



MINUTES - FINAL

Tuesday, March 28, 2023

9:00 AM

<https://smcgov.zoom.us/j/97874960869>

*****IN-PERSON WITH REMOTE PUBLIC PARTICIPATION AVAILABLE*****

The meeting began at 9:01 a.m.

Public participation instructions were read in English by Sukhmani Purewal, Asst. Clerk of the Board. The instructions in Spanish were read by an interpreter from On Point Language Solutions LLC.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 5 - Supervisor Dave Pine, Supervisor Noelia Corzo, Supervisor Ray Mueller, Supervisor Warren Slocum, and Supervisor David J. Canepa

HONORING THE LIFE OF / BOARD MEMBER REMARKS

Supervisor David Canepa honored the life of Gloria Igno Lim.

Supervisor David Canepa updated the Board and the public on the Nicholson Pool.

Supervisor Warren Slocum honored the life of Rocky Robinson.

Supervisor Noelia Corzo honored the life of Roberto Ponce.

PUBLIC COMMENT

Verbal Comment(s) via ZOOM:

Elsa Schafer, Martin Fox, Erica Wang, Carlisle Ann Young, Nancy Goodban, Ligia Andrade Zuniga, Paul Bocanegra, Becca Kieler, and April Vargas.

Verbal Comment(s) from Chambers:

Dan Stegink, Lupe Gutierrez, Alison Madden, Ron Snow, and Mercedes

Segura.

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Motion to set the agenda, pull Item No. 43 from the agenda, and approve consent agenda items: Slocum / Second: Mueller

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

PRESENTATIONS AND AWARDS

- 1. Presentation of a resolution honoring and commending Margaret “Peggy” Jensen on her retirement after 34 years of distinguished service to San Mateo County.

Sponsors: Supervisor Dave Pine

Speakers recognized by the President:

Mike Callagy - County Executive, All Supervisors spoke on this item, David Fleishman, John Nibbelin - County Attorney, Sukhmani S. Purewal - Asst. Clerk of the Board, Sherry Golestan - Deputy Clerk of the Board, and Peggy Jensen.

Motion: Pine / Second: Slocum

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

Enactment No: Proc/Hon. Res-4550

- 2. Presentation of proclamation designating March 25th to March 31st as Farmworker Awareness Week.

Sponsors: Supervisor Ray Mueller

Supervisor Ray Mueller mentioned that Supervisor Noelia Corzo is the co-sponsor of this item.

Speakers recognized by the President:

Supervisor Ray Mueller, Supervisor Noelia Corzo, Ligia Andrade Zuniga, Belinda Hernandez-Arriaga, and April Vargas.

Motion: Mueller / Second: Corzo

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

Enactment No: Proc/Hon. Res-4551

- 3. Approve a resolution honoring and commending Chris DeCardy for his contributions to

San Mateo County.

Sponsors: Supervisor Ray Mueller

Speakers recognized by the President:

Supervisor Ray Mueller

Motion: Mueller / Second: Pine

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

Enactment No: Proc/Hon. Res-4552

Motion made by Supervisor David Canepa, seconded by Supervisor Dave Pine and approved unanimously to move up Item No. 9 on the agenda to be heard before Item No. 4.

REGULAR AGENDA

BOARD OF SUPERVISORS

- 9. Adopt a resolution expressing appreciation and support for essential employees with disabilities or who are visually impaired.

Sponsors: Supervisor David J. Canepa

Speakers recognized by the President:

Supervisor David Canepa, Angela Piazza - Chair, and Janet Borgens.

Motion: Canepa / Second: Corzo

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

Enactment No: Resolution-079502

HEALTH

- 4. Adopt a resolution authorizing an agreement with CEP America - California, a California General Partnership dba Vituity, to provide emergency and correctional health services, for the term of April 1, 2023, through March 31, 2026, in an amount not to exceed \$8,219,336.

Speakers recognized by the President:

Yousef Turshani - Health, Supervisor David Canepa, Supervisor Dave Pine, Supervisor Noelia Corzo, and Supervisor Ray Mueller.

Motion: Corzo / Second: Pine

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

Enactment No: Resolution-079497

PLANNING AND BUILDING

5. Public hearing to consider amendment of Chapter 22.2, "Child Care Centers" of the Zoning Regulations:

- A) Open public hearing
- B) Close public hearing
- C) Recommendation to:

1. Adopt an ordinance amending the County Ordinance Code, Division VI, Part One (Zoning Regulations) Chapter 22.2 (Child Care Centers) to adopt the California Coastal Commission's suggested modifications, previously introduced to the Planning Commission on January 25, 2023, and waive reading of the ordinance its entirety; and
2. Adopt a resolution acknowledging receipt of the California Coastal Commission resolution of conditional certification of the County's Child Care Centers Regulations; agreeing to issue Coastal Development Permits subject to the Child Care Centers Regulations, and the Local Coastal Program, incorporating the California Coastal Commission's modifications; and directing submittal of the amended Child Care Center Regulations to the Executive Director of the California Coastal Commission for review.

Speakers recognized by the President:

Steve Monowitz, Director of Planning and Building, Camille Leung - Planning and Building, John Nibbelin - County Attorney, and all Supervisors spoke on this item.

With a unanimous verbal approval by the Board, President Pine opened the public hearing.

Public Speakers:

Ann and David Fleishman

With a unanimous verbal approval by the Board, President Pine closed the public hearing.

Motion: Corzo / Second: Pine

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

Enactment No: Resolution-079498; Ordinance-4874

The Board went into recess at 11:19 a.m.

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

- 6. Adopt a resolution accepting the County’s Annual Progress Report for calendar year 2022 regarding the progress that has been made towards implementing the County’s 2014-2022 Housing Element and meeting the County’s 2014-2022 Regional Housing Needs Allocation (RHNA).

Speakers recognized by the President:

Steve Monowitz - Director of Planning and Building, Will Gibson - Planning and Building, All Supervisors spoke on this item, Ann, Yajaira Ortega, Jess Hudson, Kalisha Webster, and Pat Willard.

Motion: Pine / Second: Mueller

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

Enactment No: Resolution-079499

PUBLIC WORKS

- 7. Adopt a resolution:

- A) Adopting the construction task catalog, specifications, and conformance with prevailing wage scale requirements for the 2023 Job Order Contracts for Engineering, Construction, Roads, and Utilities; and
- B) Authorizing agreements with SBAY Construction, Inc, Half Moon Bay Grading & Paving, Inc. and Granite Rock Company for Engineering, Construction, Roads and Utilities, for the term of March 28, 2023 through March 27, 2024, each in an amount not-to-exceed \$5,000,000; and
- C) Authorizing the Director of Public Works, or the Director’s designee, to issue Work/Job Orders, execute Change/Revision Orders, and make financial and administrative changes to executed Job Order Contract agreements.

Speakers recognized by the President:

Ann Stillman, Director Dept. of Public Works

Motion: Mueller / Second: Canepa

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

Enactment No: Resolution-079500

BOARD OF SUPERVISORS / COUNTY EXECUTIVE

8. Measure K: Recommendation to:

A) Adopt a resolution:

1. Authorizing and directing the County Executive, or designee, acting in consultation with the County Attorney’s Office, to negotiate and enter into a grant agreement with the San Mateo County Office of Education to support the two-year Early Childhood Education Career Pathways Pilot Project for the term of March 28, 2023, through June 30, 2024 and a total amount not to exceed \$200,000; and
2. Authorizing a one-time contribution of district-discretionary **Measure K** funds, not to exceed \$100,000, to pay for a portion of the cost of the agreement with the County Office of Education.

Sponsors: Supervisor Dave Pine and COUNTY EXECUTIVE

Speakers recognized by the President:

Supervisor Dave Pine, Peggy Jensen - Assistant County Executive, Sarah Kinahan, Dayna Chung, David Fleishman, Michelle Blakely, and Heather Cleary.

Motion: Pine / Second: Corzo

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

Enactment No: Resolution-079501

COUNTY EXECUTIVE

10. Measure K: Approve an Appropriation Transfer Request (ATR) transferring district-discretionary **Measure K** funds, not to exceed \$25,000, from Non-Departmental Services to the San Mateo County Office of Arts and Culture for the Causeway Mural on the bridge connecting Maguire Correctional Facility and the Hall of Justice in Redwood City.

Sponsors: Supervisor Warren Slocum

Speakers recognized by the President:

Supervisor Warren Slocum and Ron Snow

Motion: Slocum / Second: Pine

Yes: 5 - Pine, Corzo, Mueller, Slocum, and Canepa

No: 0

Enactment No: Resolution-079503

CONSENT AGENDA

ASSESSOR-COUNTY CLERK-RECORDER-ELECTIONS

- 11. Adopt a resolution authorizing an amendment to the agreement with Triune Infomatics, Inc. for the services of Sudeepthi Rangineni, extending the term from February 4, 2022 through April 30, 2023 to February 4, 2022 through September 30, 2023, and increasing the amount payable by \$58,464 to an amount not to exceed \$250,568.

Enactment No: Resolution-079504

- 12. Adopt a resolution authorizing an amendment to the agreement with Genuent Global LLC for the services of Deepa Narayan, extending the term from July 21, 2020 through March 31, 2023 to July 21, 2020 through September 30, 2023, and increasing the amount payable by \$83,982 to an amount not to exceed \$525,308.

Enactment No: Resolution-079505

BOARD OF SUPERVISORS

- 13. Ratification of a resolution honoring Joe Ross for his retirement from and service on the San Mateo County Board of Education.

Sponsors: Supervisor Warren Slocum

Enactment No: Proc/Hon. Res-4553

- 14. Ratification of a resolution honoring My New Red Shoes on their 17th anniversary.

Sponsors: Supervisor Warren Slocum

Enactment No: Proc/Hon. Res-4554

- 15. Recommendation for one appointment and two reappointments to the Emergency Medical Care Committee:

- A) Appointment of Shawni Goudarzi as representative of the American Heart Association/American Stroke Association (AHA/ASA) for an initial partial term ending March 31, 2025; and
- B) Reappointment of Jeff Thorne as the licensed and accredited San Mateo County Fire Services EMT-paramedic representative for a first full term ending March 31, 2027; and
- C) Reappointment of Sergeant Joe DeSousa as California Highway Patrol representative for a first full term ending March 31, 2027.

Sponsors: Supervisor Dave Pine and Supervisor Noelia Corzo

16. Recommendation for reappointments to the Coastsides Design Review Committee, each for a term ending March 31, 2026:
- A) Beverly Garrity, representing Montara Community Representative, for a second full term; and
 - B) Mark Stegmaier, representing Montara Alternate, for a first full term; and
 - C) John Steadman, representing Princeton Community Representative, for a first full term; and
 - D) Rebecca Katkin, representing Architect member, for a first full term.

Sponsors: Supervisor Dave Pine and Supervisor Ray Mueller

17. Recommendation for the appointment of Kimberly Williams to the Midcoast Community Council, for an initial full 4-year term ending December 2026.

Sponsors: Supervisor Ray Mueller

18. Recommendation for appointments to the San Mateo County Veterans Commission, each for an initial partial term ending June 30, 2023:

- A) Caroline Schlocker, representing Member; and
- B) Mary Cravalho, representing Member.

Sponsors: Supervisor Warren Slocum

COUNTY ATTORNEY

19. Adopt a resolution authorizing the issuance and sale of general obligation bonds, Election of 2012, Series D of Cabrillo Unified School District in an aggregate principal amount not to exceed \$23,000,000.

Enactment No: Resolution-079506

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

Enactment No: Resolution-079507

COUNTY EXECUTIVE

21. Adopt a resolution authorizing the President of the Board of Supervisors to execute agreements with West Coast Code Consultants, Inc. and Shums Coda Associates to provide on-call Inspector of Record services, for the term May 1, 2023, through April 30, 2026, in an amount not to exceed \$600,000 per agreement, for an aggregate not to

exceed amount of \$1,200,000.

Enactment No: Resolution-079507(a-b)

22. Adopt a resolution:

- A) Authorizing the Board of Supervisors to accept an Irrevocable Offer to Dedicate Open Space and Conservation Easement Grant and Declaration of Restrictions on the property located at 2050 Cabrillo Highway (APN: 089-230-220) in the unincorporated area of San Mateo County; and
- B) Authorizing the President of the Board of Supervisors to execute a certificate of acceptance for and on behalf of the County.

Enactment No: Resolution-079508

23. Adopt a resolution authorizing:

- A) The vacation (abandonment) of an easement for public right-of-way over APNs 046-041-140, 046-041-160, and 046-041-310 in the unincorporated area of San Mateo County (Belmont); and
- B) Acceptance of a new Sanitary Sewer Easement for the existing in-place sanitary sewer main being offered for dedication on APN 046-041-310.

Enactment No: Resolution-079509

24. Adopt a resolution authorizing the vacation of the public service easement that runs over APN 046-041-270 at the terminus of a previously vacated alley perpendicular to Harbor Boulevard.

Enactment No: Resolution-079510

25. Approve a resolution acknowledging receipt of a compliance report made by the fire chief of the San Mateo County Fire Department regarding state mandated inspections pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code.

Enactment No: Resolution-079511

26. Adopt a resolution ratifying and extending the proclamation of local emergency resulting from severe Winter storms of March 2023 by the San Mateo County Director of Emergency Services.

Enactment No: Resolution-079512

DEPARTMENT OF EMERGENCY MANAGEMENT

27. Adopt a resolution authorizing the County Executive or the County Executive's designee(s) to submit a grant application to the California Office of Emergency Services

for the FEMA FY 2023 Pre-Disaster Mitigation Grant for the term of September 30, 2023, through September 30, 2026, in an amount not to exceed \$494,300.

Enactment No: Resolution-079513

28. Measure K: Recommendation to:

- A) Adopt a resolution authorizing the County Executive or designee(s), to accept a grant from the California Fire Safe Council and to execute the agreement associated with that grant to implement priority fuels treatment projects along emergency evacuation routes for the term of September 1, 2022, through February 29, 2024, in an amount not to exceed \$380,000; and
- B) Approve an Appropriation Transfer Request (ATR) in the amount of \$380,000, recognizing unanticipated revenue from the California Fire Safe Council 2022 CAL FIRE Evacuation Route Planning and Development Grant Program; and
- C) Approve an Appropriation Transfer Request (ATR) transferring \$187,500 of **Measure K** funds from the County Executive's Office to the Department of Emergency Management to supplement emergency evacuation route fuel reduction efforts.

Enactment No: Resolutions-079514, 079515, and 079516

HEALTH

- 29.** Adopt a resolution authorizing the acceptance of grant funds from the Department of Health Care Services to develop infrastructure necessary to provide Enhanced Care Management and Community Supports under contract with the Health Plan of San Mateo for the term of January 1, 2023 through December 31, 2024 in an amount not to exceed \$1,839,144.

Enactment No: Resolution-079517

- 30.** Adopt a resolution authorizing an amendment to the agreement with the Mental Health Association of San Mateo County for housing and housing-related mental health services, rehabilitation services, and Flexible Fund administration, increasing the amount of the agreement by \$70,755 to an amount not to exceed \$7,173,464 with no change to the agreement term.

Enactment No: Resolution-079518

- 31.** Adopt a resolution authorizing an amendment to the agreement with Heart and Soul, Inc. for consumer-run peer-support services and health and wellness services, Helping Our Peers Emerge Pilot Program, and Help@Hand Peer-ed Supports for Help@Hand Pilot and Technology Supports for Clients, increasing the amount by \$1,593,792 to an amount not to exceed \$3,873,385, and extending the term through June 30, 2024.

Enactment No: Resolution-079519

32. Adopt a resolution authorizing an agreement with John Muir Behavioral Health Center for acute psychiatric inpatient hospital services for the term of January 1, 2023, through June 30, 2024, in an amount not to exceed \$2,000,000, in aggregate with all other hospitals that have contracted with Behavioral Health and Recovery Services.

Enactment No: Resolution-079520

33. Adopt a resolution authorizing an amendment to the agreement with Advanced Monitoring Method, LLC to provide FusionLive software products, extending the term through March 31, 2026, and increasing the maximum amount by \$120,894 to an amount not to exceed \$326,654.

Enactment No: Resolution-079521

34. Adopt a resolution authorizing an amendment to the agreement with UltraEx, LLC to provide courier and transportation services, increasing the maximum amount by \$1,000,000, to an amount not to exceed \$2,250,000.

Enactment No: Resolution-079522

35. Adopt a resolution authorizing an agreement with Michael Siegel, MD to provide neurology services for the term of April 1, 2023, through March 31, 2024, in an amount not to exceed \$250,000.

Enactment No: Resolution-079523

HOUSING

36. Approve an Appropriation Transfer Request (ATR) in the amount of \$1,000,000 from the County One-Time Expense Fund to the Department of Housing to fund the Employee Down Payment Assistance Program.

Enactment No: Resolution-079524

HUMAN RESOURCES

37. Report recommending the denial of claims (Non-culpable)
38. Adopt a resolution authorizing an amendment to the Master Salary Resolution 079043 to delete five positions, add thirty-four positions and set salary range of one classification; and accept the updated report of biweekly salaries by classification.

Enactment No: Resolution-079525

HUMAN SERVICES AGENCY

39. **Measure K:** Approve an Appropriation Transfer Request (ATR) to shift **Measure K**

expense and revenue appropriation in the amount of \$325,000, in order to cover additional staffing expenses incurred in FY 2022-23 for Human Services Agency programs that address the County's work to end homelessness.

Enactment No: Resolution-079526

40. Adopt a resolution authorizing the acceptance of gift card donations in the amount of \$8,150 to the San Mateo County Children's Fund.

Enactment No: Resolution-079527

INFORMATION SERVICES

41. Adopt a resolution authorizing an agreement with Federal Engineering, Inc. to provide microwave and land mobile radio project management and subject matter expert consulting services for the term of March 28, 2023, through June 30, 2025, in an amount not to exceed \$536,300.

Enactment No: Resolution-079528

PUBLIC WORKS

42. **Measure K:** Adopt a resolution authorizing an amendment to the agreement with AECOM Technical Services, Inc. to provide engineering and other related professional and technical services for the Middlefield Road Improvement Project, extending the term through March 31, 2024, and increasing the amount by \$228,000 to an amount not-to-exceed \$2,536,184.

Enactment No: Resolution-079529

43. Adopt a resolution:

- A) Accepting the summary report on countywide Impact Mitigation Fees through December 31, 2022; and
- B) Authorizing a mitigation fee increase of 5.3 percent on building permits and subdivision applications for new residential, commercial, and industrial developments for calendar year 2023, computed on the base rates specified in Section 2.53.030 of the San Mateo County Ordinance, as adjusted in 2022.

This item was pulled off from the agenda during "Action to Set the Agenda and Approve Consent Agenda Items."

44. Adopt a resolution authorizing the Director of Public Works, or designee, to file an application for funding assigned to the Metropolitan Transportation Commission, committing any necessary matching funds, and stating assurance to complete the Bay Road Complete Street Rehabilitation Project.

Enactment No: Resolution-079530

45. Adopt a resolution authorizing the Director of Public Works, or designee, to file an application for funding assigned to Metropolitan Transportation Commission, committing any necessary matching funds, and stating assurance to complete the Santa Cruz Avenue/Alameda de las Pulgas Complete Street Project.

Enactment No: Resolution-079531

SHERIFF

46. Adopt a resolution authorizing the second amendment to the agreement with the City and County of San Francisco for the distribution of FY 2020 Urban Area Security Initiative grant funds for the Northern California Regional Intelligence Center, increasing the amount by \$226,048 from \$6,597,740 to \$6,823,788, and extending the term from June 30, 2022, to May 31, 2023.

Enactment No: Resolution-079532

47. Adopt a resolution authorizing the third amendment to the agreement with the City and County of San Francisco for the distribution of FY 2021 Urban Area Security Initiative grant funds for the Northern California Regional Intelligence Center, increasing the amount by \$55,000 from \$7,268,991 to \$7,323,991, and extending the term from May 31, 2023, to December 31, 2023.

Enactment No: Resolution-079533

48. Approve an Appropriation Transfer Request in the amount of \$202,199.81 to establish a budget appropriation and record revenue for the California Board of State and Community Corrections (BSCC) FY 2022-23 Officer Wellness and Mental Health grant.

Enactment No: Resolution-079534

The Board adjourned to Closed Session at 12:31 p.m. with no reportable action to follow by John D. Nibbelin, County Attorney.

CLOSED SESSION

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

(Gov. Code Section 54956.9(d)(1))

In re: National Prescription Opiate Litigation, MDL 1:17-MD-2804 (including defendants Teva, Allergan, Walmart, Walgreens and CVS)

Janette Masterson, et al. v. Stephen Blair, et al., San Mateo County Case No. 21-CIV-03474

Conference with Labor Negotiator:

Negotiations: American Federation of State, County and Municipal Employees

(AFSCME) and Service Employees International Union (SEIU) - Extra Help Units

Agency designated representative attending Closed Session: Kelly Tuffo

Conference with Real Property Negotiator:

(Cal. Gov't Code § 54956.8)

Property: APNs 060-053-080; 3009 Middlefield Rd and 060-053-100; 3017 Middlefield Rd

Agency Negotiator: County Executive

Negotiating Parties: David Scarpinato, Lee & Associates for Raza Development Fund Inc.

Under Negotiation: Price and terms of payment

Property: APNs 060-053-060; 401 2nd Ave

Agency Negotiator: County Executive

Negotiating Parties: Juan de Leon, Newmark for Chavez Francisco

Under Negotiation: Price and terms of payment

ADJOURNMENT

The meeting adjourned at 12:31 p.m.