

FAIR STATEMENT OF PROCEEDINGS FOR THE
SAN BERNARDINO COUNTY BOARD OF SUPERVISORS REGULAR MEETING

Tuesday, September 12, 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
Luther Snoke

County Counsel
Tom Bunton

Clerk of the Board
Lynna Monell

ROLL CALL

SUPERVISORS PRESENT:

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

OTHERS IN ATTENDANCE

Luther Snoke - Chief Executive Officer
Tom Bunton - County Counsel
Lynna Monell - Clerk of the Board

PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

CLOSED SESSION

**9:00 A.M. – CONVENE MEETING OF THE BOARD OF SUPERVISORS – Magda Lawson Room,
Fifth Floor, County Government Center**

1) **BOARD OF SUPERVISORS**

Conference with Legal Counsel - Existing Litigation (Government Code section 54956.9(d)(1))

1. Jamie Manns, et al. v. County of San Bernardino, et al., United States Central District Court Case No. 5:21-cv-02065-JWH-SHKx
2. Deborah Moller v. County of San Bernardino, et al., United States Central District Court Case No. 5:22-cv-01306-DSF-MAR
3. Rock Charles Saddy v. County of San Bernardino, et al., San Bernardino County Superior Court Case No. CIVDS2001573
4. Reza Sadeghian v. County of San Bernardino, et al., San Bernardino County Superior Court Case No. CIVSB2210787
5. City of Grants Pass, Oregon v. Gloria Johnson, et al., United States Supreme Court Case No. 23-175

Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation (Government Code section 54956.9(d)(4))

6. Two cases.

Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation (Government Code section 54956.9(d)(2))

7. One case.
Public Employee Appointment (Government Code section 54957)
8. Title: Chief Executive Officer
Conference with Labor Negotiator (Government Code section 54957.6)
9. Agency designated representative: Diane Rundles
 Employee organization:
- San Bernardino County Sheriff's Employees' Benefits Association - All Units
- SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT**
Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation
(Government Code section 54956.9(d)(2))

10. One case.
SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
Conference with Labor Negotiator (Government Code section 54957.6)

11. Agency designated representative: Diane Rundles
 Employee organizations:
- San Bernardino County Sheriff's Employees' Benefit Association - Specialized Fire Services Unit
 - Teamsters Local 1932 - Fire Auxiliary Services Unit and Fire Auxiliary Services Supervisory Unit

PUBLIC SESSION

10:00 A.M. – RECONVENE MEETING OF THE BOARD OF SUPERVISORS – Covington Chambers, First Floor, County Government Center

Invocation and Pledge of Allegiance - Fourth District

Councilmember Cynthia Moran of Chino Hills

Memorial Adjournments

Board of Supervisors

- Glenn E. Duncan, 75, of Chino
 - Donna Rhodes, 95, of Apple Valley
 - Mark H. Uffer, 70, of Highland
- First District – Supervisor Col. Paul Cook (Ret.)
- Frank Aubel, 81, of Apple Valley
 - Michael Lee Barrow, 67, of Apple Valley
 - Cynthia Susan Griffin, 64, of Hesperia
 - Sharon Beverly Oksen, 87, of Apple Valley
 - Kenneth Bradley Orchard, 85, of Victorville
 - David Michael Petrucci, 42, of Apple Valley
 - Paul Smith, Victorville, 93, of Victorville

Second District – Supervisor Jesse Armendarez

- Dolores Barrow, 96, of Upland
- Joyce Marie Cosato, 79, of Rancho Cucamonga
- Sally June Crawford, 85, of Fontana
- Mabel Duggins, 70, of Fontana
- Edward Tarin Garcia, 74, of Rancho Cucamonga
- Marlene Joan Garner, 84, of Upland
- Stefani Lynn Howe, 46, of Upland
- Norma Jones, 97, of Upland
- Gilbert McIntyre, 82, of Fontana
- Alice “Jeanne” Shearer, 95, of Fontana

Third District – Supervisor Dawn Rowe

- Anthony Beretti, 89, of Running Springs
- Laura Ann “Lauri” Carleton, 66, of Lake Arrowhead
- William Cunningham, 96, of Redlands
- John R. Green, 68, of Big Bear City
- James Haubner, 86, of Highland
- Gavino Martinez, 88, of Highland
- Howard S. Mills, 87, of Redlands
- Joseph M. Petrusek, 77, of Redlands

Fourth District – Supervisor Curt Hagman

- Marta Caparrotta, 77, of Chino
- Donna R. De Bie, 75, of Chino
- Leroy George Dickerson, 93, of Upland
- Lorenzo S. Dominguez, 96, of Chino
- Vincent Duran, 90, of Chino
- Jason S. Etchison, 45, of Chino
- Connie Gomez, 83, of Ontario
- Hermina Pauline Hundley, 86, of Ontario
- Martin Ibarra, 85, of Chino
- Margaret King, 78, of Upland
- Americo Manuel Luis, 96, of Montclair
- Robert William Peel, 67, of Ontario
- Kathy Ann Quinones, 67, of Ontario
- Kenneth Romine, Jr., 67, of Chino
- Constance Wessels, 97, of Chino Hills
- Ralph Fredrick Wilkens, 86, of Upland

Fifth District – Supervisor Joe Baca, Jr.

- Thomas R. Blevins, 81, of Bloomington
- Walter Vladimir Bubnow, 67, of San Bernardino
- Kathleen Denise Butler, 74, of San Bernardino
- Jeremy Castaneda, 23, of San Bernardino
- Frank De La Rosa, 83, of Colton
- Roslyn G. Flournoy, 60, of San Bernardino
- Linett Goldson, 91, of Rialto
- Rebeca Gomez, 74, of San Bernardino
- Eva Y. Gonzales, 100, of Colton
- Mitcheal Hart, 74, of San Bernardino
- Felisnando Hernandez, 52, of Colton
- Annette Johnson, 56, of San Bernardino
- Toby Lee, 48, of Fontana
- Maria Lupe Luna, 94, of San Bernardino
- Charlene E. Morse, 86, of San Bernardino
- Mary A. Oxendine, 88, of Rialto
- Virlin Murdock Peterson, 67, of Rialto
- Albert Quesada, 87, of Colton
- Juan F. Saldana, 95, of Rialto
- Dana Rae Sprague, 88, of Rialto

Special Presentations, Resolutions and Proclamations - None

Reports from County Counsel and Chief Executive Officer

County Counsel, Tom Bunton stated the Board of Supervisors voted 5-0 to authorize outside counsel to file a legal challenge to the FY2024 Medicare and Medicaid Services Inpatient Prospective Payment System Final Rule. The Board of Supervisors also voted 5-0 to join an amicus brief supporting a petition for Writ of Certiorari filed by the City of Grants Pass in the case of City of Grants Pass, Oregon

v. Johnson. And finally, the Board of Supervisors voted 5-0 to appoint the gentleman to my right, Luther Snoke, as the Chief Executive Officer of the County.

Chief Executive Officer, Luther Snoke, provided a status update regarding the February 2023 snowstorm response After Action Report. He stated there was a kick-off meeting with the selected vendor held on August 15, 2023. The vendor is currently reviewing documents and will schedule interviews via email and in-person in the coming weeks. The vendor is expected to deliver the final report to the County on November 30, 2023.

Individual Board Member Comments

Fifth District Supervisor Joe Baca, Jr. gave a shout-out to Code Enforcement for the community clean-up held in Arrowhead Farms. He also thanked Code Enforcement, Regional Parks, the Sheriff Department, and local law enforcement agencies for the Labor Day sweep dealing with the illegal off-road vehicles in the flood channels. Supervisor Baca, Jr. said there is a Town Hall meeting scheduled for September 14, 2023 at 4:30 PM at Arrowhead Elementary. He thanked SEIU Local 2015 for attending the meeting.

Chair and Third District Supervisor Dawn Rowe highlighted Item No. 50 on the agenda, which is a construction contract to replace a storm drain in the Big Bear City area to enhance storm preparedness in the mountains. She said that Item No. 73 identifies vacant land in Yucca Valley as a preferred site for a new fire station and Item No. 76 approves funding for Pickleball courts at MacKay Park in Lake Arrowhead. Chair Rowe thanked SEIU Local 2015 for attending the meeting.

Presentation of the Agenda

- a) Consider additions of emergency or urgency items to the agenda to be placed on the Consent or Discussion Calendar at the Board's discretion pursuant to Government Code section 54954.2(b) or (b)(2).
- b) Notice of minor revisions to agenda items, items removed or continued from the Board of Supervisors' Agenda.
- c) Disclosure pursuant to Government Code Section 84308.

CONSENT CALENDAR

Items listed on the Consent Calendar are expected to be routine and non-controversial and will be acted upon in one motion as the first item of business on the Discussion Calendar. If the Board directs that an item listed on the Consent Calendar be held for further discussion, the item will be addressed under "Deferred Items," the second item listed on the Discussion Calendar.

COUNTY DEPARTMENTS

Board of Supervisors

- 2) Adoption of Recognitions, Resolutions and Proclamations:

Board of Supervisors

Adopt proclamation declaring the last Wednesday of September as National Women's Health and Fitness Day through 2028.

Adopt proclamation declaring September as National Recovery Month through the year 2028.

Adopt proclamation declaring September 15th through October 15th as Hispanic Heritage Month through the year 2028.

Fifth District

Adopt resolution recognizing the Grace Vargas Senior Center's 20th anniversary on September 21, 2023.

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 3) Approve the following appointments, reappointments and vacancies as detailed below:

Chair and Third District Supervisor Dawn Rowe

- a. Approve the appointment of Hugo Lopez to Seat 10 on the San Bernardino County Health Center Governing Board for the remaining 2-year term, expiring 12/31/2024 (At Large).
- b. Declare and post vacancy per Maddy Act for the remaining 3-year term, expiring 1/31/2025, for Seat 9 held by Ray W. Miller on the Behavioral Health Commission (Third District).

Fifth District Supervisor Joe Baca, Jr.

- c. Declare and post vacancy per Maddy Act for the remaining 4-year term, expiring 1/06/2025, for Seat 8 held by Arlington C. Rodgers, Jr. on the Senior Affairs Commission.

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 4) Approve Amendment No. 1 to Employment Contract No. 23-63 with Anahi Perez to continue to provide support services to the Second District Supervisor as a Field Representative I, updating the salary range and revising the contract end date, retroactively effective September 9, 2023, for an estimated annual cost of \$80,570 (Salary - \$51,917, Benefits - \$28,653).
(Presenter: Jesse Armendarez, Second District Supervisor, 387-4833)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Agriculture/Weights and Measures

- 5) Approve revenue agreement (State Agreement No. 23-0026-032-SF) with the California Department of Food and Agriculture for the Department of Agriculture / Weights & Measures to continue to provide quarantine response and regulatory enforcement activities for the Asian Citrus Psyllid Bulk Citrus Regulatory Program, for a maximum reimbursement in the amount of \$18,674.83, effective October 1, 2023 through September 30, 2024.
(Presenter: Brady Gergovich, Agricultural Commissioner / Sealer, 387-2115)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 6) Approve revenue agreement (State Agreement No. 23-0469-000-SA) with the California Department of Food and Agriculture for the Department of Agriculture/Weights & Measures to continue to provide inspection services related to the Nursery Inspection Program for a maximum reimbursement of \$15,413, retroactively effective July 1, 2023 through June 30, 2024.
(Presenter: Brady Gergovich, Agricultural Commissioner / Sealer, 387-2115)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Arrowhead Regional Medical Center

- 7) Approve changes with the following Membership and/or Clinical Privilege categories requested in Attachment A, as recommended by the Medical Executive Committee:
1. Applications for Initial Appointment - Medical Staff
 2. Applications for Reappointment - Medical Staff
 3. Applications for Initial Appointment - Advanced Practice Professional Staff
 4. Applications for Reappointment - Advanced Practice Professional Staff
 5. Completion of Focused Professional Practice Evaluation with Advancement - Medical Staff
 6. Request for Extension of Focused Professional Practice Evaluation - Advanced Practice Professional Staff
 7. Voluntary Resignation of Membership and/or Clinical Privileges - Medical Staff
- (Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 8) Approve a non-financial Affiliation Agreement with Concorde Career Colleges, Inc. for its Cardiovascular Sonography students to participate in clinical training at Arrowhead Regional Medical Center, for the five-year period of September 12, 2023 through September 11, 2028.
- (Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 9) Approve non-financial Software System License and Support Master Agreement with Abbott Rapid Diagnostics Informatics, Inc., including non-standard terms, for software licensing and support for patient glucose testing meters, effective from September 12, 2023 through September 11, 2028.
- (Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 10) Approve Amendment No. 15 to Agreement No. 06-141 with Change Healthcare Technologies, LLC for a Cardiology Picture Archiving and Communication System training course, increasing the contract amount by \$3,600, from \$10,922,337 to a total not-to-exceed \$10,925,937, with no change to the contract period of February 7, 2006 through May 25, 2025.
- (Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 11) 1. Approve a non-financial Network Participant Agreement, including non-standard terms, with Procedural Learning Safety Collaborative, dba Society for Improving Medical Professional Learning, for access to an online application for the collection and analysis of resident physician performance and assessment data, effective September 12, 2023 through

September 11, 2024, with options to extend for four subsequent one-year periods.

2. Approve a non-financial End User License Agreement, including non-standard terms, with Procedural Learning Safety Collaborative, dba Society for Improving Medical Professional Learning, for the County's use of the website and services accessible through the site and the mobile application, effective for as long as the website and mobile application are in use.
3. Designate the Director of Arrowhead Regional Medical Center to electronically accept the End User License Agreement in Recommendation No. 2 and accept updates to the End User License Agreement, provided that such updates do not substantively modify the terms, subject to review by County Counsel.
4. Direct the Director of Arrowhead Regional Medical Center to transmit printed copies of any updated terms to the End User License Agreement that are electronically accepted to the Clerk of the Board of Supervisors within 30 days of electronic acceptance.

(Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 12) Approve Mitigation Agreement with California University of Science and Medicine and California University of Science and Medicine, School of Medicine, which will provide in-kind services in the amount of \$1,743,000 annually to Arrowhead Regional Medical Center, effective September 12, 2023 through March 31, 2037.

(Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Assessor/Recorder/County Clerk

- 13) Approve Amendment No. 1 to Contract No. 4400021608 with The Software Revolution, Inc., revising the scope of work to include additional engineering support services for the Assessor's Property Information Management System Upgrade Project, adding a milestone payment schedule, with no change to the contract amount of \$1,000,000, and shortening the term from five years to two years, for a total term of January 23, 2023 through January 22, 2025.

(Presenter: Chris Wilhite, Assessor-Recorder-County Clerk, 382-3208)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Auditor-Controller/Treasurer/Tax Collector

- 14) Adopt Resolution setting 2023-24 property tax rates for local agencies within San Bernardino County (Attachment A).

(Presenter: Diana Atkeson, Assistant Auditor-Controller/Treasurer/Tax Collector, 382-7004)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Children and Family Services

- 15) Approve a non-financial contract, including a non-standard term, with Give Something Back Foundation and University Enterprises Corporation at California State University San

Bernardino, through First Star California State University San Bernardino Academy, to increase access to higher education among foster youth, retroactively effective August 22, 2023 through August 21, 2028.

(Presenter: Jeany Zepeda, Director, 387-2792)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Clerk of the Board

- 16) Approve Amendment No. 1 to Agreement No. 18-693 with Granicus, LLC, for an enterprise Board Management System, to provide continued agenda management, video streaming, voting, and closed captioning services, increasing the agreement amount by \$613,548, from \$589,439 to \$1,202,987, and exercising the option to extend the term five years, for a total agreement term of October 1, 2018 through September 30, 2028.

(Presenter: Lynna Monell, Clerk of the Board, 387-3848)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

County Administrative Office

- 17) 1. Find that the waiver of the Department of Public Health private adoption, spay/neuter and vaccination fees, reduced to \$10 and \$20 for cats/kittens and dogs/puppies respectively as shown in Attachment A, through June 30, 2024, serves a public purpose by promoting the adoption of animals, providing for the social service needs of County residents by helping remove barriers to adoptions and will help approximately 2,300 animals in finding a new home.
2. Direct the Director of the Department of Public Health to decrease adoption, spay/neuter and vaccination fees in relation to Recommendation No. 1.

(Presenter: Joshua Dugas, Director, 387-9146)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 18) 1. Terminate the appointment of the Chief Executive Officer as the Board of Supervisors' representative on the County Treasury Oversight Committee.
2. Approve the appointment of the County Chief Financial Officer as the Board of Supervisors' representative on the County Treasury Oversight Committee.

(Presenter: Luther Snoke, Interim Chief Executive Officer, 387-4811)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 19) Approve a revenue Memorandum of Understanding with Consolidated Fire Agencies for the provision of administrative services by various County departments, for a retroactive term of September 9, 2023 to June 30, 2026.

(Presenter: Luther Snoke, Interim Chief Executive Officer, 387-4811)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 20) 1. Approve the Form of the First Amendment to Facility Sublease, including a non-standard term, to refer to new bonds the State Public Works Board intends to issue, between the Department of Corrections and Rehabilitation of the State of California, as sublessor, and San Bernardino County, as sublessee, for the San Bernardino Jail Facility located at 9438 Commerce Way in the City of Adelanto, in substantially the form attached hereto with such changes as may be required by the Department of Corrections and Rehabilitation or the State Public Works Board, or as may be deemed necessary to accomplish the intent of this action.
2. Adopt Resolution authorizing the Chair of the Board of Supervisors, the Chief Executive Officer, the County Chief Financial Officer, or their designees, in consultation with County Counsel, to execute and deliver the First Amendment to Facility Sublease for the San Bernardino Jail Facility between the Department of Corrections and Rehabilitation of the State of California and the County, and to execute and submit to the State of California any and all documents, certificates, including tax certificates, opinions and agreements necessary to consummate the execution and delivery of the First Amendment to Facility Sublease and the issuance of refunding Bonds by the State.
3. Direct the County Chief Financial Officer to transmit the Amendment to Facility Sublease to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Luther Snoke, Interim Chief Executive Officer, 387-4811)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

County Counsel

- 21) 1. Approve a consent to concurrent representation and waiver of conflict of interest arising out of the representation of Cadiz, Inc., Chino Basin Watermaster, and Arien Pauls by Brownstein Hyatt Farber Schreck, LLP, in connection with litigation related to the approval of the Bloomington Business Park Specific Plan and associated entitlements.
2. Authorize the County Counsel or Principal Assistant County Counsel to execute any required documentation to consent to the concurrent representation of Cadiz, Inc., Chino Basin Watermaster and Arien Pauls by Brownstein Hyatt Farber Schreck, LLP, and waiver of conflict of interest.
- (Presenter: Tom Bunton, County Counsel, 387-5455)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 22) Approve Amendment No. 1 to End User License Agreement No. 22-846 with OnCue Technology, LLC for software used to create, organize, and present evidence for trial, increasing the total contract amount by \$43,200, from \$9,000 to \$52,200, and extending the contract period by four years, for a total contract term of September 13, 2022 through September 12, 2027.
- (Presenter: Tom Bunton, County Counsel, 387-5455)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

District Attorney

- 23) 1. Approve Grant Agreement (State Agreement No. DI24018) with the State of California,

Office of Traffic Safety for the San Bernardino County Alcohol and Drug Impaired Driver Vertical Prosecution Program in the amount of \$916,000 for the period of October 1, 2023 through September 30, 2024.

2. Adopt a Resolution approving the Grant Agreement and authorizing the District Attorney's Office, as required by the California Office of Traffic Safety, to electronically sign and submit the Grant Agreement, and any subsequent non-substantive amendments, on behalf of the County, subject to review by County Counsel.
3. Approve appropriation and revenue adjustments of \$24,423 and authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments, as detailed in the Financial Impact section (Four votes required).
4. Direct the District Attorney to submit the Grant Agreement and any non-substantive amendments to the Clerk of the Board of Supervisors within 30 days of execution.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Human Resources

- 24) Approve Contract with Krout & Schneider, Inc. dba SmartHire to provide pre-employment background and reference check services on a fee-for-service basis, not-to-exceed a total of \$1,750,000 for the period of September 12, 2023 through September 11, 2028.

(Presenter: Diane Rundles, Assistant Executive Officer, 387-5570)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 25) Approve the Memorandum of Understanding between San Bernardino County and Teamsters Local 1932 representing employees in the Administrative Services Unit; Clerical Unit; Craft, Labor & Trades Unit; Management Unit; Nurses Supervisory and Management Unit; Supervisory Unit; and Technical and Inspection Unit, effective September 9, 2023 through February 28, 2027.

(Presenter: Diane Rundles, Assistant Executive Officer, 387-5570)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Human Services Administration

- 26) Approve Amendment No. 2, which omits a standard County contract provision, to Agreement No. 12-778, a non-financial Memorandum of Understanding between Children's Fund, Inc.; Loma Linda University Children's Hospital; San Bernardino County Police Chief's Association; and San Bernardino County on behalf of Children and Family Services, Children's Network, Department of Behavioral Health, Department of Public Health, District Attorney, and the Sheriff/Coroner/Public Administrator, reaffirming the public and private collaborative, as required for reaccreditation by the National Children's Alliance, to provide forensic evaluations of child victims of physical and sexual abuse, and outlining partner agency responsibilities.

(Presenter: Diane Rundles, Assistant Executive Officer, 387-5570)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 27) 1. Approve Business Communications Global Terms of Service Agreement with Vonage, including non-standard terms, for purchase of Voice over Internet Protocol telecommunication service utilized by San Bernardino County Human Services teleworking employees, for the period of September 27, 2023 through September 26, 2024.
2. Authorize the Purchasing Agent to issue Purchase Orders to Vonage to purchase Voice over Internet Protocol telecommunication service utilized by San Bernardino County Human Services teleworking employees, in an amount not to exceed \$535,000, for the period of September 27, 2023 through September 26, 2024.

(Presenter: Cheryl Adams, Deputy Executive Officer, 388-0238)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Innovation and Technology

- 28) 1. Ratify action taken by the Chief Executive Officer on July 11, 2023, to electronically accept the following non-financial agreements, including non-standard terms, with Apple, Inc., with the revision date of June 5, 2023, for application software development and distribution utilizing Apple's App Store for use on Apple-branded products, beginning upon acceptance and continuing until terminated by either party:
- a. Apple Developer Agreement
 - b. Apple Developer Program License Agreement
2. Authorize the Chief Information Officer, Assistant Chief Information Officer, or IT Division Chief to electronically accept updates to the Apple Developer Agreement and the Apple Developer Program License Agreement and any applicable licenses, subject to review by County Counsel, provided that such updated terms do not substantively modify the terms of the original agreements.
3. Direct the Chief Information Officer, Assistant Chief Information Officer, or IT Division Chief to transmit any non-substantive updated terms and any applicable licenses that are electronically accepted to the Clerk of the Board of Supervisors within 30 days of acceptance or execution.

(Presenter: Lynn Fyhrlund, Chief Information Officer, 388-5501)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 29) 1. Approve non-financial Master Country Agreement United States, including non-standard terms, with Equinix LLC for colocation-based interconnection services, effective September 12, 2023, and continuing until the last order expires or is terminated.
2. Authorize the Purchasing Agent to issue a Purchase Order to Equinix LLC for Equinix Order No. SV2 1-229229099005 for colocation-based interconnection services in the total not-to-exceed amount of \$250,000, for the period of September 25, 2023, through September 24, 2028, automatically renewing for 12-month terms thereafter, unless terminated or notice of non-renewal is provided by either party.
3. Authorize the Purchasing Agent to issue a Purchase Order to Equinix LLC for Equinix Order No. SV5 1-229232779291 for colocation-based interconnection services in the total not-to-exceed amount of \$250,000, for the period of September 25, 2023, through September 24, 2028, automatically renewing for 12-month terms thereafter, unless terminated or notice of non-renewal is provided by either party.

(Presenter: Lynn Fyhrlund, Chief Information Officer, 388-5501)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Land Use Services

- 30) 1. Find it would serve a public purpose to support the public knowledge and highlight San Bernardino County services related to code enforcement activities to waive the payment of the economic development film permit fee in the amount of \$258 in connection with filming the production of a television pilot and potential television series currently titled "Code Enforcers".
2. Approve Access Agreement with Conveyor Media, LLC, including non-standard terms, allowing access to authorized code enforcement offices and staff for the purpose of filming the production of a television pilot and potential television series currently titled "Code Enforcers", in an amount that will ensure the reimbursement of all costs incurred as part of San Bernardino County's participation in the filming of the production, as required by Section 41.2408 of the San Bernardino County Code, from September 12, 2023 through September 12, 2024.

(Presenter: Mark Wardlaw, Director, 387-4431)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Museum

- 31) Authorize the Auditor-Controller/Treasurer/Tax Collector to post the budget adjustments, as detailed in the Financial Impact section, to the Museum's 2023-24 budget to reflect the utilization of Net Position from the Museum Store budget unit in the amount of \$150,000, to fund exhibit improvement costs (Four votes required).

(Presenter: David Myers, Director, 798-8601)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Preschool Services

- 32) 1. Accept grant award (Grant Award No. 90ZJ0037-04-00) from the United States Department of Health and Human Services, Administration for Children and Families for the Comprehensive Fatherhood Program, in the amount of \$50,000, for the period of September 30, 2023 through September 29, 2024.
2. Authorize the Chief Executive Officer, Assistant Executive Officer, or Director of the Preschool Services Department to accept and execute any subsequent non-substantive amendments, and any other necessary supporting documentation, to Grant Award No. 90ZJ0037-04-00 for the Comprehensive Fatherhood Program, on behalf of the County, subject to review by County Counsel.
3. Direct the Director of the Preschool Services Department to transmit all non-substantive amendments to Grant Award No. 90ZJ0037-04-00 for the Comprehensive Fatherhood Program to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Jacquelyn Greene, Director, 383-2005)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 33) 1. Accept and approve Amendment No. 1 (Grant Award No. 09CH011719-04-01) to Contract No. 23-846, with the United States Department of Health and Human Services,

Administration for Children and Families for continued support of the Head Start, Early Head Start, and Early Head Start - Child Care Partnership Programs, for Cost-of-Living Adjustment and Quality Improvement supplemental funding, increasing the combined award by \$4,512,840, from \$60,021,002 to \$64,533,842, for the period of July 1, 2023 through June 30, 2024, for the following programs:

- a. Head Start Program, in the amount of \$3,606,152.
 - b. Early Head Start, in the amount of \$906,688.
2. Approve Side Letter Agreement with Teamsters Local 1932, representing employees in the Preschool Services Department Non-Supervisory Unit and Preschool Services Department Supervisory Unit, effective September 23, 2023.
 3. Authorize the Chair of the Board of Supervisors, Chief Executive Officer, or Director of the Preschool Services Department to accept any subsequent non-substantive amendments to Grant Award No. 09CH011719-04-01 for the Head Start, Early Head Start, and Early Head Start - Child Care Partnership Programs on behalf of the County, subject to review by County Counsel.
 4. Direct the Director of the Preschool Services Department to transmit all non-substantive amendments to Grant Award No. 09CH011719-04-01 for the Head Start, Early Head Start, and Early Head Start - Child Care Partnership Programs to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Jacquelyn Greene, Director, 383-2005)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Probation

- 34)
 1. Terminate Permanent Single Agreement No. 22-756 with the California Department of Education, Nutrition Services Division to discontinue the Child Nutrition Programs for food services at juvenile detention and assessment centers.
 2. Authorize the Chief Probation Officer or Assistant Chief Probation Officer to terminate Permanent Single Agreement No. 22-756 and execute the Letter of Termination and Exhibit A: Changes in Child Nutrition Program Operations, on behalf of the County, subject to review by County Counsel.
 3. Direct the Chief Probation Officer or Assistant Chief Probation Officer to transmit the Letter of Termination and Exhibit A: Changes in Child Nutrition Program Operations to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Tracy Reece, Chief Probation Officer, 387-5692)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 35)
 1. Approve Grant Agreement with the State of California - Office of Traffic Safety, Intensive Probation Supervision for High-Risk Felony and Repeat DUI-Offenders (State Grant No. AL24019) for the High-Risk Drunk Driving Supervision Program, in the amount of \$645,000 for the period of October 1, 2023 through September 30, 2024.
 2. Authorize the Chief Probation Officer to electronically sign and submit the Grant Agreement, all subsequent quarterly performance reports and any subsequent non-substantive amendments to the State of California - Office of Traffic Safety, Intensive Probation Supervision for High-Risk Felony and Repeat DUI-Offenders for the High-Risk Drunk Driving Supervision Program, subject to review by County Counsel.
 3. Direct the Chief Probation Officer to transmit the Grant Agreement and all subsequent non-substantive amendments to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Tracy Reece, Chief Probation Officer, 387-5692)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Project and Facilities Management

- 36) Approve Amendment No. 1 to Contract No. 23-389 with CBRE Heery, Inc., to recognize the entity name change from CBRE Heery, Inc., to Turner & Townsend Heery, LLC, which will continue providing on-call professional construction management services, with no change to the contract total of \$4,500,000 or the period of May 23, 2023, through May 22, 2028.
(Presenter: Don Day, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 37) 1. Find that the Mojave Narrows Regional Park Dry Campsite Path of Travel Project in Victorville is exempt under the California Environmental Quality Act Guidelines, Section 15301(c)(d), Class 1, Existing Facilities and Section 15303(e), Class 3, New Construction or Conversion of Small Structures.
2. Approve plans and specifications for the Mojave Narrows Regional Park Dry Campsite Path of Travel Project located at 18000 Yates Road in Victorville.
3. Authorize the Director of the Project and Facilities Management Department to advertise for competitive bids for Phase II of the Mojave Narrows Regional Park Dry Campsite Path of Travel Project.
4. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption for the Mojave Narrows Regional Park Dry Campsite Path of Travel Project as required under the California Environmental Quality Act.
(Presenter: Don Day, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 38) Continue the finding, first made by the Board of Supervisors on September 13, 2022, that there is substantial evidence that the unplanned mechanical failures at 157 and 175 W. 5th Street on August 22, 2022, created 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, necessitating overhaul or replacement of portions of the mechanical system at 157 and 175 W. 5th Street, San Bernardino, to allow staff to provide services, and will not permit the delay resulting from a formal competitive solicitation of bids to procure an urgent mechanical system overhaul or replacement, and delegate authority, originally by Resolution on September 13, 2022, amended July 11, 2023, to the Chief Executive Officer to direct the Purchasing Agent to issue purchase orders and/or execute contracts, in a total amount not to exceed \$1,350,000 for any emergency remediation, construction, and modifications of internal and external structures related to the mechanical failures, finding that the issuance of these purchase orders and/or contracts is necessary to respond to this emergency pursuant to the Public Contract Code sections 22035 and 22050 (Four votes required).
(Presenter: Don Day, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 39) Continue the finding, first made by the Board of Supervisors on June 28, 2022, that there is substantial evidence that the fire at 172 W. 3rd Street on June 19, 2022, created 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, necessitating fire remediation activities at 172 W. 3rd Street and remodel/renovations of portions of 268 W. Hospitality Lane, San Bernardino, to allow staff to provide services, and will not permit the delay resulting from a formal competitive solicitation of bids to procure remediation and construction services, and delegate authority, originally by Resolution on June 28, 2022, amended on September 13, 2022 and on July 25, 2023, to the Chief Executive Officer to direct the Purchasing Agent to issue purchase orders and/or execute contracts, in a total amount not-to-exceed \$10,123,681, for any remediation, construction, and modifications of internal and external structures related to the fire, finding 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).
(Presenter: Don Day, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Public Health

- 40) Approve Amendment No. 2 to Agreement No. 22-795 (State Agreement No. 22-10281) with the California Department of Public Health, for the Women, Infants and Children Nutrition Program, increasing the grant amount by \$13,464, from \$41,727,837 to \$41,741,301, with no change to the period of October 1, 2022 through September 30, 2025.
(Presenter: Joshua Dugas, Director, 387-9146)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 41) Accept allocation and approve acceptance of award (Grant Award No. EPCF3623) from the California Department of Public Health, Tuberculosis Control Branch for the Enhanced Prevention and Control Project, to enhance the capabilities of tuberculosis prevention and control activities, in the amount of \$10,000, for the retroactive period of July 1, 2023 through June 30, 2024.
(Presenter: Joshua Dugas, Director, 387-9146)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 42) Approve and authorize the submission of the Phase 2 grant application documents to the United States Department of Health and Human Services, Health Resources and Services Administration, for the Health Center Program Service Area Competition grant, to provide operational support to the Federally Qualified Health Centers, in the amount of \$2,291,840 for the period of March 1, 2024 through February 28, 2027.
(Presenter: Joshua Dugas, Director, 387-9146)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 43) Approve and authorize the submission of the 2024 Non-Competing Continuation Progress Report to the United States Department of Health and Human Services, Health Resources and Services Administration in order to receive continued funding for the Ryan White HIV/AIDS Program Part A HIV Emergency Relief Grant Program, in the amount of \$9,341,142, for the period of March 1, 2024 through February 28, 2025.
(Presenter: Joshua Dugas, Director, 387-9146)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Public Works-Special Districts

- 44) 1. Approve the plans and specifications for the Chino Airport Monitoring Wells Project.
2. Authorize the Director of the Department of Public Works to advertise the Chino Airport Monitoring Wells Project for formal bids.
(Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Public Works-Surveyor

- 45) 1. Find the vacation of road right-of-way along Devore Cut-Off superseded by relocation in the Lytle Creek area is an exempt action under the California Environmental Quality Act Guidelines pursuant to Section 15061(b)(3) and 15312 Categorical Exemptions.
2. Adopt Resolution that finds and determines the road right-of-way along Devore Cut-Off has been superseded by relocation and may be vacated to achieve the public purpose of eliminating and clearing the public records of unnecessary road right-of-way.
3. Direct the Clerk of the Board of Supervisors to forward a copy of the Resolution to the Department of Public Works to be recorded in the official records by the San Bernardino County Recorder.
4. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption.
(Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Public Works-Transportation

- 46) 1. Find that the Cedar Street and Other Roads Project in the Oak Hills and Hesperia areas is exempt under the California Environmental Quality Act Guidelines, Title 14 of the California Code of Regulations Section 15301(c) Class 1 (existing facilities) and Section 15302(c) Class 2 (replacement or reconstruction).
2. Approve the Cedar Street and Other Roads Project in the Oak Hills and Hesperia areas as defined in the Notice of Exemption.
3. Approve the specifications for Phase I of the Cedar Street and Other Roads Project in the Oak Hills and Hesperia areas, as signed and sealed by a registered civil engineer.
4. Authorize the Director of the Department of Public Works to advertise for Phase I of the Cedar Street and Other Roads Project in the Oak Hills and Hesperia areas for formal bids.
5. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption.
(Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 47) 1. Find that the Blake Street and Other Roads Project in the Rialto and Muscoy areas is exempt under the California Environmental Quality Act Guidelines, Title 14 of the California Code of Regulations Section 15301(c) Class 1 (existing facilities) and Section 15332(d) Class 32 (in-fill development projects).
2. Approve the Blake Street and Other Roads Project in the Rialto and Muscoy areas as defined in the Notice of Exemption.
3. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption.
- (Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 48) 1. Find that the Cactus Avenue and Easton Street Project in the Rialto area is exempt under the California Environmental Quality Act Guidelines, Title 14 of the California Code of Regulations Section 15301(c) Class 1 (existing facilities) and Section 15332(d) Class 32 (in-fill development projects).
2. Approve the Cactus Avenue and Easton Street Project in the Rialto area as defined in the Notice of Exemption.
3. Approve plans and specifications for the Cactus Avenue and Easton Street Project in the Rialto area, as signed and sealed by a registered civil engineer.
4. Authorize the Director of the Department of Public Works to advertise the Cactus Avenue and Easton Street Project in the Rialto area for formal bids.
5. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption.
- (Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 49) 1. Find that the Fifth Street and Pedley Road Project in the San Bernardino area is exempt under the California Environmental Quality Act Guidelines, Title 14 of the California Code of Regulations Section 15301(c) Class 1 (existing facilities) and Section 15302(c) Class 2 (replacement or reconstruction).
2. Approve the Fifth Street and Pedley Road Project in the San Bernardino area as defined in the Notice of Exemption.
3. Approve plans and specifications for the Fifth Street and Pedley Road Project in the San Bernardino area, as signed and sealed by a registered civil engineer.
4. Authorize the Director of the Department of Public Works to advertise the Fifth Street and Pedley Road Project in the San Bernardino area for formal bids.
5. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption.
- (Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 50) 1. Approve Addendum No. 1, issued on August 14, 2023, to the bid documents for the Saw Mill Drive Drainage Project in the Big Bear City area.
2. Award a construction contract to Gentry General Engineering, Inc. (Rancho Cucamonga, CA) in the amount of \$768,247 for the Saw Mill Drive Drainage Project in the Big Bear City

area.

3. Authorize a contingency fund of \$76,824 for the Saw Mill Drive Drainage Project in the Big Bear City area.
4. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$76,824 for verified quantity overruns for this unit priced construction contract.
5. Authorize the Director of the Department of Public Works to order any necessary changes or additions in the work being performed under the contract for a total amount not-to-exceed \$50,912 of the \$76,824 contingency fund, pursuant to Public Contract Code section 20142.
6. Authorize the Director of the Department of Public Works to accept the work when 100% complete and execute and file the Notice of Completion.

(Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 51) Adopt Resolution approving the Measure "I" Five-Year Capital Project Needs Analysis - Project List for 2024-25 through 2028-29, Valley Major Streets, Valley Freeway Interchange, and the Victor Valley Major Local Highways Programs, identified in Exhibit A attached to the Resolution.
(Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 52) 1. Approve the purchase of a Loader Mounted Snow Blower in an amount not-to-exceed \$250,000 as an unbudgeted fixed asset for the purpose of snow removal operations.
2. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the budget adjustments, as detailed in the Financial Impact section, for the purchase identified in Recommendation No. 1 (Four votes required).

(Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 53) 1. Approve Agreement with the State of California Department of California Highway Patrol to provide uniformed personnel with patrol vehicles for traffic control and enforcement related services throughout San Bernardino County unincorporated areas on an as-needed basis, for a total not-to-exceed amount of \$180,000 retroactively effective March 1, 2023 through February 28, 2025.
2. Authorize the Director of the Department of Public Works to sign and submit the Agreement to the State of California Department of California Highway Patrol for traffic control and enforcement related services in San Bernardino County unincorporated areas on an as-needed basis.
3. Direct the Director of the Department of Public Works to transmit the fully executed Agreement to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 54) 1. Declare that the following is surplus equipment as it is fully depreciated, no longer meets air quality requirements, has reached the end of its service life and/or is no longer necessary to meet the needs of the Department of Public Works, and has been replaced:
- a. Equipment No. 008782 a 2009 GMC Topkick (Vehicle Identification Number 1GDJ6C1G99F400726), with an estimated value of \$10,000.
 - b. Equipment No. 027989 a 2009 International Dump Truck (Vehicle Identification Number 1HTWYAHT89J191362), with an estimated value of \$15,000.
 - c. Equipment No. 027990 a 2009 International Dump Truck (Vehicle Identification Number 1HTWYAHTX9J191363), with an estimated value of \$15,000.
 - d. Equipment No. 051922 a 2013 Caterpillar 140M Motor Grader (Vehicle Identification Number CAT0140MTM9J00699), with an estimated value of \$65,000.
2. Authorize the sale of the surplus fixed assets identified in Recommendation No. 1, to be coordinated through the Purchasing Department, Surplus Property Division.
3. Authorize the Director of Fleet Management to execute all necessary documentation to transfer title for the surplus fixed assets identified in Recommendation No. 1.
4. Authorize the Department of Public Works to retain the proceeds from the sale of the surplus fixed assets identified in Recommendation No. 1 and deposit such proceeds into the Equipment Fund to offset costs of future equipment purchases.
- (Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Purchasing

- 55) 1. Approve contracts with the following 49 vendors for Nurse Registry, Travel Nursing, and Allied health personnel for County departments, at fixed rates as listed in Attachment B, for the period of October 1, 2023 through October 1, 2028.
- a. 24-Hour Medical Staffing Services, LLC
 - b. Accountable Healthcare Staffing, Inc.
 - c. Aequor Healthcare Services, LLC
 - d. American Healthcare Staffing Association
 - e. Arise Carestaff
 - f. ATC Healthcare Services, LLC
 - g. Aya Healthcare, Inc.
 - h. Bayinfotech, LLC
 - i. BuzzClan, LLC
 - j. CareerStaff Unlimited, LLC
 - k. Cell Staff, LLC
 - l. Certified Nursing Registry, Inc.
 - m. Cross Country Staffing, Inc. dba Cross Country Healthcare Services
 - n. Diskriter, Inc.
 - o. EGA Associates, LLC
 - p. Eight Eleven Group, LLC dba Medasource
 - q. Elite Nursing Services, Inc.
 - r. FirstLocums, Inc. dba DirectShifts
 - s. Health Advocates Network, Inc. dba Staff Today
 - t. HealthCare Pros, Inc.
 - u. Healthcare Staffing Professionals, Inc.
 - v. HonestLove Global Professional Staffing, Limited
 - w. Inyon Solutions
 - x. JM Staffing dba JM Medi-Stat
 - y. KPG Healthcare LLC

- z. LanceSoft, Inc.
 - aa. LocumTenens.com, LLC
 - bb. Master Staffing, Inc.
 - cc. Maxim Healthcare Staffing Services, Inc.
 - dd. Medely, Inc.
 - ee. Medical Referral Network International dba ESP Personnel
 - ff. MediPro Medical Staffing, LLC
 - gg. NuWest Healthcare
 - hh. Pacific Oasis Systems, Inc.
 - ii. Pioneer Healthcare Services
 - jj. ProLink Healthcare, LLC
 - kk. RMC Technologies (USA), Inc.
 - ll. ReadyTech-Go, Inc. dba RTG Medical
 - mm. Registry Network, Inc.
 - nn. RehabAbilities
 - oo. SHC Services, Inc. dba Supplemental Health Care
 - pp. Simply The Best Healthcare Staffing, Inc.
 - qq. TotalMed Staffing, Inc.
 - rr. Triage, LLC
 - ss. Tryfacta, Inc.
 - tt. VitaWerks, Inc.
 - uu. Westways Staffing Services, Inc.
 - vv. Worldwide Travel Staffing, Limited
 - ww. Wynden Stark, LLC dba GQR Global Markets
2. Authorize the Purchasing Agent to add, replace and delete classifications, and adjust rates including minimum wage, contractual cost of living increases or rate adjustments reflective of competitiveness in the marketplace, to meet state mandates.
- (Presenter: Pete Mendoza, Interim Director, 387-2073)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Real Estate Services

- 56) 1. Acting as the Successor Housing Agency to the former Redevelopment Agency of the County of San Bernardino, pursuant to Health and Safety Code section 34176, adopt a Resolution that finds the acquisition of vacant land containing approximately 3.75 acres located at 10108 Locust Avenue in the unincorporated area of Bloomington, is not a project under the California Environmental Quality Act, or, alternatively, that the acquisition is exempt from the California Environmental Quality Act Guidelines, pursuant to Section 15004(b)(2)(A) of Title 14 of the California Code of Regulations and conditioning all future uses and development of the vacant land contingent upon compliance with the California Environmental Quality Act.
2. Acting as the Successor Housing Agency to the former Redevelopment Agency of the County of San Bernardino, authorize the acquisition of vacant land containing approximately 3.75 acres located at 10108 Locust Avenue in the unincorporated area of Bloomington (Assessor's Parcel Number 0252-051-41) from Micasso Group, LLC, for the purchase price of \$4,900,500, plus escrow, title, and closing fees estimated to be \$10,000, inclusive of independent consideration of \$100, in accordance with Government Code section 25350.
3. Approve the Purchase and Sale Agreement and Joint Escrow Instructions between Micasso Group, LLC and San Bernardino County, acting in its capacity as the Successor Housing Agency to the former Redevelopment Agency of the County of San Bernardino, pursuant to Health and Safety Code section 34176, to acquire the vacant land at 10108 Locust Avenue

in the unincorporated area of Bloomington.

4. Approve Capital Improvement Program Project No. 24-075 to acquire vacant land containing approximately 3.75 acres located at 10108 Locust Avenue in the unincorporated area of Bloomington (Assessor's Parcel Number 0252-051-41) from Micasso Group, LLC for the purchase price of \$4,900,500, plus escrow, title, and closing fees estimated to be \$10,000, inclusive of independent consideration of \$100.
5. Authorize the Auditor-Controller/Treasurer/Tax Collector to post budget adjustments as detailed in the Financial Impact section (Four votes required).
6. Authorize the Director of the Real Estate Services Department to execute a certificate of acceptance for the grant deed for the vacant land, escrow instructions and any other documents necessary to complete this transaction, subject to County Counsel review.
7. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption as required under the California Environmental Quality Act.

(Presenter: Terry W. Thompson, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 57)
1. Find that approval of Amendment No. 3 to Revenue License Agreement No. 18-86 with One Internet America, LLC for the use of San Bernardino County-owned land in Ontario is an exempt project under the California Environmental Quality Act Guidelines Section 15301 - Existing Facilities (Class 1).
 2. Approve Amendment No. 3 to Revenue License Agreement No. 18-86 with One Internet America, LLC to extend the term of the Revenue License Agreement for the period of October 1, 2023 through September 30, 2026, which expired on February 28, 2022, and has since continued on a permitted month-to-month holdover period, conditioned upon full payment of any and all fees in arrears by the commencement date, and adjust the license fee for the use of approximately 100 square feet of San Bernardino County-owned land located at 2050 South Milliken Avenue in Ontario, for revenue in the amount of \$16,112.
 3. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption for the project as required under the California Environmental Quality Act.

(Presenter: Terry W. Thompson, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 58)
1. Find that approval of Amendment No. 6 to Lease Agreement No. 07-247 with 265 East 4th, LLC, for Office Space is an exempt project under the California Environmental Quality Act Guidelines, Section 15301 (Class 1).
 2. Approve the Real Estate Services Department's use of an alternative procedure in lieu of a Formal Request for Proposals as allowed per County Policy 12-02 - Leasing Privately Owned Real Property for County Use, to extend the term of Lease Agreement No. 07-247 with 265 East 4th, LLC for five years from June 1, 2029 through May 31, 2034, and add three option periods of one two-year, one three-year, and one five-year terms to extend the term of lease beyond May 31, 2034, for an aggregate term of 36 years if all three option periods are exercised, for approximately 50,082 square feet of office space located at 265 East 4th Street in San Bernardino for the Transitional Assistance Department.
 3. Approve Amendment No. 6 to Lease Agreement No. 07-247 with 265 East 4th, LLC to extend the term of the lease for a total of 10 years from June 1, 2024 through May 31, 2034, by exercising an existing five-year extension option and a negotiated extension of five additional years, for an aggregate term of 26 years; provide for turnkey tenant improvements to be performed by the landlord; adjust the rental rate schedule; add three

option periods of one two-year, one three-year, and one five-year terms to extend the term of the lease; add day porter services and update standard lease agreement language for approximately 50,082 square feet of office space at 265 East 4th Street in San Bernardino for the Transitional Assistance Department, in the amount of \$18,570,432.

4. Authorize the Purchasing Department to issue purchase orders, as necessary, for a total amount not to exceed \$100,000, for any contingencies and/or minor change orders that may arise in order to complete the turnkey tenant improvements set forth in Amendment No. 6 to Lease Agreement No. 07-247 (Four votes required).
5. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption for the project as required under the California Environmental Quality Act.

(Presenter: Terry W. Thompson, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Regional Parks

- 59)
 1. Authorize the purchase of six unbudgeted Mobile Light Towers to be used for event lighting at Regional Parks, for a total cost of \$77,000.
 2. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments to Regional Park's 2023-24 budget, as detailed in the Financial Impact section (Four votes required).

(Presenter: Beahta R. Davis, Director, 387-2340)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 60)
 1. Approve the following Capital Improvement Program Projects at three County Regional Parks:
 - a. Capital Improvement Program Project in the amount of \$368,528 for the Bridge Replacement Project for Calico Ghost Town Regional Park.
 - b. Capital Improvement Program Project No. 24-072 (WBSE 10.10.1544), in the amount of \$1,095,138, for the Calico Silver Bowl Project at Calico Ghost Town Regional Park.
 - c. Capital Improvement Program Project No. 24-073 (WBSE 10.10.1545), in the amount of \$105,332, for the Senior Center Roof Project at Lake Gregory Regional Park.
 - d. Capital Improvement Program Project No. 24-074 (WBSE 10.10.1546), in the amount of \$1,198,186, for the Splash Pad Replacement Project at Prado Regional Park.
 2. Approve a budget increase for the following Capital Improvement Program Projects:
 - a. Capital Improvement Program Project No. 23-147 (WBSE 10.10.1446) for the Maintenance Shop Electrical Repairs at Mojave Narrows Regional Park in the amount of \$153,110.
 - b. Capital Improvement Program Project No. 20-002 (WBSE 10.10.0911) for the Waterslides at Glen Helen Regional Park in the amount of \$338,118.
 3. Approve appropriation and revenue adjustments to fund the Capital Improvement Program projects and authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments, as detailed in the Financial Impact section (Four votes required).

(Presenter: Beahta R. Davis, Director, 387-2340)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Sheriff/Coroner/Public Administrator

- 61) 1. Approve Software License and Services Agreement with 365Labs LLC, and incorporated Quote, including non-standard terms, for the provision of the 365TM Reports and Records Management System Software Suite, software maintenance, professional services, and training, in a total aggregate amount not to exceed \$6,650,136 for a five-year period effective from the San Bernardino County Sheriff/Coroner/Public Administrator's transition to live operation of the software, estimated to be September 2024, and automatically renewing every 12 months unless the Department provides 90 days' advance written notice of termination.
2. Authorize the San Bernardino County Sheriff/Coroner/Public Administrator or Undersheriff to execute change orders to the Software License and Services Agreement, and incorporated Quote, as needed, subject to review by County Counsel, so long as the total aggregate amount of such change orders does not exceed \$997,521 (15%), and the change orders do not amend the agreement term.
3. Direct the Sheriff/Coroner/Public Administrator or Undersheriff to transmit copies of all change orders to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Ernie Perez, Deputy Chief, 387-3760)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 62) 1. Approve Employment Contract with Charles Wilkins to provide services as a Background Investigator, for an estimated annual cost of \$122,539 (Salary - \$75,629; Benefits - \$46,910), effective September 23, 2023 through September 22, 2026.
2. Authorize the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to execute amendments to the employment contract referenced in Recommendation No. 1 to extend the term for an additional three one-year periods on behalf of the County, subject to County Counsel review.
3. Direct the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to transmit all amendments to the employment contract referenced in Recommendation No. 1 to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Ernie Perez, Deputy Chief, 387-3760)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Transitional Assistance

- 63) Approve Amendment No. 1 to non-financial Contract No. 21-106 (Memorandum of Understanding) with Inland Empire Health Plan for the exchange of information regarding mutual customers to promote retention and successful renewals for Medi-Cal coverage, updating language to report County file exchanges for disenrolled/discontinued members, with no change to the contract term of December 6, 2020, through December 5, 2025.
- (Presenter: James LoCurto, Assistant Director, 388-0245)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 64) Approve non-financial Memorandum of Understanding with Molina Healthcare of California for the exchange of information regarding mutual customers to promote retention and successful renewals for Medi-Cal coverage, for the period of September 12, 2023 through September 11, 2028.
- (Presenter: James LoCurto, Assistant Director, 388-0245)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Veterans Affairs

- 65) Approve and authorize the submission of the following annual certificates of compliance to the California Department of Veterans Affairs to receive 2023-24 local assistance funding:
1. Subvention Certificate of Compliance
 2. Medi-Cal Cost Avoidance Certificate of Compliance
- (Presenter: Victor Tordesillas, Interim Director, 383-2213)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

SEPARATED ENTITIES

Board Governed County Service Areas

- 66) Acting as the governing body of County Service Area 70J Oak Hills, approve licensing agreement, including non-standard terms, with the Union Pacific Railroad Company that provides the right to construct, maintain, and operate a water main pipeline crossing under the railroad on Ranchero Road in Oak Hills for the one-time license fee of \$10,000, effective upon execution until terminated by either party.
- (Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 67) Acting as the governing body of County Service Area 70J Oak Hills:
1. Adopt the Initial Study and Mitigated Negative Declaration for the County Service Area 70J Reservoir 3A Expansion Project in the Oak Hills area.
 2. Adopt the Mitigation Monitoring and Reporting Plan for the County Service Area 70J Reservoir 3A Expansion Project.
 3. Approve the County Service Area 70J Reservoir 3A Expansion Project as defined in the Initial Study and Mitigated Negative Declaration.
 4. Direct the Clerk of the Board of Supervisors to file and post the Notice of Determination for the County Service Area 70J Reservoir 3A Expansion Project as required under the California Environmental Quality Act.
- (Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 68) Acting as the governing body of County Service Area 60-Apple Valley Airport:
1. Approve the Real Estate Services Department's use of an alternate procedure in lieu of a formal Request for Proposal as allowed per County Policy 12-02 - Leasing Privately Owned Real Property for County Use, to use approximately 20.06 acres of vacant land in Apple Valley for the period of October 6, 2023 through October 8, 2023.
 2. Approve a Use Permit, including non-standard terms, with Heidi Reed, Trustee of the Tanner Gift Trust dated July 11, 1983, in the amount of \$2,500, for the use of approximately 20.06 acres of vacant land (Assessor's Parcel Numbers 0463-372-60, 0463-372-62, and

0463-372-49) located west of the Apple Valley Airport, to serve as overflow parking for the 2023 Apple Valley Airshow, for the period of October 6, 2023 through October 8, 2023.
(Presenter: Terry W. Thompson, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

In-Home Supportive Services Public Authority

- 69) Acting as the governing body of the In-Home Supportive Services Public Authority:
1. Approve renewal of the General Liability I Insurance Program with Public Risk Innovation, Solutions, and Management with a coverage limit of \$25,000,000, which includes self-insured retention, for a premium cost of \$78,493, for the period of July 1, 2023 through July 1, 2024.
 2. Approve renewal of the Excess General Insurance Program with Public Risk Innovation, Solutions, and Management with a coverage limit of \$10,000,000, for a premium cost of \$16,959, for the period of July 1, 2023 through July 1, 2024.
 3. Approve renewal of the Cyber Liability Insurance Program with Public Risk Innovation, Solutions, and Management with a coverage limit of \$25,000,000, for a premium cost of \$7,364, for the period of July 1, 2023 through July 1, 2024.
 4. Authorize the Purchasing Agent to issue a Purchase Order, including a non-standard term, to Public Risk Innovation, Solutions, and Management for payment of the annual premiums for the General Liability, Excess General Liability, and Cyber Liability Insurance Programs in the amount of \$102,816, plus a late charge of \$2,024, for a total of \$104,840.
- (Presenter: Myette Christian, Acting Executive Director, 891-9108)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

San Bernardino County Fire Protection District

- 70) Acting as the governing body of the San Bernardino County Fire Protection District:
1. Approve a non-financial Terms of Use Agreement, including non-standard terms, with Equipment Simulations LLC for SimsUShare training software licenses and support, beginning upon download, installation, or use of the services and continuing for the subscription period, until terminated by either party.
 2. Authorize the Fire Chief/Fire Warden as the County representative authorized to electronically accept the Terms of Use Agreement identified in Recommendation No. 1.
- (Presenter: Dan Munsey, Fire Chief/Fire Warden, 387-5779)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 71) Acting as the governing body of the San Bernardino County Fire Protection District, approve the Memorandum of Understanding between the San Bernardino County Fire Protection District and the International Union of Operating Engineers Local 12, representing employees in General Fire Support Unit, effective September 9, 2023, through February 28, 2026.
(Presenter: Diane Rundles, Assistant Executive Officer, 387-5570)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 72) Acting as the governing body of the San Bernardino County Fire Protection District, continue the finding, first made by the San Bernardino County Fire Protection District Board of Directors on August 22, 2023, that there is substantial evidence the finding of lead-based paint contamination at 120 S. D Street created 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, necessitating an urgent project to remediate the hazardous materials, to allow staff to continue to provide essential public safety services, and would not permit the delay resulting from a formal competitive solicitation of bids to procure construction services, and delegating authority, by Resolution on August 22, 2023, to the Chief Executive Officer to direct the Purchasing Agent to issue purchase orders and/or contracts, in a total amount not-to-exceed \$2,994,472, for any remediation, construction, and modifications of internal and external structures related to the lead-based paint contamination at 120 S. D Street in San Bernardino, finding 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).
(Presenter: Don Day, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 73) Acting as the governing body of the San Bernardino County Fire Protection District:
1. Adopt a Resolution finding that the acquisition of certain vacant land, consisting of approximately 3.16 acres located on the southwest corner of Twentynine Palms Highway and Trojan Lane in the Town of Yucca Valley (Assessor's Parcel Number 0587-361-10), is not a project under the California Environmental Quality Act, or, alternatively, that the acquisition is exempt from the California Environmental Quality Act pursuant to Section 15004, subdivision (b)(2)(A) of Title 14 of the California Code of Regulations, and conditioning all future uses and development of the vacant land contingent upon compliance with the California Environmental Quality Act.
 2. Authorize the acquisition of certain vacant land, consisting of approximately 3.16 acres located on the southwest corner of Twentynine Palms Highway and Trojan Lane in the Town of Yucca Valley (Assessor's Parcel Number 0587-361-10), from Dana J. Henry, a married man as his sole and separate property, for the purchase price of \$550,000 plus independent consideration payment of \$100 and escrow expenses, title fees, and due diligence costs estimated to be \$25,000, for a total estimated cost of \$575,100, for the San Bernardino County Fire Protection District in accordance with Health and Safety Code section 13861(b) and Government Code section 25350.
 3. Approve the Purchase and Sale Agreement and Joint Escrow Instructions between the San Bernardino County Fire Protection District and Dana J. Henry, a married man as his sole and separate property, to acquire the property referenced in Recommendation No. 2, subject to the conditions identified in the Purchase and Sale Agreement.
 4. Authorize the Director of the Real Estate Services Department to execute an acceptance certificate to affix to the grant deed to accept the property referenced in Recommendation No. 2, escrow instructions, and any other documents necessary to complete this transaction, subject to County Counsel review.
 5. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption in accordance with the California Environmental Quality Act.
- (Presenter: Terry W. Thompson, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

- 74) Acting as the governing body of the San Bernardino County Fire Protection District, approve a Side Letter Agreement with Teamsters Local 1932, representing employees in the Fire Auxiliary Unit and Fire Auxiliary Supervisory Unit, to amend the Healthcare Trust article of the current Memorandum of Understanding effective September 23, 2023.
(Presenter: Diane Rundles, Assistant Executive Officer, 387-5570)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

San Bernardino County Flood Control District

- 75) Acting as the governing body of the San Bernardino County Flood Control District:
1. Declare that Equipment No. 051305, a 2005 Caterpillar Motor Grader (Vehicle Identification Number CAT0143HJAPN00658), with an estimated value of \$65,000, is surplus equipment as it is fully depreciated, no longer meets air quality requirements, has reached the end of its service life and/or is no longer necessary to meet the needs of the San Bernardino County Flood Control District, and has been replaced.
 2. Authorize the sale of the surplus fixed asset identified in Recommendation No. 1, to be coordinated through the Purchasing Department, Surplus Property Division.
 3. Authorize the Director of Fleet Management to execute all necessary documentation to transfer title for the surplus fixed asset identified in Recommendation No. 1.
 4. Authorize the San Bernardino County Flood Control District to retain the proceeds from the sale of the surplus fixed asset identified in Recommendation No. 1 and deposit such proceeds into the Equipment Fund to offset costs of future equipment purchases.
- (Presenter: Brendon Biggs, Chief Flood Control Engineer, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

MULTIJURISDICTIONAL ITEMS

Multijurisdictional Item with the following entities: San Bernardino County; Board Governed County Service Areas

- 76)
1. Acting as the governing body of San Bernardino County:
 - a. Approve an allocation of \$585,000 from the 2023-24 Third District's Board of Supervisors Discretionary Fund - District Specific Priorities Program budget to County Service Area 70 D-1 Lake Arrowhead.
 - b. Approve contract with County Service Area 70 D-1 Lake Arrowhead to provide funding in the amount of \$585,000 for the MacKay Park Pickleball Court Project with a contract term of September 12, 2023, through December 31, 2025.
 - c. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments, as detailed in the Financial Impact section, to provide funding for the MacKay Park Pickleball Court Project (Four votes required).
 2. Acting as the governing body of County Service Area 70 D-1 Lake Arrowhead:
 - a. Approve the Capital Improvement Program - County Service Area 70 D-1 Lake Arrowhead - MacKay Park Pickleball Court Project in the amount of \$585,000.
 - b. Approve contract with San Bernardino County to receive funding in the amount of \$585,000 for the MacKay Park Pickleball Court Project with a contract term of September 12, 2023, through December 31, 2025.
 - c. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments, as detailed in the Financial Impact section, for the MacKay Park Pickleball Court Project (Four votes required).

(Presenter: Luther Snoke, Interim Chief Executive Officer, 387-4811)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Multijurisdictional Item with the following entities: San Bernardino County; In-Home Supportive Services Public Authority

- 77) 1. Acting as the governing body of San Bernardino County:
- a. Approve the Memorandum of Understanding between San Bernardino County In-Home Supportive Services Public Authority and the Service Employees International Union Local 2015, representing providers in the In-Home Supportive Services Provider Unit, effective September 23, 2023 through June 30, 2026.
 - b. Approve and authorize the submission of a Public Authority/Non-Profit Consortium Rate Change Request (SOC 449) to the California Health and Human Services Agency, Department of Social Services, updating the Rate Table pertaining to the In-Home Supportive Services provider wage, to align with the In-Home Supportive Services Provider Unit Memorandum of Understanding, for a total increase of \$1.00 per hour, from \$16.00 per hour to \$17.00 per hour, effective upon approval by the California Department of Social Services.
 - c. Adopt a Resolution approving the In-Home Supportive Services provider wage rate change as specified on the Public Authority/Non-Profit Consortium Rate Change Request (SOC 449) and authorize the Chair of the Board of Supervisors and the Vice Chair of the Board of Supervisors to sign the Resolution, as required by the California Department of Social Services.
2. Acting as the governing body of the In-Home Supportive Services Public Authority:
- a. Approve the Memorandum of Understanding between San Bernardino County In-Home Supportive Services Public Authority and the Service Employees International Union Local 2015, representing providers in the In-Home Supportive Services Provider Unit through June 30, 2026.
 - b. Approve and authorize the submission of a Public Authority/Non-Profit Consortium Rate Change Request (SOC 449) to the California Health and Human Services Agency, Department of Social Services, updating the Rate Table pertaining to the In-Home Supportive Services provider wage, to align with the In-Home Supportive Services Provider Unit Memorandum of Understanding, for a total increase of \$1.00 per hour, from \$16.00 per hour to \$17.00 per hour, effective upon approval by the California Department of Social Services.

(Presenter: Leonardo Gonzalez, County Labor Relations Chief, 387-5565)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

ORDINANCES FOR FINAL ADOPTION

County Administrative Office

- 78) Adopt Ordinance amending Section 33.1017 of Title 3, Division 3, Chapter 10, Article 1.5 of the San Bernardino County Code relating to grounds for eviction under the Crime Free Housing Program, which was introduced on August 22, 2023, Item No. 94.
(Presenter: Luther Snoke, Interim Chief Executive Officer, 387-4811)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Curt Hagman

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

DISCUSSION CALENDAR

Board of Supervisors

Action on Consent Calendar - The motions and votes for Consent Calendar items are taken as a single action. Abstentions or recusals for specific Consent Calendar items are recorded on the Fair Statement, which is the official record of votes.

Public Comment: Jane Hunt-Ruble, Wendy Whitaker

Approval of the Consent Agenda

THE CONSENT AGENDA WAS APPROVED

Motion/Second: Joe Baca, Jr./Curt Hagman

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

Deferred Items

No items were deferred for discussion

- 79) Approve Employment Contract for the position of Chief Executive Officer.
(Presenter: Dawn Rowe, Chair and Third District Supervisor, 387-4855)

Public Comment: None

APPROVED

Motion/Second: Curt Hagman/Joe Baca, Jr.

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

Community Development and Housing Department

- 80) 1. Conduct a Public Hearing to:
- a. Report on the accomplishments and progress toward completing the 2020-25 San Bernardino County Consolidated Plan goals.
 - b. Accept public comments on the 2020-25 Consolidated Plan priority needs and goals.
2. Approve the 2022-23 United States Department of Housing and Urban Development Consolidated Annual Performance and Evaluation Report.
3. Authorize the Chief Executive Officer, Assistant Executive Officer, or Director of the Community Development and Housing Department, upon consultation with County Counsel, to make any necessary minor adjustments and resubmit the Consolidated Annual Performance and Evaluation Report should any revisions be required by the United States Department of Housing and Urban Development.
4. Direct the Director of the Community Development and Housing Department to transmit any revisions to the Consolidated Annual Performance and Evaluation Report to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Carrie Harmon, Director, 382-3983)

Hearing Opened

Public Comment: None

Hearing Closed

APPROVED

Motion/Second: Curt Hagman/Joe Baca, Jr.

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

Land Use Services

- 81) IT IS ANTICIPATED THAT THIS ITEM WILL BE CONTINUED TO TUESDAY, OCTOBER 24, 2023
1. Conduct a public hearing to consider proposed ordinance amending Title 8 of San Bernardino County Code to add Chapter 85.22 to establish application and review procedures for projects located in or near environmental justice focus areas.
 2. Find that the proposed ordinance is categorically exempt from the California Environmental Quality Act Guidelines pursuant to Section 15061, subdivision (b)(3), or, alternatively, Section 15308 of Title 14 of the California Code of Regulations.
 3. Adopt the findings recommended by the Planning Commission for approval of the proposed ordinance.
 4. Make alterations, if necessary, to proposed ordinance.
 5. Approve introduction of proposed ordinance.
 - An Ordinance of San Bernardino County, State of California, to add Chapter 85.22 to Division 5 of Title 8 of the San Bernardino County Code, related to application and review procedure for projects proposed within an environmental justice focus area.
 6. ADOPT ORDINANCE.
 7. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption. (Presenter: Mark Wardlaw, Director, 387-4431)

Hearing Opened

Public Comment: None

CONTINUED TO TUESDAY, OCTOBER 24, 2023

Motion/Second: Joe Baca, Jr./Curt Hagman

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

PUBLIC COMMENT

In accordance with County Code section 12.0101, any member of the public may address the Board on any matter not on the agenda that is within the subject matter jurisdiction of the Board.

Jane Hunt-Ruble, Daniel DeMeyere, Nancy Richardson, Teresa Radsick, Less

THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS IS SCHEDULED FOR TUESDAY, SEPTEMBER 26, 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 Tuesday, September 12, 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