



MINUTES - DRAFT

Hybrid Meeting

Tuesday, August 2, 2022

9:00 AM

<https://smcgov.zoom.us/j/98715800564>

*****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

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 Warren Slocum talked about the Veterans Health Bill pending in the U.S. Senate that would expand lifesaving health benefits for Iraq and Afghanistan war veterans exposed to toxic burn pits.

Supervisor Don Horsley spoke on Farmers Advisory Commission.

PUBLIC COMMENT

Verbal Comment(s) via ZOOM:

Lucia Lachmayr; Alison M; Martin Fox; , Tracey Carrillo Fecher, CEO Sonrisas Dental Health; Michael Schrader; Pam Schwartz; Janes Davis; Rebecca Kieler; Paul Bocanegra; Bill Newell; Alpheus Jessup; Jeffrey Carr; Supervisor Don Horsley; Mike Callagy, County Manager; Supervisor David Canepa; Supervisor Carole Groom; and Supervisor Warren Slocum.

ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

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

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

No: 0

PRESENTATIONS AND AWARDS

1. Black Indigenous People of Color (BIPOC) Experiences in San Mateo County: A Latinx County staff and community member shares her experience.

Sponsors: Don Horsley

Verbal Comment(s) via ZOOM:

Supervisor Don Horsley and Natasha Claire-Espino, Director of Public Safety Communications

2. Presentation of a proclamation designating August 26, 2022 as Women's Equality Day.

Sponsors: Carole Groom

Verbal Comment(s) via ZOOM:

Supervisor Carole Groom; Maya Tusing, Commission on the Status of Women; and Susan Kokores, Commission on the Status of Women.

Motion: Groom / Second: Slocum

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

No: 0

Enactment No: Proc/Hon. Res-4471

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

Verbal Comment(s) via ZOOM:

Louise Rogers, Chief of Health; Marc Meulman, Director of Public Health Policy and Planning; Lizelle Lirio de Luna, Director of Family Health Services; Supervisor David Canepa; and Martin Fox.

REGULAR AGENDA

HOUSING

4. Adopt a resolution:

A) Authorizing and directing the Director of the Department of Housing ("DOH"), or designee, to execute an Exclusive Negotiating Agreement with MidPen Housing, or an affiliate entity, to afford the parties sufficient time to negotiate the terms of both a Development Agreement and an Agreement to provide site control of

property located at 1580-1590 Maple Street in the City of Redwood City (the "Property") to MidPen Housing, or an affiliate entity, for the purpose of developing and operating a permanent supportive housing development on the Property for extremely low-income households and households experiencing homelessness; and

- B) Authorizing and directing the Director of DOH, or designee, in conjunction with MidPen Housing, to submit, or cause to be submitted, to the City of Redwood City all necessary entitlement application documents required to ensure development at the Property proceeds in accordance with state law; and
- C) Authorizing and directing the Director of DOH, or designee, to enter into a Development Agreement with MidPen Housing, or an affiliate entity, regarding design, development, construction, ownership, and management of the Property in addition to the provision of supportive services at the Property; and
- D) Authorizing and directing the Director of DOH, or designee, to provide site control of the Property, through a sub-ground lease, assignment of ground lease, or another instrument agreeable to both DOH and MidPen Housing, subject to County Attorney review and approval, to MidPen Housing or an affiliate entity to facilitate MidPen Housing, or its affiliate entity developing, owning, and operating a permanent supportive housing development on the Property for extremely low-income households and households experiencing homelessness.

Verbal Comment(s) via ZOOM:

Raymond Hodges, Director of Housing; Felix Au Yeung, MidPen; Supervisor Warren Slocum; Supervisor Carole Groom; and Supervisor Dave Pine.

Motion: Pine / Second: Groom

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

No: 0

Enactment No: Resolution-079072

COUNTY EXECUTIVE

5. **Measure K:** Adopt a resolution authorizing a one-time grant of district-discretionary **Measure K** funds, not to exceed \$30,000, to El Centro de Libertad for the purchase of a new vehicle for the Coastsides Crisis Assistance Response & Evaluation Services (CARES) Program, and authorizing the County Executive, or designee, to execute the grant agreement.

Sponsors: Don Horsley

Verbal Comment(s) via ZOOM:

Supervisor Don Horsley; Martin Fox; and Pat Willard.

Motion: Horsley / Second: Slocum

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

No: 0

Enactment No: Resolution-079073

6. **Measure K:** Approve an Appropriation Transfer Request (ATR) transferring district-discretionary **Measure K** funds, not to exceed \$250,000, from Non-Departmental Services to the San Mateo County Department of Public Works for a road conditions survey in unincorporated Menlo Oaks.

Sponsors: Warren Slocum and Don Horsley

Verbal Comment(s) via ZOOM:

Supervisor Don Horsley and Supervisor Warren Slocum

Motion: Slocum / Second: Horsley

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

No: 0

Enactment No: Resolution-079074

BOARD OF SUPERVISORS

7. Adopt a resolution approving the Women's Reproductive Freedom and Healthcare Privacy Advocacy Agenda.

Sponsors: Dave Pine and Warren Slocum

Verbal Comment(s) via ZOOM:

Supervisor Dave Pine; Supervisor Warren Slocum; Susan Kokores, Commission on the Status of Women; and Charles Stone.

Motion: Slocum / Second: Pine

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

No: 0

Enactment No: Resolution-079075

8. Adopt a resolution authorizing and directing the County Executive, or designee(s), to take all steps necessary to establish an Office of Arts and Culture within the County Executive's Office (CEO).

Sponsors: Carole Groom and Warren Slocum

Verbal Comment(s) via ZOOM:

Supervisor Carole Groom; Supervisor Warren Slocum; and Robin

Rodricks, Executive Director - Arts Commission.

Motion: Groom / Second: Slocum

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

No: 0

Enactment No: Resolution-079097

CONSENT AGENDA

ASSESSOR-COUNTY CLERK-RECORDER-ELECTIONS

9. Adopt a resolution:

- A) Accepting the certificate of the Chief Elections Officer as the statement of the results of the vote as determined by the official canvass of the June 7, 2022 Statewide Direct Primary Election (the "Election"); and
- B) Declaring elected to or nominated to each office voted on at the Election the persons having the highest number of votes for such offices.

Enactment No: Resolution-079076

BOARD OF SUPERVISORS

10. Recommendation for the reappointment of Alpheus W. Jessup to the Bayside Design Review Committee, representing Architect, for a first full term ending March 31, 2025.

Sponsors: Don Horsley

11. Recommendation for reappointments to the Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Commission:

- A) Dana Johnson, member for a second term ending June 30, 2025; and
- B) Craig Wiesner, member for a third term ending June 30, 2025.

Sponsors: Don Horsley

12. Recommendation for the appointment of Hiram Reno Anoa'i to the San Mateo County Arts Commission, representing District 5, for an initial partial term ending December 31, 2022.

Sponsors: David J. Canepa

CONTROLLER

13. Adopt a resolution authorizing a second amendment to the Agreement with Insight Public

Sector, Inc. to increase the amount due under the Agreement by \$94,353.14 for a revised total not to exceed amount of \$1,907,321.07 in order to pay for increased disk capacity services for the Controller's Office Property Tax System servers and to provide virtual firewall network services.

Enactment No: Resolution-079077

CORONER

14. Adopt a resolution:

- A) Amending Agreement No. 0718917(a) with Thomas Rogers, M.D. ("Dr. Rogers") to revise the terms of payment for the provision of forensic pathology services to include a 4% increase per year for cost-of-living adjustments and decrease the not-to-exceed amount by \$529,754 from \$639,574 to a new total not-to-exceed amount of \$110,000; and
- B) Amending Agreement No. 078917(c) with Forensic Doctors Group, PC, owned by Dr. Michael D. Hunter, M.D. ("Forensic Doctors Group") to revise the terms of payment for the provision of forensic pathology services to include a 4% increase per year for cost-of-living adjustments and decrease the not-to-exceed amount by \$190,000.00 from \$300,000 to a new total not-to-exceed amount of \$110,000; and
- C) Amending Agreement No. 0718917(b) with Pathemis, PC, owned by Dr. Angellee Chen, M.D. ("Pathemis") to revise the terms of payment for the provision of forensic pathology services to include a 4% increase per year for cost-of-living adjustments and decrease the not-to-exceed amount by \$529,754 from \$639,574 to a new total not-to-exceed amount of \$110,000; and
- D) Authorizing an agreement with NAAG Pathology Labs PC, owned by Dr. Evan Matshes, M.D. ("NAAG Pathology Labs"), for the provision of forensic pathology services for the term August 7, 2022 through August 6, 2025 with a not-to-exceed amount of \$2,497,280; and
- E) Granting a waiver of the competitive bidding process for the provision of the above forensic pathology services by NAAG Pathology Labs pursuant to County Ordinance Code 2.83.050(e).

Enactment No: Resolution-079078(a-d)

COUNTY ATTORNEY

- 15.** Adopt a resolution providing for the issuance and sale of the Sequoia Union High School District 2022-23 Tax and Revenue Anticipation Notes in an amount not to exceed \$24,000,000.

Enactment No: Resolution-079080

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

Enactment No: Resolution-079081

COUNTY EXECUTIVE

17. Adopt a resolution authorizing an amendment to the agreement with Vanir Construction Management, Inc. extending the term through February 28, 2025, and increasing the amount authorized to be expended under the agreement by \$1,080,000 for a revised contract value of \$4,468,944.

Enactment No: Resolution-079080

18. Adopt a resolution authorizing an amendment to the agreement with Consolidated Engineering Laboratories, extending the term through October 16, 2024, and increasing the amount authorized to be expended by \$1,000,000 for a revised contract value of \$2,400,000.

Enactment No: Resolution-079081

19. Adopt a resolution authorizing the Director of Project Development Unit to execute purchase orders with One Workplace to plan, procure, furnish, and install furniture, and provide related moving services, for the County Office Building 3 Project in an amount not to exceed \$6,500,000.

Enactment No: Resolution-079082

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

- A) Declaring the Board of Supervisors' intention to purchase the Property, located at 2191-2195 S. El Camino Real, San Mateo, (Assessor Parcel Numbers 039-073-450 and 039-073-290 ("Property")) for a total purchase price of \$3,750,000; and
- B) Authorizing the President of the Board of Supervisors to execute a Real Estate Purchase and Sale Agreement and Escrow Instructions ("Agreement") for the County's acquisition of the Property for a total purchase price of \$3,750,000; and
- C) Authorizing the County Executive, or designee, to execute the Certificate of Acceptance and any and all notices, escrow instructions, and documents required to facilitate the purposes of the Agreement.

Enactment No: Resolution-079083

HEALTH

21. **Measure K:** Adopt a resolution authorizing an agreement with TALK: Teaching and Assessing Language for Kids for alternative therapy services for the term of July 1, 2022, through June 30, 2024, in an amount not to exceed \$362,650.

Enactment No: Resolution-079084

22. Adopt a resolution authorizing an amendment to the agreement with Zen Healthcare IT to provide technical and strategic consulting for Health Information Exchange, extending the term through May 31, 2023, and increasing the maximum amount by \$269,747 to an amount not to exceed \$1,046,747.

Enactment No: Resolution-079085

23. Adopt a resolution authorizing an amendment to the agreement with Teja Bedi, Inc., dba MedOnc, Inc. extending the term by one month through September 30, 2022, and increasing the amount by \$47,314 to an amount not to exceed \$1,247,314.

Enactment No: Resolution-079086

24. Adopt a resolution authorizing an agreement with Sutter Bay Medical Foundation, a California Nonprofit Public Benefit Corporation dba Palo Alto Medical Foundation for Health Care, Research and Education to provide vascular surgery services for the term of September 1, 2022 through August 31, 2025 in an amount not to exceed \$1,350,000.

Enactment No: Resolution-079087

25. Adopt a resolution authorizing an agreement with Sonrisas Dental Health, Inc. to provide dental health services for the term of September 1, 2022, through August 31, 2025, in an amount not to exceed \$1,000,000.

Enactment No: Resolution-079088

26. Adopt a resolution authorizing an agreement with Ronald Greenwald, MD for neurosurgery services from August 1, 2022 through July 31, 2025 in an amount not to exceed \$1,650,718.

Enactment No: Resolution-079089

HOUSING

27. Adopt a resolution authorizing:
- A) The Department of Housing to accept an amount not to exceed \$329,112 in State of California Emergency Solutions Grants (ESG) funding and award that funding to qualified service providers through a Notice of Funding Availability process that meets the requirements of State ESG Regulations, with adjustments to be made to individual awards on a pro rata basis once final allocations have been confirmed; and
 - B) The Director of the Department of Housing, or the Director's designee, to execute a Standard Agreement with the State and any subsequent amendments, documents, and modifications, which are related to the ESG Program or Funds,

and execute contracts with awardees under said Notice of Funding Availability.

Enactment No: Resolution-079090

28. Adopt a resolution authorizing an amendment with Milliman Inc. for actuarial services, increasing the amount by \$250,000 to an amount not to exceed \$750,000.

Enactment No: Resolution-079091

HUMAN RESOURCES

29. Adopt a resolution authorizing an amendment to the Master Salary Resolution 079043 to delete one position, add three positions, convert one position to classified via Measure D, and amend the Special Compensation Section of the Master Salary Resolution; and accept the updated report of biweekly salaries by classification.

Enactment No: Resolution-079092

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

HUMAN SERVICES AGENCY

31. Adopt a resolution authorizing an agreement with Samaritan House to provide non-congregate homeless shelter services for the term of July 1, 2022 through June 30, 2024, for a total obligation amount not to exceed \$3,286,669.

Enactment No: Resolution-079093

32. Adopt a resolution authorizing a modification to the rules and regulations of the General Assistance Program by increasing the General Assistance grant to the same level as the CalWORKs grant, consistent with the statutory formula, effective October 1, 2022.

Enactment No: Resolution-079094

33. Adopt a resolution authorizing and directing the Human Services Agency Director or designee to execute grant agreements, or amendments, with the United States Department of Housing and Urban Development to accept funding for Continuum of Care planning activities from July 1, 2023 through June 30, 2026 for an amount of up to \$600,000 per year.

Enactment No: Resolution-079095

PUBLIC WORKS

34. Adopt a resolution:

- A) Adopting plans and specifications, including conformance with prevailing wage scale requirements for the Broadmoor Safe Routes to School Pedestrian Improvements Project - Broadmoor area; and

- B) Authorizing the Director of Public Works to call for sealed proposals to be received by Wednesday, September 14, 2022 at 1:00 p.m., in 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 sixty (60) calendar days beyond the time and date originally set forth by the Board of Supervisors.

Enactment No: Resolution-079096

The Board adjourned to Closed Session at 10:50 a.m.

CLOSED SESSION

35. Conference with Legal Counsel - Anticipated Litigation:

Initiation of litigation pursuant to subdivision (d)(4) of Section 54956.9

One case

At 11:02 a.m., with all the Supervisors present in open session, County Counsel reported the following action from Closed Session: The Board of Supervisors unanimously decided to file a amicus curiae brief in the case of 303 Creative LLC v. Elenis, which is a pending United States Supreme Court case related to the First Amendment of the U.S. Constitution.

ADJOURNMENT

The meeting adjourned at 11:03 a.m.