



MINUTES - FINAL

Virtual Meeting

Tuesday, November 16, 2021

9:00 AM

<https://smcgov.zoom.us/j/92332285441>

*****BY VIDEOCONFERENCE ONLY*****

The meeting began at 9:00 a.m.

Recorded video message on COVID-19, San Mateo County's Shelter-in-Place, Governor Gavin Newsom's Executive Order on the Ralph M. Brown Act provisions, and public comment procedures on both written and verbal comments was played for members of the public.

PLEDGE OF ALLEGIANCE

President David J. Canepa 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 life of Linda McCullough.

PUBLIC COMMENT

Verbal Comment(s) via ZOOM:

Ron Snow; Michael Murphy; Deacon Lauren McCombs; Martin Fox; Dan Stegink; Miss Del Rio; Carlisle Ann Young; and Nirmala Bandrapalli.

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

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

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

No: 0

PRESENTATIONS AND AWARDS

- 1. Presentation of a resolution honoring Boris Koodrin upon his retirement as the San Mateo County Arts Commission’s Gallery Curator.

Sponsors: Carole Groom

Verbal Comment(s) via ZOOM:

Supervisor Carole Groom and Boris Koodrin.

Motion: Groom / Second: Horsley

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

No: 0

Enactment No: Proc/Hon. Res-4404

MATTERS SET FOR SPECIFIED TIME

9:30 a.m.

- 4. Recommendation to:

- A) Receive report regarding draft supervisorial district maps; and
- B) Open a public hearing to receive testimony regarding consideration and potential adoption of San Mateo County Supervisorial district boundaries following the 2020 Census (Elections Code Section 21507.1); and
- C) Close the public hearing; and
- D) Potentially provide direction to staff regarding additional draft maps, modifications to recommended draft maps, and/or adopt map.

Verbal Comment(s) via ZOOM:

John C. Beiers, County Counsel; Doug Johnson, National Demographics Corporation; and Supervisors Canepa, Groom, Horsley, Slocum and Pine.

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:

Dan Stegink; Rona Gundrum; Evan Adams; Rita Mancera; Petera Silton; Cindy Crowe-Urgo; Pamela Jones; Diane Leeds; Carlisle Ann Young; Miriam Yupanqui; Yajaira Ortega; Heather Hopkins; Ric Lohman; Hector

Camacho; Christine Padilla; Thomas Weissmiller; Nirmala Bandrapalli; and Drew.

Written Comments read over Zoom:

Ray Larios; SMC Latinx Club; and Emma Gonzalez-Romero.

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

Verbal roll call vote was taken:

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

No: 0

Motion directing staff to bring an ordinance on Dec. 7, 2022 BOS meeting incorporating and adopting the “Communities Together Map”: Slocum / Second: Groom

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

No: 0

PRESENTATIONS AND AWARDS

- 2. Presentation of a proclamation designating November 2021 as National Adoption Awareness Month.

Sponsors: David J. Canepa

Verbal Comment(s) via ZOOM:

Supervisor David Canepa; and John Fong, Human Services Agency.

Motion: Canepa / **Second:** Horsley

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

No: 0

Enactment No: Proc/Hon. Res-4405

- 3. COVID-19 Update:
 - Informational update by Louise Rogers, Chief of Health

Verbal Comment(s) via ZOOM:

Louise Rogers, Chief of Health; Dan Stegink; Martin Fox; and Carylsle Ann Young.

REGULAR AGENDA

PUBLIC WORKS

- 5. Introduction of an ordinance amending Section 7.04.035 of Chapter 7.04 of Title 7 of the San Mateo County Ordinance Code for Prima Facie Speed Limits to establish a speed limit of 35 miles per hour on sections of Pescadero Creek Road in Pescadero, and waive the reading of the ordinance in its entirety.

Verbal Comment(s) via ZOOM:

Ann Stillman, Interim Director of Public Works

COUNTY MANAGER: OFFICE OF SUSTAINABILITY

6. Recommendation to:

- A) Introduce an ordinance adding Chapter 4.106, Establishing an Edible Food Recovery Program to the San Mateo County Ordinance Code to implement an edible food recovery program pursuant to Senate Bill 1383 ("SB 1383"), and waive reading of the ordinance in its entirety; and
- B) Introduce an ordinance amending Chapter 4.04, Solid Waste Collection, Transport, Storage and Disposal of the San Mateo County Ordinance Code to meet the requirements of SB 1383 for the unincorporated areas of the county, and waive reading of the ordinance in its entirety; and
- C) Adopt a resolution authorizing the County Manager to execute a Memorandum of Understanding with the South Bayside Waste Management Authority for SB 1383 programs in County Service Areas No. 8 (North Fair Oaks) and County Franchised Area.

Verbal Comment(s) via ZOOM:

Carolyn Bloede, Director of Office of Sustainability; Supervisor Carole Groom; and Supervisor Don Horsley.

Motion to move A, B, and C with one change to section 3, which will change the commence date from January 1, 2022 to January 1, 2023: Pine / Second: Groom

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

No: 0

Enactment No: Resolution-078572

COUNTY MANAGER

- 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 to support the Full-Circle Food Justice Program, and authorizing the County Manager, 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-078537

BOARD OF SUPERVISORS

8. Measure K: Recommendation to:

- A) Adopt a resolution authorizing up to \$208,000 in **Measure K** Reserves to establish a San Mateo County Gun Buy-Back Pilot Program, supported by an additional \$100,000 from the Sheriff’s Department and at least \$67,000 raised by Citizens for a San Mateo County Gun Buy Back, a local community group; and
- B) Approve an Appropriation Transfer Request (ATR) of \$35,000 to the Sheriff’s Department for staffing and logistics; and
- C) Approve an Appropriation Transfer Request (ATR) of \$138,000 to Non-Departmental Services for contracting with Gun by Gun to distribute the incentive.

Sponsors: Dave Pine and Don Horsley

Verbal Comment(s) via ZOOM:

Supervisor Dave Pine; Supervisor Don Horsley; Sheriff Carlos Bolanos; Danielle Lacampagne; Bradd Silver; Martin Fox; and Carlisle Ann Young.

Motion: Pine / Second: Horsley

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

No: 0

Enactment No: Resolutions-078538, 078539, and 078540.

9. Adopt a resolution to condemn Islamophobia and support the inalienable rights of Muslims.

Sponsors: David J. Canepa

Verbal Comment(s) via ZOOM:

Supervisor David Canepa and Councilmember Sam Hindi, City of Foster City.

Motion: Canepa / Second: Groom

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

No: 0

Enactment No: Resolution-078542

- 10. Adopt a resolution that recognizes the mental and physical hardships of COVID-19 on the disabled, declaring San Mateo County a disability inclusive county, and encouraging the use of telework tools.

Sponsors: David J. Canepa and Carole Groom

Verbal Comment(s) via ZOOM:

Supervisor David Canepa and Supervisor Carole Groom

Motion: Groom / Second: Canepa

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

No: 0

Enactment No: Resolution-078541

- 11. Adopt a resolution to affirm support for reproductive freedom.

Sponsors: David J. Canepa and Carole Groom

Verbal Comment(s) via ZOOM:

Supervisor David Canepa; Supervisor Carole Groom; Becky Abens, Commission on the Status of Women; and Nirmala Bandrapalli, Commission on the Status of Women.

Motion: Groom / Second: Canepa

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

No: 0

Enactment No: Resolution-078543

- 12. Discussion and/or possible action related to State Legislative Redistricting.

Sponsors: Dave Pine

Verbal Comment(s) via ZOOM:

Supervisor Dave Pine; Supervisor David Canepa; Supervisor Warren Slocum; Supervisor Don Horsley; Supervisor Carole Groom; Connie Juarez-Diroll, Chief Legislative Officer; Thomas Weissmiller; and Nick Gonzalez.

Motion to create an Adhoc committee consisting of Supervisors Pine and Canepa to work with County staff on sending a letter to the State's redistricting committee regarding the current proposed redistricting of San Mateo County: Horsley / Second: Slocum

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

No: 0

CONSENT AGENDA

ASSESSOR-COUNTY CLERK-RECORDER

- 13. Adopt a resolution approving the East Palo Alto Sanitary District’s request to move the election of its Board of Directors to coincide with the Statewide general election (November of even-numbered years).

Enactment No: Resolution-078544

BOARD OF SUPERVISORS

- 14. Ratification of a resolutions honoring award recipients of the San Mateo County Veterans Commission 6th Annual Veteran Recognition event:

- A) Paul Harrell as Veteran of the Year; and
- B) Sue Digre as Patriot of the Year; and
- C) Peninsula Volunteers, Inc. as Enterprise of the Year.

Sponsors: Warren Slocum

Enactment No: Proc/Hon. Res Nos. - 4406, 4407, and 4408.

- 15. Adopt a resolution prescribing district-based elections as the method of selection of San Mateo County Board of Education (“SMCBOE”) members.

Sponsors: David J. Canepa

Enactment No: Resolution-078545

- 16. Recommendation for reappointments to the San Mateo Health Commission, each for a term ending January 1, 2026:

- A) Jeanette Aviles, M.D., representing San Mateo County Hospital Physician, for a third term; and
- B) Kenneth Tai, M.D., representing Physician for a second term.

Sponsors: David J. Canepa

- 17. Recommendation for the reappointments of Supervisor Carole Groom and Jacquelyn Brown to the Law Library Board of Trustees, representing Board Trustee member, each for a term ending December 31, 2022.

Sponsors: David J. Canepa

COUNTY MANAGER

18. Adopt an ordinance amending sections 2.88.040 and 2.88.080 of Chapter 2.88 of Title 2 of the San Mateo County Ordinance Code to extend the expiration date of the Living Wage Ordinance Pilot Program by six months until June 30, 2022, previously introduced on November 9, 2021, and waive the reading of the ordinance in its entirety.

Enactment No: Ordinance-4854

19. Adopt a resolution authorizing a fifth amendment to the agreement with the San Mateo County Economic Development Association to increase the maximum amount authorized to be expended thereunder by \$75,000 to a maximum amount not to exceed \$564,810 and to extend the term of the agreement through March 31, 2022, for support and assistance with implementation of the economic recovery components of the San Mateo County Recovery Initiative.

Enactment No: Resolution-078546

20. Adopt a resolution authorizing:

- A) The County Manager or County Manager’s designee to execute a Lease Agreement and Sublease Agreement with the Town of Atherton by which the County would make a one-time lease payment to the Town in the amount of \$1,350,000, which the Town of Atherton would repay under a sublease with interest at a rate of 2% per annum over a term of five years; and
- B) The County Manager or County Manager’s designee to execute, on behalf of the County of San Mateo, all notices, options, consents, approvals, terminations, and documents associated with the Lease Agreement and Sublease Agreement.

Enactment No: Resolution-078547

21. Adopt a resolution adopting the 2021 San Mateo County Multijurisdictional Local Hazard Mitigation Plan.

Enactment No: Resolution-078548

22. Adopt a resolution authorizing:

- A) A Memorandum of Agreement with the Federal Aviation Administration for ongoing operation and maintenance of navigation equipment located at the Half Moon Bay Airport; and
- B) The Director of Public Works, or their designee, to execute notices, options, and documents associated with this Memorandum of Agreement and non-substantive additions, clarifications and amendments to this Memorandum of Agreement after consultation with County Counsel.

Enactment No: Resolution-078549

- 23. Approve the Board of Supervisors' response to the 2020-2021 Civil Grand Jury Report, "Diversity and Racial Equity - How Can San Mateo County Change 'Talk the Talk' to 'Walk the Walk'?"
- 24. 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-078550

COURTS

- 25. Recommendation for the reappointment of Rebecca Flores to the Juvenile Justice & Delinquency Prevention Commission, for a second term ending December 31, 2025.

HEALTH

- 26. **Measure K:** Adopt a resolution authorizing an amendment to the agreement with Regents of the University of California to support UC Cooperative Extension Head, Heart, Health, Hand Youth Development through the Healthy Living Ambassadors program, extending the term through June 30, 2023, and increasing the amount by \$50,648 to an amount not to exceed \$237,057.

Enactment No: Resolution-078551

- 27. **Measure K:** Adopt a resolution authorizing an agreement with One East Palo Alto for multi-cultural wellness center services, outreach and engagement services, mental health first aid, crisis response, and Parent Project for the term of July 1, 2021 through June 30, 2022, and vaccine outreach for the term of July 1, 2021 through August 31, 2021, in an amount not to exceed \$580,284.

Enactment No: Resolution-078552

- 28. Recommendation to:
 - A) Adopt a resolution authorizing: the acceptance of San Mateo County's noncompetitive allocation of Budget Act of 2021 funds in the amount of \$897,589 from the California Department of Social Services to establish, continue, and expand housing and homelessness assistance through the Home Safe program; and
 - B) Approve an Appropriation Transfer Request (ATR) in the amount of \$897,589, recognizing unanticipated revenue of \$225,000 from the state for the Home Safe program.

Enactment No: Resolutions-078553 and 078554

- 29. Adopt a resolution authorizing an agreement with Addiction Research and Treatment, Inc. for narcotic replacement therapy services, for the term of July 1, 2021 through June 30, 2022, in an amount not to exceed \$2,223,104.

Enactment No: Resolution-078555

- 30. Adopt a resolution authorizing an agreement with Mental Health Association of Alameda County for patients' rights services for the term of July 1, 2021 through June 30, 2024, in an amount not to exceed \$635,746.

Enactment No: Resolution-078556

- 31. Adopt a resolution authorizing an agreement with Our Common Ground, Inc. for substance use disorder treatment services, for the term July 1, 2021 through June 30, 2022, in an amount not to exceed \$3,758,357.

Enactment No: Resolution-078557

- 32. Adopt a resolution authorizing an agreement with Puente de la Costa Sur for Project SUCCESS services and Trauma-Informed Co-occurring Prevention Services for the term of July 1, 2021 through June 30, 2022, in an amount not to exceed \$335,771.

Enactment No: Resolution-078558

- 33. Adopt a resolution authorizing the approval and submission of the San Mateo County Report on Deaths by Suicide, 2019-2020.

Enactment No: Resolution-078559

- 34. Adopt a resolution authorizing an agreement with Horizon Services, Inc. for residential substance use disorder detoxification services for the term of July 1, 2021 through June 30, 2022, in an amount not to exceed \$1,160,431.

Enactment No: Resolution-078560

- 35. Recommendation to:

- A) Adopt a resolution authorizing and directing:

- 1. The contribution of \$3,225,150 in Children's Health Initiative funds to the Immigrant Families Recovery Fund to provide financial and coaching support to San Mateo County families with children who are ineligible for the federal child tax credit because of their immigration status; and
- 2. The execution of a grant agreement with Mission Asset Fund for a term of November 9, 2021 through December 30, 2024 in the amount not to exceed \$3,225,150 for the Immigrant Families Recovery Fund and

distribution of grant funds to selected recipients in San Mateo County; and

- B) Approving an Appropriation Transfer Request (ATR) in the amount of \$3,225,150, transferring revenue from the Children’s Health Initiative Trust Fund to Mission Asset Fund, and direct the Controller to take such steps as are necessary to effectuate this transfer.

Enactment No: Resolutions-078561 and 078562

36. Recommendation to:

- A) Adopt a resolution authorizing and directing:

- 1. The use of funds in the Children’s Health Initiative Trust Fund to address shared priorities related to children’s health, or return funds to contributing funders, as determined by voting members of the Children’s Health Initiative Coalition, subject to approval by the San Mateo Health Commission, in accordance with the Children’s Health Initiative Coalition’s amendment of its Memorandum of Understanding, with the restriction in place regarding the use of such funds to be amended accordingly; and
- 2. The return of Children’s Health Initiative funds in the amount of \$171,750 to First 5 San Mateo County, in the amount of \$343,500 to the Peninsula Health Care District, and in the amount of \$1,004,400 to the Sequoia Health Care District; and

- B) Approve an Appropriation Transfer Request (ATR) in the amount of \$1,519,650, transferring revenue from the Children’s Health Initiative Trust Fund to First 5 San Mateo County, the Peninsula Health Care District, and the Sequoia Health Care District, and directing the Controller to take such steps as are necessary to effectuate this transfer.

Enactment No: Resolutions-078563 and 078564

37. Recommendation to:

- A) Adopt a resolution authorizing a Memorandum of Understanding between the County and the San Mateo Health Commission dba Health Plan of San Mateo for the purpose of administering grant agreements related to oral health services and equity planning, funded by Children’s Health Initiative funds, for the term of November 16, 2021 through June 30, 2025, in an amount not to exceed \$415,000; and
- B) Approving an Appropriation Transfer Request (ATR) in the amount of \$415,000, transferring revenue from the Children’s Health Initiative Trust Fund and associated expenditures to the Health Coverage Unit budget, and direct the

Controller to take such steps as are necessary to effectuate this transfer.

Enactment No: Resolutions-078565 and 078566

- 38. Adopt a resolution authorizing an agreement with Michael Trindade, MD to provide orthopedic services for the term of November 1, 2021 through October 31, 2022, in an amount not to exceed \$500,000.

Enactment No: Resolution-078567

- 39. Adopt a resolution authorizing an agreement with Scott Oesterling MD, Inc. to provide obstetrics and gynecology services for the term of January 1, 2022 through December 31, 2024, in an amount not to exceed \$9,050,000.

Enactment No: Resolution-078568

HOUSING

- 40. Adopt a resolution authorizing the Director of the Department of Housing, or designee, to execute an Amended and Restated Management Agreement with MidPen Property Management Corporation for operation and management at Shores Landing, located at 1000 Twin Dolphin Drive, in Redwood City (Assessor Parcel Number 095-222-230), increasing the amount of the agreement by \$913,312 for a new total amount not to exceed \$2,431,312 with a term of November 16, 2021 through November 16, 2022.

Enactment No: Resolution-078569

HUMAN RESOURCES

- 41. Report recommending the denial of claims (Non-culpable)
- 42. Accept an analysis on the actuarial impact upon future costs if the board were to adopt a resolution changing retiree health benefits for American Federation of State, County and Municipal Employees.

PARKS

- 43. Adopt an ordinance amending Chapter 3.68, consisting of sections 3.68.080 and 3.68.180, to Title 3 of the San Mateo County Ordinance Code, establishing specified legal opportunities for dog recreation within San Mateo County Parks and Recreation Areas, previously introduced on November 9, 2021, and waive the reading of the ordinance in its entirety.

Enactment No: Ordinance-4855

PUBLIC WORKS

- 44. Adopt a resolution:

- A) Adopting the construction task catalog, specifications, and conformance with prevailing wage scale requirements for Job Order Contracts - Painting Contracting Services; and
- B) Authorizing agreements with Olympos Painting, Inc. and Angeles Contractor, Inc. for Job Order Contract Painting Contracting Services, for the term of November 17, 2021 through November 16, 2022, each in an amount not to exceed \$1,000,000; 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 the executed Job Order Contract agreements.

Enactment No: Resolution-078570(a-b)

- 45. Adopt a resolution authorizing an agreement with Bayscape Landscape Management for the provision of landscape maintenance services at various County facilities, for the term of December 1, 2021 through November 30, 2024, in an amount not to exceed \$885,000.

Enactment No: Resolution-078571

The Board adjourned to Closed Session at 12:42 p.m.

CLOSED SESSION

46. Conference with Legal Counsel - Existing Litigation:

Timothy Giltz v. County of San Mateo
 Claim Numbers: SM150728, WC 2020-8503
 WCAB Case Numbers: ADJ11977079, ADJ13790225

Henry Sutter v. County of San Mateo
 Claim Number: WC 2018-6578
 WCAB Case Number: ADJ12170010

Bradley Martin v. County of San Mateo
 Claim Number: WC 2017-0838
 WCAB Case Numbers: ADJ12769612

Conference with Labor Negotiator:

Negotiations:

American Federation of State, County and Municipal Employees (AFSCME); California Nurses Association (CNA); Deputy Sheriff’s Association Sworn/Safety Personnel (DSA); Organization of Sheriff’s Sergeants (OSS); Service Employees International Union

(SEIU); and Unrepresented Management, Attorney and Confidential employees

Agency designated representative attending Closed Session: Kelly Tuffo

Public Employee Appointment

Title: County Counsel

At 2:15 p.m., with all the Supervisors present in open session, County Counsel reported the following action from Closed Session: The Board of Supervisors (5-0) agreed to settle Timothy Giltz's Workers' Compensation claim for the total amount of \$150,000 plus future medical bills; settle Henry Sutter's Workers' Compensation claim for the total amount of \$160,000 plus future medical bills; and settle Bradley Martin's Workers' Compensation claim for the total amount of \$250,000 plus future medical bills.

ADJOURNMENT

The meeting adjourned at 2:17 p.m.