

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

Tuesday, August 10, 2021

**CURT HAGMAN
CHAIRMAN**
Fourth District Supervisor



**DAWN ROWE
VICE CHAIR**
Third District Supervisor

COL. PAUL COOK (RET.)
First District Supervisor

JANICE RUTHERFORD
Second District Supervisor

JOE BACA, JR.
Fifth District Supervisor

Chief Executive Officer
Leonard X. Hernandez

County Counsel
Michelle D. Blakemore

Clerk of the Board
Lynna Monell

ROLL CALL

SUPERVISORS PRESENT:

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

OTHERS IN ATTENDANCE

Leonard X. Hernandez - Chief Executive Officer
Michelle D. Blakemore - 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. Darrell Allen, Sr., et al. v. County of San Bernardino, et al., United States Central District Court Case No. 5:20-cv-00283-JFW-SHK
2. M.A., et al. v. County of San Bernardino, et al., United States Central District Court Case No. 8:20-cv-00567-JFW-SHK
3. Z.M.A. v. County of San Bernardino, et al., United States Central District Court Case No. 5:20-cv-00589-JFW-SHK
4. Sherman Garnett v. County of San Bernardino, et al., San Bernardino County Superior Court Case No. CIVDS1938394
5. Robert Chambers, et al. v. County of San Bernardino, et al., San Bernardino County Superior Court Case No. CIVDS1800598
6. Michael Gomez Daly, et al. v. Board of Supervisors of San Bernardino County; et al., California Supreme Court Case No. S260209, Fourth District, Division Two Court of Appeal Case No. E073730, San Bernardino County Superior Court Case No. CIVDS1833846
7. In Re: National Prescription Opiate Litigation, US District Court, Eastern Division Case

No. 1:17-md-02804-DAP

8. County of San Bernardino, et al. v. Purdue Pharma L.P., et al., US District Court, Eastern Division Case No. 5:18-cv-01527

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

9. One case

Conference with Labor Negotiator (Government Code section 54957.6)

10. Unrepresented employees' representative: Leonard X. Hernandez, Chief Executive Officer

Unrepresented employees: Exempt Employees

11. Agency designated representative: Diane Rundles

Employee organizations:

- California Nurses Association- Nurses and Per Diem Nurses
- San Bernardino County Probation Officers Association - Probation Unit
- San Bernardino County Public Attorneys Association - Attorney Unit
- San Bernardino County Sheriff's Employees' Benefits Association - All Units
- SEIU Local 721 - Professional Unit
- Teamsters Local 1932 - All Units

BOARD GOVERNED COUNTY SERVICE AREAS

Conference with Labor Negotiator (Government Code section 54957.6)

12. Agency designated representative: Diane Rundles

Employee organization:

- International Brotherhood of Electrical Workers, Local 47 - Water & Sanitation Unit

SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT

Conference with Labor Negotiator (Government Code section 54957.6)

13. Unrepresented employees' representative: Leonard X. Hernandez, Chief Executive Officer

Unrepresented employees: Exempt and Non-Represented Employees

14. Agency designated representative: Diane Rundles

Employee organizations:

- Association of San Bernardino County Fire Managers - Fire Management Unit
- Communications Workers of America - Emergency Services Unit
- International Union of Operating Engineers, Local 12, AFL-CIO - General Fire Support Unit
- San Bernardino County Professional Firefighters, IAFF, Local 935 - Ambulance Operators & Firefighters
- 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

SAN BERNARDINO COUNTY SPECIAL DISTRICTS

Conference with Labor Negotiator (Government Code section 54957.6)

15. Unrepresented employees' representative: Leonard X. Hernandez, Chief Executive Officer

Unrepresented employees: Exempt and Non-Represented Employees

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 - First District

President Darrel Nickolaisen of Hesperia Stake of the Church of Jesus Christ of Latter-day Saints

Memorial Adjournments

Board of Supervisors

First District – Supervisor Col. Paul Cook (Ret.)

- Robert Monroe Atkeson, 71, of Apple Valley
- James Allen Beilke, 74, of Apple Valley
- Ronald Dodge, 77, of Apple Valley
- Joseph "Luther" Friend, 93, of Barstow
- Wynona Marie Hitt, 86, of Apple Valley
- Ernest O'Dell Lawson, 91, of Apple Valley
- Cecelia Margaret Nagle, 93, of Victorville
- Louise Noland, 79, of Hesperia
- John Charles Roddy, 76, of Apple Valley
- Patricia L. Shows, 75, of Apple Valley

Second District – Supervisor Janice Rutherford

- Anna Marie Lewellyn, 86, of Upland
- Joan Mosley, 75, of Running Springs

Third District – Supervisor Dawn Rowe

- Alvin Guthmiller, 95, of San Bernardino
- John Howard, 86, of Grand Terrace
- Jason Matthew Klinge, 46, of Mentone
- Cody Christopher Mehlos, 21, of Big Bear City
- Ines Ogaldez, 89, of Twentynine Palms
- Thomas Joseph Pavlick, 91, of Highland
- Timothy Wood, 73, of Big Bear Lake

Fourth District – Supervisor Curt Hagman

- Pedro Samulde Agustin Sr., 95, of Chino Hills
- Edward A. Alvarez, 92, of Upland
- Maria Del Consuelo Gonzalez, 74, of Ontario
- Beverly June Dieffenbacher, 74, of Chino
- Guadalupe M. Naf, 74, of Chino

Fifth District – Supervisor Joe Baca, Jr.

- Shirley Ann Calton, 81, of Fontana
- Emma V. Cancino, 90, of Fontana
- Alejandro Durazo, 77, of Bloomington
- Linder R. Hanson, 70, of Fontana
- Marcelino Herrera, 95, of Bloomington
- Dennis Ray Hicks, 69, of Rialto
- Doyle Hunter, 96, of San Bernardino
- Mary M. Jones, 66, of Bloomington
- Glen Etheridge McKim, 81, of Bloomington
- George Montoya, 70, of San Bernardino
- John Albert Olson, 80, of Rialto
- Angel Perez, 23, of Rialto
- Iva P. Sarr, 85, of Rialto
- Emma Saucedo, 81, of San Bernardino
- Florence Janet Strohm, 95, of San Bernardino

Reports from County Counsel and Chief Executive Officer

There were no reports from County Counsel or Chief Executive Officer

Special Presentations, Resolutions and Proclamations

Chairman Hagman

- Resolution recognizing Cynthia Bachman
- Resolution recognizing Jodi Miller

Presentation of the Agenda

- 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).
- Notice of minor revisions to agenda items, items removed or continued from the Board of Supervisors’ Agenda.

CONSENT CALENDAR

COUNTY DEPARTMENTS

Board of Supervisors

- Adoption of Recognitions, Resolutions and Proclamations:

Board of Supervisors

Adopt and present resolution recognizing Jodi Miller upon her retirement after 37 years of valuable service to San Bernardino County.

Adopt and present resolution recognizing Cynthia Bachman upon her retirement after 32 years of valuable service to San Bernardino County.

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

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

Chairman and Fourth District Supervisor Curt Hagman

- Approve the appointment of John T. Chapman to Seat 3 on the Emergency Medical Care Committee for the remaining 4-year term, expiring 1/31/2023 (At Large).
- Approve the reappointment of Daniel A. Harp to Seat 12 on the Assessment Appeals Boards for a 3-year term, expiring 9/4/2022 (At Large).

Second District Supervisor Janice Rutherford

- Declare and post vacancy per Maddy Act for the remaining 4-year term, expiring 12/5/2022, for Seat 3 held by Connie Bracher on the Crest Forest Municipal Advisory Council.

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- Approve Employment Contract with Bryant Vargas to provide support services to the Fifth District Supervisor as an Intern Staff Assistant I, effective August 14, 2021, for an estimated annual cost of \$17,025 (Salary - \$12,480, Benefits - \$4,545).
(Presenter: Joe Baca, Jr., Fifth District Supervisor, 387-4565)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Arrowhead Regional Medical Center

- 5) Accept and approve the revisions of policies and the report of the review and certification of the Arrowhead Regional Medical Center Operations, Policy and Procedure Manuals (included and summarized in Attachments A and B):
1. Emergency Response Policy and Procedure Manual
(Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 6) Approve Amendment No. 4 to Contract No. 4400013164 with Jet Medical Electronics to add telemetry monitoring equipment, increase the contract amount by \$300,000, from \$265,408 to \$565,408, and to extend the lease term from December 31, 2021 to August 26, 2022, for a total contract period of January 27, 2020 through August 26, 2022.
(Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 7)
 1. Approve Amendment No. 4 to Hospital Per Diem Agreement (Agreement No. 20-887), with Inland Empire Health Plan and Health Access to add compensation rates for additional services, retroactively effective July 1, 2021.
 2. Direct the Clerk of the Board to maintain confidentiality of Amendment No. 4 pursuant to Health and Safety Code Section 1457(c)(1).
(Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 8)
 1. Accept the Joint Conference Committee meeting minutes of a meeting held on March 25, 2021.
 2. Direct the Clerk of the Board to maintain as confidential the closed session documents of the meeting minutes pursuant to Evidence Code section 1157 et seq.
(Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 9)
 1. Approve Amendment No. 1 to the CalMedForce Awardee Grant Agreement No. 19-569 with Physicians for a Healthy California, to amend contract-reporting requirements, with no changes to the total amount of \$900,000, or the total period of July 1, 2019 through September 30, 2023.
 2. Approve Amendment No. 1 to the CalMedForce Awardee Grant Agreement No. 19-570 with Physicians for a Healthy California, to amend contract-reporting requirements, with no changes to the total amount of \$675,000, or the total period of July 1, 2019 through September 30, 2022.
 3. Approve Amendment No.1 to the CalMedForce Awardee Grant Agreement No. 19-571 with Physicians for a Healthy California, to amend contract-reporting requirements, with no changes to the total amount of \$225,000, or the total period of July 1, 2019 through September 30, 2022.

4. Approve Amendment No. 1 to the CalMedForce Awardee Grant Agreement No. 19-572 with Physicians for a Healthy California, to amend contract-reporting requirements, with no changes to the total amount of \$1,500,000, or the total period of July 1, 2019 through September 30, 2023.
5. Approve Amendment No.1 to the CalMedForce Awardee Grant Agreement No. 20-566 with Physicians for a Healthy California, to amend contract-reporting requirements, with no changes to the total amount of \$600,000, or the total period of July 1, 2020 through September 30, 2024.
6. Approve Amendment No.1 to the CalMedForce Awardee Grant Agreement No. 20-567 with Physicians for a Healthy California, to amend contract-reporting requirements, with no changes to the total amount of \$300,000, or the total period of July 1, 2020 through September 30, 2023.
7. Approve Amendment No.1 to the CalMedForce Awardee Grant Agreement No. 20-568 with Physicians for a Healthy California, to amend contract-reporting requirements, with no changes to the total amount of \$360,000, or the total period of July 1, 2020 through September 30, 2023.
8. Approve Amendment No.1 to the CalMedForce Awardee Grant Agreement No. 20-569 with Physicians for a Healthy California, to amend contract-reporting requirements, with no changes to the total amount of \$600,000, or the total period of July 1, 2020 through September 30, 2024.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Assessor/Recorder/County Clerk

- 10) Approve Amendment No. 1 to Agreement No. 21-184 with CoStar Realty Information, Inc. increasing the original contract amount of \$178,720 by \$17,400 for a total contract amount of \$196,120, and increasing the original number of user licenses from 32 by four, for a total of 36 licenses to access online appraisal data, with no change to the term of April 1, 2021 through March 31, 2023.

(Presenter: Bob Dutton, Assessor-Recorder-County Clerk, 382-3254)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 11) Approve Technical Support and Subscription and VMware Success 360 Services Terms and Conditions, for on-premises software products, with VMware, Inc., including non-standard terms, for future purchases of production support and subscription services for a period retroactive to July 1, 2020, through June 30, 2025.

(Presenter: Bob Dutton, Assessor-Recorder-County Clerk, 382-3254)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Auditor-Controller/Treasurer/Tax Collector

- 12) Approve request from Yucca Valley Airport District to be granted a five-year audit period from July 1, 2020, to June 30, 2025, to replace their annual audit. (Five votes required)

(Presenter: Tori Roberts, Assistant Auditor-Controller/Treasurer/Tax Collector, 382-7005)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 13)
 1. Approve annual agreement templates with San Bernardino County cities and districts for collection of special taxes, fees, and assessments.
 2. Designate the Auditor-Controller/Treasurer/Tax Collector, or designee, as authorized to execute the annual agreements and any subsequent non-substantive amendments on behalf of the County, subject to review by County Counsel, effective August 24, 2021, through June 30, 2026.

(Presenter: Douglas R. Boyd, Assistant Auditor-Controller/Treasurer/Tax Collector, 382-7004)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Behavioral Health

- 14) Approve the purchase and distribution of prepaid bus passes to provide state mandated and court ordered support services to eligible Department of Behavioral Health clients, in an amount not to exceed \$180,712 for the period of August 10, 2021 through June 30, 2022.
(Presenter: Veronica Kelley, Director, 388-0801)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 15) Approve Amendment No. 1, effective August 10, 2021, to Contract No. 21-185 with Inland Valley Recovery Services for Substance Use Disorder and Recovery Services Recovery Residences, adding one facility location and removing one facility location, with no change to the contract amount of \$600,000 or the contract period of April 1, 2021 through March 31, 2026.
(Presenter: Veronica Kelley, Director, 388-0801)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Children's Network

- 16) Approve Amendment No. 2, effective August 23, 2021, to Contract No. 17-706 with Dr. (Kiti) Mary Catherin Freier Randall, to provide Screening, Assessment, Referral and Treatment Program Activities for Children's Network, increasing the contract amount by \$20,000, from \$80,000 for a total contract amount of \$100,000, and exercising the second option to extend the contract for an additional year, for a total contract period of August 23, 2017 through August 22, 2022.
(Presenter: Janki Patel, Children's Network Officer, 383-9696)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Community Development and Housing Department

- 17)
 1. Accept and approve the Emergency Solutions Grant Standard Agreement No. 20-ESG-15572 with the State of California Department of Housing and Community Development to

accept \$299,449 to fund homeless programs services.

2. Accept and approve Amendment No. 1 to the Emergency Solutions Grant Coronavirus Standard Agreement No. 20-ESG-CV1-00038 (County Agreement No. 21-06) with the State of California Department of Housing and Community Development to include Round 2 of the Emergency Solutions Grant Coronavirus funding, increasing the contract value by \$3,000,000 from \$1,246,600 to \$4,246,600, to provide homeless services to prevent, prepare for, and respond to the Coronavirus pandemic.
3. Designate the Chief Executive Officer or the Assistant Executive Officer of Community Revitalization as authorized to submit grant documents and execute any subsequent non-substantive amendments in relation to this grant award agreement, subject to review by County Counsel.
4. Direct the Community Development and Housing Department Director to transmit all documents and amendments in relation to this grant award to the Clerk of the Board within 30 days of execution.

(Presenter: Gary Hallen, Director, 387-4411)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

County Administrative Office

- 18) Receive the list of County Administrative Office approved Capital Improvement Program requests and short-term leases for the period of March 1, 2021 through July 31, 2021.

(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 19) Approve Inter-Region Cooperative Agreement between the counties of the California's Governors' Office of Emergency Services Mutual Aid Region I and Region VI (Counties of Orange, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Imperial, Inyo, Mono, Riverside, San Bernardino, San Diego), the neighboring Counties of Kern and Monterey, and the Cities of Long Beach and Pasadena) allowing for assistance among the participating counties and cities related to providing for emergency medical and health disaster services, personnel, equipment and supplies, effective upon its execution by two or more counties until terminated.

(Presenter: Thomas G. Lynch, EMS Administrator, 388-5830)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Human Resources

- 20) Approve Amendment No. 5 to Agreement No. 14-954 between San Bernardino County and Voya Retirement Insurance and Annuity Company as the provider for administration, investment, and recordkeeping services for the Voluntary Retirement Plans and the Retirement Medical Trust Plan amending the following in the plan sub-agreements:

1. Administrative Services Agreement between San Bernardino County and Voya Retirement Insurance and Annuity Company and Voya Financial Partners, LLC, for the San Bernardino County Defined Contribution Plans to reduce Voya's recordkeeping fees.
2. Administrative Services Agreement between San Bernardino County and Voya Retirement Insurance and Annuity Company and Voya Financial Partners, LLC, for the San Bernardino

County Retirement Medical Trust Plan to reduce the Retirement Medical Trust plan fees.
(Presenter: Diane Rundles, Director, 387-5570)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Human Services Administration

- 21) Approve purchase and distribution of prepaid bus passes, train passes, gas cards and debit cards to provide state mandated supportive services to eligible Human Services clients, in an amount not to exceed \$2,400,000, for the period of August 10, 2021 through June 30, 2024.
(Presenter: Tanya Bratton, Deputy Executive Officer, 388-0332)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Preschool Services

- 22) 1. Approve a budget increase to Capital Improvement Program (CIP) Project 21-176 in the amount of \$150,000, from \$141,661 to \$291,661, for the Butler Warehouse Building Improvements Project (WBSE 10.10.1148), located at 1499 South Tippecanoe Avenue, San Bernardino, CA 92415, for the Preschool Services Department.
2. Approve appropriation and revenue adjustments for the Butler Warehouse Building Improvements Project and authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary adjustments as detailed in the Financial Impact Section (Four votes required).
(Presenter: Jacquelyn Greene, Interim Director, 383-2025)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 23) 1. Accept grant award (Award No. 90ZJ0037-02-00) from the United States Department of Health and Human Services, Administration for Children and Families for Preschool Services Department Comprehensive Fatherhood Program, in the amount of \$993,019, for the period of September 30, 2021 through September 29, 2022.
2. Designate the Chairman of the Board of Supervisors, Chief Executive Officer, or Director of Preschool Services to accept, execute and submit any subsequent non-substantive amendments to Award No. 90ZJ0037-02-00 and other documents required to secure funding, on behalf of the County, subject to review by County Counsel.
3. Direct the Chairman of the Board of Supervisors, Chief Executive Officer, or Director of Preschool Services to transmit all documents in relation to this grant award to the Clerk of the Board of Supervisors within 30 days of execution.
(Presenter: Jacquelyn Greene, Interim Director, 383-2025)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 24) Approve Amendment No. 1, effective August 10, 2021, to SAP Contract No. 4400014353 with Angel's Complete Janitorial Services for preschool classroom custodial services and building maintenance, updating Attachment A - Scope of Work to expand services for deep cleaning due to the COVID-19 pandemic, and increasing the total contract amount by \$1,000,000, from

\$525,000 to \$1,525,000, with no change to the contract period of June 1, 2020 through May 31, 2023.

(Presenter: Jacquelyn Greene, Interim Director, 383-2025)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Public Health

- 25) Approve Revenue Contract with the Department of State Hospitals - Patton (State Agreement No. 21-30079-000) in the amount not to exceed \$50,000, for the Department of Public Health to provide laboratory services to physician referred Patton State Hospital patients, for the period of July 1, 2021 through June 30, 2024.

(Presenter: Andrew Goldfrach, Interim Director, 387-9146)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 26) Approve Amendment No. 2, effective August 10, 2021, to Contract No. 20-1099 with El Sol Neighborhood Educational Center for continued provision of COVID-19 related health promotion and outreach campaign services, increasing the total contract by \$1,181,791, from \$685,438 to \$1,867,229, with no change to the contract period of November 17, 2020 through May 16, 2022.

(Presenter: Andrew Goldfrach, Interim Director, 387-9146)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Public Works-Transportation

- 27) 1. Adopt Resolution to establish a "No Parking of Vehicles/Tow-Away Zone" pursuant to County Code Section 52.0132(a):
- a. Along the north side of Glen Helen Parkway from the I-15 southbound off-ramp, west for a distance of 1,550 feet, in the Lytle Creek area
 - b. Along the south side of Glen Helen Parkway from the I-15 southbound off-ramp, west for a distance of 1,350 feet, in the Lytle Creek area.
2. Direct the County Road Commissioner to perform such acts as necessary to implement the terms of the Resolution.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 28) 1. Adopt Resolution to establish a "No Parking Zone" pursuant to County Code Section 52.0118(a):
- a. Along the east side of State Street, from Adams Street south to Highland Avenue, approximately 525 feet, in the Muscoy area.
 - b. Along the west side of State Street, from Adams Street south approximately 315 feet, in the Muscoy area.
2. Direct the County Road Commissioner to perform such acts as necessary to implement the terms of the Resolution.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 29) Adopt Resolution approving Amendment No.1 to the San Bernardino County Measure “1” Local Street Pass-Through Funds Five-Year Capital Improvement Plan project list (Attachment A) for 2020-21 through 2024-25 to add projects to the list and modify the scope of certain projects.
(Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Real Estate Services

- 30) Approve Amendment No. 3 to Lease Agreement No.19-187 with CommStar5, L.P., a California Limited Partnership, to change the date by which the County may elect to terminate the lease due to landlord’s delayed completion of tenant improvements from November 1, 2021 to May 1, 2022; change the date by which the County may collect liquidated damages due to landlord’s delayed completion of tenant improvements from November 1, 2021 to November 16, 2021; change the amount of liquidated damages payable by landlord due to landlord’s delayed completion of tenant improvements from \$500 per day to \$1,000 per day, and update standard lease agreement language for 27,019 square feet of office space located at the northeast corner of Nancotta Road and Outer Highway US 18 [Assessor Parcel Numbers (APNs) 0473-081-07 and 20], in Apple Valley for the Department of Behavioral Health at no cost.
(Presenter: Terry W. Thompson, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Real Estate Services-Project Management Division

- 31) Continue the finding, first made by the Board of Supervisors on April 21, 2020, that there is substantial evidence the state and local emergency, created by COVID-19 and declared by the Governor of California on March 4, 2020, and the San Bernardino County Board of Supervisors on March 10, 2020, necessitated an emergency declaration 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 did 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 COVID-19, and delegating authority to the Chief Executive Officer to direct the Purchasing Agent to issue purchase orders and/or contracts, in a total amount not to exceed \$10,000,000, for any emergency construction and modifications of internal and external structures on behalf of Arrowhead Regional Medical Center related to COVID-19, and 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: Terry W. Thompson, Director, 387-5000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Regional Parks

- 32) 1. Accept 2020 Active Transportation Program Cycle 5 Metropolitan Planning Organization component grant funds awarded by the California Transportation Commission in the amount of \$1,105,000 for the Santa Ana River Trail Phase III project located adjacent to the Santa Ana River, between Waterman Avenue and California Street, in the cities of San Bernardino and Redlands.
2. Authorize the Director of Regional Parks to submit a funding allocation request to the State of California Department of Transportation.
- (Presenter: Beahta R. Davis, Director, 387-2340)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Sheriff/Coroner/Public Administrator

- 33) Approve Revenue Agreement with the California Department of Forestry and Fire Protection, and the necessary annual "Lease Agreement for the Intermittent Use of Aircraft", establishing the helicopter requirements for the Sheriff/Coroner/Public Administrator, Aviation Division's participation in the Call-When-Needed Helicopter Program for the reimbursement of costs related to providing fire suppression services, based on rates as established in the County Fee Ordinance, for the period beginning upon full execution of the Agreement through June 30, 2022.
- (Presenter: John Ades, Deputy Chief, 387-0640)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

Workforce Development Department

- 34) Accept a Sub-grant award and approve Sub-grant Revenue Agreement (No. AA211030) with the State of California Employment Development Department, in the amount of \$5,145,086 for the period of April 1, 2021 to June 30, 2023, to provide Workforce Innovation and Opportunity Act Services for Program Year 2021-22.
- (Presenter: Marlena Sessions, Director, 387-9862)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

SEPARATED ENTITIES

Board Governed County Service Areas

- 35) Acting as the governing body of County Service Area 70 R-39 (Highland Estates), approve a \$97,500 increase to the 2021-22 budget for road repairs and authorize the Auditor-Controller/Treasurer/Tax Collector to post the budget adjustment as detailed in the Financial Impact Section (Four votes required).
- (Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

- 36) Acting as the governing body of County Service Area 70 GH Glen Helen:

1. Approve a 2021-22 budget increase of \$240,429 (from \$859,376 to \$1,099,805) for the Screw Press Sludge Dewatering Project in County Service Area 70 GH Glen Helen and authorize the Auditor-Controller/Treasurer/Tax Collector to post the budget adjustments as detailed in the Financial Impact Section (Four votes required).
 2. Approve Addendum No. 1 to the Bid Documents, issued May 14, 2021, which (a) provided an electronic link for the Bid Opening to be held virtually via GoToMeeting, (b) modified Drawing Sheets C-07 and S-03, and (c) modified Technical Specification Section 467600 for the Screw Press Sludge Dewatering Project in County Service Area 70 GH Glen Helen.
 3. Award a construction contract to Spiess Construction Company, Inc. in the amount of \$967,500 for the Screw Press Sludge Dewatering Project in County Service Area 70 GH Glen Helen.
 4. Authorize the Director of the Department of Public Works to order any necessary changes or additions in the work being performed under the construction contract with Spiess Construction Company, Inc. for the total not to exceed amount of \$60,875 pursuant to Public Contract Code Section 20142.
 5. 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./Dawn Rowe

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

San Bernardino County Fire Protection District

- 37)
1. Acting as the governing body of the San Bernardino County Fire Protection District, approve agreement with San Bernardino County for use of San Bernardino County Fire Protection District facilities by the Registrar of Voters as polling places, early voting sites, and/or poll worker training locations for the September 14, 2021 California Gubernatorial Recall Election, at no cost to the Registrar of Voters.
 2. Find that the no-cost Use Agreement benefits the San Bernardino County Fire Protection District by providing suitable and convenient election facilities to San Bernardino County Fire Protection District and County residents.
- (Presenter: Dan Munsey, Fire Chief/Fire Warden, 387-5779)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

San Bernardino County Flood Control District

- 38)
- Acting as the governing body of the San Bernardino County Flood Control District:
1. Adopt Resolution making responsible agency findings pursuant to the California Environmental Quality Act and making certain findings in accordance with the Surplus Land Act and declaring the fee simple interest in San Bernardino County Flood Control District property (Assessor Parcel No.0226-075-36), consisting of approximately 10.1 acres, is no longer necessary for the uses and purposes of the San Bernardino County Flood Control District and conveyance of the real property interests is in the public interest and will have no impact nor interfere with flood protection in the region; and authorizing the conveyance of said fee interest to EPC Holdings 883, LLC; EPC Holdings 994, LLC; Roseville Investments, LLC; America Superior Land, LLC; and RMD Inland Investors, LLC in exchange for the re-alignment and improvement of Hawker Crawford Channel.
 2. Approve Memorandum of Understanding with EPC Holdings 883, LLC; EPC Holdings 994, LLC; Roseville Investments, LLC; America Superior Land, LLC; and RMD Inland Investors, LLC for the re-alignment and improvement of Hawker Crawford Channel in the City of

Fontana and authorize the Chairman of the Board of Supervisors to execute the Grant Deed to convey the San Bernardino County Flood Control District-owned property to EPC Holdings 883, LLC; EPC Holdings 994, LLC; Roseville Investments, LLC; America Superior Land, LLC; and RMD Inland Investors, LLC.

3. Authorize the Director of the Real Estate Services Department to execute any other documents and take any actions necessary to complete this transaction, subject to County Counsel review.

(Presenter: Brendon Biggs, Chief Flood Control Engineer, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

MULTIJURISDICTIONAL ITEMS

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

- 39) 1. Acting as the governing body of San Bernardino County, receive list of Department of Airports approved short-term real estate leases procured in accordance with County Policy No. 12-04 and executed pursuant to the Policy and County Code Section 18.014 for the period of June 1, 2021 - June 30, 2021.
2. Acting as the governing body of the Board Governed County Service Area 60 - Apple Valley Airport, receive list of Department of Airports approved short-term real estate leases procured in accordance with County Policy No. 12-04 and executed pursuant to the Policy and County Code Section 18.014 for the period of June 1, 2021 - June 30, 2021.

(Presenter: James E. Jenkins, Director, 387-8810)

APPROVED (CONSENT CALENDAR)

Motion/Second: Joe Baca, Jr./Dawn Rowe

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

DISCUSSION CALENDAR

Board of Supervisors

Action on Consent Calendar

Public Comment: Nancy Richardson, Marven Norman, Jane Hunt-Ruble, Ana Gonzalez, Silvia Cardona, Luis Garza, Alejandrina, Delfina Cerezo, Joaquin Castillejos, Fannely Milan, Tony Maricic, Arlene Payan, Eligio Ortega, Samuel Amador, Marcos, Mariela, Renato Gonzalez

Approval of the Consent Agenda

THE CONSENT AGENDA WAS APPROVED

Motion/Second: Joe Baca, Jr./Dawn Rowe

AYE: Col. Paul Cook (Ret.), Janice Rutherford, 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.

Public Comment: Angela De La Rosa, Terry Forrester, Jane Hunt-Ruble, Nancy Richardson, Jim Grigoli, Clifford Reed, Phillip S. Fivgas, Norma Godinez, Kristie Sepulveda-Burchit, Rhoda Rhoades, Pamela Jackson, Garth Pezant Sr., Evan Brosowsky, Crystal Wysong

DISCUSSION CALENDAR (cont'd)

Board of Supervisors

Deferred Items

- 40) Adopt resolution regarding continued support to local schools and school districts in addressing the COVID-19 pandemic and related State mandates.
(Presenter: Curt Hagman, Chairman and Fourth District Supervisor, 387-4866)

Public Comment: Kay Littlefield, Mary Galey, Wade Riddering, Nancy Richardson, Norma Godinez, Kristie Sepulveda-Burchit, Phillip S. Fivgas, Tishia Morrison

APPROVED

Motion/Second: Curt Hagman/Janice Rutherford

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

Finance and Administration

- 41) 1. Conduct a Tax Equity and Fiscal Responsibility Act public hearing regarding the issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$7 million, for the purpose of refinancing and/or financing the acquisition, renovation, improvement, furnishing, and equipping of certain charter school educational facilities located in San Bernardino.
2. Adopt Resolution approving the issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$7 million, for the purpose of refinancing and/or financing the acquisition, renovation, improvement, furnishing and equipping of certain charter school educational facilities located in San Bernardino.
(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

Hearing Opened

Public Comment: Jane Hunt-Ruble

Hearing Closed

APPROVED

Motion/Second: Dawn Rowe/Joe Baca, Jr.

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

- 42) 1. Conduct a public hearing regarding the issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$6 million, for the purpose of financing the acquisition, construction, improvement, and installation of capital improvements at the San Bernardino International Airport.
2. Adopt Resolution approving the issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$6 million, for the purpose of financing the acquisition, construction, improvement, and installation of capital improvements at the San Bernardino International Airport.
(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

Hearing Opened

Public Comment: None

Hearing Closed

APPROVED

Motion/Second: Dawn Rowe/Joe Baca, Jr.

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

County Administrative Office

- 43)
1. Receive a report from staff regarding enhanced enforcement of illegal commercial cannabis cultivation and discuss community concerns related to illegal activity.
 2. Consider proposed urgency ordinance amending Sections 11.0206(a)(1) and 11.0208(e)(1) of Chapter 2 of Division 1 of Title 1 of the San Bernardino County Code regarding violations and enforcement by establishing increased penalties and fines for violations of the commercial cannabis activity prohibition.
 - a. Make alterations, if necessary, to proposed urgency ordinance.
 - b. Approve introduction of proposed urgency ordinance.
 - An urgency ordinance of the County of San Bernardino, State of California, to amend Section 11.0206(a)(1) and Section 11.0208(e)(1) of Chapter 2 of Division 1 of Title 1 of the San Bernardino County Code, relating to increased fines for engaging in prohibited commercial cannabis activity.
 - c. ADOPT URGENCY ORDINANCE (Four votes required).
 - d. Direct the Clerk of the Board to file a Notice of Exemption.
 3. Consider proposed ordinance amending Sections 11.0206(a)(1) and 11.0208(e)(1) of Chapter 2 of Division 1 of Title 1 of the San Bernardino County Code regarding violations and enforcement by establishing increased penalties and fines for violations of the commercial cannabis activity prohibition.
 - a. Make alterations, if necessary, to proposed ordinance.
 - b. Approve introduction of proposed ordinance.
 - An ordinance of the County of San Bernardino, State of California, to amend Section 11.0206(a)(1) and Section 11.0208(e)(1) of Chapter 2 of Division 1 of Title 1 of the San Bernardino County Code, relating to increased fines for engaging in prohibited commercial cannabis activity.
 - c. SCHEDULE ORDINANCE FOR FINAL ADOPTION ON TUESDAY, AUGUST 24, 2021, on the consent calendar.
 - d. Direct the Clerk of the Board to file a Notice of Exemption.
- (Presenter: Luther Snoke, Chief Operating Officer, 387-3101)

Public Comment: Evan Brosowsky, Erik Sundstrom, Amy Tessier, Jeff Taylor, Patty Domay, Pat Horwath, Janelle Miller, Pat Flanagan, Joe Smeeth, Jack Unger, Jane Hunt-Ruble

Board Direction: The Board directed staff to return at a later date with a permanent ordinance.

APPROVED WITH BOARD DIRECTION REC. NOS. 1 & 2; NO ACTION TAKEN ON REC. NO. 3

Motion/Second: Dawn Rowe/Curt Hagman

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

INDIVIDUAL BOARD MEMBER COMMENTS (5 Minutes)

Vice Chair and Third District Supervisor Dawn Rowe thanked Bob Page and the Registrar of Voters for their hard work. She further thanked Luther Snoke, Leonard Hernandez, Code Enforcement, and Land Use Services for their work regarding illegal marijuana grow operations.

First District Supervisor Col. Paul Cook (Ret.) thanked staff and his colleagues for their effort regarding enforcement on illegal marijuana grow operations.

THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS IS SCHEDULED FOR TUESDAY, AUGUST 24, 2021 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.

ATTEST

CURT HAGMAN, Chairman
Board of Supervisors

LYNNA MONELL
Clerk of the Board