



# MINUTES - FINAL

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Virtual Meeting

**Tuesday, April 20, 2021**

**9:00 AM**

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**\*\*\*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**

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

**Staff Virtually Present: Mr. Michael P. Callagy, County Manager; Mr. John C. Beiers, County Counsel; Mr. Sukhmani S. Purewal, Assistant Clerk of the Board; and Ms. Sherry Golestan, Deputy Clerk of the Board.**

## **HONORING THE LIFE OF / BOARD MEMBER REMARKS**

**Supervisor Carole Groom reminded everyone to wear their masks and not to gather in crowds.**

## **PUBLIC COMMENT**

**Verbal Comment(s) via ZOOM:**

Martin Fox, Michael Stogner, Valina Agbabian - spoke on Item No. 5, and Fran Pollard.

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

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

**Verbal roll call vote was taken:**

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

**No:** 0

## **PRESENTATIONS AND AWARDS**

1. Presentation of a proclamation designating April 23, 2021 as Children’s Memorial Day.

**Sponsors:** Supervisor Dave Pine

**Speakers recognized by President of the Board:**

Supervisor Dave Pine, Board of Supervisors  
John Fong, Human Services Manager  
Steve Wagstaffe, District Attorney

**Verbal Comment(s) via ZOOM:**

Pat 3 R.D. and Jane Smithson

**Motion: Pine / Second: Groom**

**Verbal roll call vote was taken:**

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

**No:** 0

Enactment No: Proc/Hon. Res-4362

2. Presentation of a proclamation designating the week of April 18 - 24, 2021 as National Crime Victims’ Rights Week.

**Sponsors:** Supervisor David J. Canepa and DISTRICT ATTORNEY

**Speakers recognized by President of the Board:**

Supervisor Dave Pine, Board of Supervisors  
Steve Wagstaffe, District Attorney  
Elisa Kuhl, Victims Programs Services Manager

**Verbal Comment(s) via ZOOM:**

Martin Fox

**Motion: Canepa / Second: Horsley**

**Verbal roll call vote was taken:**

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

**No:** 0

Enactment No: Proc/Hon. Res-4363

- 3. Presentation of a proclamation designating the first week of May 2021 as Correctional Officers and Correctional Employees Week.

**Sponsors:** Supervisor Carole Groom and Supervisor Don Horsley

**Speakers recognized by President of the Board:**

Supervisor Carole Groom, Board of Supervisors  
Supervisor Don Horsley, Board of Supervisors  
Sheriff Carlos Bolanos

**Verbal Comment(s) via ZOOM:**

Allison Madden

**Motion: Groom / Second: Horsley**

**Verbal roll call vote was taken:**

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

**No:** 0

Enactment No: Proc/Hon. Res-4364

- 4. Presentation of a proclamation recognizing April 30, 2021 as National Therapy Animal Day.

**Sponsors:** Supervisor Don Horsley

**Speakers recognized by President of the Board:**

Supervisor Dave Pine, Board of Supervisors  
Patsi Nelson & her four-legged partner Buster

**Motion: Horsley / Second: Groom**

**Verbal roll call vote was taken:**

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

**No:** 0

Enactment No: Proc/Hon. Res-4365

- 5. Presentation of a proclamation designating April 24, 2021 as Armenian Genocide Remembrance Day in San Mateo County.

**Sponsors:** Supervisor David J. Canepa

**Speakers recognized by President of the Board:**

Supervisor David J. Canepa, Board of Supervisors  
John Kevranian, Recipient of the proclamation

**Verbal Comment(s) via ZOOM:**

Koko J.

**Motion: Canepa / Second: Pine**

**Verbal roll call vote was taken:**

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

**No:** 0

Enactment No: Proc/Hon. Res-4366

**6. Revenue presentation for Fiscal Year 2021-22.**

**Sponsors:** COUNTY MANAGER

**Speakers recognized by President of the Board:**

- Mike Callagy, County Manager
- Roberto Manchia, Chief Financial Officer
- Supervisor David J. Canepa, Board of Supervisors
- Supervisor Dave Pine, Board of Supervisors
- Supervisor Don Horsley, Board of Supervisors

**Verbal Comment(s) via ZOOM:**

Carlyle Ann Young and Martin Fox

**7. COVID-19 Update:**

- Informational update by Louise Rogers, Chief of Health

**Speakers recognized by President of the Board:**

- Louise Rogers, Chief of Health
- Dr. Anand Chabra, Medical Director, San Mateo County Health Center
- Supervisor Dave Pine, Board of Supervisors
- Supervisor Don Horsley, Board of Supervisors
- Supervisor David J. Canepa, Board of Supervisors

**Verbal Comment(s) via ZOOM:**

Martin Fox

**REGULAR AGENDA**

**DISTRICT ATTORNEY**

**9. Adopt a resolution authorizing the hiring of District Attorney’s Office retired Supervising Deputy District Attorney John Wilson, pursuant to Government Code section 7522.56(F) (1) and finding that the nature of employment and appointment is necessary to fill a critically needed position during the 180 day post-retirement separation period.**

**Speakers recognized by President of the Board:**

Steve Wagstaffe, District Attorney

Supervisor Dave Pine, Board of Supervisors  
Supervisor Don Horsley, Board of Supervisors  
Supervisor Warren Slocum, Board of Supervisors

**Motion to approve the resolution with sunset clause of two years: Horsley /  
Second: Groom**

**Verbal roll call vote was taken:**

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

**No:** 0

Enactment No: Resolution-078110

- 10. Adopt a resolution authorizing the hiring of District Attorney’s Office retired Assistant District Attorney James Wade pursuant to Government Code section 7522.56(F)(1) and finding that the nature of employment and appointment is necessary to fill a critically needed position during the 180 day post-retirement separation period .

**Speakers recognized by President of the Board:**

Steve Wagstaffe, District Attorney  
Supervisor Dave Pine, Board of Supervisors  
Supervisor Don Horsley, Board of Supervisors  
Supervisor Warren Slocum, Board of Supervisors

**Motion to approve the resolution with sunset clause of two years: Horsley /  
Second: Groom**

**Verbal roll call vote was taken:**

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

**No:** 0

Enactment No: Resolution-078111

**The Board recessed at 11:38 a.m. and reconvened at 11:46 a.m.**

**Verbal roll call was taken when the board resumed in open session:**

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

**PLANNING AND BUILDING**

- 11. Public hearing to consider an appeal and uphold the decision of the Planning Commission to adopt the Initial Study/Mitigated Negative Declaration and approve the Coastal Development Permit, Use Permit, Design Review Permit, Mobilehome Park Permit, and Grading Permit by making the required findings and adopting the conditions of approval identified in Attachment A:

- A) Open the public hearing
- B) Close the public hearing
- C) Deny the appeal and uphold the decision of the Planning Commission to adopt Initial Study/Mitigated Negative Declaration and approve the Coastal Development Permit, Use Permit, Design Review Permit, Mobilehome Park Permit, and Grading Permit.

**Speakers recognized by President of the Board:**

Ruemel Panglao, Planner  
 Supervisor David J. Canepa, Board of Supervisors  
 Supervisor Don Horsley, Board of Supervisors  
 Supervisor Carole Groom, Board of Supervisors  
 Supervisor Warren Slocum, Board of Supervisors  
 Supervisor Dave Pine, Board of Supervisors  
 Steve Monowitz, Director of Planning and Building  
 John C. Beiers, County Counsel

**Motion to Open Public Hearing: Horsley / Second: Groom**

**Verbal roll call vote was taken:**

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

**No: 0**

**Speakers recognized by the President: Ron Stefanick - Applicant, Keet Nerhan - Applicant, Nancy Nerhan - Applicant, and Carlisle Ann Young.**

**Motion to Close Public Hearing: Horsley / Second: Groom**

**Verbal roll call vote was taken:**

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

**No: 0**

**Motion to deny the appeal and uphold the decision of the Planning Commission except with respect to Planning Commission's Addition of Condition 21C regarding the sign in Attachment A: Horsley / Second: Slocum**

**Verbal roll call vote was taken:**

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

**No: 0**

**HUMAN RESOURCES**

- 12. Adopt a resolution authorizing an amendment to the County's COVID-19 Emergency Sick Leave and Expanded Family and Medical Leave Policy in order to align the COVID-19 Emergency Sick Leave policy with new state law and extend the availability of the County's COVID-19 Emergency Sick Leave and Emergency Family Leave to September 30, 2021.

**Speakers recognized by President of the Board:**

Rocio Kiryczun, Director of Human Resources

Supervisor Don Horsley, Board of Supervisors  
John C. Beiers, County Counsel

**Motion: Horsley / Second: Groom**

**Verbal roll call vote was taken:**

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

**No:** 0

Enactment No: Resolution-078112

**COUNTY MANAGER**

- 13. Adopt a 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 funding to the Program by \$80,000 to an amount not to exceed \$1,080,000.

**Speakers recognized by President of the Board:**

Mike Callagy, County Manager  
Peggy Jensen, Deputy County Manager

**Motion: Pine / Second: Slocum**

**Verbal roll call vote was taken:**

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

**No:** 0

Enactment No: Resolution-078113

- 14. **Measure K:** Recommendation to:

- A) Adopt a resolution authorizing a one-time grant to Rebuilding Together Peninsula for the “Raise the Roof” program funds, for a total amount not to exceed \$135,000, and authorizing the County Manager, or designee, to execute the grant agreement; and
- B) Authorize an Appropriations Transfer Request (ATR) appropriating \$135,000 from Non-Departmental Services **Measure K** Loans and Grants to Non-Departmental Services Miscellaneous Other Contributions to fund the grant.

**Sponsors:** Supervisor Warren Slocum

**Speaker recognized by President of the Board:**

Supervisor Warren Slocum, Board of Supervisors

**Motion: Slocum / Second: Horsley**

**Verbal roll call vote was taken:**

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

**No: 0**

Enactment No: Resolution Nos. 078114 and 078115

15. **Measure K:** Adopt a resolution authorizing a one-time grant of district-discretionary **Measure K** funds, not to exceed \$60,000, to Upward Scholars to help fund educational support and services for adult students from low-income households living in San Mateo County and attending community college in the San Mateo County Community College District, and authorizing the County Manager, or designee, to execute the grant agreement.

**Sponsors:** Supervisor Warren Slocum

**Speaker recognized by President of the Board:**

Supervisor Warren Slocum, Board of Supervisors

**Motion: Slocum / Second: Pine**

**Verbal roll call vote was taken:**

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

**No: 0**

Enactment No: Resolution-078116

**Supervisor Don Horsley adjourned the Board meeting in the memory of the shooting victims in Indianapolis, Indiana. Sadly, the Sikh community became the target of this shooting but our thoughts and prayers go out to the families and the entire Sikh community. Supervisor Horsley reiterated that there should be more focus on gun safety and straightening red flag laws instead of gun control.**

**President David J. Canepa held a moment of silence for the victims.**

## **CONSENT AGENDA**

### **BOARD OF SUPERVISORS**

16. Direct the President of the Board of Supervisors to write a letter of support to the California Board of Forestry and Fire Protection to enter into emergency rulemaking to provide temporary relief from Special County Rules regarding weekend timber operations and hauling of forest products in order to assist in clean-up efforts associated with the CZU Lightning Complex fire.

**Sponsors:** Supervisor Don Horsley



17. Recommendation for the appointment of Nancy Steiger to the Coastside Design Review Committee, representing Miramar Community member, for an initial term ending March 31, 2024.

Sponsors: Supervisor Don Horsley

## COUNTY COUNSEL

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

## COUNTY MANAGER

19. Approve an Appropriation Transfer Request (ATR) in the amount of \$20,000,000, recognizing unanticipated revenue to Non-Departmental Services to fund the expenditures of the Great Plates Delivered Program.

Enactment No: Resolution-078117

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

Enactment No: Resolution-078118

21. **Measure K:** Adopt a resolution approving a second amendment to the agreement with Legal Aid Society of San Mateo County to continue to provide removal defense legal services supporting immigrant residents of San Mateo County extending the term through June 30, 2022 and increasing the amount payable under the Agreement by \$795,340 to an amount not to exceed \$2,253,463.

Enactment No: Resolution-078119

22. **Measure K:** Adopt a resolution approving a second amendment to the agreement with Legal Aid Society of San Mateo County to provide continued legal services supporting immigrant residents of San Mateo County, extending the term through June 30, 2022 and increasing the amount payable under the Agreement by \$287,040 to an amount not to exceed \$861,120.

Enactment No: Resolution-078120

23. **Measure K:** Adopt a resolution authorizing an Appropriation Transfer Request (ATR) transferring \$3,766,090 from **Measure K** reserves to Non-Departmental Services for committed district-discretionary services and programs that were not rolled over from prior fiscal years to Fiscal Year 2020-21.

Enactment No: Resolution-078121

24. Adopt a resolution authorizing the President of the Board of Supervisors to execute an

amendment to the agreement with Edgar Lopez and Associates, LLC to continue to provide on-call general consulting services for County Capital Projects increasing the amount by \$120,000 for a not to exceed amount of \$315,000.

Enactment No: Resolution-078122

25. Accept this informational report on the 2021 State and Federal Legislative Sessions.
26. Adopt a resolution in support of Assembly Bill 1527 (Ting) Seton Medical Center: seismic safety.

Enactment No: Resolution-078123

## GOVERNING BOARD

27. Acting as the Governing Board of the Devonshire County Sanitation District (DCSD), adopt a resolution authorizing the President of the Board of Supervisors to execute the Sanitary Sewage Conveyance Agreement for Five Properties on Winding Way through the Devonshire County Sanitation District between the Devonshire County Sanitation District, City of San Carlos, and Canyon Vista Partners, LLC.

Enactment No: Resolution-078124

28. Acting as the Governing Board of Commissioners of the Housing Authority of the County of San Mateo, adopt a resolution authorizing the Executive Director of the Housing Authority of the County of San Mateo, or designee, to execute an agreement with MidPen Housing Corporation ("MidPen"), or a wholly/commonly-owned and/or controlled entity of MidPen ("Affiliate Entity"), under the Provider-Based Assistance Program for the term of April 15, 2021 through April 30, 2024, in a total amount not to exceed \$1,110,922.

Enactment No: Resolution-078125

29. Acting as the Governing Board of the Area Agency on Aging for the County of San Mateo, adopt a resolution authorizing:

A) The approval and submission of the Fiscal Year 2020-21 Area Plan update for Services for Older Adults and Adults with Disabilities to the California Department of Aging; and

B) The execution of the Transmittal Letter to the California Department of Aging required to complete the submission process.

Enactment No: Resolution-078126

## HEALTH

30. Adopt a resolution authorizing an amendment to the agreement with Front Street, Inc. for Residential Services increasing the amount by \$136,365 to an amount not to exceed

\$1,235,306 with no change to the term.

Enactment No: Resolution-078127

- 31.** Adopt a resolution authorizing an amendment to the agreement with the Health Plan of San Mateo for pharmacy benefits administration, extending the term through December 31, 2021, and increasing the amount of the agreement by \$1,000,000 to an amount not to exceed \$6,050,000.

Enactment No: Resolution-078128

- 32.** Adopt a resolution designation of Maguire Correctional Facility as a facility designated by the County for evaluation and treatment under Welfare and Institutions Code section 5150 et seq. and simultaneously authorizing a revised Memorandum of Understanding detailing the 5150 process and procedures with the provider for the term beginning November 13, 2018 through November 12, 2019, with an annual automatic renewal for a one-year term upon review by Behavior Health and Recovery Services Designated Review Team.

Enactment No: Resolution-078129

- 33.** Adopt a resolution authorizing an amendment to the agreement with Jefferson Union High School District for alcohol and other drug prevention services and mental health services, increasing the amount by \$75,000, to an amount not to exceed \$1,139,160, with no change to the agreement term.

Enactment No: Resolution-078130

- 34.** Adopt a resolution authorizing an amendment to the agreement with Sanjay & Archana Bindra MDs Inc. to amend Exhibit A call definition, replace Exhibit B with Exhibit B1, to add \$118,000 and increase the not to exceed amount to \$1,820,000.

Enactment No: Resolution-078131

- 35.** Adopt a resolution authorizing an amendment to the agreement with CEP America-California to add Exhibit D and to add \$157,626 to the agreement increasing the do not exceed amount to \$7,335,000.

Enactment No: Resolution-078132

## **HUMAN RESOURCES**

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

## **HUMAN SERVICES AGENCY**

- 37.** Adopt a resolution authorizing the allocation of \$631,000 to Samaritan House, operating as the fiscal agent for the Core Service Agencies, to provide community outreach and applicant assistance for the State Emergency Rental Assistance Program.

Enactment No: Resolution-078133

**PLANNING AND BUILDING**

38. Adopt a resolution approving the Taube Family Carriage House Project and adopting the Mitigated Negative Declaration for the Project pursuant to the California Environmental Quality Act.

Enactment No: Resolution-078134

**PROBATION**

39. Adopt a resolution authorizing an amendment to the agreement with Journal Technologies, Inc., modifying services to provide for the addition of a case management system for the Probation Department's Adult and Juvenile Supervision Services, and increasing the amount by \$1,285,000 to an amount not to exceed \$2,628,637.50.

Enactment No: Resolution-078135

**PUBLIC WORKS / LIBRARY**

40. Approve an Appropriation Transfer Request (ATR) to transfer \$60,000 from the Library Fund to the Department of Public Works for the funding of the San Mateo County Library Administration building HVAC upgrade.

Enactment No: Resolution-078136

**PUBLIC WORKS**

41. Adopt an ordinance reauthorizing Section 5.104.040 subsection (b) of Chapter 5.104 of Title 5 of the San Mateo County Ordinance Code Governing Cable Television Franchises in conformance with the California Digital Infrastructure and Video Competition Act of 2006, previously introduced on April 6, 2021, and waive the reading of the ordinance in its entirety.

Enactment No: Ordinance-4842

42. Adopt a resolution authorizing:
- A) The submittal of application(s) to the California Department of Resources Recycling and Recovery for all grants which the County of San Mateo is eligible; and
  - B) The Director of Public Works or the Director's designee as the duly authorized representative to execute in the name of the County of San Mateo all California Department of Resources Recycling and Recovery grant documents, including but not limited to, applications, agreements, amendments, and requests for payment, necessary to secure grant funds and implement an approved grant project.

Enactment No: Resolution-078137

**43.** Adopt a resolution authorizing:

- A) The President of the Board to execute an agreement with VSS International, Inc., for the Countywide Pavement Maintenance Project, in the amount of \$1,287,000; and
- B) The Director of Public Works to:
  - 1. Execute subsequent change orders to grant time extensions for project completion and payment up to a maximum aggregate amount not to exceed \$128,700 or approximately 10 percent of the agreement amount; and
  - 2. File a Notice of Exemption for a California Environmental Quality Act Categorical Exemption.

Enactment No: Resolution-078138

**44.** Adopt a resolution authorizing:

- A) The Director of Public Works to proceed with finalizing the plans and specifications for the Gazos Creek Road Repair Project; and
- B) The Director of Public Works to proceed with advertising for bids on the Gazos Creek Road Repair Project and report back to this Board with recommendations on awarding a contract.

Enactment No: Resolution-078139

**45.** Adopt a resolution authorizing an amendment to the agreement with Johnson Controls, Inc., extending the term to June 30, 2021 and increasing the maximum fiscal obligation by \$18,425 for a new, not to exceed amount of \$405,688.

Enactment No: Resolution-078140

**46.** Adopt a resolution authorizing the establishment of a "No Parking during Specified Hours from 9:00 PM to 6:00 AM, Monday through Sunday" zone on Olympic Way in unincorporated Daly City.

Enactment No: Resolution-078141

**47.** Adopt a resolution waiving the request for proposals process and authorizing an agreement with Hill Rom Company, Inc. for the Nurse Call Installation Project for the term of April 20, 2021 to December 1, 2022 in an amount not to exceed \$604,742.

Enactment No: Resolution-078142

48. Adopt a resolution:

- A) Accepting the summary report on countywide mitigation fees through December 31, 2020; and
- B) Authorizing a mitigation fee increase of 3.2 percent on building permits and subdivision applications for new residential, commercial, and industrial developments for calendar year 2021, computed on the base rates specified in Section 2.53.030 of the San Mateo County Ordinance, as adjusted in 2020.

Enactment No: Resolution-078143

**The Board adjourned to Closed Session at 12:37 p.m. with no reportable action to follow by John C. Beiers, County Counsel.**

**CLOSED SESSION**

49. **Conference with Real Property Negotiator (Cal. Gov't Code § 54956.8):**

Property: 047-312-040

Agency Negotiation: County Manager

Negotiating Parties: Big Wave Group

Under Negotiation: Price and terms of payment

**The Board attended the virtual service awards at 3:00 p.m.**

**MATTERS SET FOR SPECIFIED TIME**

**3:00 p.m.**

- 8. Virtual Presentation of Service Awards, via Zoom  
Zoom Webinar ID: 989 9609 3432

**ADJOURNMENT**

**The meeting adjourned at 12:37 p.m.**