



**North Fair Oaks Community Council**  
*A Municipal Advisory Council to the  
San Mateo County Board of Supervisors*

2600 Middlefield Road,  
Redwood City, CA  
650-363-1800  
www.nfoforward.org

Everardo Rodriguez, Chair  
Beatriz Cerrillo, Vice-Chair  
Rosario Gonzalez  
Linda López  
Rosaura López  
Jennifer Ruiz  
Blair Whitney  
Francis Santos, Youth Member  
Esmeralda Rosales, Alternate  
Youth Member

**October 24, 2019**

**7:00pm**

The North Fair Oaks Community Council provides recommendations on the issues of community health, safety, welfare, public works and planning for the North Fair Oaks geographic area. It holds regular monthly meetings to address the needs of the community, act as a forum, and serve as an advisory body to the Board of Supervisors.

**The meeting began at 7:00 PM**

## **1. ROLL CALL**

**Present:** Chair Everardo Rodriguez, Vice Chair Beatriz Cerrillo, Council Member Rosario Gonzalez, Council Member Linda López, Council Member Jennifer Ruiz, Council Member Blair Whitney, and Youth Member Francis Santos.

**Absent:** Council Member Rosaura Lopez and Alternate Youth Member Esmeralda Rosales

**Staff Present:** Tim Fox, Deputy County Counsel; Iliana Rodriguez, Deputy County Manager; and Mitzy De La Peña Medina, Office of Community Affairs.

## **2. PUBLIC COMMENT**

No public comment.

## **AGENDA**

### **3. Multicultural Institute Quarterly Update**

<p>Presentation by Mirna Cervantes, <i>Associate Director, Multicultural Institute</i></p>	<ul style="list-style-type: none"> <li>• Ms. Mirna Cervantes provided an update regarding Multicultural Institute’s work during for the months of July-September 2019.</li> <li>• Street outreach was conducted Monday to Friday each week. This quarter they saw an average of 21 Day Laborers each day.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Multicultural Institute was able to match 97 jobs this quarter and received a 100% satisfaction rate from both the laborers and employers.</li> <li>• There are many job opportunities for Day Laborers at this time since demand increases during the winter time, particularly for home repairs and gardening projects.</li> <li>• Six Day Laborers are currently living at Multicultural Institute’s home. The home will be remodeled in November. Additional details regarding the remodeling will be provided at the next quarterly update.</li> <li>• Multicultural Institute Staff continues to attend monthly Immigrant Forum meetings as well as San Mateo County Census 2020 Complete Count Committee meetings.</li> <li>• Multicultural Institute’s Direct Services include Immigrant Procedures advice. Many individuals are concerned regarding changes in immigration policies. Partnership with Catholic Charities and CLSEPA will continue to provide support to Multicultural Institute participants.</li> <li>• Multicultural Institute also provided referrals to the ACE/Medical programs and visited Day Laborers in the hospital.</li> <li>• Multicultural Institute partnered with SamTrans and CARON and received bicycles and helmet donations for Day Laborers.</li> </ul>
<p>Questions from Council Members</p>	<ul style="list-style-type: none"> <li>• Blair Whitney, Council Member, asked: I have a Section 8 Veterans voucher. Is it the same six people living in the house? Will there be any openings in the house? <ul style="list-style-type: none"> <li>• Ms. Cervantes replied: When our program first started, we had two units and were which allowed us to serve more individuals. It has now transitioned to one house and the day laborers that receive this service are with us on a permanent basis and need permanent housing. It could be that in the future they may move on to live on their own and allow someone with greater need to live there. We do have an emergency spot available for anyone who needs last minute emergency housing.</li> </ul> </li> <li>• Blair Whitney, Council Member, asked: Is the house on a parcel that is big enough that would allow the addition of an Accessory Dwelling Unit to create additional spaces transitional housing? <ul style="list-style-type: none"> <li>• Ms. Cervantes replied: Multicultural Institute does own the property and would be willing to partner with individuals who would like to support us in that effort. Everyone is welcome to stop by to see the space before it is remodeled.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Everardo Rodriguez, Chair, asked: What type of remodeling is going to take place and are the people who are currently living there going to be moved elsewhere?</li> <li>• Ms. Cervantes replied: We are adding a restroom as there is currently one restroom in the house. We are also remodeling the kitchen and living room space to create an open concept living area and have more space for our meetings. The laundry room is being moved indoors and remodeling the existing restroom. We are being strategic in the remodeling process so that the current residents are not displaced during this time. The Day Laborer(s) that would be affected will be placed in a hotel or AirBnB if necessary.</li> <li>• Beatriz Cerrillo, Council Member, asked: Are the numbers presented in this report include the Domestic Workers?</li> <li>• Ms. Cervantes confirmed that the table reflects the numbers for the Day Laborer and Domestic Worker programs.</li> </ul>
Public Comment	None

#### 4. Sheriff's Quarterly Update

Presentation by Sgt. Salvador Zuno on behalf of Captain Corpus, Sherriff's Office	<ul style="list-style-type: none"> <li>• On behalf of Captain Corpus, Sgt. Salvador Zuno reported on police activity and crime statistics for the period of July 2018 to September 2019 for the North Fair Oaks area.</li> <li>• In comparison to 2018, there has been a general increase in crime rates. During this period, there was an increase in vehicle thefts and we can expect this trend to continue particularly during the holidays.</li> <li>• The San Mateo Sheriff's Office is aware of this and continuously planning new strategies to respond in a rapid and effective manner, including: engaging the community with successful programs, using technology and social media to improve services in the community, and the creation of a prevention and enforcement campaign regarding fireworks.</li> <li>• Clearance rates for the periods of July to September 2018 and 2019 were presented. It is important to remember that the data also shows cases that are still under investigation, which is what makes the numbers higher.</li> <li>• The community is increasing their cooperation with law enforcement and providing tips which helps solve crimes.</li> <li>• Sheriff also had special celebrations during this period which included the CARON Program's 20<sup>th</sup> Anniversary and the 25<sup>th</sup> Anniversary of STAR Camp.</li> </ul>
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<p>Questions from Council Members</p>	<ul style="list-style-type: none"> <li>• Linda Lopez, Council Member, asked: What category are domestic violence cases listed under? <ul style="list-style-type: none"> <li>• Sgt. Zuno responded: Those types of cases are listed under the assault category. In comparison of 2018, we have four more cases. Unfortunately, when it comes to domestic violence, we do not have any direct influence over those numbers. What we do clarify is that we want all victims to come forward and report crime, regardless of their immigration status. We are not ICE and we will not ask what country they are from.</li> </ul> </li>   <li>• Linda Lopez, Council Member, asked: Where are juvenile arrests or referrals listed? <ul style="list-style-type: none"> <li>• Sgt. Zuno responded: We do not have those numbers listed but we can make sure those numbers are included next time.</li> </ul> </li>   <li>• Linda Lopez, Council Member, asked: I know that there are many activities going on for young children, but what sort of activities are provided for young adults? <ul style="list-style-type: none"> <li>• Sgt. Zuno responded: We have our Sheriff's Activities League and are going to participate in the next "Oye" conference.</li> </ul> </li>   <li>• Blair Whitney, Council Member, asked: Has anything come up in North Fair Oaks regarding vice crimes, such as sex trafficking, like it has in other areas? <ul style="list-style-type: none"> <li>• Sgt. Zuno responded: We are happy to report that these types of crimes have not been reported in North Fair Oaks. We want to keep community aware of these types of situations and encourage them to bring any concerns to our attention.</li> </ul> </li>   <li>• Everardo Rodriguez, Chair, commended the Sheriff Office's efforts of a few years ago which dismantled businesses in North Fair Oaks which had posed as massage parlors and were actually engaging in the illegal business of prostitution.</li> </ul>
<p>Public Comment</p>	<p>No public comment.</p>

**5. Consideration of a Use Permit to allow outdoor dining within courtyard areas and on the rooftop of a new 1,725 sq. new restaurant/building, and a Non-Conforming Use Permit to allow an existing building to maintain a zero-foot rear yard setback where 10-foot is the minimum required, pursuant to Section 6401 and Section 6137 of San Mateo County’s Zoning Regulations, respectively. The project also consists of a Design Review Permit for construction of the new building at 2635 Middlefield Road, remodel of an existing 2,100 sq. ft. building used as a commercial kitchen at 2655 Middlefield Road, and a new 21-space parking lot for a single restaurant use on three adjacent parcels. No significant trees will be removed. Two existing structures located at 2635-2647 Middlefield will be demolished and the parcels will be merged.**

<p>Presentation by Erica D. Adams, <i>Planner and Design Review Officer, SMC Planning and Building</i></p>	<ul style="list-style-type: none"> <li>• Ms. Adams explained that the project site covers three parcels, located in the corner of MacArthur and Middlefield Rd. Currently on the site, there is a commercial kitchen (located at 2165 Middlefield Rd.) which provides food for take-out and catering. On the parcels to the west, there are two buildings which are defunct automobile repair shops which will be demolished.</li> <li>• The proposed development includes: 21 parking spaces to the left of the existing commercial kitchen, a new building immediately adjacent to the parking area, and an outdoor dining in the patio area. The existing commercial kitchen will be remodeled to match the new building.</li> <li>• The new restaurant and bar building will be 1,725 sq. feet, which will have outdoor seating in a new patio. There will be a rooftop deck on the new building for special events. County zoning regulations require a use permit for activities which occur outside of an enclosed structure.</li> <li>• The proposal includes seating for 56 people. and the required parking spots of 3 per seat, which would be a minimum of 19 parking spaces, will be met by the proposed 21 spaces. The parking site will also include new landscaping along the edges of the parcel.</li> <li>• The project was presented to the Bayside Design Review Committee on August 7. The Committee asked the architect and owner to make a few changes and after the second review by the Committee on October 2, it found that the project now meets design standards.</li> <li>• There have been no concerns raised in the community regarding the building and there are no residential uses adjacent to this property where there would be a conflict in uses or noise.</li> </ul>
<p>Questions from Council Members.</p>	<ul style="list-style-type: none"> <li>• Linda Lopez, Council Member, asked: Is the current request to allow the rear setback of 10 feet? Is it currently zero?             <ul style="list-style-type: none"> <li>• Ms. Adams responded: No, the request is to allow the building to remain as is.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Linda Lopez, Council Member, asked: What is the height? Is it a single-story building? <ul style="list-style-type: none"> <li>• Ms. Adams responded: Both buildings will be two-stories. The height of the building is 24 feet.</li> </ul> </li>   <li>• Linda Lopez, Council Member, asked: What is directly behind the development? <ul style="list-style-type: none"> <li>• John Capelo, owner of Capelo’s Barbecue, responded: There is an automotive shop and an empty warehouse behind the development.</li> </ul> </li>   <li>• Linda Lopez, Council Member, asked: Were notices sent to the surrounding neighbors in the immediate area? <ul style="list-style-type: none"> <li>• Ms. Adams responded: That was done during the design review and we received no responses.</li> </ul> </li>   <li>• Everardo Rodriguez, Chair, asked: Did the fire department have any concerns regarding the space? <ul style="list-style-type: none"> <li>• Ms. Adams responded: Most of the buildings in this area can have a zero-foot setback and are built with fire rating that would allow them to do this.</li> </ul> </li>   <li>• Beatriz Cerrillo, Council Member, asked: Are there other different businesses using the existing catering kitchen? <ul style="list-style-type: none"> <li>• Mr. Capelo responded: It is not a commissary. It is just our own catering business and we own the space.</li> </ul> </li>   <li>• Linda Lopez, Council Member, asked: Where are the trees in your design? Have you considered adding trees? <ul style="list-style-type: none"> <li>• Mr. Capelo responded: There are two large trees in the courtyard.</li> </ul> </li>   <li>• Blair Whitney, Council Member, added: You can tell that this business is spending the money to build what looks like a nice business that people would want to go to. This opens some sight lines and will make it so that people can see activity on Middlefield Rd. My only reservation is that the building is not taller and denser to meet the long-term plan for Middlefield Rd.</li>   <li>• Rosario Gonzalez, Council Member, asked: Sometimes it is very smoky in the area. Are you considering having good filters? <ul style="list-style-type: none"> <li>• Mr. Capelo responded: I live five minutes away from my business and have been at this location for eight years now. I am a member of the community and a lot of my employees live here as well. I want to continue to partner with North Fair Oaks to make sure that it is a symbiotic relationship. We have also hired workers from the Day Laborers Program. I am also more than happy to work with the community to limit the environmental effects over time.</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>• Everardo Rodriguez, Chair, commented that the Council appreciates Mr. Capelo’s offer to work with the community and that he personally does not have an objection with this project moving forward.</li> <li>• Linda Lopez, Council Member, asked: How do you enter the parking lot? Do you enter and exit the parking lot the same way? <ul style="list-style-type: none"> <li>• Mr. Capelo responded: You enter the parking lot through MacArthur. You will turn into MacArthur Ave. from Middlefield Rd. to access the parking lot.</li> </ul> </li> <li>• Linda Lopez, Council Member, added: I strongly suggest you add trees since it looks a bit bare from the street view. That is something we like to incorporate. I hope that you plan to continue to use local labor and I’m glad you are already using Multicultural Institute. <ul style="list-style-type: none"> <li>• Mr. Capelo responded: I am not sure that it is visible now, but I am trying to make this building as green as possible and incorporate landscaping in the front as well as in the separation of space.</li> </ul> </li> <li>• Council Member Linda Lopez made a motion to approve the use permits as proposed.</li> <li>• Council Member Rosario Gonzalez seconded the motion.</li> <li>• <b><u>Roll call vote:</u></b>  <b>Yes, 7:</b> Rodriguez, Cerrillo, Gonzalez, L. Lopez, Whitney, Ruiz, Santos,  <b>No: 0.</b>  <b>Absent:</b> Rosaura Lopez, Esmeralda Rosales</li> <li>• The motion carries unanimously.</li> </ul>
Public Comment	No public comment made.

## 6. Recommendation on San Mateo County’s E Cigarette Ordinance

Presentation by Edith Cabuslay, <i>Program Service Manager, BHRS</i>	<ul style="list-style-type: none"> <li>• Ms. Cabuslay provided a general background on e-cigarettes (e-cigs), their use in San Mateo County, recent developments in the media regarding this issue, and a proposed ordinance provision that the Board may be considering in the near future.</li> <li>• Current e-cig use for San Mateo County high school students is close to 21%, bringing back the tobacco consumption rates back to where they were in the 80s and 90s.</li> </ul>
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	<ul style="list-style-type: none"> <li>• We have many concerns regarding e-cigs. Virtually all e-cigs sold today have not been reviewed by the FDA to determine if they are appropriate for public health.</li> <li>• While e-cigs contain less chemicals than cigarette smoke, the aerosol found in e-cigs still contain harmful substances, such as: volatile organic compounds, nicotine, cancer causing chemicals, and heavy metals. They also have unintended consequences, such as batteries which have caused fires and explosions, or poisoning by swallowing, breathing, or absorbing e-cig liquid through the skin.</li> <li>• As of October 15, there have been 1,479 lung injury cases across the U.S. associated with the use of e-cigs, as well as 33 deaths in 24 states.</li> <li>• The Board of Supervisors is currently considering an ordinance which states: <i>“No person, tobacco retailer, or other entity shall sell or distribute any electronic cigarette to a person in unincorporated San Mateo County unless the electronic cigarette: is a new tobacco product which requires premarket review by the FDA; is covered by a premarket review by the FDA; and is not a flavored tobacco product.”</i></li> <li>• The ordinance would be effective 30 days after enacted and operative and enforceable 6 months after the effective date.</li> </ul>
<p>Questions from Council Members</p>	<ul style="list-style-type: none"> <li>• Blair Whitney, Council Member, asked: Do other jurisdictions in San Mateo County have comparable bans in place or will the County be the first? <ul style="list-style-type: none"> <li>• Ms. Cabuslay replied: The County would technically be the first. The City of South San Francisco is banning e-cigarettes except for two locations, so it is not a complete ban. The County would be the first to hear it in its current form. However, it would not be the first jurisdiction in the State of California to do so as there are several that have passed this ordinance already, including San Francisco, Richmond, and Beverly Hills.</li> </ul> </li> <li>• Blair Whitney, Council Member, added: When the County chooses an ordinance like this, it disproportionately affects businesses in the poorest communities, particularly those that are legally carrying these products. It would be better if we let cities with more money, like Burlingame, Menlo Park, or Hillsborough, take the hit for the leadership cost. I am hesitant to move forward with this because we are letting the poorest communities bear the price of pushing this through.</li> <li>• Ms. Cabuslay replied: From a public health perspective, we consider these devices to be potentially unsafe for public use, especially as the FDA has not tested them adequately and approved it for public use.</li> </ul>

	<ul style="list-style-type: none"> <li>• Everardo Rodriguez, Chair, added that this is a difficult case since it is a choice between economics and health-related issues. Small businesses could be affected financially but the health of North Fair Oaks residents is also on the line.</li> <li>• Linda Lopez, Council Member, added: I absolutely support any effort to prevent death and to promote good public health. I heard that the e-cig smoke has no odor. Is this true? <ul style="list-style-type: none"> <li>• Ms. Cabuslay replied: There is definitely less odor. This substance is specifically used by young people because it is harder for an adult to detect.</li> </ul> </li> <li>• Jennifer Ruiz, Council Member, asked: Does this ordinance include cannabis vaping products? <ul style="list-style-type: none"> <li>• Ms. Cabuslay replied: It would include anything that requires an e-cigarette device. Our research shows that the product that is most often used with an e-cigarette is cannabis.</li> </ul> </li> <li>• Youth Member Francis Santos made a motion to recommend San Mateo County’s e-cigarette ordinance.</li> <li>• Council Member Rosario Gonzalez seconded the motion.</li> <li>• <b>Roll call vote:</b>  <b>Yes: 6:</b> Rodriguez, Cerrillo, Gonzalez, L. Lopez, Ruiz, Santos,  <b>No: 0</b>  <b>Abstain:</b> Whitney  <b>Absent:</b> Rosaura Lopez, Esmeralda Rosales</li> <li>• The motion carries.</li> </ul>
Public Comment	No public comment made.

**7. Recommendation to cancel November meeting**

Discussion led by Everardo Rodriguez, Council Chair	<ul style="list-style-type: none"> <li>• Everardo Rodriguez, Chair: Our next meeting falls on Thanksgiving and so we need to decide if we want to postpone this meeting to the following week or cancel it—which would make tonight’s meeting the last one of the year.</li> <li>• Council Member Linda Lopez suggested that the regular meeting be held one week earlier, on November 21st.</li> <li>• The Council unanimously consented to moving the Regular Meeting scheduled for November 28 to November 21, 2019.</li> </ul>
Public Comment	No public comment made.

## 8. Reports to the Council

### A. Supervisor's Report

<p>Maggie Cornejo, <i>Legislative Aide to Supervisor Warren Slocum</i></p>	<ul style="list-style-type: none"> <li>• Ms. Cornejo provided an update on the Well-Being Academy. The second week has been completed. Thus far, the Academy has been successful, and the 40 participants have provided positive feedback.</li> <li>• Supervisor Slocum's office is planning two events:             <ul style="list-style-type: none"> <li>• <u>Connect 19</u>: This event will be held at Google campus on October 29. Registration is almost closed.</li> <li>• <u>Veteran of the Year Luncheon</u>: This event will be held on November 7 where three Veterans are honored for their outstanding work with the County community.</li> </ul> </li> </ul>
<p>Questions from Council Members</p>	<ul style="list-style-type: none"> <li>• Blair Whitney, Council Member, asked: Is the Veteran Luncheon a daytime event?             <ul style="list-style-type: none"> <li>• Ms. Cornejo confirmed that this is a day time event and that she will send him information regarding the event.</li> </ul> </li> <li>• Blair Whitney, Council Member, asked: I believe my term with the North Fair Oaks Community Council ends January 1<sup>st</sup>. If it does expire, do I have to re-apply?             <ul style="list-style-type: none"> <li>• Ms. Medina, County Staff, answered that the term expires December 2019 and that she would send him a follow up email regarding next steps.</li> </ul> </li> <li>• Linda Lopez, Council Member, asked: Have there been any efforts to find an alternate youth member for the Council?             <ul style="list-style-type: none"> <li>• Ms. Medina added that Esmeralda Rosales still holds this seat.</li> </ul> </li> <li>• Chair Rodriguez added that the Council needs to address Ms. Rosales' apparent lack of interest and attendance because another youth member could benefit from the opportunity of participating in the Council. Chair Rodriguez added that he has made numerous efforts to contact her but has not received a response.</li> <li>• County Counsel Tim Fox added that there is a series of rules that apply to determine when the Council can declare that a seat has been vacated. If a new appointment is made, then the occupant of that seat is the appointee. Efforts to reach out to the existing member may continue, but the Council should also begin its search for a new alternate member.</li> </ul>

## B. County Manager's Report

<p>Ileana Rodriguez, <i>Deputy County Manager</i></p>	<ul style="list-style-type: none"><li>• The County Manager's Office is pleased to announce the appointment of Justin Mates as Deputy County Manager. He was previously with County Counsel and has great leadership experience.</li><li>• The Department of Public Works reported at the Neighborhood Response Team that there were some plants that needed to be replaced on the 5<sup>th</sup> Ave. underpass and those have now been replaced.</li><li>• There has been a significant increase of graffiti in North Fair Oaks and the Department of Public Works has been able to stay on top of it.</li><li>• The Planning Department has a new Code Enforcement Manager, Mike Crivello, who has been with the County with a number of years.</li><li>• There are no new code violations issued last month by code enforcement in the North Fair Oaks area.</li><li>• The Office of Community Affairs produced magnets which were issued to homeowners which provide information on where to report illegal dumping. We also placed large dumpsters to collect large items. This, along with the outreach, has created a decrease in illegal dumping in North Fair Oaks.</li><li>• The census initiatives issued a second Request for Proposal for census outreach efforts. Surprisingly, there were no applications from organizations in the North Fair Oaks area. Gap analysis will be conducted and revisited for future opportunities regarding census efforts.</li><li>• We also encourage the Council to visit the updated North Fair Oaks website, <a href="http://NFOForward.org">NFOForward.org</a>. It contains updated news and calendar events.</li></ul>
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## C. Council Member Reports

	<ul style="list-style-type: none"><li>• Council Member Francis Santos reported that about two weeks ago, she and Chair Rodriguez presented to the San Mateo County Youth Commission. Ms. Santos will collaborate with them to write a letter requesting additional mental health resources for youth in San Mateo County.</li><li>• Chair Rodriguez added that they presented regarding North Fair Oaks. I hope that Francis can continue to give us updates on how that relationship develops.</li><li>• Chair Rodriguez shared that he continues to work on the Climate Ready North Fair Oaks Plan. This study is in collaboration with the Sienna Youth Center, El Concilio of San Mateo, some North</li></ul>
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	<p>Fair Oaks Council members, and Stanford University’s Urban Systems department. A community meeting was held to discuss climate change concerns and how this could affect the North Fair Oaks community. Residents identified several concerns, including: flooding, the lack of community shelters in North Fairs Oaks, heat waves, and power shut-offs. We should all be aware of these potential disasters and also be prepared as a community for a potential emergency or natural disaster. Work will continue with this collaboration and we will provide additional updates in the future.</p> <ul style="list-style-type: none"> <li>• Blair Whitney, Council Member, shared: The County of San Mateo co-sponsored an event with the City of Redwood City regarding Additional Dwelling Units (ADUs) and I learned that there are many opportunities for families who could benefit from an amnesty program to bring their ADUs to code compliance in the case that they did not obtain the necessary permits prior to building their ADUs. There is collaboration with San Mateo Credit Union to help bridge the finance gap since one of the biggest challenges is that you cannot borrow against home equity to build an ADU. This creates more opportunities for teachers, nurses, and others to be able to afford to live in the communities they serve. I would encourage everyone to look into ADUs to create modest increases in housing. Please take a look at these materials and share them with anyone you think would benefit from this.</li> <li>• Chair Rodriguez added that there is a nonprofit organization called “Soup” which provides financial and administrative assistance for individuals interested in building ADUs. They offered to provide a presentation to the Council and the community.</li> </ul>
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## **D. ADJOURNMENT**

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The meeting adjourned at 8:45 PM

### **Next Council Meeting:**

Thursday, November 21, 2019  
7 p.m. to 9 p.m.