



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY EXECUTIVE

File #: 23-75

Board Meeting Date: 2/14/2023

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Michael P. Callagy, County Executive

Subject: Agreement to Provide Emergency Housing to Farmworker Households Displaced by Mass Shooting Event in Half Moon Bay

RECOMMENDATION:

Adopt a resolution:

- A) Approving an allocation of \$750,000 in American Rescue Plan Act funds to provide emergency re-housing and supportive services for farmworker households displaced by the mass shooting event in Half Moon Bay; and
- B) Authorizing and directing the County Executive, or designee(s), acting in consultation with the County Attorney's Office, to negotiate and enter into an agreement with a service provider, or providers, to provide emergency re-housing and supportive services for farmworker households displaced by the mass shooting event in Half Moon Bay for a term ending March 31, 2024 in an amount not to exceed \$1,500,000, to be funded by a combination of \$750,000 in allocated American Rescue Plan Act funds and third-party contributions.

BACKGROUND:

On January 23, 2023, seven farmworkers were murdered in a mass shooting event at two farms in San Mateo County. Survivors of that horrific tragedy who lived at the farms, already dealing with unimaginable trauma, also lost their homes, which were red tagged after follow-up investigations revealed unsafe and substandard living conditions.

Even before their displacement, these households were uniquely vulnerable. According to the Department of Housing and Community Development, California farmworkers earn, on average, approximately \$20,000 a year, which is less than 20% of San Mateo County's area median income, making farmworkers and their families among the most economically vulnerable members of our community. This vulnerability has been exacerbated by the COVID-19 pandemic, which caused significant negative economic and health impacts for farmworkers and their families, as many

farmworkers have faced reduced work hours and/or reduced wages, lack access to reliable health care services, and have had to care for themselves and relatives with COVID-19.

While staff is pursuing appropriate remedies against the owners of the two farms for maintaining substandard worker housing by requiring them to pay relocation benefits under state and County law (Cal. Health & Safety Code, §§ 17975, *et seq.*; SMC Ord. Code, Ch. 3.108), the scale and urgency of the displacement requires immediate action by the County, which reserves its right to seek reimbursement from the property owners.

DISCUSSION:

Given the foregoing, it is recommended that the Board allocate \$750,000 in American Rescue Plan Act (“ARPA”) funds to provide emergency re-housing and supportive services for 19 impacted farmworker households displaced by the mass shooting event.

If the Board authorizes the allocation of \$750,000 in ARPA funds, staff intends to seek additional contributions to supplement the County’s contribution from stakeholders, nonprofits, charitable organizations, and donors, in addition to the owners of the two farms.

It is also recommended that the Board authorize the County Executive, or designee(s), acting in consultation with the County Attorney’s Office, to negotiate and enter into an agreement with a qualified service provider, or providers, selected to provide such emergency re-housing and supportive services for a term ending March 31, 2024, and an amount not to exceed \$1,500,000 (“Agreement”).

Services provided under the Agreement will include, among other things, the following:

- Housing identification and location in or around the City of Half Moon Bay; and
- Rental and move-in assistance, including payment of security deposits, utilities, and furnishings; and
- On-going case management services to help the displaced households, once stably housed, meet their basic needs, increase their resources (employment, public assistance programs, etc.) and connect with applicable resources.

The selected provider(s) will be subject to ARPA-compliant monitoring, reporting, auditing, and certification requirements, and the Agreement will be reviewed and approved by the County Attorney’s Office and Risk Management.

The Agreement will be funded through a combination of the \$750,000 ARPA allocation, plus additional third-party contributions received. Staff will report back to the Board regarding such third-party contributions and, if necessary, additional potential County funding.

The displacement of these uniquely vulnerable farmworker households was “a sudden, unexpected occurrence posing a clear and imminent danger that will not permit delay that might result from a competitive procurement but requires immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.” As such, the need for emergency re-housing and supportive services under the Agreement qualifies as an emergency for the purpose of waiving the County’s competitive procurement requirements pursuant to Administrative Memorandum B-1, §

IV.A. In light of these emergent circumstances, the standard competitive procurement procedures set forth in Chapter 2.83 of the San Mateo County Ordinance Code do not apply and, thus, a waiver of those procedures pursuant to 2.83.050(e) is not required.

Similarly, the exigency/emergency exception to federal procurement requirements apply to the services under the Agreement for the following reasons:

- “[A] threat to life, public health or safety, or improved property requires immediate action to alleviate the threat” and/or the County would be harmed if such immediate action is not taken to ensure stable housing and critical supportive services for these uniquely vulnerable survivors of the mass shooting.
- Conducting a formal procurement for the services would likely take 60-90 days, during which time the impacted households would lack access to stable housing and critical supportive services at their time of most need, exacerbating both their housing insecurity and trauma arising from the sudden tragic displacement.
- A thirteen month term under the Agreement is essential to provide continuing, stable housing and supportive services, the benefits of which could be jeopardized by potentially shifting the nature of such services so close in time to the mass shooting event.
- Research conducted by staff has determined there are limited qualified resources available that could meet the necessary material provisions of the Agreement.
- Finally, pandemic impacts combined with the sudden displacement and trauma due to the mass shooting event warrants immediate action to provide stable re-housing and supportive services, as unguaranteed short-term, unsupportive housing will be detrimental to the impacted farmworker families and the public interest.

In sum, this ARPA allocation and proposed agreement are necessary to provide emergency housing and critical support services to our most vulnerable and impacted residents.

FISCAL IMPACT:

The Agreement will be funded, in part, with \$750,000 in ARPA funds, to the extent available and eligible. However, to the extent appropriate, these costs may ultimately be covered by reimbursement from funds provided through other local, state, and/or federal funds that may be made available in connection with the County's response to the COVID-19 pandemic or to other applicable conditions. Further, as discussed above, staff may seek additional funding from the County.