



# MINUTES - FINAL

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Hall of Justice

**Tuesday, December 5, 2017**

**9:00 AM**

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The meeting began at 9:03 a.m.

## PLEDGE OF ALLEGIANCE

## ROLL CALL

**Present:** 5 - Supervisor Dave Pine, Supervisor Carole Groom, Supervisor Warren Slocum, Supervisor David J. Canepa, and President Don Horsley

**Staff Present:** Mr. John L. Maltbie, County Manager/Clerk of the Board; Mr. John C. Beiers, County Counsel; and Ms. Sherry Golestan, Deputy Clerk of the Board

## PUBLIC COMMENT

### Speakers Recognized by the President:

Mr. Martin Fox, Belmont

Ms. Therese M. Dyer, Pacifica

## ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS

Item No. 8 requested to be heard prior to Planning and Building items per Supervisor Pine.

**Motion:** Slocum / **Second:** Pine

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

**No:** 0

**Item No. 2 was heard first per Supervisor Horsley.**

## MATTERS SET FOR SPECIFIED TIME

**9:00 a.m.**

2. Conversations about Black History Year

**Sponsors:** Supervisor Don Horsley

**Speakers Recognized by the President:**

Supervisor Don Horsley, Board of Supervisors

Hon. Leland Davis, III

**REGULAR AGENDA****PRESENTATIONS AND AWARDS**

1. Presentation of resolutions honoring the 2017 Women in County Government award recipients:

- A) Rookie of the Year: Mariana Duenas
- B) Self-Development Champion: Lieutenant Christina Corpus
- C) Public Service - The Extra Mile: Roxanne Clarke
- D) Distinguished Honoree: Reyna Farrales

**Sponsors:** Supervisor Carole Groom

**Speakers Recognized by the President:**

Supervisor Carole Groom, Board of Supervisors

Supervisor Don Horsley, Board of Supervisors

**Motion: Groom / Second: Pine**

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

**No:** 0

Enactment No: Honorary Resolution Nos-4005; 4006; 4007; 4008

**BOARD OF SUPERVISORS**

8. Adopt a resolution endorsing the "Vision, Goals, and Objectives" of the Association of Bay Area Governments' Regional Comprehensive Economic Development Strategy and Regional Economic Development District.

**Sponsors:** Supervisor Dave Pine

**Speakers Recognized by the President:**

Supervisor Dave Pine, Board of Supervisors

Mayor Pradeep Gupta, South San Francisco

Supervisor Groom left Chambers at 9:23 a.m. and returned at 9:24 a.m.

Ms. Cynthia Kroll, Chief Economist, Association of Bay Area Governments (ABAG)

Mr. Martin Fox, Belmont

Supervisor Don Horsley, Board of Supervisors

Supervisor Warren Slocum

**Motion: Pine / Second: Slocum**

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

**No:** 0

Enactment No: Resolution-075599

## PLANNING AND BUILDING

3. Adopt an Interim Urgency Ordinance of the County of San Mateo Board of Supervisors making findings and extending through December 12, 2018 the temporary moratorium on commercial nonmedical marijuana activity and outdoor cultivation of marijuana on the grounds of a private residence, within the unincorporated area of San Mateo County, to the full extent authorized under State law, and waive the reading of the ordinance in its entirety.

**Speakers Recognized by the President:**

Mr. Mike Callagy, Assistant County Manager  
Mr. Brian Wong, Deputy County Counsel  
Supervisor Don Horsley, Board of Supervisors  
Mr. James Stretch, El Granada  
Mr. Pedro Gonzalez, South San Francisco

**Motion: Groom / Second: Slocum**

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

**No:** 0

Enactment No: Ordinance-4788

4. Adopt an Interim Urgency Ordinance of the County of San Mateo Board of Supervisors making findings and establishing a temporary moratorium on commercial medical cannabis activity within the unincorporated area of San Mateo County, to the full extent authorized under State law, and waive the reading of the ordinance in its entirety.

**Motion: Pine / Second: Groom**

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

**No:** 0

Enactment No: Ordinance-4789

5. Recommendation to:

A) Introduce an Ordinance repealing Chapter 5.148, consisting of Section 5.148.010 to Section 5.148.100, of Title 5 of the San Mateo County Ordinance Code and replacing it with a new Chapter 5.148, consisting of Section 5.148.010 to Section 5.148.210, establishing regulations of commercial cannabis in the unincorporated area of the County of San Mateo, and waive reading of such Ordinance in its

entirety; and

B) Adopt the associated Negative Declaration.

**Speakers Recognized by the President:**

Mr. Brian Kulich, Deputy County Counsel  
Supervisor Dave Pine, Board of Supervisors  
Supervisor Don Horsley, Board of Supervisors  
Supervisor Carole Groom, Board of Supervisors  
Supervisor Warren Slocum, Board of Supervisors  
Mr. Andrew Berthelsen, Contractor, County Manager's Office  
Supervisor David J. Canepa, Board of Supervisors  
Mr. Steve Monowitz, Director, Planning and Building  
Mr. John C. Beiers, County Counsel  
Mr. Dick Martin, Miramar  
Supervisor Canepa left Chambers at 10:45 a.m.  
Mr. George Armanino, Pescadero  
Supervisor Canepa returned to Chambers at 10:47 a.m.  
Mr. Jonathan Burbaum, Half Moon Bay  
Ms. Anne Martin, Half Moon Bay  
Ms. Lisa Ryan, Half Moon Bay  
Mr. Peter Vanos, Pescadero  
Ms. Andrea Cook, Pescadero  
Mr. Bill Cook, Pescadero  
Mr. Matthew Kilburg, Reverence Vegan Gardens/Oaksterdam University  
Mr. Nate Rey, Half Moon Bay  
Mr. Jake Crawford, Pescadero  
Mr. Dave Schorr, Half Moon Bay  
Mr. Sasha Henkin, San Gregorio  
Mr. Steve Oku, Half Moon Bay  
Ms. Lisa Ketcham, Moss Beach  
Ms. Barbra Mathewson, Moss Beach  
Mr. Brian Gaugler, Fire Mountain Nursery  
Mr. Tony Bowles, Vallejo  
Mr. James Oku, Pescadero  
Mr. Dan Haggerty, El Granada  
Mr. Fred Crowder, Director, Agriculture/Weights & Measures

The Board recessed at 11:45 a.m. and reconvened at 11:55 a.m.

**Motion: Groom / Second: Pine**

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

**No:** 0

**The addendum item below was referred to as Item No. 6a during the meeting.**

Recommendation regarding County's Subdivision Regulations:

- A) Introduction of an ordinance amending Part Two of Division VI of the San Mateo County Ordinance Code (Subdivision Regulations - Attachment A), by making the required findings in Attachment B and waive the reading of the ordinance in its entirety; and
- B) Adopt the Initial Study and Mitigated Negative Declaration by adopting the required findings listed in Attachment B; and
- C) Adopt a resolution directing staff to submit the amended Subdivision Regulations (Part Two of Division VI of the County Ordinance Code) to the California Coastal Commission for review and certification (Attachment D).

**Speakers Recognized by the President:**

Mr. Joe LaClair, Planning Services Manager, Planning and Building  
Supervisor Don Horsley, Board of Supervisors

**Motion: Canepa / Second: Slocum**

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

**No:** 0

**COUNTY MANAGER: OFFICE OF SUSTAINABILITY**

6. Adopt a resolution approving the County of San Mateo Municipal Green Building Policy.

**Speakers Recognized by the President:**

Mr. Jim Eggemeyer, Director, Office of Sustainability  
Supervisor Dave Pine, Board of Supervisors  
Mr. John L. Maltbie, County Manager

**Upon motion by Supervisor Pine, seconded by Supervisor Canepa and carried unanimously, the Board approved this item with a modification to the attachment omitting reference to the Parks Department on page 3.**

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

**No:** 0

Enactment No: Resolution-075598

**COUNTY MANAGER**

7. County Manager's Report #21 of 2017

**Speakers Recognized by the President:**

Mr. John L. Maltbie, County Manager  
Mr. Jim Porter, Director, Public Works

**BOARD OF SUPERVISORS****9. Board Members' Reports****CONSENT AGENDA****BOARD OF SUPERVISORS****10. Recommendation for appointments to the Mental Health and Substance Abuse Recovery Commission, each for a term ending September 30, 2020:**

A) Catherine Koss; and

B) Yoko Ng; and

C) Isabel Uibel; and

D) Donald J. Mattei.

**Sponsors:** Supervisor Dave Pine and Supervisor Don Horsley**11. Ratification of a resolution honoring Dino DeRanieri as Millbrae 2017 Man of the Year.****Sponsors:** Supervisor Dave Pine

Enactment No: Honorary Resolution-4009

**12. Ratification of a resolution honoring Debbie Van Wart as Millbrae 2017 Woman of the Year.****Sponsors:** Supervisor Dave Pine

Enactment No: Honorary Resolution-4010

**13. Ratification of a resolution honoring Pauline Yang as Millbrae 2017 Student of the Year.****Sponsors:** Supervisor Dave Pine

Enactment No: Resolution-4011

**14. Ratification of a proclamation designating October 12, 2017 Silicon Valley Community Foundation Day.****Sponsors:** Supervisor Dave Pine

Enactment No: Honorary Resolution-4012

**15. Recommendation for the reappointment of Supervisor Don Horsley to the San Mateo County Transportation Authority, for a term ending December 31, 2019.****Sponsors:** Supervisor Don Horsley

**COUNTY MANAGER**

16. Adopt a resolution setting employer and member contribution rates for the San Mateo County Employees' Retirement Association for all members and employers for fiscal year 2018-2019 in accordance with Government Code Sections 31453 and 31454.

Enactment No: Resolution-075600

**HEALTH SYSTEM**

17. Adopt a resolution authorizing an agreement with Mateo Lodge, Inc. for residential and mental health treatment services for the term July 1, 2017 through June 30, 2019, in an amount not to exceed \$4,971,110.

Enactment No: Resolution-075601

18. Adopt a resolution authorizing an amendment to the agreement with Puente de la Costa Sur to provide health insurance outreach, enrollment and retention services for children and adult health coverage programs, extending the term to January 1, 2016 through December 31, 2018 and increasing the amount by \$44,365 to an amount not to exceed \$129,874.

Enactment No: Resolution-075602

19. Adopt a resolution authorizing an amendment to the agreement with Ravenswood Family Health Center to provide health insurance outreach, enrollment and retention services for children and adult health coverage programs, extending the term to January 1, 2014 through December 31, 2018 and increasing the amount by \$65,562 to an amount not to exceed \$393,434.

Enactment No: Resolution-075603

20. Adopt a resolution authorizing an agreement with the California Department of Public Health to provide funding for the Childhood Lead Poisoning Prevention Program for the term of July 1, 2017 through June 30, 2020, in an amount not to exceed \$1,145,056.

Enactment No: Resolution-075604

**HUMAN RESOURCES**

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

**HUMAN SERVICES AGENCY**

22. Adopt a resolution authorizing an agreement with StarVista for Differential Response services for the term of December 6, 2017 through December 5, 2018 in an amount not to exceed \$846,907.

Enactment No: Resolution-075605

**PLANNING AND BUILDING**

23. Adopt a resolution amending the current agreement between the County and GPC dated March 23, 2016 to increase the not to exceed amount of the agreement by \$73,825 from \$83,700 to \$157,525 for a term of March 1, 2016 through March 31, 2018.

Enactment No: Resolution-075606

**PUBLIC WORKS**

24. **Measure K:** Adopt a resolution authorizing the Director of Public Works to:

- A) Execute a Transfer Agreement between the County of San Mateo and Fidelity and Deposit Company of Maryland ("Surety") for the completion of the Serenity House project (Project No. PC023) such that Fidelity will assume all contractual responsibilities and shall be entitled to payment for work performed under the terms and conditions set forth in the agreement with Federal Solutions Group, Inc.; and
- B) Authorize payments to Fidelity and Deposit Company of Maryland, as the Surety, in an amount up to \$1,684,789.99 for the payment of outstanding financial obligations for work already performed by and unpaid to Federal Solutions Group, Inc., and for work performed under the Transfer Agreement; and
- C) Execute subsequent amendments, change/revision orders, and financial and administrative actions necessary to facilitate the transfer and completion of the project by Fidelity and Deposit Company of Maryland such that the total fiscal obligation for this project does not exceed \$2,835,000; and
- D) Extend the term of the agreement with Fidelity and Deposit Company of Maryland from March 30, 2018 through September 30, 2018.

Enactment No: Resolution-075607

25. **Measure K:** Adopt resolutions authorizing:

- A) The President of the Board of Supervisors to execute an agreement between the Town of Atherton and the County that provides a \$165,000 loan to the Town of Atherton to pay its proportionate share of the costs of planning, design, and environmental permitting services for the Bayfront Canal and Atherton Channel Flood Management and Restoration Project; and
- B) An Appropriation Transfer Request (ATR) recognizing unanticipated **Measure K** revenue of \$165,000 and making a corresponding appropriation in Loans to Other Agencies in Non-Departmental Services.



Enactment No: Resolution-075608; ATR-075609

## **CLOSED SESSION**

**26. Conference with Legal Counsel - Existing Litigation**

CSM v. AMBAC Financial Group, et al. (Municipal Bond Insurance Litigation)  
San Francisco County Superior Court Case No. CGC-08-489223 (JCCP No. 4555)

**Conference with Legal Counsel - Existing Litigation**

The People of the State of California v. Atlantic Richfield Company, et al.  
Santa Clara County Superior Court Case No. 1-00-CV-788657  
Sixth Appellate District Court of Appeal Case No. H040880

The Board adjourned to Closed Session at 12:32 p.m. with no reportable action  
to follow by John C. Beiers, County Counsel.

## **ADJOURNMENT**

The meeting was adjourned in memory of Glen Smith, Alicia Concepcion Flores,  
and Jean Lane at 12:33 p.m.