

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
SITTING AS THE GOVERNING BODY OF THE FOLLOWING:
SAN BERNARDINO COUNTY
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
AND RECORD OF ACTION**

March 1, 2022

FROM

**ANGELA GODWIN, Agricultural Commissioner / Sealer of Weights & Measures,
Department of Agriculture/Weights & Measures
BRENDON BIGGS, Chief Flood Control Engineer, Flood Control District**

SUBJECT

Memorandum of Understanding for Herbicide Control Services for Flood Control Facilities

RECOMMENDATION(S)

1. Acting as the governing body of the San Bernardino County Flood Control District, approve **Memorandum of Understanding No. 22-146** with San Bernardino County, through its Department of Agriculture/Weights & Measures, for a total amount not to exceed \$5,000,000, \$1,000,000 per fiscal year, for herbicide control services from the retroactive date of July 1, 2021 through June 30, 2026, with an option to extend one five-year period.
2. Acting as the governing body of the San Bernardino County, through its Department of Agriculture/Weights & Measures, approve **Memorandum of Understanding No. 22-146** with San Bernardino County Flood Control District for a total amount not to exceed \$5,000,000, \$1,000,000 per fiscal year, for herbicide control services from the retroactive date of July 1, 2021 through June 30, 2026, with an option to extend one five-year period.

(Presenter: Angela Godwin, Agricultural Commissioner / Sealer of Weights and Measures, 387-2117)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

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 Discretionary General Funding (Net County Cost). The San Bernardino County Flood Control District (District) is funded by property taxes, fees, and other local, state and federal funding. Sufficient appropriation and revenue have been included in both the Department of Agriculture/Weights & Measure (Department) and District 2021-22 budgets and will be included in future recommended budgets.

Depending on the amount of rainfall creating more or less weed abatement, budget adjustments may be necessary and will be included on future quarterly countywide budget reports presented to the Board of Supervisors (Board) for approval.

**Memorandum of Understanding for Herbicide Control Services for
Flood Control Facilities
March 1, 2022**

BACKGROUND INFORMATION

The proposed Memorandum of Understanding (MOU) will formalize the work performed by the Department for herbicide control service and Department annual herbicide application training for backpack systems to the District staff for a period of five years for a total amount not to exceed \$1,000,000 per fiscal year, \$5,000,000 for the term of the MOU.

District facilities provide flood protection to properties throughout the County. Vegetation growth that appears in the channels must be kept to a minimum by herbicide spraying and removal to maintain maximum capacity which allows for the maximum flood protection possible. The Department has had a long-standing relationship providing herbicide control services to the District since the 1970's and has the experience and resources to continue to provide this service for the District.

The Board approved Agreement No. 16-493 on June 28, 2016 (Item No. 110) to formalize the herbicide control services provided by the Department to the District for the period of July 1, 2016 through June 30, 2021.

The process for invoicing for actual costs is outlined in the MOU. The MOU also authorizes and identifies District and Department representatives who have the authority to provide estimates and to accept and approve work projects.

This MOU shall be in effect from July 1, 2021 through June 30, 2026 with the option to extend one additional five-year period and may not be terminated without cause. In the event there is a cause to terminate, either party must provide a 30 day written notice. This MOU is retroactive to the date of July 1, 2021, and the work outlined has been completed monthly since that date. This MOU was delayed in being presented to the Board due to staff turnover at the Department and subsequent time required for fiscal, legal, and staff reviews.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Daniel Pasek, Deputy County Counsel, 387-9000) on February 15, 2022; County Counsel (Sophie Akins, Deputy County Counsel, 387-5455) on February 15, 2022; Flood Control District (Brandon Camacho, Budget Officer, 387-8083) on February 7, 2022; Finance (Elias Duenas, Administrative Analyst, 387-4052) on February 7, 2022; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on February 8, 2022.

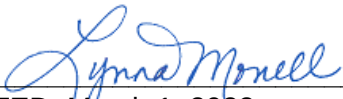
**Memorandum of Understanding for Herbicide Control Services for
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March 1, 2022**

Record of Action of the Board of Supervisors
San Bernardino County
San Bernardino County Flood Control District

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: March 1, 2022



cc: A/W&M - Godwin w/agree
Contractor - C/O A/W&M w/agree
File - w/agree
CCM 03/7/2022