Executive, or designee, to execute the grant agreement.

Sponsors: Don Horsley

Verbal Comment(s) via ZOOM:

Supervisor Don Horsley

Motion: Horsley / **Second:** Slocum

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

No: 0

Enactment No: Resolution-079053

8. **Measure K:** Approve an Appropriation Transfer Request (ATR) transferring district-discretionary **Measure K** funds, not to exceed \$60,000, from Non-Departmental Services to the San Mateo County Office of Arts and Culture for the Healthy Community Mural in North Fair Oaks.

Sponsors: Warren Slocum

Verbal Comment(s) via ZOOM:

Supervisor Warren Slocum

Motion: Slocum / **Second:** Groom

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

No: 0

Enactment No: Resolution-079054

9. **Measure K:** Adopt a resolution authorizing a one-time grant of district-discretionary **Measure K** funds, not to exceed \$100,000, to Daly City Partnership for the startup activities for the Kapwa Kultural Center & Cafe, and authorizing the County Executive or designee, to execute the grant agreement.

Sponsors: David J. Canepa

Verbal Comment(s) via ZOOM:

Supervisor David Canepa; Steph Balon; Fernando Montanes;

Councilmember Juslyn Monalo, City of Daly City; Allen B; Alysa Mai Orillaza; Christi Kumasawa; Alaina Moguel; and Christian Guerrero.

Motion: Canepa / Second: Pine

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

No: 0

Enactment No: Resolution-079055

- 10. Measure K:** Adopt a resolution authorizing a one-time grant of district-discretionary **Measure K** funds, not to exceed \$50,000, to Catalino Tapia Scholarship Foundation to support low-income students in pursuing a college education, and authorizing the County Executive or designee, to execute the grant agreement.

Sponsors: David J. Canepa

Verbal Comment(s) via ZOOM:

Supervisor David Canepa; Yanet Guterrez; Perla Rodriguez; and Christina Romero.

Motion: Canepa / Second: Horsley

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

No: 0

Enactment No: Resolution-079056

BOARD OF SUPERVISORS

- 11.** Adopt a resolution:

- A) Allocating \$4,100,000 in American Rescue Plan Act funds for the 2022 Childcare Grant Program to provide grants to San Mateo County Childcare Centers and Family Childcare Homes that have been directly and adversely impacted by COVID-19 public health emergency; and
- B) Authorizing the County Executive, or designee, to contract with the SMCU Community Fund for the distribution of funds for the 2022 Childcare Grant Program in an amount not to exceed \$100,000 for a term ending November 30, 2022.

Sponsors: Dave Pine and Carole Groom

Verbal Comment(s) via ZOOM:

Peggy Jensen, Assistant County Executive; Saba Bokharey, Management Analyst; Supervisor Warren Slocum; Supervisor David Canepa; David Fleishman; and Sarah Kinahan.

Motion: Groom / Second: Pine

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

No: 0

Enactment No: Resolution-079057

12. Adopt a resolution:

- A) Approving an allocation of \$2,562,500 in American Rescue Plan Act (ARPA) funds for the 2022-2023 Out-of-School Care Grant Program to increase the availability of before and after school and school vacation programs for socioeconomically disadvantaged students in the County; and
- B) Authorizing the County Executive, or designee(s), to enter into an agreement with SMCU Community Fund to administer the 2022-2023 Out-of-School Care Grant Program for an amount not to exceed \$62,500, with a term ending November 30, 2022.

Sponsors: Dave Pine and Carole Groom

Verbal Comment(s) via ZOOM:

Supervisor Carole Groom; Supervisor Dave Pine; and Peggy Jensen, Assistant County Executive.

Motion: Pine / Second: Groom

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

No: 0

Enactment No: Resolution-079058

CONSENT AGENDA

BOARD OF SUPERVISORS

- 13.** Approve a resolution honoring Dan Pasini as the recipient of the Unity Award at the San Mateo County Central Labor Council 42nd Annual COPE Banquet.

Sponsors: Dave Pine

Enactment No: Proc/Hon. Res-4469

- 14.** Approve a resolution honoring Second Harvest of Silicon Valley as the recipient of the Community Award at the San Mateo County Central Labor Council 42nd Annual COPE Banquet.

Sponsors: Dave Pine

Enactment No: Proc/Hon. Res-4470

15. Recommendation for the appointment of 26 youth to the Youth Commission, each for a term ending June 30, 2023.

Sponsors: Carole Groom

COUNTY EXECUTIVE

16. Adopt a resolution authorizing:

- A) The Director of the Project Development Unit, or designee, to execute an amendment to the Architectural and Engineering Services agreement with Taylor Design for the San Mateo Health Campus Project increasing the amount payable by \$760,152 for a new contract value of \$13,181,958; and
- B) The Director of the Project Development Unit, or designee, to execute additional contract amendments which modify the contract terms and conditions and increase the Owner's Contingency amount by \$1,138,000 to \$1,174,444 and establishing a total contract not to exceed contract amount of \$14,356,402.

Enactment No: Resolution-079059

17. Adopt a resolution authorizing the Director of the Project Development Unit, or designee, to execute purchase orders with VWR International, LLC to procure, furnish, install, and relocate furniture, laboratory equipment, and supplies for the San Mateo Health Campus Project in an amount not to exceed \$500,000.

Enactment No: Resolution-079060

18. Adopt a resolution authorizing:

- A) The President of the Board of Supervisors to execute the Seventh Amendment to the Lease Agreement with Carolyn S. Bernardi and Allan J. Bernardi, as successors in interest to Mary E. Leeman, to allow for the County's continued leasing and use of the existing communication facility at 440 Pigeon Point Road in Pescadero; and
- B) The County Executive, or their designee, to accept or execute on behalf of the County any and all notices, options, consents, approvals, terminations, and documents in connection with the Lease Agreement.

Enactment No: Resolution-079061

HEALTH

19. Adopt a resolution authorizing an amendment to the agreement with Gordon Mak, MD, to provide pulmonary and critical care services, extending the term by two months through

September 30, 2022, and increasing the amount by \$81,470 to an amount not to exceed \$1,081,470.

Enactment No: Resolution-079062

20. Adopt a resolution authorizing an amendment to the agreement with Ronald Greenwald MD for neurosurgery services, extending the term by one month through August 31, 2022, and increasing the amount by \$25,000 to an amount not to exceed \$1,475,000.

Enactment No: Resolution-079063

21. Adopt a resolution authorizing an agreement with David Jegge, MD to provide general surgery services for the term of August 1, 2022, through July 31, 2025, in an amount not to exceed \$1,239,180.

Enactment No: Resolution-079064

22. 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 \$1,545,000 between the two agreements.

Enactment No: Resolution-079065

HUMAN RESOURCES

23. Adopt a resolution authorizing an amendment to the Master Salary Resolution 079043 to adjust the salary of one classification; and accept the updated report of biweekly salaries by classification.

Enactment No: Resolution-079066

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

INFORMATION SERVICES

25. Adopt a resolution authorizing an amendment to the agreement with Motorola, Inc. to provide lifecycle sustainment and maintenance services for the County's public safety communications system, extending the term through June 30, 2024, and increasing the agreement amount by \$1,861,655.06, in an amount not to exceed \$3,707,620.06.

Enactment No: Resolution-079067

PLANNING AND BUILDING

26. Adopt an ordinance amending Chapter 5.148 of the County Ordinance Code regarding commercial cannabis cultivation in the unincorporated area of San Mateo County, previously introduced on July 12, 2022 and waive the reading of the ordinance in its entirety.

Enactment No: Ordinance-4869

PUBLIC WORKS

27. Adopt a resolution authorizing:

- A) The President of the Board to execute an agreement with Rehak General Engineering, in the amount of \$265,484 for the 60 Inch Culvert Replacement Project at Bear Gulch Road; and
- B) The Director of Public Works to:
 - 1. Execute subsequent change orders to grant time extensions for project completion and payment up to a maximum aggregate amount not to exceed \$26,549, or approximately 10 percent of the agreement amount; and
 - 2. Approve payment up to the not to exceed amount of \$292,033 for items requiring adjustment based on unit bid prices without execution of a change order.

Enactment No: Resolution-079068

28. Adopt a resolution:

- A) Adopting plans and specifications, including conformance with prevailing wage scale requirements, for the 2022 Pavement Preservation Project; and
- B) Authorizing the President of the Board to execute an agreement with Pavement Coatings Co., in the amount of \$2,473,490.44 for the 2022 Pavement Preservation Project; and
- C) Authorizing the Director of Public Works to:
 - 1. Execute subsequent change orders to grant time extensions for project completion and payment up to a maximum aggregate amount not to exceed \$247,349 of bid, or approximately 10 percent of the agreement amount; and
 - 2. Execute payment up to the not to exceed amount of \$2,720,839.44 for items requiring adjustment based on unit bid prices without execution of a change order.

Enactment No: Resolution-079069

SHERIFF

29. Adopt a resolution authorizing an agreement with JobTrain to provide programs and services to San Mateo County's incarcerated population, for the term of July 1, 2022 through June 30, 2023, in an amount not to exceed \$481,230.

Enactment No: Resolution-079070

30. Adopt a resolution authorizing the execution of an agreement with Service League of San Mateo County to provide programs and services to the incarcerated population, for the term of July 1, 2022 through June 30, 2023, in an amount not to exceed \$702,773.

Enactment No: Resolution-079071

The Board adjourned to Closed Session at 1:00 p.m. with no reportable action to follow by John D. Nibbelin, County Attorney.

CLOSED SESSION

31. **Conference with Legal Counsel - Existing Litigation:**

Figueroa-Gonzalez, Isabel v. Vincent Lim, et al.

San Mateo County Superior Court Case Number 20-CIV-05470

Gusman, David v. County of San Mateo

United States District Court, Oakland Division, Case Number Case Number
20-CV-07820

Odette Riegman v. County of San Mateo et al.

United States District Court, Case No. 20-CV-09303-JST

Conference with Labor Negotiator:

Negotiations: Deputy Sheriff's Association Sworn/Safety Personnel (DSA); Organization of Sheriff's Sergeants (OSS); Probation and Detention Association (PDA); and Union of American Physicians and Dentists (UAPD).

Agency designated representative attending Closed Session: Kelly Tuffo

ADJOURNMENT

The meeting adjourned at 1:00 p.m.