

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

May 19, 2020

**FROM**

**GARY McBRIDE, Chief Executive Officer, County Administrative Office**

**SUBJECT**

Ratification Actions in Response to the Novel Coronavirus Pandemic

**RECOMMENDATION(S)**

Ratify the Chief Executive Officer's exercise of the authority granted to him by the Board of Supervisors on March 24, 2020 (Item No. 67), in approving the following actions in response to the worldwide health threat related to the Novel Coronavirus, or COVID-19:

1. Approve Order of the County Executive Officer as Director of Emergency Services permitting the commandeering of property for temporary residences and medical facilities, signed by the Chief Executive Officer on April 24, 2020.
2. Approve the unbudgeted fixed assets purchase for four BioFire FilmArray Torch Systems in a total amount of \$92,000, in order to screen patients for multiple causes of respiratory illnesses at Arrowhead Regional Medical Center, approved by the Chief Executive Officer on April 28, 2020.
3. Approve submission of the San Bernardino Healthcare Expansion through Telemedicine grant funding application to the Federal Communications Commission by the County of San Bernardino, on behalf of Arrowhead Regional Medical Center, Department of Public Health, and Department of Behavioral Health, to implement and expand telehealth for health care providers, in the amount of \$542,379.65, approved by the Chief Executive Officer on April 28, 2020.
4. Approve **Amendment No. 1 to Contract No. 18-663** with Guadalupe Medina (dba Santa Fe Building Maintenance) to increase the contract by an amount not to exceed \$40,000 for as-needed unforeseen expenses resulting from the COVID-19 pandemic, increasing the total contract amount from \$484,020 to a total not to exceed \$524,020, with no change to the contract term, on the premises known as Lot 1, located at 17780 Arrow Blvd., Fontana, and 17730 Arrow Blvd., Fontana, signed by the Chief Executive Officer on May 7, 2020.
5. Approve **Amendment No. 1 to Contract No. 19-801** with Guadalupe Medina (dba Santa Fe Building Maintenance) to increase the contract by an amount not to exceed \$40,000 for as-needed unforeseen expenses resulting from the COVID-19 pandemic, increasing the total contract amount from \$1,011,120 to a total not to exceed \$1,051,120, with no change to the contract term, on the premises known as Lot 1, located at 8303 Haven Ave., Rancho Cucamonga, 8575 Haven Ave., Rancho Cucamonga, and 1640 Grove Ave., Suite C-4, Ontario, signed by the Chief Executive Officer on May 7, 2020.
6. Approve the substitution of fixed assets to allow for the purchase of unbudgeted fixed assets for three message boards to relay messages to the public on closures and other impacts as a result of COVID-19 at an estimated cost of \$61,500, approved by the Chief Executive Officer on May 6, 2020.
7. Approve **Employment Contract No. 20-292** with Kelli A. Clark, Infection Preventionist Registered Nurse, for an estimated annual cost of \$167,348 (\$111,565 Salary, \$55,783

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Benefits), for the period of May 11, 2020 through May 10, 2023, signed by the Chief Executive Officer on May 8, 2020.

- a. Direct the Director of Public Health to transmit all documents in relation to the contract amendments to the Clerk of the Board of Supervisors within 30 days of execution.
8. Approve **Amendment No.1**, effective May 1, 2020, to **Contract No. 19-290**, with the City of Montclair for the provision of services under the State of California Homeless Emergency Aid Program, updating contract language and increasing the total contract amount by \$109,279, from \$234,000 to \$343,279, to provide shelter for persons experiencing homelessness during the COVID-19 crisis, with no change to the total contract period of May 21, 2019 through June 30, 2021, signed by the Chief Executive Officer on May 15, 2020.
9. Direct the County Administrative Office to transmit all executed documents relating to the recommendations above to the Clerk of the Board within 30 days of execution.  
(Presenter: Gary McBride, Chief Executive Officer, 387-5417)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Promote the Countywide Vision.**

**Create, Maintain and Grow Jobs and Economic Value in the County.**

**Improve County Government Operations.**

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

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

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

**FINANCIAL IMPACT**

Recommendation No. 1

It is not anticipated that this will result in the use of additional Discretionary General Funding (Net County Cost). However, it is anticipated that the County may be required to use Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Coronavirus Relief Funds for costs associated with Recommendation No. 1 if other COVID-19 related federal or state resources are not available. In addition, if all federal and state resources are depleted, this could result in the use of additional Discretionary General Funding (Net County Cost).

Recommendation No. 2

Approval of this recommendation will not result in the use of Discretionary General Funding (Net County Cost) as the total associated cost of \$92,000 is funded by increased revenue received through the funding allocated to hospitals through the CARES Act. Adequate appropriation and revenue have been included in the ARMC 2019-20 budget.

Recommendation No. 3

Approval of this recommendation will not result in the use of additional Discretionary General Funding (Net County Cost). The grant funding application is in the amount of \$542,379.65, of which \$250,000 is for Arrowhead Regional Medical Center (ARMC), \$173,879.65 is for the Department of Public Health (DPH), and \$118,500 is for the Department of Behavioral Health (DBH) to purchase equipment and obtain licenses to implement or expand Telemedicine. This grant funding application does not require a match.

Recommendations No. 4 and 5

Approval of these recommendations will not result in the use of additional Discretionary General Funding (Net County Cost). Amendment No. 1 to Contract No. 18-663 increases the contract amount up to \$40,000 for a total amount not to exceed \$524,020. Amendment No. 1 to

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Contract No. 19-801 increases the contract amount up to \$40,000 for a total amount not to exceed \$1,051,120. The cost of the amendments are COVID-19 expenses and therefore eligible for the County to use federal CARES Act Coronavirus Relief Funds if no other COVID-19 related federal or state funding is available.

Recommendation No. 6

Approval of this recommendation will not result in the use of Discretionary General Funding (Net County Cost). The cost of these message boards are a COVID-19 expense and therefore eligible for the County to use federal CARES Act Coronavirus Relief Funds if no other COVID-19 related federal or state funding is available.

Recommendation No. 7

Approval of this recommendation does not impact Discretionary General Funding (Net County Cost). The employment contract is a COVID-19 expense and therefore eligible for the County to use federal CARES Act Coronavirus Relief Funds or 1991 Realignment funds if no other COVID-19 related federal or state funding is available. Approval of the necessary budget adjustments to the DPH 2019-20 budget is not requested at this time, but will be included on a future quarterly countywide budget report presented to the Board for approval, if necessary. Adequate appropriation and revenue will be included in future recommended budgets.

Recommendation No. 8

This recommendation will not result in the use of Discretionary General Funding (Net County Cost). The increased amount of this contract amendment for these additional services is \$109,279, for a total of \$343,279, and will be funded by the State of California Homeless Emergency Aid Program (HEAP) block grant funding and does not require a match. Adequate appropriation and revenue have been included in the Community Development and Housing Agency's (CDHA) 2019-20 budget and will be included in the 2020-21 CDHA Recommended budget.

**BACKGROUND INFORMATION**

The COVID-19 virus originated in Wuhan, China in late 2019 and began spreading, initially, within China and then to other countries. On January 30, 2020, the World Health Organization declared the outbreak to be a "public health emergency of international concern". This was followed on January 31, 2020 by the United States Human Services Secretary declaring a public health emergency. Cases internationally, within the US and within California (as evidenced by the Governor's Proclamation) continue to rise.

On March 4, 2020, the State of California declared a state of emergency as a result of the COVID-19 outbreak due to the rising number of confirmed cases and anticipated complications for those infected, including potential deaths. On March 10, 2020, the County Public Health Officer declared a local health emergency to help ensure county government and the public were prepared for the possibility that COVID-19 will appear within the county. On March 10, 2020 (Item No. 75), the County proclaimed the existence of a local emergency within San Bernardino County resulting from COVID-19, which causes infectious disease resulting in symptoms of fever, coughing and shortness of breath with outcomes ranging from mild to severe illness and in some cases, death.

In order to promote a coordinated and efficient response to needs that may arise from the COVID-19 pandemic, on March 24, 2020 (Item No. 67), the Board of Supervisors (Board) authorized the Chief Executive Officer (CEO) to execute or approve various actions related to purchases, contracts, donations, budget, including the approval of adoption of resolutions,

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through May 31, 2020, subject to ratification by the Board at the next available Board meeting. The recommended actions will ratify the authority exercised by the CEO.

### Recommendation No. 1

On March 12, 2020, Governor Gavin Newsom's Executive Order N-25-20 prepared the State to commandeer hotels and other places of temporary residence, medical facilities, and other facilities that are suitable for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period. In accordance with the Governor's Executive Order N-25-20, under the authority of Article XI of the California Constitution; California Government Code Sections 8610, 8630, and 8634; and San Bernardino County Ordinance Nos. 4090 and 4091, the County initiated the Order of the Chief Executive Officer as Director of Emergency Services Permitting the Commandeering of Property for Temporary Residences and Medical Facilities (Order) to prepare the County to provide hotel/motel rooms and other places of temporary residence; medical facilities; and other facilities that are suitable for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period, either through agreements, or by commandeering, if needed. On March 10, 2020 (Item No. 75), the County proclaimed the existence of a local emergency within San Bernardino County resulting from COVID-19. Under the Government Code sections and Ordinances described above, in the event of a local emergency, the CEO, as the Director of Emergency Services is authorized to obtain equipment, supplies, and properties needed for the protection of life and property, whether through agreements, contracts or commandeering. The CEO exercised authority granted to him on March 24, 2020 (Item No. 67) by the Board, and on May 5, 2020 (Item No. 4), the Board ratified hotel/motel Agreement No. 20-256 with Colima JJ Plaza LLC; Agreement No. 20-257 with Ayres – Chino Hills, LP; Agreement No. 20-258 with Ayres-Redlands, LP; and Agreement No. 20-259 with Ayres-Barstow - LP to provide rooms for essential workers, emergency responders or healthcare providers. At this meeting on May 5, 2020, the Board also ratified Agreement No. 20-253 with the National Orange Show to establish a staging area, medical transport center and temporary alternate care site at the fairgrounds. Any temporary accommodations and alternate care facilities thus far have been established through agreements. County Counsel reviewed the Order and it was signed by the CEO on April 24, 2020.

### Recommendation No. 2

On March 10, 2020 (Item No. 18), the Board of Supervisors approved Agreement No. 20-93 with BioFire Diagnostics, LLC for the purchase of two BioFire FilmArray Torch Systems, and approved the non-standard Terms and Conditions of the agreement. Due to the COVID-19 pandemic, ARMC determined a critical need exists to purchase four additional BioFire FilmArray Torch Systems from BioFire Diagnostics, LLC (BioFire) to increase ARMC's testing capacity for screening patients for multiple causes of respiratory illness. The systems will be used in screening patients and will enable clinicians to test symptomatic patients for a panel of 20 common respiratory viruses and bacteria that cause illness. BioFire System has unique ability to screen for multiple causes of respiratory illness using DNA/RNA extraction, purification and highly multiplexed PCR methodology in a single test; producing results in 45 minutes. County Counsel has reviewed the request and it was approved by the CEO on April 28, 2020.

### Recommendation No. 3

The United States Congress passed the Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act in response to the COVID-19 pandemic. As part of the CARES Act,

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Congress designated \$200 million to the Federal Communications Commission (FCC) to provide competitive grants to implement and expand telehealth for health care providers. The ARMC worked collaboratively with DPH and DBH to prepare and submit the San Bernardino Healthcare Expansion through Telemedicine (HETT) grant proposal application to the FCC. The grant application seeks \$542,379.65 in FCC COVID-19 Telehealth funds. If successful, the departments will return to the Board to request acceptance of the HETT funds. County Counsel has reviewed the grant funding application and it was approved to submit to the FCC by the CEO on April 28, 2020.

ARMC will extend its resources through the purchase of a bi-directional video conferencing platform to provide patients who are asymptomatic and/or who are COVID-19 negative by providing a safe environment for communicating with their medical providers. Additionally, it will allow providers to remotely treat patients with other conditions who could otherwise be at risk of contracting COVID-19 by visiting ARMC, and reduce providers' unnecessary exposure to COVID-19 thus, better utilizing space and resources for patients who are COVID-19 positive.

DPH will utilize telehealth to serve patients in order to avoid an increase in the demand for primary care office visits and to reduce the spread of disease. The HETT program offers the opportunity to rapidly respond to changes in treatment. It also provides for mobile access to health care and health-related information, specifically increasing access to hard to reach populations. Telehealth can also assist with disease diagnosis through video consultations with health professionals. It offers an expansion of access to medical education, patient data, and training for health care workers, as well.

DBH will adopt telehealth to treat seriously mentally ill (SMI) patients without COVID-19 with a goal to keep these patients stable and reduce incidents of psychiatric emergencies. By reducing psychiatric emergencies, the HETT program will keep patients out of hospital emergency departments (ED). The HETT program will allow for psychiatric consultation and evaluation as an alternative to ED visits of hospitalization for the patient's psychiatric condition. Due to state-mandated stay at home orders, DBH has reduced in-clinic services. DBH plans to have a psychiatrist telecommuting while providing services to medical facilities or individual residences, thus reducing exposure for both the patient and psychiatrist.

### Recommendations No. 4 and 5

FM is responsible for providing custodial services for County-owned and some leased facilities. On September 11, 2018 (Item No. 51), the Board approved a contract with Santa Fe Building Maintenance to provide custodial services in the buildings located in Fontana for the period of October 1, 2018 through September 30, 2021, in an amount not to exceed \$484,020. The locations identified in Lot 1 are Fontana Courthouse/Fontana Sheriff – 17780 Arrow Blvd, Fontana, and Probation/Jury Assembly Room – 17730 Arrow Blvd, Fontana. FM recommends approval of Amendment No. 1 to Contract No. 18-663 with Santa Fe Building Maintenance in order to continue to provide custodial services through the current pandemic. County Counsel has reviewed the Amendment and it was signed by the CEO on May 7, 2020.

On December 10, 2019 (Item No. 31), the Board approved a contract with Santa Fe Building Maintenance to provide custodial services in the buildings located in Rancho Cucamonga and Ontario, also known as Lot 1, for the period of January 15, 2020 through January 14, 2023, in an amount not to exceed \$1,011,120. The locations identified in Lot 1 are Rancho Courthouse – 8303 Haven Ave., Rancho Cucamonga, County Building - 8575 Haven Ave., Rancho Cucamonga, and Department of Agriculture – 1640 Grove Ave., Ste. C-4, Ontario. The Department recommends approval of Amendment No. 1 to Contract No. 19-801 with Santa Fe

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Building Maintenance in order to continue to provide custodial services through the current pandemic. County Counsel has reviewed the Amendment and it was signed by the CEO on May 7, 2020.

Recommendation No. 6

DPW-Transportation determined a critical need exists to purchase three message boards. The message boards will allow DPW-Trans to relay messages to the public throughout the County regarding closures and other impacts as a result of COVID-19. County Counsel has reviewed the request and it was approved by the CEO on May 6, 2020.

Recommendation No. 7

DPH provides public health services to the community in San Bernardino County to achieve community health, complementing and enhancing the quality of life in the area. The Infection Preventionist Registered Nurse (RN) position will develop, maintain and monitor an effective Healthcare Associated Infection (HAI) prevention and control program. The creation of an HAI program in DPH will assist the entire County in better preparation against infection. This Infection Preventionist RN is being recruited to support prevention, preparation, and response to COVID-19. This position will focus on some of the County's most vulnerable populations, including those living in congregate settings, such as jails and skilled nursing facilities. The Infection Preventionist RN is vital to the Public Health response to the COVID-19 pandemic in San Bernardino County and will help identify and mitigate risks for COVID-19 and other infections.

The recommended employment contract shall be effective May 11, 2020 through May 10, 2023, subject to the termination provisions of the contract. Either party may terminate the contract at any time without cause upon 14 days prior written notice to the other party. The County may terminate the contract immediately for just cause. County Counsel has reviewed the employment contract, and it was signed by the CEO on May 8, 2020.

Recommendation No. 8

The recommended Amendment increases the contract with the City of Montclair (City) for two additional projects to provide shelter through the City of Montclair Homeless Street Outreach and Navigation Project for persons experiencing homelessness during the COVID-19 crisis. One project provides 30-day emergency shelter for approximately 25 individuals, and the second project provides motel accommodations to 30 individuals for 30 days. The City provides City of Montclair Homeless Street Outreach and Navigation Project (Project) services to at least 100 individuals each year within the City of Montclair. The Project follows the Housing First Policy and aligns with the recommendations for the San Bernardino County 10-year strategy update for individuals and families who are chronically homeless.

The Project provides a comprehensive Street Outreach program implemented by culturally competent staff and volunteers from the community with the primary goal to house the individuals experiencing homelessness and to provide the services needed to prevent them from returning to homelessness. The Project activities include contact with homeless individuals throughout the city, provision of resources, transportation to various housing facilities, legal assistance, and financial resources to prevent or resolve homelessness.

HEAP is a one-time \$500 million block grant program authorized under Senate Bill 850 to provide direct assistance to cities and counties to address the homelessness crisis throughout California. With HEAP funding, entities are able to provide and/or expand rental assistance, rapid rehousing programs, street outreach, housing navigation, family reunification programs,

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homeless prevention, eviction prevention programs, emergency and transitional housing solutions, diversion programs, homeless youth programs, and other supportive services.

In order to address needs of the County's vulnerable homeless population due to the COVID-19 pandemic as expeditiously as possible, the recommended amendment to increase funding to the City was effective May 1, 2020. County Counsel has reviewed the Amendment and it was signed by the CEO on May 15, 2020.

### **PROCUREMENT**

Procurement is applicable to Recommendation No. 2, relating to ARMC's non-competitive purchase of the BioFire System. BioFire Diagnostics, LLC is the sole manufacturer and exclusive distributor, in the acute care 150 bed and larger hospital market, to manufacture a system that performs a wide array of infectious diseases screenings, producing results within 45 minutes. Purchasing supports the sole source nature of this purchase as a valid non-competitive justification.

Procurement is applicable to Recommendation No. 4, relating to Contract No. 18-663 with Santa Fe Building Maintenance. This contract, with its original term from October 1, 2018 through September 31, 2021, was the result of a competitive procurement based on Santa Fe Building Maintenance being the lowest responsive and responsible bidder. The Department has developed the need to provide additional, unforeseen custodial services at the current time due to the COVID-19 pandemic. Amendment No. 1 to Contract 18-663 with Santa Fe Building Maintenance will increase the contract amount to a total not to exceed \$524,020.

Procurement is applicable to Recommendation No. 5, relating to Contract No. 19-801 with Santa Fe Building Maintenance. This contract, with its original term from January 15, 2020 through January 14, 2023, was the result of a competitive procurement based on Santa Fe Building Maintenance being the lowest responsive and responsible bidder. The Department has developed the need to provide additional, unforeseen custodial services at the current time due to the COVID-19 pandemic. Amendment No. 1 to Contract 19-801 with Santa Fe Building Maintenance will increase the contract amount to a total not to exceed \$1,051,120.

Procurement is applicable to Recommendation No. 6, relating to the Department of Public Works procurement of three message boards due to the emergency proclaimed by the Board on March 10, 2020 (Item No. 75). In 2018, a competitive procurement was conducted (PWG119-OPERA-3010) and Allied Traffic and Equipment Rentals was awarded a three-year contract. An updated quote was obtained in April 2020 from this vendor for the one-time purchase of the message boards.

Procurement is applicable to Recommendation No. 7, relating to employment contract with Kelli A. Clark, Infection Preventionist Registered Nurse. DPH initiated an open recruitment in collaboration with Human Resources for the Infection Preventionist RN vacancy on April 17, 2020, with a filing deadline of May 1, 2020. Three qualified candidates were interviewed by DPH on April 27, 2020. Based on Kelli A. Clark's education of a Master of Science degree in Nursing, 18 years as a registered nurse, with 11 of those years involved in both infection prevention and standards and compliance, DPH recommends an employment contract with Kelli A. Clark as an Infection Preventionist RN at an hourly rate of \$49.37, contingent on Board approval.

Procurement is applicable to Recommendation No. 8, relating to Contract No. 19-290 with the City of Montclair. On May 21, 2019 (Item No. 51), as the result of a procurement process that

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included a Request for Applications (RFA); application and project workshop; and establishment of Grant Review Committee to evaluate submitted projects based on criteria referenced in the RFA, the Board of Supervisors approved Contract No. 19-290 with the City of Montclair to provide Homeless Street Outreach and Navigation (Project) services to at least 100 individuals each year in the amount of \$234,000 for the period of May 21, 2019 through June 30, 2021.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Michelle Blakemore, County Counsel, 387-5455; Katherine M. Hardy, Deputy County Counsel, 387-5455; Scott Runyan, Deputy County Counsel, 387-5455; Suzanne Bryant, County Counsel, 387-5455; and Cynthia O'Neill, Deputy County Counsel, 387-5455; and Bonnie Uphold, Deputy County Counsel, 387-5455) on May 14, 2020; Human Resources (Mark DeBoer, Assistant Director of Human Resources, 387-5570) on May 5, 2020; Purchasing (Jason Cloninger, Buyer III, 387-8258 and Michelle Churchill, Purchasing Manager, 387-2063) on May 11, 2020; Human Services Contracts (Jennifer Mulhall-Daudel, Contracts Manager, 388-0241) on May 5, 2020; Finance (Stephenie Shea, Administrative Analyst, 387-4919; Wen Mai, Principal Administrative Analyst, 387-4020; Paul Garcia, Administrative Analyst, 386-8392; Chris Lange, Administrative Analyst, 386-8393; Jessica Trillo, Administrative Analyst, 387-4222; John Hallen, Administrative Analyst, 388-0208; Kathleen Gonzalez, Administrative Analyst, 387-5412; and Yael Verduzco, Administrative Analyst, 387-5285) on May 12, 2020; HS Finance and Administration (Tanya Bratton, Deputy Executive Officer, 388-0332) on May 5, 2020; and Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on May 14, 2020.

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Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

Moved: Robert A. Lovingood Seconded: Josie Gonzales  
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: May 19, 2020



cc: RESD/FMD- Ayala w/agree  
Contractor- C/O RESD/FMD w/agree  
PH- Baxter w/agree  
Contractor- C/O PH w/agree  
CDH- Hernandez w/agree  
Contractor- C/O CDH w/agree  
File- Emergency Covid 19 w/attach  
File- w/agree

la 05/26/2020