



MINUTES - DRAFT

Hybrid Meeting

Tuesday, May 3, 2022

9:00 AM

<https://smcgov.zoom.us/j/99848782079>

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

The meeting began at 9:00 a.m.

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

PLEDGE OF ALLEGIANCE

Supervisor 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 Groom honored the lives of Charles Edward Dressler and Diane Prosser. Supervisor Don Horsley shared some memories of Diane Prosser.

Supervisor David J. Canepa honored the life of Samoan Pastor Isaco P.

Supervisor Warren Slocum honored the life of John Edmonds.

Supervisor Warren Slocum applauded Assessor County-Clerk Recorder Mark Church and his staff for receiving two U.S. Election Commission awards.

PUBLIC COMMENT

Verbal Comment(s) via ZOOM:

Brent Turner; Carlysle Ann Young; Jim Lawrence; Fran Pollard; Mike Schrader; David Wozniak; Martin Fox; Cameron Rolfe; and Tanya Beat.

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Motion to set the agenda, approve consent agenda items and hear Item No. 9 first before Presentations/Awards: Pine / Second: Groom

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

No: 0

COUNTY EXECUTIVE

9. Recommendation to:

- A) Open public hearing regarding San Mateo County’s Living Wage Ordinance Pilot Program, Chapter 2.88 of Title 2 of the San Mateo County Ordinance Code, which is currently set to expire June 30, 2022;
- B) Close public hearing; and
- C) Introduce an ordinance amending and restating Chapter 2.88 of Title 2 of the San Mateo County Ordinance Code to enact a permanent Living Wage Ordinance, and waive the reading of the ordinance in its entirety.

Verbal Comment(s) via ZOOM:

Supervisor Carole Groom; Supervisor Dave Pine; Peggy Jensen, Assistant County Manager; John Nibbelin, County Attorney; and Ilana Parmer Mandelbaum.

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

Verbal roll call vote was taken:

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

No: 0

Absent: 1 - Canepa

Public Speakers:

Susan Cortepassi

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 introduce the ordinance: Pine / Second: Groom

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

No: 0

PRESENTATIONS AND AWARDS

1. Presentation of a proclamation designating May 2022 Mental Health Month.

Sponsors: Dave Pine

Verbal Comment(s) via ZOOM:

Supervisor Dave Pine; Scott Gruendl, Assistant Director of BHRS; Sylvia Tang, BHRS; Martin Fox; and John Butler.

Motion: Pine / Second: Groom

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

No: 0

Enactment No: Proc/Hon. Res-4447

2. Presentation of a proclamation designating May 2022 as CalFresh Awareness Month.

Sponsors: Don Horsley

Verbal Comment(s) via ZOOM:

Supervisor Don Horsley; Deanna Abrahamian, Director of Self Sufficiency Services; Supervisor Warren Slocum; and Ken Cole, Director of Human Services Agency.

Motion: Horsley / Second: Slocum

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

No: 0

Enactment No: Proc/Hon. Res-4448

3. Presentation of a proclamation designating the first week in May 2022 as Correctional Officer and Correctional Employees week.

Sponsors: Don Horsley

Verbal Comment(s) via ZOOM:

Supervisor Don Horsley and Assistant Sheriff Alma Zamora.

Motion: Horsley / Second: Groom

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

No: 0

Enactment No: Proc/Hon. Res-4449

4. Presentation of a proclamation designating May 2022 as Jewish American Heritage

Month.

Sponsors: Don Horsley and David J. Canepa

Verbal Comment(s) via ZOOM:

Supervisor Don Horsley, Supervisor David Canepa; and Jonathan Mintzer, JCRC Director.

Motion: Horsley / Second: Canepa

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

No: 0

Enactment No: Proc/Hon. Res-4450

5. COVID-19 Update:

- Informational update by Louise Rogers, Chief of Health

Verbal Comment(s) via ZOOM:

Louise Rogers, Chief of Health; Dr. Anand Chabra, Medical Director; Marc Meulman, Director of Public Health Policy and Planning; and Supervisor Dave Pine.

REGULAR AGENDA

HEALTH

6. Recommendation to:

- A) Introduce an ordinance amending Section 5.64.070 of Chapter 5.64 of Title 5 of the San Mateo County Ordinance Code, relating to collection 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 (EHS) Division of San Mateo County Health, or designee, to continue implementing the San Mateo County Environmental Health Fee Relief Program at a total cost not to exceed \$1,500,000, pursuant to which a one-time credit equal to the difference between the cost of prior and current qualifying fees would be provided to certain EHS-regulated businesses that were directly impacted by COVID-19 health orders and that are within designated EHS permit fee categories or industry categories.

Verbal Comment(s) via ZOOM:

Heather Forshey, Director of Environmental Health Services; Supervisor Don Horsley; Supervisor David Canepa; Supervisor Carole Groom.

President Don Horsley provided direction to staff to further analyze this item and bring it back to the Board at a future meeting.

GOVERNING BOARD

7. Acting as the Governing Board of Commissioners for the Housing Authority of the County of San Mateo, conduct a public hearing to consider the FY 2022-2023 Moving To Work Annual Plan:

- A) Open public hearing
- B) Close public hearing
- C) Adopt a resolution approving the Housing Authority of the County of San Mateo FY 2022-2023 Moving To Work Annual Plan and authorizing the Housing Authority Executive Director, or Designee, to execute documents related to the plan submission.

Verbal Comment(s) via ZOOM:

Raymond Hodges, Director of Housing

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

Verbal roll call vote was taken:

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

No: 0

Public Speakers:

Carlyle Ann Young and Kalisha Webster, Housing Choices

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

Verbal roll call vote was taken:

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

No: 0

Motion to approve the resolution: Groom / Second: Pine

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

No: 0

Enactment No: Resolution-078854

HOUSING

8. Public hearing regarding the FY 2022-2023 Annual Action Plan for Housing and Community Development:

- A) Open public hearing
- B) Close public hearing

C) Adopt a resolution:

1. Approving and accepting the Fiscal Year 2022-2023 Annual Action Plan (“Annual Action Plan”) pending notification of U.S. Department of Housing and Urban Development (“HUD”) Entitlement Awards for Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant, with adjustments to be made to individual awards on a pro rata basis once that notification has been issued; and
2. Authorizing the Director of the Department of Housing or designee, to submit the Annual Action Plan, the related certifications, and all understandings and assurances contained therein to HUD, to take all necessary actions in connection with the submission of the Annual Action Plan, including providing additional information that the federal government may require, and to execute contracts, as approved by County Attorney, for the programs and projects as indicated in the Annual Action Plan and for programs funded by PLHA funds as shown in Attachment A.

Verbal Comment(s) via ZOOM:

Raymond Hodges, Director of Housing and Douglas Frederick, Housing Program Manager

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

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: Pine

Verbal roll call vote was taken:

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

No: 0

Motion to approve the resolution: Slocum / Second: Pine

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

No: 0

Enactment No: Resolution-078855

COUNTY EXECUTIVE

10. Introduction of an ordinance amending Section 2.71.110(b) of Chapter 2.71 of Title 2 of the County of San Mateo Ordinance Code to designate Juneteenth as an annual holiday

for County employees, and waive the reading of the ordinance in its entirety.

Verbal Comment(s) via ZOOM:

Peggy Jensen, Assistant County Manager; and Supervisor Don Horsley

Motion: Groom / Second: Pine

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

No: 0

- 11. **Measure K:** Adopt a resolution authorizing a one-time grant of district-discretionary **Measure K** funds, not to exceed \$200,000, to City of San Bruno for the renovation of Posy Park plaza, and authorizing the County Executive, or designee, to execute the grant agreement.

Sponsors: Dave Pine

Verbal Comment(s) via ZOOM:

Supervisor Dave Pine and Ann Mottola.

Motion: Pine / Second: Groom

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

No: 0

Enactment No: Resolution-078856

- 12. **Measure K:** Adopt a resolution authorizing a one-time grant of district-discretionary **Measure K** funds, not to exceed \$35,000, to Beyond Barriers Athletic Foundation for swim scholarships for children in need and subsidize lifeguard training certification classes for youth in North Fair Oaks, East Menlo Park, and East Palo Alto, and authorizing the County Executive, or designee, to execute the grant agreement.

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-078857

CONSENT AGENDA

ASSESSOR-COUNTY CLERK-RECORDER-ELECTIONS

- 13. Adopt a resolution:

- A) Consolidating the Statewide Direct Primary Election, to be held on Tuesday, June 7, 2022, with elections called by the Belmont-Redwood Shores School District, Brisbane School District, Hillsborough City School District, Jefferson Elementary School District, Millbrae Elementary School District, and the Ravenswood City School District; and

- B) Authorizing the County’s Chief Elections Officer to render specified election services in conjunction therewith.

Enactment No: Resolution-078858

BOARD OF SUPERVISORS

- 14. Adopt an ordinance amending section 3.53.030 of the San Mateo County Ordinance Code to add an exception to the prohibition on firearm possession on County Property, permitting a person to possess a firearm for the purpose of immediately turning in that firearm to the San Mateo County Sheriff or any person or persons designated by the Sheriff at a County-sanctioned firearm buyback event taking place on that County Property, previously introduced on April 19, 2022, and waive the reading of the ordinance in its entirety.

Sponsors: Dave Pine and Don Horsley

Enactment No: Ordinance-4864

- 15. Recommendation for the appointment of Doug Machado to the Coastside Design Review Committee, representing El Granada, for an initial term ending March 31, 2025.

Sponsors: Don Horsley

- 16. Recommendation for the appointment of Monika Lee to the Housing and Community Development Committee, representing the Commission on Aging, for an initial partial term ending December 31, 2023.

Sponsors: Don Horsley

- 17. Recommendation for the following appointments to the Emergency Medical Care Committee, each representing Consumer, for an initial term ending March 31, 2026:

- A) Veena Vangari; and

- B) Jenel Lim; and

- C) Robert Nice.

Sponsors: Don Horsley

COUNTY ATTORNEY

18. Approve corrections to the identified tax rolls and corresponding tax refunds.

COUNTY EXECUTIVE

19. Adopt a resolution finding that the COVID-19 pandemic state of emergency continues to present 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-078859

20. Adopt a resolution authorizing the Board president to execute the First Amendment to the County's agreement with Renaissance Entrepreneurship Center to implement the California Microbusiness COVID-19 Relief Grant program in partnership with the County for a term through December 31, 2022 in an amount not to exceed \$917,630.67, and ratifying the California Office of Small Business Advocate California Microbusiness COVID-19 Relief Grant Program Agreement and First Amendment thereto.

Enactment No: Resolution-078860

21. Adopt a resolution approving an allocation of \$512,500 in American Rescue Plan Act (ARPA) funds for 100 grants of \$5,000 each (totaling \$500,000) to eligible small businesses located in unincorporated North Fair Oaks impacted by the COVID-19 pandemic and authorizing the County Executive, or designee(s), to negotiate and enter into an agreement with the SMCU Community Fund to administer and distribute the 100 grants in exchange for an administrative fee totaling \$12,500.

Enactment No: Resolution-078861

22. Adopt a resolution authorizing a second amendment to the agreement with Lookout Health Corporation to increase the amount payable under the Agreement by \$675,000, to an amount not to exceed \$1,175,000.

Enactment No: Resolution-078862

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

DEPARTMENT OF EMERGENCY MANAGEMENT

24. Adopt a resolution waving the Request for Proposals and authorizing an agreement with San Mateo Consolidated Fire Department for the provision of a Countywide Hazardous Materials Emergency Response Team for the term of July 1, 2022 through June 30, 2023, in an amount not to exceed \$782,572.

Enactment No: Resolution-078863

HEALTH

25. Adopt a resolution authorizing an agreement for Public Health, Policy and Planning to

provide Enhanced Care Management services for clients of the San Mateo Health Commission dba Health Plan of San Mateo for the term of January 1, 2022 through December 31, 2022, in an amount not to exceed \$1,549,110.

Enactment No: Resolution-078864

26. Adopt a resolution authorizing an amendment to the agreement with Melissa Selner, DPM to expand podiatry services, increasing the amount by \$125,000 to an amount not to exceed \$225,000, with no change to the contract term.

Enactment No: Resolution-078865

HUMAN RESOURCES

27. Adopt a resolution authorizing an amendment to the agreement between COVID DX LLC and the County of San Mateo for COVID-19 testing of county employees to increase the maximum amount payable under the agreement to \$1,350,000 and to extend the term to December 31, 2022.

Enactment No: Resolution-078866

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

HUMAN SERVICES AGENCY

29. **Measure K:** Adopt a resolution authorizing an amendment to the agreement with Samaritan House to increase the total obligation amount by \$542,933 for a new total obligation amount not to exceed \$1,895,933 with the term remaining July 1, 2020 to June 30, 2023 to increase Homeless Prevention and Emergency Financial Assistance program services.

Enactment No: Resolution-078867

30. Adopt a resolution waiving the Request for Proposals process and approving execution of an agreement with Tibco Software, Inc., to provide software maintenance and technical support for the term of April 1, 2022 to March 31, 2023, for a total obligation amount not to exceed \$306,498.81.

Enactment No: Resolution-078868

PARKS

31. Adopt a resolution authorizing the Parks Director, or the Parks Director's designee, to execute a grant agreement with the California Department of Forestry and Fire Protection for \$300,000 in California Climate Investment funds for the Quarry County Park Hazardous Fuel Reduction and Invasive Species Control Project.

Enactment No: Resolution-078869

PUBLIC WORKS**32.** Adopt a resolution:

- A) Adopting the plans and specifications, including conformance with prevailing wage scale requirements, for the Memorial Park Electrical Improvements Project; and
- B) Authorizing the Director of Public Works to call for sealed bids to be received by Thursday, June 2, 2022 at 2:30 p.m. at the office of the County Executive/Clerk of the Board of Supervisors; and
- C) Authorizing the Director of Public Works to extend the call for bids and bid opening up to 60 calendar days beyond the time and date originally set forth by the Board of Supervisors.

Enactment No: Resolution-078870

33. Adopt a resolution authorizing:

- A) The President of the Board to execute an agreement with The Dutra Group, in the amount of \$2,090,700 for the Coyote Point Marina Maintenance Dredging and Pile Replacement Project; 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 \$209,070, or approximately 10 percent of the agreement amount; and
 - 2. Approve payment up to the not to exceed amount of \$2,299,770 for items requiring adjustment based on unit bid prices without execution of a change order.

Enactment No: Resolution-078871

34. Approve an Appropriation Transfer Request (ATR) transferring up to \$150,000 as a loan from the Non-Departmental Services Fund to the Department of Public Works for the funding of a Fuel Management System.

Enactment No: Resolution-078872

SHERIFF**35.** Adopt an uncodified ordinance approving a Military Equipment Use Policy for the San Mateo County Sheriff's Office, previously introduced on April 19, 2022, and waive the

reading of the ordinance in its entirety.

Enactment No: Ordinance-4865

The Board adjourned to Closed Session at 11:21 a.m.

CLOSED SESSION

36. Conference with Labor Negotiator:

Negotiations: Deputy Sheriff's Association Sworn/Safety Personnel (DSA); and Organization of Sheriff's Sergeants (OSS)

Agency designated representative attending Closed Session: Kelly Tuffo

Conference with Legal Counsel - Existing Litigation:

Patten, Deborah v. County of San Mateo, et al.

San Mateo County Superior Court, Case Number 20-CIV-03751

At 12:05 p.m., with Supervisors Pine, Groom, Horsley, and Slocum present in open session, County Attorney reported the following action from Closed Session: The Board unanimously authorized the County to join a amicus brief in the case of Arizona v. Biden, which is currently pending in the 6th Circuit Court of Appeals.

Note: Supervisor Canepa was absent during the closed session report out.

ADJOURNMENT

The meeting adjourned at 12:06 p.m.