

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY MANAGER, OR DESIGNEE, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH SMCU COMMUNITY FUND FOR ADMINISTRATION AND DISTRIBUTION OF THE RESTAURANT, BREWERY, AND WINERY RELIEF PROGRAM TO INCREASE THE MAXIMUM AMOUNT TO BE DISTRIBUTED BY THE SMCU COMMUNITY FUND TO ELIGIBLE ESTABLISHMENTS BY \$80,000 TO AN AMOUNT NOT TO EXCEED \$1,130,000 AND INCREASING THE COUNTY'S ALLOCATION OF FUNDS TO THE PROGRAM BY \$80,000 TO AN AMOUNT NOT TO EXCEED \$1,080,000

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the "Health Officer") declared a local health emergency throughout San Mateo County related to the novel coronavirus ("COVID-19") and this Board has ratified and extended this local health emergency, which remains in effect throughout San Mateo County; and

WHEREAS, on March 3, 2020, and pursuant to Section 8630 of the California Government Code and Chapter 2.46 of the San Mateo County Ordinance Code, the San Mateo County Director of Emergency Services proclaimed a local emergency throughout San Mateo County related to COVID-19 and this Board has ratified and extended the proclamation of a local emergency ("Local Emergency"), which remains in effect; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency related to COVID-19 (“State of Emergency”), effective throughout the State of California; and

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space; and

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directed all individuals living within San Mateo County to shelter in their place of residence (“Original Shelter-in-Place Order”), and authorized individuals to leave their residences only for certain “Essential Activities,” Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Original Shelter-in Place-Order; and

WHEREAS, several times since March 16, 2020, and most recently, on June 4, 2020, the Health Officer issued revised Shelter-in-Place Orders extending the Original Shelter-in-Place Order due to evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-20, which, imposed a Statewide Shelter-In-Place Order requiring individuals to remain in their places of residence except as needed to maintain continuity of operations of critical infrastructure, access necessities such as food, prescriptions and healthcare, or engage in other authorized activities; and

WHEREAS, on May 8, 2020, Governor Newsom announced a plan to allow the limited reopening of some businesses beyond those in the category of essential critical infrastructure, which is part of the "Resilience Roadmap" for California, the multiphase plan to modify the Statewide Shelter-In-Place Order; and

WHEREAS, on June 16, 2020, the State approved the County's request for a variance allowing the County to align with the Resilience Roadmap for California; and

WHEREAS, on June 17, 2020, the Health Officer rescinded the June 4, 2020 revised Shelter-in-Place Order and replaced it, effective immediately, with a new order aligning the County with the Statewide Shelter-in-Place Order/Resilience Roadmap, emphasizing individual behavior and the practices that businesses must follow as they resume operations, including limiting gatherings to no more than 50 people, outlining social distancing and face covering requirements, allowing for social bubbles, and requiring businesses to implement a social distancing protocol and written health and safety plans, based on evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area and the Health Officer will continue to update San Mateo County orders to align with State guidelines; and

WHEREAS, due to an unprecedented surge in COVID-19 cases, effective December 17, 2020, the State issued a Regional Stay at Home Order for the entire Bay Area region, which includes the County, and that Regional Stay at Home Order remains in place; and

WHEREAS, as of early April 2021, there have been over 3,500,000 confirmed COVID-19 cases across the State, with over 60,000 deaths, and over 40,000 confirmed cases in the County, with over 550 deaths; and

WHEREAS, with the current closure of indoor and outdoor dining at restaurants, breweries, and wineries within the County and throughout the State and the probable reduced level of indoor and outdoor dining and congregating in the future, many restaurants, breweries, and wineries in the County have suffered significant adverse financial impacts that are likely to continue for some time, threatening their ongoing viability; and

WHEREAS, the continued viability of the County's restaurants, breweries, and wineries is critical to ensure the availability of essential food and beverage services to residence of the County and to sustain the vitality of the local economy and the sources of employment and neighborhood vitality that such establishments in the County provide to their communities; and

WHEREAS, in light of this critical need to assist San Mateo County establishments that provide food and beverage services, on January 26, 2021, this Board adopted Resolution No. 07763, pursuant to which the County established the Restaurant, Brewery, and Winery Relief Program ("Program"); allocated \$1,000,000 for the Program; and authorized and directed the County Manager to negotiate and execute, on behalf of the County, an agreement with the SMCU Community Fund ("Community Fund") to

administer and distribute grants to qualifying establishments adversely economically impacted by the COVID-19 public health emergency; and

WHEREAS, the Chan-Zuckerberg Initiative (“CZI”) also committed \$1,000,000 to the Program for distribution as grants to independently-owned restaurants located in Southern San Mateo County (East Palo Alto, Menlo Park, unincorporated Menlo Park and North Fair Oaks) and in Palo Alto; and

WHEREAS, the Community Fund and the Silicon Valley Community Foundation (“SVCF”) also a total of \$384,000 that was contributed to the Program to be distributed as grants for restaurants, breweries, and wineries located in other parts of the County; and

WHEREAS, County staff has informed this Board that there are eight establishments located in the unincorporated area of San Mateo County that have been identified through the Program application process that are eligible for grants but for which funding is lacking and this Board wishes to increase, by \$80,000, the amount allocated by the County to the Program and to amend the agreement with the Community Fund to provide for these additional funds to be distributed as Program grants to each of these eight identified establishments.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the amount allocated by the County to the Program is increased by \$80,000, to an amount

not to exceed \$1,130,000, and the County Manger, or designee, is hereby authorized and directed to execute an amendment to the agreement with SMCU Community Fund for administration and distribution of the Restaurant, Brewery, and Winery Relief Program to increase the maximum amount to be distributed by the SMCU Community Fund to eligible establishments by \$80,000, to an amount not to exceed \$1,080,000.

BE IT FURTHER RESOLVED that the County Manager, or designee, is authorized to apply state and/or federal funds that may be made available in connection with the County's response to the COVID-19 public health emergency to reimburse the County's General Fund for all or a portion of the monies expended on the Restaurant, Brewery, and Winery Relief Program, including all General Fund monies allocated for grants under the Restaurant Relief and all monies paid to the SMCU Community Fund, to administer and distribute Restaurant, Brewery, and Winery Relief Program grant funds.

BE IT FURTHER RESOLVED that the County Manager, or designee(s), shall periodically report back to this Board regarding the status of the efforts called for by this resolution.

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