

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

March 11, 2025

FROM

JASON ANDERSON, District Attorney

SUBJECT

Employment Contract for Consumer Environmental Protection Specialist

RECOMMENDATION(S)

Approve **Employment Contract No. 25-142** with Wayne Hoy as a Consumer Environmental Protection Specialist, effective March 22, 2025 through March 17, 2028, for a total amount not to exceed \$325,000, to assist the District Attorney's Consumer Environmental Protection Unit in the investigation and prosecution of cases.

(Presenter: Michael Fermin, Chief Assistant District Attorney, 382-3662)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The cost of the Consumer Environmental Protection Specialist employment contract for a three-year period will not exceed \$325,000. The cost of the contract includes salary and required costs such as Workers' Compensation insurance. The employment contract states that the Contractor shall not work more than 1,040 hours per fiscal year during the term of the agreement. The District Attorney budgets all staff within its general fund allocation and will reimburse salary/benefit and any other operational costs of this contract from the special revenue fund Consumer and Environmental Protection Unit. Sufficient appropriation has been included in the District Attorney's 2024-25 budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

The District Attorney (Department) is the public prosecutor and has the mandated responsibility to prosecute crimes committed within San Bernardino County pursuant to Government Code section 26500. The Department's Consumer Environmental Protection Unit (CEP) was established in 1990 to prosecute civil and criminal legal actions for unlawful activities such as hazardous waste dumping, consumer fraud, and violations of the State of California Division of Occupational Safety and Health to ensure safe and healthy working conditions for California workers. These types of litigation result in court orders or final judgments against the defendant to pay fines, penalties, cost recovery, restitution, and remediation to direct and indirect victims.

Some of the cases that have been investigated and prosecuted are local, while other cases involve other counties across California because of businesses that operate in multiple counties.

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More recently, the CEP Unit worked with the Sheriff's Department in the investigation of illegal commercial cannabis cultivation and is prosecuting those cases. Current staff are unable to audit previously litigated cases due to current investigations they are working on. The Department requests approval of an employment contract with Wayne Hoy, effective March 22, 2025 through March 17, 2028, to assist staff with auditing previously-litigated cases and assist with the investigation of cases that are pending litigation.

The recommended term of the employment contract is based on the fact that it can take several years to investigate and prosecute these cases if businesses operate across multiple counties and the Department needs to coordinate the investigation and prosecution with other counties or agencies.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott Runyan, Principal Assistant County Counsel, 387-5455) on February 13, 2025; Human Resources (Gina King, Assistant Director of HR, 387-5570) on February 13, 2025; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on February 13, 2025; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on February 14, 2025.

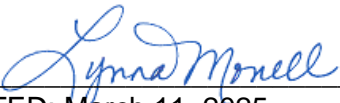
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: March 11, 2025



cc: DA - Walker w/agree
 Contractor - c/o DA w/agree
 File - w/agree
CCM 03/12/2025