

**FIRST 5 SAN MATEO COUNTY COMMISSION (F5SMC)
 PROGRAM, OPERATIONS AND PLANNING (POP) COMMITTEE MEETING**

On September 16, 2021, the Governor signed AB 361, which amended certain provisions of the Ralph M. Brown Act (Government Code section 54950, *et seq.*) to allow for local agency legislative bodies to conduct their meetings remotely either telephonically or by other electronic means under specified circumstances. Thus, pursuant to Government Code section 54953(e), the First 5 San Mateo County Commission POP Committee meeting will be conducted via remote conferencing.

DATE: October 3, 2022

TIME: 4:00 – 5:00 PM

Join Meeting

Online: <https://smcgov.zoom.us/j/95649457628>

Phone: +1 669 900 6833, Webinar ID: 956 4945 7628

COMMISSION MEMBERS: Ken Cole, Nancy Magee, Nkia Richardson
PUBLIC MEMBER: Harvey Kaplan
STAFF: Kitty Lopez, Michelle Blakely, Myra Cruz

AGENDA		
1.	Adopt a resolution finding that, as a result of continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health or safety of attendees (See Attachment 1a. and Attachment 1b.)	Cole
2.	Approval of the October 3, 2022 Program, Operations and Planning Committee Meeting Agenda	Cole
3.	Approval of the June 6, 2022 Program, Operations and Planning Committee Meeting Minutes (See Attachment 3)	Cole
4.	Strategic Planning Programs & Systems Updates <ul style="list-style-type: none"> ▪ Strategic Plan FY 23-25 ▪ Workforce Systems (ECE) Advocacy: American Rescue Plan Act (ARPA) Update ▪ Collaboration: Children and Families 1st, SMC Mental Health Landscape & Early Mental Health, and Home Visiting Systems Initiative (See Attachment 4)	Lopez/Blakely
5.	Adjournment	

NEXT MEETING: December 5, 2022

* **Public Comment:** This item is reserved for persons wishing to address the Commission POP Committee on any Commission POP Committee-related matters that are not otherwise on this meeting agenda. Public comments on matters not listed above shall be heard at the time the matter is called.

Persons wishing to address a particular agenda item should speak during that agenda item. Speakers are customarily limited to two minutes, but an extension may be provided to you at the discretion of the Commission POP Committee Chair.

The identified times are approximate and are intended to serve as a guide to the public and all First 5 meeting attendees regarding the approximate start times for any one section of the Agenda. The actual start and end times for an agenda item may differ from the noted times.

Public records that relate to any item on the open session agenda for a regular Commission POP Committee meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Commission. The documents are also available on the First 5 Internet Web site at www.first5.smcgov.org.

Individuals who require special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Myra Cruz, by 12 Noon on Friday, September 30, 2022 at 650.372.9500 x232 and/or ecruz@smcgov.org. Notification in advance of the meeting will enable the Commission to make reasonable arrangements to ensure accessibility to this meeting, the materials related to it, and your ability to comment.

Date: October 3, 2022
To: Program, Operations & Planning Committee (POP)
From: Kitty Lopez, Executive Director
Subject: **Resolution to make findings allowing continued remote meetings under Brown Act**

RECOMMENDATION:

Adopt a resolution finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person for the Program, Operations & Planning Committee of the First 5 San Mateo County Commission would present imminent risks to the health or safety of attendees.

BACKGROUND:

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which rescinded his prior Executive Order N-29-20 and set a date of October 1, 2021 for public agencies to transition back to public meetings held in full compliance with the Brown Act. The original Executive Order provided that all provisions of the Brown Act that required the physical presence of members or other personnel as a condition of participation or as a quorum for a public meeting were waived for public health reasons. If these waivers had fully sunset on October 1, 2021, legislative bodies subject to the Brown Act would have to had contend with a sudden return to full compliance with in-person meeting requirements as they existed prior to March 2020, including the requirement for full physical public access to all teleconference locations from which board members were participating.

On September 16, 2021, the Governor signed AB 361, a bill that formalizes and modifies the teleconference procedures implemented by California public agencies in response to the Governor's Executive Orders addressing Brown Act compliance during shelter-in-place periods. AB 361 allows a local agency legislative body to continue to use teleconferencing under the same basic rules as provided in the Executive Orders when certain circumstances occur or when certain findings have been made and adopted by the legislative body.

AB 361 provides that Brown Act legislative bodies must return to in-person meetings on October 1, 2021, unless they choose to continue with fully teleconferenced meetings because a specific declaration of a state or local health emergency is appropriately made. AB 361 allows legislative bodies to continue to conduct virtual meetings as long as there is a gubernatorially-proclaimed public emergency in combination with (1) local health official recommendations for social distancing or (2) adopted findings that

meeting in person would present an imminent risk to health or safety of attendees. AB 361 became effective on October 1, 2021 and will sunset on January 1, 2024.

AB 361 also requires that, if the state of emergency remains active for more than 30 days, the legislative body must make findings by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules. The findings demonstrate the need for teleconferencing persists due to the nature of the ongoing public health emergency. Effectively, this means that legislative bodies must either agendaize a Brown Act meeting once every thirty days to make these findings, or, if a legislative body has not made such findings within the prior 30 days, the legislative body must re-adopt the initial findings if it wishes to conduct a remote meeting.

DISCUSSION:

On September 28, 2021, in the interest of public health and safety, as affected by the state of emergency caused by the spread of COVID-19, the Board of Supervisors issued a finding that meeting in person would present imminent risks to the health or safety of attendees, and decided to invoke the provisions of AB 361 related to teleconferencing for Board meetings. The Board also strongly encouraged other County legislative bodies to make a similar finding and continue meeting remotely through teleconferencing.

Relevant data suggest that the Omicron variant of COVID-19 is more transmissible than the Delta variant. Indeed, local rates of transmission of COVID-19 continue to remain in the "high" tier as measured by the Centers for Disease Control. Requiring large numbers of individuals to gather, and potentially travel long distances, for in-person public meetings could potentially, and unnecessarily, expose numerous people to COVID-19, further contribute to the ongoing surge in cases caused by the Omicron variant, compound disruptions to our economy, and undermine public health measures during the current State of Emergency.

Accordingly, we recommend that the Program, Operations & Planning Committee of the First 5 San Mateo County Commission avail itself of the provisions of AB 361 allowing continuation of online meetings by adopting findings to the effect that conducting in-person meetings would present an imminent risk to the health or safety of attendees. A resolution to that effect and directing staff to take such other necessary or appropriate actions to implement the intent and purposes of the resolution, is attached hereto.

FISCAL IMPACT:

None

RESOLUTION NO.

RESOLUTION FINDING THAT, AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY GOVERNOR NEWSOM, MEETING IN PERSON FOR THE PROGRAM, OPERATIONS & PLANNING COMMITTEE OF THE FIRST 5 SAN MATEO COUNTY COMMISSION WOULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES

WHEREAS, on March 4, 2020, pursuant to Government Code section 8550, *et seq.*, Governor Newsom proclaimed a state of emergency related to the COVID-19 novel coronavirus, and subsequently, the San Mateo County Board of Supervisors (“Board”) declared a local emergency related to COVID-19, and the proclamation by the Governor and declaration by the Board remain in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions in the California Open Meeting law, Government Code section 54950, *et seq.* (the “Brown Act”), related to teleconferencing by local agency legislative bodies, provided certain requirements were met and followed; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended provisions of Executive Order N-29-20 that waive otherwise-applicable Brown Act requirements related to remote/teleconference meetings by local agency legislative bodies through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 into law, and AB 361 provides that a local agency legislative body subject to the Brown Act may continue to meet without complying with the otherwise-applicable requirements in the Brown Act related to remote/teleconference meetings by local agency legislative

ATTACHMENT 1B

bodies, provided that a state of emergency has been declared and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and provided that the legislative body makes such finding at least every thirty (30) days during the term of the declared state of emergency; and

WHEREAS, on September 28, 2021, in the interest of public health and safety, as affected by the state of emergency caused by the spread of COVID-19, the Board issued a finding that meeting in person would present imminent risks to the health or safety of attendees, and decided to invoke the provisions of AB 361 related to teleconferencing for meetings of the Board; and

WHEREAS, the Board also strongly encouraged other County legislative bodies to make a similar finding and continue meeting remotely through teleconferencing; and

WHEREAS, relevant data suggest that the Omicron variant of COVID-19 is more transmissible than the Delta variant; and

WHEREAS, indeed, local rates of transmission of COVID-19 continue to remain in the “high” tier as measured by the Centers for Disease Control; and

WHEREAS, requiring large numbers of individuals to gather, and potentially travel long distances, for in-person public meetings could potentially, and unnecessarily, expose numerous people to COVID-19, further contribute to the ongoing surge in cases caused by the Omicron variant, compound disruptions to our economy, and undermine public health measures during the current State of Emergency; and

WHEREAS, the Program, Operations & Planning Committee of the First 5 San Mateo County Commission has an important governmental interest in protecting the health, safety and welfare of those who participate in its meetings; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Program, Operations & Planning Committee of the First 5 San Mateo County Commission finds that meeting in person would present imminent risks to the health or safety of attendees, and the Program, Operations & Planning Committee of the First 5 San Mateo County Commission will therefore invoke the provisions of AB 361 related to teleconferencing for meetings of the San Mateo County Commission.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that

1. The recitals set forth above are true and correct.
2. The Program, Operations & Planning Committee of the First 5 San Mateo County Commission finds that meeting in person would present imminent risks to the health or safety of attendees.
3. Staff is directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

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**First 5 San Mateo County (F5SMC)
Program, Operations and Planning (POP)
COMMITTEE MEETING MINUTES**

**June 6, 2022
Virtual Meeting Via Zoom**

Commissioners Present: Ken Cole (Chair), Nancy Magee, Nkia Richardson
Public Member: Harvey Kaplan
Staff: Kitty Lopez, Michelle Blakely, Myra Cruz
Public Attendee: Liz Scully

The meeting was called to order at 4:04 PM.

1. **Adopt a resolution finding, that as a result of continuing COVID-19 pandemic state of emergency, meeting in person would present imminent risks to the health or safety of attendees.**

MOTION: Public Member Kaplan to adopt the resolution / SECOND: Commissioner Cole. Motion approved.

2. **Approval of the June 6, 2022 Program, Operations, and Planning Committee Meeting Agenda:**

MOTION: Public Member Kaplan / SECOND: Commissioner Cole. Motion approved.

3. **Approval of the February 7, 2022 Program, Operations, and Planning Committee Meeting Minutes:**

MOTION: Public Member Kaplan / SECOND: Commissioner Magee. Motion approved.

4. **Early Childhood Education Housing Campaign: Community Equity Collaborative**
Michelle Blakely, F5SMC's Deputy Director, shared that F5SMC's advocacy and policy platform efforts involve three approaches: Lead, -Follow or Cheer. We take the lead on identifying and spearheading child/family/system needs along with our partners; other times we follow other partners leading advocacy efforts and support in various ways and we also cheer on our community partners as their work is equally important and being deeply implemented.

An example of following and cheering our partners' work is sharing the Community Equity Collaborative's public education campaign on the benefits and intersectionality of housing, child- care and healthy child development. A social media toolkit was developed for all platforms. The target audience are learning advocates, parents and other allies with the hope that these voices would provide public or written commentary, and testimonials, as cities, planning departments and housing partners are developing updated housing and land use plans and funding. The Committee provided feedback on the term "housing" and how it can be phrased to describe its intentional meaning fully. Discussion ensued.

5. Advocacy Highlights:

- **Workforce Instability & Advocacy: Early Childhood Education (ECE) & Early Intervention Instability (EII)**

Michelle Blakely shared that Governor Newsom's FY 22 – 23 State Budget does not address the wages and compensation for the childcare workforce. Many agencies such as Good2Know Network and Parent Voices California expressed their concern regarding the Budget. Other organizations such as AbilityPath, Golden Gate Regional Center, and Help Me Grow Systems Change Group also expressed their concern about the lack of support for wages and staffing for early intervention and disability services. First 5 SMC signed onto the letters and submitted commentaries to Governor Newsom supporting these agencies' concerns.

Blakely added that a study for San Mateo County is underway for the childcare workforce, which includes center-based, family childcare providers and nannies (Informal care givers). The final report will be ready at the end of September.

- **American Academy of Pediatrics: The Tragedy of Child Deaths from Firearms**

Michelle Blakely shared the "The Tragedy of Child Deaths from Firearms" Blog from a pediatrician and research data regarding gun violence. Blakely asked the Committee what else First 5 SMC could do to make a difference as it affects everybody, in addition to providing resources for educators, supporting children and families through crisis, and understanding how trauma affects children and families. The Committee added partnership with public health and F5SMC should help amplify the advocacy efforts. Discussion ensued.

- **ARRPA (American Recovery and Reinvestment Plan Act) Update**

Michelle Blakely shared that First 5 San Mateo County, San Mateo County Office of Education, and Child Care Coordinating Council (4Cs) have been working with San Mateo County Manager's Office, Peggy Jensen, to make recommendations to the Board of Supervisors for childcare and workforce development budget allocation from the remaining ARRPA tranche. Blakely highlighted that BOS has previously approved recommendations for the following:

- Operating grants are intended to support at least 60-75 Center - based providers at a cost of \$4.5 mil intended for
 - General Operating
 - Re-opening spaces
 - Health and Safety Upgrades
 - Staff incentives for new hires and retention
- Provide technical assistance to center-based early care and education programs to open and expand for approximately 20 centers and 900 preschool & infant- toddler spaces at a cost of \$200,000
- Family Child Care Provider TA Project – Build Up for maintenance, opening and expansion support for 50+ home base provides \$500k budget.

We are currently working on Early Childhood Education Workforce Stabilization Plan which involves pathways, career navigation, and wages and compensation advocacy as well as a collaboration with Nova Works.

6. California State FY 22 - 23 Budget Reflections

Michelle Blakely shared the First 5 Association's comments regarding Governor Newsom's Budget. There were mixed opinions on the state budget amongst some advocates. Commissioner Cole provided insights regarding Medi-Cal coverage coming from the Human Services Agency perspective.

The meeting adjourned at 4:55 PM.

Date: October 3, 2022

To: First 5 San Mateo County Program, Operations & Planning Committee (POP)

From: Kitty Lopez, Executive Director

Re: Programs & Systems Updates

- Strategic Plan FY 23-25
 - Workforce Systems (ECE) Advocacy: American Rescue Plan Act (ARPA) Update
 - Collaboration: Children and Families 1st, SMC Mental Health Landscape & Early Mental Health, and Home Visiting Systems Initiative
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ACTION REQUESTED

No Action. Discussion

BACKGROUND

Program & Systems Update provides brief illustrations of the work in progress addressing the Commission's Strategic Plan 2020-2025 in the focus areas of: Quality Care and Education, Healthy Children, Resilient Families, and Policy, Advocacy and Communications.

Program and Systems Updates:

Strategic Plan FY 23-25

The Strategic Plan Implementation Plan (SPIP) and the Long-term Financial Plan (LTFP) FY 2020- 2025 was approved in two phases: Phase 1: June 1, 2020 through June 30, 2023, and Phase 2: June 1, 2023 through June 30, 2025. Current Grantee agreements sunset in June 2023. The Commission will need to approve the SPIP and LTFP for Phase 2, FY's 23-25.

Staff will make recommendations to the Commission for SPIP Phase 2, FY 2023-2025 at the December 2022, and January 2023 Commission Meetings. Strategic plan considerations will include: local, state, and federal landscape budget & policy implications; portfolio investments review across Focus Areas and Strategy; evaluation and data review; relationship between systems-level interventions & direct services, and program sustainability and leveraging opportunities.

Workforce Systems (ECE): American Rescue Plan Act (ARPA) Update

Industry-specific strategies and focus are needed to address the current workforce crisis and establish a sustainable ECE (early care and education) workforce moving forward. First 5 and local partners are working towards connecting systems-level pathways and supports for early childhood education career entry and degree attainment and school age credentialing.

Collaboration and Partnership: Children and Families 1st, SMC Mental Health Landscape & Early Mental Health, and Home Visiting Systems Initiative

Updates on current efforts and future hopes.

ACTION REQUESTED

No Action. Discussion