

FAIR STATEMENT OF PROCEEDINGS FOR THE
SAN BERNARDINO COUNTY EMERGENCY MEETING

Wednesday, March 1, 2023

DAWN ROWE
CHAIR
Third District Supervisor



COL. PAUL COOK (RET.)
VICE CHAIRMAN
First District Supervisor

JESSE ARMENDAREZ
Second District Supervisor

CURT HAGMAN
Fourth District Supervisor

JOE BACA, JR.
Fifth District Supervisor

Chief Executive Officer
Leonard X. Hernandez

County Counsel
Tom Bunton

Clerk of the Board
Lynna Monell

ROLL CALL

PRESENT:

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

Vice Chairman Paul Cook participated in the Emergency Meeting via teleconference from the following location: Apple Valley Town Hall, 14955 Dale Evans Parkway, Apple Valley, CA 92307

OTHERS IN ATTENDANCE

Leonard X. Hernandez - Chief Executive Officer
Tom Bunton - County Counsel
Lynna Monell - Clerk of the Board

PUBLIC SESSION

**2:45 P.M. – CONVENE MEETING OF THE BOARD OF SUPERVISORS – Covington Chambers,
First Floor, County Government Center**

Pursuant to Government Code section 54956.5, the Board of Supervisors determined that an Emergency situation exists. Emergency includes an activity that severely impairs public health, safety, or both. Here, the severe weather has trapped people in their homes and some of those people are running low on food and medicine, which severely impairs public health and safety. One-hour notice of this meeting was sufficient due to the disruption or threatened disruption of public facilities. Here, at a minimum, snow has disrupted and threatens to disrupt public roads.

APPROVED

Motion/Second: Curt Hagman/Jesse Armendarez

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

Invocation and Pledge of Allegiance

Brad Jensen, Director of Governmental and Legislative Affairs

DISCUSSION CALENDAR

Multijurisdictional Item with the following entities: San Bernardino County; Big Bear Valley Recreation and Park District; Board Governed County Service Areas; San Bernardino County Fire Protection District; San Bernardino County Flood Control District

- 1) **AMENDED-** Acting as the Board of Supervisors and Board of Directors for San Bernardino County, Big Bear Valley Recreation and Park District, Board Governed County Service Areas, San Bernardino County Fire Protection District and San Bernardino County Flood Control District:
1. Find the local emergency declared by the Chief Executive Officer, acting as the Director of Emergency Services, on February 27, 2023, and ratified by the Board of Supervisors on February 28, 2023 (Item No. 81), has created the immediate and emergency need of providing County resources, services and expenditures to provide any and all assistance necessary to ensure the health and welfare of the residents of the impacted areas during the emergency, as well as the provision of County resources, services and expenditures to ensure the public and first responders have access to necessary infrastructure such as grocery stores, gas stations, utilities and public infrastructure.
 2. Find that there is substantial evidence that the current local emergency, created by the extreme weather that began on February 22, 2023 and declared by the Chief Executive Officer, acting as the Director of Emergency Services, on February 27, 2023, and ratified by the Board of Supervisors on February 28, 2023 (Item No. 81), is an emergency pursuant to Public Contract Code section 22050, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, and essential public services, and will not permit the delay resulting from a formal competitive solicitation of bids to procure construction services for projects necessary to prevent or address the effects of the storm.
 3. Approve Resolution authorizing the Purchasing Agent, subject to Chief Executive Officer approval, to issue Purchase Orders and/or contracts, in a total amount not to exceed ~~\$20,000,000~~ \$10,000,000, for any emergency construction and modifications related to the effects of the storm, and find that the issuance of these Purchase Orders and/or contracts is necessary to respond to this emergency pursuant to Public Contract Code sections 22035 and 22050 (Four votes required).
 4. Authorize the Director of the Department of Public Works to accept the work when 100% complete and execute and file the Notice of Completion.
 5. Authorize the Chair, Chief Executive Officer acting as the Director of Emergency Services, County Chief Financial Officer, or Fire Chief, through April 11, 2023, to approve:
 - a. The provision of County resources, services and the expenditures to provide any and all assistance necessary to ensure the health and welfare of the residents of the impacted areas during the emergency; and
 - b. Approve any and all contracts or agreements, including contracts with non-standard language as identified in County Policy 11-05, Section B, necessary to provide any and all assistance necessary to ensure the health and welfare of the residents of the impacted areas during the emergency, as well as the provision of County resources, services and expenditures to ensure the public and first responders have access to necessary infrastructure such as grocery stores, gas stations, utilities and public infrastructure; and
 - c. The competitive and non-competitive acquisition of any goods and equipment purchases, including unbudgeted fixed assets with a unit value over \$10,000, and personnel/services to support the emergency response to the extreme weather that began on February 22, 2023, that would require Board of Supervisors' approval under current law, regulations or County policies, without changing the Purchasing Agent's authority as granted under County Policy 11-04; and
 - d. Approve allocations from the mandatory contingencies or the General Purpose Reserve as allowed under the County's declaration of an emergency; and
 - e. Approve Transfers of Salaries and Benefits and Fixed Asset Appropriation, to support the emergency response to the extreme weather event that began on February 22,

2023.

6. Authorize the Auditor-Controller/Treasurer/Tax Collector to post adjustments to the 2022-23 Countywide Discretionary Fund budget unit, as detailed in the Financial Impact Section (Four votes required).
7. Direct the Chief Executive Officer to bring all contracts executed under Recommendation Nos. 3 and 5 back to the Board of Supervisors for ratification within 30 days of contract execution.

(Presenter: Leonard X. Hernandez, Chief Executive Officer, 387-4811)

Public Comment: None

APPROVED AS AMENDED

Motion/Second: Curt Hagman/Jesse Armendarez

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

THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS IS SCHEDULED FOR TUESDAY, MARCH 14, 2023 AT THE COUNTY GOVERNMENT CENTER, 385 NORTH ARROWHEAD AVENUE, SAN BERNARDINO WITH CLOSED SESSION BEGINNING AT 9:00 A.M. AND PUBLIC SESSION BEGINNING AT 10:00 A.M.

This Fair Statement sets out a summary of the actions taken on each of the items on the agenda for Wednesday, March 1, 2023. The Clerk of the Board is directed to include this Fair Statement with the "Report/Recommendations to the Board of Supervisors of San Bernardino County, California and Record of Action" for said date.

ATTEST

DAWN ROWE
Chair, Board of Supervisors

LYNNA MONELL
Clerk of the Board