

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

Tuesday, January 10, 2023

DAWN ROWE
CHAIR
Third District Supervisor



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

JESSE ARMENDAREZ
Second District Supervisor

CURT HAGMAN
Fourth District Supervisor

JOE BACA, JR.
Fifth District Supervisor

Chief Executive Officer
Leonard X. Hernandez

County Counsel
Tom Bunton

Clerk of the Board
Lynna Monell

ROLL CALL

SUPERVISORS PRESENT:

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

OTHER IN ATTENDANCE

Leonard X. Hernandez - 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. Stacy Thacker, et al. v. County of San Bernardino, et al., Orange County Superior Court Case No. 30-2021-01229991-CU-0E-CJC
2. Rocky Brandon, II, et al. v. County of San Bernardino, et al., United States Central District Court Case No. 5:21-cv-02071-JWH-KK
3. Scottlynn Moorman, et al. v. City of San Bernardino, et al., San Bernardino County Superior Court Case No. CIVDS1818724
4. C.B, et al. v. County of San Bernardino, et al., San Bernardino County Superior Court Case No. CIVSB2216332

Anticipated Litigation - Significant Exposure (Government Code section 54956.9(d)(2)) and Existing Facts and Circumstances (Government Code section 54956.9(e)(1))

5. One case.

Conference with Labor Negotiator (Government Code section 54957.6)

6. Unrepresented employees' representative: Leonard X. Hernandez, Chief Executive Officer
Unrepresented employees: Exempt Employees

7. Agency designated representative: Diane Rundles

Employee organizations:

- San Bernardino County Sheriff's Employees' Benefits Association - Specialized Peace Officer and Specialized Peace Officer - Supervisory Units

SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT

Anticipated Litigation - Significant Exposure (Government Code section 54956.9(d)(2)) and Existing Facts and Circumstances (Government Code section 54956.9(e)(1))

8. One case.

Conference with Labor Negotiator (Government Code section 54957.6)

9. Agency designated representative: Diane Rundles

Employee organizations:

- San Bernardino County Sheriff's Employees' Benefit Association - Specialized Fire Services Unit

PUBLIC SESSION

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

Acknowledgement of San Bernardino County Newly Elected and Re-Elected Officials

The Board recognized and congratulated Second District Supervisor Jesse Armendarez, Sheriff Shannon Dicus and District Attorney Jason Anderson.

Invocation and Pledge of Allegiance - Third District

Robert Haynes

Memorial Adjournments

Board of Supervisors

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

- David Toscano Armez, 61, of Hesperia
- Robert Donald Davis, 91, of Apple Valley
- Virginia Granados, 85, of Spring Valley Lake
- Ann Isabel Kump, 73, of Apple Valley
- Shelby Lynn Marino, 32, of Hesperia
- Michael Pike Sr., 61, of Victorville
- Edith Naomi Schmitt, 77, of Hesperia
- James Spencer, 56, of Hesperia
- Robert Morton Stapp, 89, of Apple Valley
- Doris Ann Woodcock, 91, of Apple Valley

Second District – Supervisor Jesse Armendarez

- Jose Perez Arias, 56, of Fontana
- Cruz Garcia, 43, of San Bernardino
- David W. Long, 88, of Rancho Cucamonga
- Bettina Kalberg, 69, of Fontana

Third District – Supervisor Dawn Rowe

- Courtney Dillard, 38, of Highland
- Helen R. Flint, 81, of Yucca Valley
- Gladys “Jackie” Foehner, 94, of Redlands
- Theresa Adeline Law, 105, of Yucaipa
- Linda Leppert, 80, of Yucaipa
- John Jay Lightburn, 76, of Essex
- Nolan Dee Lockwood, 84, of Twentynine Palms
- Carol Rose Steele, 86, of Redlands

- Rosemary Whitmer, 91, of Redlands
 - David A. Wilkins, 60 of Yucca Valley
- Fourth District – Supervisor Curt Hagman
- Mario Jose Alvarez, 51, of Montclair
 - Tiotonio Lima Avila, 89, of Chino
 - Blanca Lozano Cabrera, 67, of Ontario
 - Raymond Guerra Calderon, 78, of Montclair
 - Irene Linda Horton, 69, of Upland
 - Harmony “Shirley” Larson, 67, of Chino
 - Ismael V. Lopez, 80, of Montclair
 - Lugene Bruce Martin, 96, of Chino Hills
 - Aldelina Perez Mendoza, 93, of Ontario
 - Tony Moniaga, 65, of Chino Hills
 - Margaret Jean Morketter Robson, 100, of Ontario
 - Linda Joan Mulder, 59, of Ontario
 - James R. Olson, 91, of Chino Hills
 - Florencia Aquino Reyes, 74, of Chino
 - Robert Randolph Santmyer, Jr., 89, of Chino
 - Cecile Gagne Sisco, 84, of Upland
 - Rebecca Dawn Withroe, 66 of Ontario

Fifth District – Supervisor Joe Baca, Jr.

- Deroj Joseph Avila, 87, of San Bernardino
- Leopoldo Bernal, 52, of Rialto
- Willie D. Bryant, 81, of Rialto
- Ernest Carlson, 90, of Bloomington
- William Dean Decker, 87, of San Bernardino
- Juanita B. Estes, 98, of Rialto
- Ramon P. Estrada, 78, of San Bernardino
- Abel Gonzalez, 77, Bloomington
- Joseph Guerrero, 72, of San Bernardino
- Phillip B. Hillman, 76, of Rialto
- John R. Hunt, 61 of San Bernardino
- Donna E. Krueger, 74, of San Bernardino
- Thomas Eliseo Leal, 84, of San Bernardino
- Emile Liberty, 89, of San Bernardino
- Steve Miranda, 89, of San Bernardino
- Frank Edmond Navarro, 67, of San Bernardino
- Juventino Olvera, 85, of San Bernardino
- Sharon E. Porter, 86, of Highland
- Willie Ezell Reese, 92, of San Bernardino
- Dalene Riggs, 80, of San Bernardino
- Hewitt A. Smith, 81, of Colton
- Sharon L. Thorson, 84, of San Bernardino
- Rachel Torres, 87, of San Bernardino
- Lucy O. Torres, 92, of San Bernardino
- Henrietta Torrez, 96, of San Bernardino
- George Tovar, 73, of San Bernardino
- Mary Ann Vincent, 79, of San Bernardino
- Odette Zainea, 78, of San Bernardino

ELECTION OF BOARD OF SUPERVISORS CHAIR AND VICE-CHAIR

NOMINATE AND ELECT SUPERVISOR DAWN ROWE AS THE 2023 & 2024 CHAIR OF THE SAN BERNARDINO COUNTY SUPERVISORS

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

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

NOMINATE AND ELECT SUPERVISOR COL. PAUL COOK (RET.) AS THE 2023 & 2024 VICE CHAIRMAN OF THE SAN BERNARDINO COUNTY BOARD OF SUPERVISORS

Motion/Second: Dawn Rowe/Jesse Armendarez

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

Reports from County Counsel and Chief Executive Officer

County Counsel, Tom Bunton, stated in C.B. et al. v. County of San Bernardino, et al., the Board of Supervisors voted 5-0 to authorize County Counsel to file a cross-complaint against Joseph Segal, Jennifer Segal, Richard Harris, and The New Beginnings in this case involving the alleged abuse of a foster child.

Special Presentations, Resolutions and Proclamations

Chair Rowe

- Present the Community Development and Housing Department with the 2022 Southern California Association of Nonprofit Housing Homes Within Reach Transformative Communities Award for Bloomington Grove

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

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

- Adoption of Recognitions, Resolutions and Proclamations:

Board of Supervisors

Present the Community Development and Housing Department with the 2022 Southern California Association of Nonprofit Housing Homes Within Reach Transformative Communities Award for Bloomington Grove.

APPROVED (CONSENT CALENDAR)

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

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

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

First District Supervisor Col. Paul Cook (Ret.)

- a. Approve the reappointment of Mark Graham to Seat 1 on the Behavioral Health Commission for a 3-year term, commencing 2/1/2023 and expiring 1/31/2026.

Second District Supervisor Jesse Armendarez

- b. Approve the reappointment of Phillip W. Cothran to Seat 3 on the Workforce Development Board for a 2-year term, expiring 12/31/2023.

Third District Supervisor Dawn Rowe

- c. Approve the appointment of David A. Avila to Seat 3 on the Board of Commissioners for the Housing Authority of the County of San Bernardino for a 4-year term, expiring 1/5/2027.

Fourth District Supervisor Curt Hagman

- d. Approve the appointment of Melissa Demirci to Seat 1 on the Planning Commission for the remaining 4-year term, expiring 1/31/2023.

Fifth District Supervisor Joe Baca, Jr.

- e. Approve the appointment of Dakira R. Williams to Seat 2 on the Civil Service Commission for the remaining 4-year term, expiring 1/31/2025.
- f. Approve the reappointment of Gil Navarro to Seat 3 on the Behavioral Health Commission for a 3-year term, expiring 1/31/2025.

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)
 1. Approve Employment Contract with Acquanetta Warren to provide support services to the Second District Supervisor as a District Director, effective January 3, 2023, for an estimated annual cost of \$68,793 (Salary - \$60,258, Benefits - \$8,535).
 2. Approve Employment Contract with Naseem Farooqi to provide support services to the Second District Supervisor as a Special Assistant, effective January 3, 2023, for an estimated annual cost of \$235,853 (Salary - \$151,445, Benefits - \$84,408).
 3. Approve Employment Contract with Angel Ramirez to provide support services to the Second District Supervisor as a Special Projects Coordinator, effective January 3, 2023, for an estimated annual cost of \$88,040 (Salary - \$50,398, Benefits - \$37,642).
 4. Approve Employment Contract with Priscilla Bugayong to provide support services to the Second District Supervisor as a Field Representative I, effective January 14, 2023, for an estimated annual cost of \$82,637 (Salary - \$45,178, Benefits - \$37,459).
 5. Approve Amendment No. 1 to Employment Contract No. 22-1178 with Cindy Dalton to continue to provide support services to the Second District as an Executive Secretary, updating the costs related to this contract to the Second District's 2022-23 budget effective December 31, 2022.
 6. Approve Amendment No. 1 to Employment Contract No. 22-1179 with Neiland Derry to provide support services to the Second District Supervisor as a Director of Transition, updating the costs related to this contract to the Second District's 2022-23 budget effective December 31, 2022.

(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.

- 5)
 1. Terminate Employment Contract No. 21-676 and approve a new Employment Contract with

Michael Fresquez to continue to provide support services to the Third District Supervisor as a Deputy Chief of Staff, effective January 14, 2023, for an estimated annual cost of \$174,961 (Salary - \$108,272, Benefits - \$66,689).

2. Approve Amendment No. 1 to Employment Contract No. 22-35 with Alexa Flores to reflect the legal name change to Alexa Sonck, continue to provide support services to the Third District Supervisor as a Policy Advisor I, and add the Auto Allowance and Portable Communication Device Allowance, effective January 14, 2023, for an estimated annual cost of \$99,785 (Salary - \$59,174, Benefits - \$40,611).
3. Terminate Employment Contract No. 19-610 and approve a new Employment Contract with Scott Ward to continue to provide support services to the Third District Supervisor as a Communications Advisor I, effective January 14, 2023, for an estimated annual cost of \$130,131 (Salary - \$78,859, Benefits - \$51,272).

(Presenter: Supervisor Dawn Rowe, Vice Chair and Third District, 387-4855)

APPROVED (CONSENT CALENDAR)

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

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

Aging and Adult Services

- 6)
 1. Accept and approve a grant award Agreement (Grant Agreement No. AT-2223-36) from the California Department of Aging for the Access to Technology Program to provide older adults, 60 years of age and older, and adults with disabilities access to digital connectivity and technology, in the amount of \$2,056,883, for the period of October 1, 2022 through December 31, 2024.
 2. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments to the Department of Aging and Adult Services - Public Guardian's 2022-23 budget, as detailed in the Financial Impact Section (Four votes required).
 3. Authorize the Chairman of the Board of Supervisors, Chief Executive Officer, or Director of the Department of Aging and Adult Services - Public Guardian to execute and submit the grant award Agreement (Grant Agreement No. AT-2223-36) for the Access to Technology Program and any subsequent non-substantive amendments to the California Department of Aging, on behalf of the County, subject to review by County Counsel.
 4. Direct the Chairman of the Board of Supervisors, Chief Executive Officer, or Director of the Department of Aging and Adult Services - Public Guardian to transmit all non-substantive amendments in relation to the grant award Agreement (Grant Agreement No. AT-2223-36) for the Access to Technology Program to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Sharon Nevins, Director, 891-3917)

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 Master Agreement with Net Health Systems, Inc., including non-standard terms, for a software solution to track employee health data and monitor regulatory compliance, in the amount of \$46,170 for the retroactive contract period of January 1, 2023 through December 31, 2025, plus an additional year through December 31, 2026, for a cost to be determined.

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

OFF CALENDAR

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

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

- 8) Approve Agreement with Inari Medical, Inc. for the purchase of medical devices for the treatment of pulmonary embolisms in the not-to-exceed amount of \$792,000 for the period of January 10, 2023 through January 9, 2026.
(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 a non-financial Affiliation Agreement with California Baptist University to allow Nursing Program students to obtain onsite training at Arrowhead Regional Medical Center for the period of January 10, 2023 through January 9, 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 Linen Control Subscription Agreement, including non-standard terms, with MedOne Capital Funding, LLC doing business as IPA One, and with Innovative Product Achievements, LLC doing business as IPA, LLC, for rental of ScrubEx® Scrub Dispensing Machines automated distribution service for surgical attire and linen with web based management software, one-time onsite implementation, and ongoing remote training and support, in the not-to-exceed amount of \$500,000 for a period of 60 months from the date of execution, automatically renewing month to month at the rate of \$8,284 thereafter unless terminated by either party.
(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

- 11) Approve a non-financial Service Level Agreement, including non-standard terms, with Whitaker Brothers Business Machines, Inc., for office equipment preventative maintenance services, for the period of January 10, 2023, through January 9, 2028.
(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.

Behavioral Health

- 12) 1. Accept grant award from the California Department of Health Care Services, Community Services Division, for the Substance Abuse and Mental Health Services Administration, Community Mental Health Services Block Grant, in the amount of \$10,466,146, for the period of July 1, 2022 through June 30, 2024.
2. Authorize the Director of the Department of Behavioral Health to accept any subsequent non-substantive amendments to the grant award for the Substance Abuse and Mental Health Services Administration, Community Mental Health Services Block Grant, on behalf of the County, subject to review by County Counsel.
3. Direct the Director of the Department of Behavioral Health to transmit any subsequent non-substantive amendments in relation to the Substance Abuse and Mental Health

Services Administration, Community Mental Health Services Block Grant to the Clerk of the Board of Supervisors within 30 days of execution.
(Presenter: Georgina Yoshioka, Director, 388-0801)

APPROVED (CONSENT CALENDAR)

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

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

- 13) Authorize retroactive payment in the amount not to exceed \$101,464, for a total amount of \$298,712, to Merchants Building Maintenance, LLC for Enhanced COVID-19 Cleaning for the period of January 1, 2021 through April 30, 2021.
(Presenter: Georgina Yoshioka, Director, 388-0801)

APPROVED (CONSENT CALENDAR)

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

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

- 14) Approve contract with Avector Community Group, Inc. for the provision of Forensic Supportive Board and Care for the Diversion Opportunity for Outpatient Recovery Services program, in an amount not to exceed \$2,318,220, effective upon execution by all parties through January 9, 2024.
(Presenter: Georgina Yoshioka, Director, 388-0801)

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

- 15) Approve Contract with the Veterans Legal Institute to provide funding to assist with the hiring and personnel costs of three new attorneys to provide legal assistance to San Bernardino County veteran residents, in an amount not to exceed \$100,000 for the period of January 10, 2023, through January 9, 2024.
(Presenter: Leonard X. Hernandez, 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.

- 16) Receive the list of County Administrative Office approved Capital Improvement Program and Short-Term Proposal Lease requests for the period of November 26, 2022, through December 16, 2022.
(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

APPROVED (CONSENT CALENDAR)

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

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

- 17) 1. Ratify Apple Valley Fire Protection District Ordinance No. 59, which includes the adoption of the 2022 Edition of the California Fire Code with errata, and the 2021 International Fire Code, as well as local amendments, collectively to be known as the Fire Code of the Apple Valley Fire Protection District.
2. Ratify Chino Valley Independent Fire District Ordinance No. 2022-03, which includes the adoption and amendment of the 2022 Edition of the California Fire Code with errata, and the 2021 International Fire Code, as well as local amendments, collectively to be known as

the Fire Code of the Chino Valley Independent Fire District.

3. Ratify Rancho Cucamonga Fire Protection District Ordinance No. FD 58, which includes the adoption of the 2022 Edition of the California Fire Code with errata, as well as local amendments, collectively to be known as the Rancho Cucamonga Fire Protection District Fire Code.
4. Delegate enforcement of the ordinances identified in Recommendation Nos. 1 through 3, to the chief of the fire protection district that adopted the ordinance, or the fire chief's authorized representative, pursuant to Health and Safety Code section 13869.7(h)(1)(A).
5. Direct the Clerk of the Board of Supervisors to take the following actions within 15 days pursuant to Health and Safety Code section 13869.7(c):
 - a. Transmit a copy of this item to each of the fire protection districts identified in Recommendation Nos. 1 through 3.
 - b. File a copy of this item and ordinances identified in Recommendation Nos. 1 through 3, with the California Department of Housing and Community Development.

(Presenter: Bertral Washington, Deputy Fire Chief of Administration, 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.

- 18) Approve the transfer of the Hesperia Recreation and Park District's funds from the San Bernardino County Treasury to the designated alternate depository, Desert Community Bank, as stated in the Hesperia Recreation and Park District's Resolution No. 22-11-02, effective January 31, 2023.

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

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

- 19)
 1. Approve a waiver of potential conflict of interest arising out of representation of the City of Ontario by Kaplan Kirsch & Rockwell LLP.
 2. Authorize the County Counsel or a Principal Assistant County Counsel to execute the 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.

District Attorney

- 20)
 1. Approve Amendment No. 1 to Second-Tier Sub-Award Agreement No. 22-63 with Partners Against Violence for victim advocacy services, to provide additional funding in the amount of \$355,016, for a total contract amount of \$742,679, and to extend the term by one year, for a total term of January 1, 2022 through December 31, 2023.
 2. Approve Amendment No. 1 to non-financial Agreement No. 22-64 with the City of Barstow for the continued services of a Victim Advocate, and extend the term by one year, for a total term of January 1, 2022 through December 31, 2023.
 3. Approve Amendment No. 1 to non-financial Agreement No. 22-65 with the City of Chino for the continued services of a Victim Advocate, and extend the term by one year, for a total term of January 1, 2022 through December 31, 2023.
 4. Approve Amendment No. 1 to non-financial Agreement No. 22-244 with the City of Rialto for

the continued services of a Victim Advocate, and extend the term by one year, for a total term of March 29, 2022 through December 31, 2023.

(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

- 21) 1. Approve a Side Letter Agreement between San Bernardino County and Teamsters, Local 1932 for an Emergency Response incentive payment for employees in the Children and Family Services Department.
2. Approve a Side Letter Agreement between San Bernardino County and Service Employees International Union, Local 721 for an Emergency Response incentive payment for employees in the Children and Family Services Department.

(Presenter: Diane Rundles, Human Resources Director, 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.

- 22) 1. Approve employment contract with Monica L. Brown, to serve as Supervising Occupational Health Physician at the Center for Employee Health and Wellness, for an estimated annual cost of \$410,624 (Salary: \$243,022, Benefits: \$167,602), for the period of January 14, 2023 through June 14, 2024.
2. Authorize the Director of the Human Resources Department to execute amendments to extend the term of the employment contract for a maximum of two successive one-year periods on behalf of the County, subject to County Counsel review.
3. Direct the Director of the Human Resources Department to transmit the employment contract amendments to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Diane Rundles, Director, 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

- 23) 1. Approve employment contracts with the following individuals to provide services to the Children and Families Commission for San Bernardino County, effective January 14, 2023 through January 13, 2026:
- a. Traci Homan as Executive Secretary II, for the estimated annual cost of \$98,675 (\$61,672 Salary, \$37,003 Benefits).
- b. Peiyong Yang as Accountant III, for the estimated annual cost of \$97,801 (\$66,082 Salary, \$31,719 Benefits).
2. Authorize the Assistant Executive Officer of Department Operations to execute amendments to extend the term of the employment contracts for a maximum of three successive one-year periods on behalf of the County, subject to County Counsel review.
3. Direct the Assistant Executive Officer of Department Operations to transmit all documents in relation to the employment contract amendments to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Diana Alexander, Assistant Executive Officer, 387-4261)

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

- 24) 1. Approve Software Transaction Agreement, including non-standard terms, with Quest Software Inc., for platform management software and maintenance services for purchase amounts as authorized by County Policy for the period beginning upon the download, installation, or use of the software and continuing until termination by either party.
2. Designate the Chief Information Officer, Assistant Chief Information Officer, or IT Division Chief, to electronically accept the Agreement in Recommendation No. 1 and future updates to the Agreement, subject to review by County Counsel, provided that such updated terms and applicable licenses do not substantively modify the terms of the original Agreement.
3. Direct the Chief Information Officer, Assistant Chief Information Officer, or IT Division Chief to transmit any updated terms to the Software Transaction Agreement that are electronically accepted by the Chief Information Officer, Assistant Chief Information Officer, or IT Division Chief to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Chad Nottingham, Deputy 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.

Library

- 25) 1. Ratify submission of grant application to the State of California, California State Library Grant in the amount of \$113,320 for the Adult Literacy Services Program for the period of July 1, 2022 through June 30, 2023.
2. Approve Grant Agreement (State Agreement No. CLLS22-73), including non-standard terms, with the State of California, California State Library to receive \$113,320 for the Adult Literacy Services Program for the period of July 1, 2022 through June 30, 2023, with a grant completion date of December 31, 2023.
3. Adopt Resolution approving the Grant Agreement and authorizing the County Librarian, or the Library Regional Manager for Library Services, as required by the California State Library, to electronically sign and submit all documents and forms required for acceptance of the Adult Literacy Services Grant.
4. Direct the County Librarian, or the Library Regional Manager for Library Services, to submit all Grant Agreement documents and forms to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Melanie Orosco, County Librarian, 387-2220)

APPROVED (CONSENT CALENDAR)

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

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

- 26) 1. Approve a budget increase to the Capital Improvement Program Project No. 22-017, in the amount of \$16,100, from \$100,000 to \$116,100, for the Lake Arrowhead Library Remodel Project (WBSE 10.10.1204) located at 27235 Hwy 189 in Blue Jay.
2. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary adjustments to the County Library and Capital Improvement Program 2022-23 budgets, as detailed in the Financial Impact Section (Four votes required).
- (Presenter: Melanie Orosco, County Librarian, 387-2220)

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

- 27) Approve Amendment No. 5, effective July 1, 2022, to Contract No. 20-493 with Child Care Resource Center to provide subsidized childcare as part of the Early Head Start - Child Care Partnership Program, updating the contractor service responsibilities and increasing the total contract amount by \$99,310, from \$5,672,517 to \$5,771,827, for a cost-of-living adjustment and program budget increase, with no change to the total contract period of July 1, 2020 through June 30, 2023.
(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.

- 28) 1. Approve and authorize the submission of the annual continued funding application to the California Department of Education for the California State Preschool Program, in the amount of \$7,249,395, for the period of July 1, 2023 through June 30, 2024.
2. Authorize the Chairman of the Board of Supervisors, Chief Executive Officer, or Director of the Preschool Services Department, to execute and submit the application and award documents for this grant funding, as required by the California Department of Education, 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 the Preschool Services Department to transmit all application and award documents in relation to this grant 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.

- 29) Approve travel and related expenses in an amount not to exceed \$3,511 for one Preschool Services Department Policy Council member to attend the National Head Start Association's 2023 Winter Leadership Institute Conference in Crystal City, Virginia from January 23, 2023 through January 26, 2023, traveling on January 22, 2023 and January 27, 2023.
(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.

Project and Facilities Management

- 30) ~~AMENDED~~-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 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 \$2,000,000, 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 Public Contract Code sections 22035 and 22050 (Four votes required).~~

~~(Presenter: Don Day, Director, 387-5000)~~

Public Comment: None

DEFERRED/APPROVED AS AMENDED

Motion/Second: Jesse Armendarez/Col. Paul Cook (Ret.)

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

- 31) **AMENDED**-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 September 13, 2022, 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 \$8,000,000, 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)

Public Comment: None

DEFERRED/APPROVED AS AMENDED

Motion/Second: Jesse Armendarez/Col. Paul Cook (Ret.)

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

- 32) 1. Approve a budget increase to the Capital Improvement Program Project No. 21-124, in the amount of \$46,188, from \$135,510 to \$181,698, for the Preschool Services Department Yucca Valley Shade Structure Project (WBSE 10.10.1121) located at 56389 Pima Trail in Yucca Valley.
2. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the budget adjustments to the Preschool Services Department and Capital Improvement Program 2022-23 budgets, as detailed in the Financial Impact Section (Four votes required).
3. Award a construction contract to Jergensen Construction, Inc. in the amount of \$132,000 with a Contract Time of 90 calendar days from the date of the issuance of the Notice to Proceed for the Yucca Valley Shade Structure Project.
4. Authorize the Director of the Project and Facilities Management Department to order any necessary changes or additions in the work being performed under the contract for a total amount not to exceed \$13,200 pursuant to Public Contract Code Section 20142.
5. Authorize the Director of the Project and Facilities Management Department to accept the work when 100% complete and execute and file the Notice of Completion.
- (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.

- 33) 1. Find the Arrowhead Regional Medical Center Skid Mounted Booster Pumps Project located in San Bernardino County, is exempt under the California Environmental Quality Act

- Guidelines, Section 15302, Class 2, subsection (c), Replacement or Reconstruction.
2. Approve the plans and specifications for the Arrowhead Regional Medical Center Skid Mounted Booster Pump Project, located in Colton.
 3. Authorize the Director of the Project and Facilities Management Department to advertise for competitive bids for the Arrowhead Regional Medical Center Skid Mounted Booster Pump Project, located in Colton.
 4. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption of the Arrowhead Regional Medical Center Skid Mounted Booster Pump Project as required under 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.

Public Health

- 34)
1. Approve a non-financial Memorandum of Understanding template for the Department of Public Health, Environmental Health Services, to partner with cities in incorporated areas on food recovery efforts that meet the requirements of Senate Bill 1383, effective from the date of execution through December 31, 2025.
 2. Authorize the Assistant Executive Officer of Department Operations, the Deputy Executive Officer of Human Services, or the Director of the Department of Public Health to execute the non-financial Memorandum of Understanding with the individual cities to provide environmental health services in the city's incorporated areas, on behalf of the County.
- (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.

- 35)
1. Accept allocation and approve Agreement (State Agreement No. 22-10887) from the California Department of Public Health for the syphilis outbreak strategy and congenital syphilis prevention and control activities, in the amount of \$3,207,525, for the period of July 1, 2022, through June 30, 2027.
 2. Designate the Chairman of the Board of Supervisors, Chief Executive Officer, or Director of the Department of Public Health to execute and submit any subsequent non-substantive amendments and documents for this Agreement (State Agreement No. 22-10887) 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 the Department of Public Health to transmit all amendments in relation to this Agreement (State Agreement No. 22-10887) to the Clerk of the Board of Supervisors within 30 days of execution.
- (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-Transportation

- 36)
1. Approve Addendum No. 1, issued on November 9, 2022, Addendum No. 2 issued on November 29, 2022, and Addendum No. 3 issued on December 5, 2022, to the bid documents for the Mountain Avenue and Other Roads Project in the San Antonio Heights area.

2. Award a construction contract to Calmex Engineering, Inc. (Bloomington, CA) in the amount of \$7,588,470.40 for the Mountain Avenue and Other Roads Project in the San Antonio Heights area.
 3. Authorize a contingency fund of \$758,847 for the Mountain Avenue and Other Roads Project in the San Antonio Heights area.
 4. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$758,847 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 \$210,000 of the \$758,847 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.

- 37)
 1. Find that the Park Drive and Other Roads Project in the Wrightwood 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 Park Drive and Other Roads Project in the Wrightwood Area as defined in the Notice of Exemption and 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.

- 38)
 1. Find that the Glen Helen Regional Park Rehabilitation - Parking Lot 1 and Road "A" (Phase II) Project in the Devore 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 Glen Helen Regional Park Rehabilitation - Parking Lot 1 and Road "A" (Phase II) Project in the Devore area as defined in the Notice of Exemption and direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption.
 3. Approve the specifications for the Glen Helen Regional Park Rehabilitation - Parking Lot 1 and Road "A" (Phase II) Project in the Devore area, as signed and sealed by a registered civil engineer.
 4. Authorize the Director of the Department of Public Works to advertise the Glen Helen Regional Park Rehabilitation - Parking Lot 1 and Road "A" (Phase II) Project in the Devore area 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.

Purchasing

- 39) Approve Amendment No. 2 to contracts with the following fee-for-service vendors for

information technology staffing services to retroactively extend the term of the contracts for three months from December 31, 2022, for a total term of April 5, 2020, through March 31, 2023.

1. Argus Associates, Inc. Contract No. 20-1105
 2. DatamanUSA, LLC Contract No. 20-1106
 3. Mindlance, Inc. Contract No. 20-1108
 4. Modis, Inc. Contract No. 20-1109
 5. Sierra Cybernetics, Inc. Contract No. 20-1110
 6. vTech Solution, Inc. Contract No. 20-1111
- (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

- 40) 1. Approve the Real Estate Services Department's use of an alternative procedure in lieu of a formal Request for Proposals as allowed per San Bernardino County Policy 12-02 - Leasing Privately Owned Real Property for San Bernardino County Use to extend the term of Lease Agreement No. 17-891 with Elizabeth A. Burkle, Trustee of the Burkle Family Trust dated November 8, 1999, for the two-year period of February 1, 2023 through January 31, 2025, for approximately 4,648 square feet of classroom and office space, and approximately 3,006 square feet of playground area located at 12236 California Street in Yucaipa for the Preschool Services Department.
2. Approve Amendment No. 1 to Lease Agreement No. 17-891 with Elizabeth A. Burkle, Trustee of the Burkle Family Trust dated November 8, 1999, to extend the term of the lease two years for the period of February 1, 2023 through January 31, 2025, following a permitted one month holdover from January 1, 2023 through January 31, 2023, adjust the rental rate schedule, and remove San Bernardino County's early termination right for approximately 4,648 square feet of classroom and office space, and approximately 3,006 square feet of playground area located at 12236 California Street in Yucaipa for the Preschool Services Department in a total amount of \$156,440.
- (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.

- 41) Approve Amendment No. 9 to Lease Agreement No. 00-802 with Upland Unified School District to extend the term of the lease two years for the period of February 1, 2023 through January 31, 2025, following a permitted month-to-month holdover from August 1, 2020 through January 31, 2023, and adjust the rental rate schedule for approximately 3,840 square feet of classroom and office space, 6,000 square feet of parking lot area, and 3,200 square feet of playground area located at 732 North 3rd Avenue in Upland for the Preschool Services Department in the amount of \$161,730.
- (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.

- 42) 1. Adopt Resolution that declares certain San Bernardino County-owned property as surplus, consistent with County Policy No. 12-17, and as Exempt Surplus Land pursuant to Government Code section 54221(f)(1)(G), consisting of an approximate 120.16 acre area of

Assessor's Parcel Numbers 105721217 (portion), 105721218, 105721219, 105721220, 105722101 and 105722102 (portion) in the City of Chino, and no longer necessary for the uses and purposes of San Bernardino County and is in the public interest; adoption of the Resolution declaring parcels as Exempt Surplus Land will not substantially conflict or interfere with the use of the remaining property retained by the San Bernardino County Regional Parks Department, and will have no impact nor interfere with Regional Parks in the region.

2. Authorize the Director of the Real Estate Services Department to execute any other documents and take any actions necessary to declare parcels as Exempt Surplus Land, subject to County Counsel review.

(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

- 43)
 1. Approve the following Capital Improvement Program Projects:
 - a. Capital Improvement Program Project No. 23-139 for the Equestrian Buildings and Corral Project at Mojave Narrows Regional Park in the amount of \$1,899,872.
 - b. Capital Improvement Program Project No. 23-140 for the Splash Pad Demolition and Reconstruction Project at Mojave Narrows Regional Park in the amount of \$3,300,000.
 2. 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.

- 44) Approve a three-year revenue Interim Use Permit with the Vietnamese Eucharistic Youth Movement in the United States of America for the use of a portion of Prado Regional Park for three days each June, in 2023 through 2025, to hold the Dai Hoi Nguon Song Event, for total revenue in the amount of \$9,455 each year.

(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.

- 45) Receive a list of Regional Parks approved Interim Use Permits, executed consistent with County Policy No. 12-05, for the period between September 1, 2022, and November 30, 2022.

(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

- 46) Approve Amendment No. 2 to Contract No. 19-216 with Sunset Funeral Care, LLC to provide indigent disposition services, exercising the final option to extend the term by a one-year period, for a new total contract term of May 1, 2019 through April 30, 2024, with no change to

the total contract amount of \$750,000.
(Presenter: Kelly Welty, Chief Deputy Director, 387-0640)

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. Accept donation of one 2023 Polaris RZR XP 4 1000 Sport Cruiser (Vehicle Identification No. 3NSN4E992PH426814) for a total value of \$31,954.10 from the City of Hesperia.
2. Authorize the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to execute all necessary documentation to transfer title of the donated vehicle referenced in Recommendation No. 1, subject to review by County Counsel.
(Presenter: Kelly Welty, Chief Deputy Director, 387-0640)

APPROVED (CONSENT CALENDAR)

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

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

Workforce Development Department

- 48) Approve travel for four Workforce Development Board members to attend the California Workforce Association Day at the Capitol and participate in legislative meetings in Sacramento, California from March 7, 2023 through March 9, 2023, at an estimated cost of \$4,276.
(Presenter: Bradley Gates, Director, 387-9856)

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

Big Bear Valley Recreation and Park District

- 49) Election of Chair and Vice-Chair: Designate the Chair and Vice-Chair of the San Bernardino County Board of Supervisors as the Chair and Vice-Chair of the Board of Directors of the Big Bear Valley Recreation and Park District.

APPROVED (CONSENT CALENDAR)

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

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

Bloomington Recreation and Park District

- 50) Election of Chair and Vice-Chair: Designate the Chair and Vice-Chair of the San Bernardino County Board of Supervisors as the Chair and Vice-Chair of the Board of Directors of the Bloomington Recreation and Park District.

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 Industrial Development Authority (CoIDA)

- 51) Election of Chair and Vice-Chair: Designate the Chair and Vice-Chair of the San Bernardino County Board of Supervisors as the Chair and Vice-Chair of the Board of Directors of the County Industrial Development Authority (CoIDA).

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

- 52) Election of Chair and Vice-Chair: Designate the Chair and Vice-Chair of the San Bernardino County Board of Supervisors as the Chair and Vice-Chair of the Board of Directors of the In-Home Supportive Services Public Authority.

APPROVED (CONSENT CALENDAR)

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

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

Inland Empire Public Facilities Corporation

- 53) Election of Chair and Vice-Chair: Designate the Chair and Vice-Chair of the San Bernardino County Board of Supervisors as the Chair and Vice-Chair of the Board of Directors of the Inland Empire Public Facilities Corporation.

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 Financing Authority

- 54) Election of Chair and Vice-Chair: Designate the Chair and Vice-Chair of the San Bernardino County Board of Supervisors as the Chair and Vice-Chair of the Board of Directors of the San Bernardino County Financing Authority.

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

- 55) Acting as the governing body of the San Bernardino County Fire Protection District:
1. Find that Fire Station 226 New Build Project is exempt under the California Environmental Quality Act Guidelines, In-Fill Development Projects, Section 15332, Class 32.
 2. Approve the plans and specifications for the Fire Station 226 New Build Project, located at 1920 N. Del Rosa Avenue in San Bernardino.
 3. Authorize the Director of the Project and Facilities Management Department to advertise for competitive bids for the Fire Station 226 New Build Project.
 4. Direct the Secretary of the Board of Directors to file and post the Notice of Exemption of the Fire Station 226 New Build Project as required under 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.

San Bernardino County Flood Control District

- 56) Acting as the governing body of the San Bernardino County Flood Control District:
1. Find that the Rialto Channel Crossing Improvements at Randall Avenue Project in the City of Rialto 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 Rialto Channel Crossing Improvements at Randall Avenue Project in the City of Rialto as defined in the Notice of Exemption and direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption.

(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.

- 57) Acting as the governing body of the San Bernardino County Flood Control District:
 1. Approve contract with WEST Consultants, Inc., to provide professional civil engineering services to update the San Bernardino County Hydrology Manual and Detention Basin Design Criteria, in the amount of \$1,141,242 for the period of January 24, 2023 to January 23, 2025.
 2. Authorize the Chief Flood Control Engineer or the San Bernardino County Flood Control District Assistant Director to add and/or delete services and reallocate funding between tasks as required to complete the work outlined in the contract without increasing the total cost or changing the term of the contract.

(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.

Successor Agency to the County of San Bernardino Redevelopment Agency

- 58) Election of Chair and Vice-Chair: Designate the Chair and Vice-Chair of the San Bernardino County Board of Supervisors as the Chair and Vice-Chair of the Board of Directors of the Successor Agency to the County of San Bernardino Redevelopment Agency.

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

- 59)
 1. Acting as the governing body of San Bernardino County, receive a 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 18.0104 for the period of November 1, 2022, through November 30, 2022.
 2. Acting as the governing body of the Board Governed County Service Area 60 - Apple Valley Airport, receive a list of Department of Airports approved short-term real estate leases procured in accordance with County Policy 12-04, and executed pursuant to the Policy and County Code Section 18.0104 for the period of November 1, 2022, through November 30, 2022.

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

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: Big Bear Valley Recreation and Park District; Bloomington Recreation and Park District; Board Governed County Service Areas; San Bernardino County Fire Protection District

- 60) 1. Acting as the governing body of the Board Governed County Service Areas, amend the Exempt Compensation Plan and the Non-Represented Employee Compensation Plan, as on file with the Clerk of the Board of Supervisors, effective January 14, 2023.
2. Acting as the governing body of the San Bernardino County Fire Protection District, amend the Exempt Compensation Plan and the Non-Represented Employee Compensation Plan, as on file with the Secretary of the Board of Directors, effective January 14, 2023.
3. Acting as the governing body of the Big Bear Valley Recreation and Park District, amend the Exempt Compensation Plan and the Non-Represented Employee Compensation Plan, as on file with the Secretary of the Board of Directors, effective January 14, 2023.
4. Acting as the governing body of the Bloomington Recreation and Park District, amend the Exempt Compensation Plan and the Non-Represented Employee Compensation Plan, as on file with the Secretary of the Board of Directors, effective January 14, 2023.
- (Presenter: Leonard X. Hernandez, 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.

ORDINANCES FOR FINAL ADOPTION

Auditor-Controller/Treasurer/Tax Collector

- 61) 1. Adopt Resolution designating the San Bernardino County Auditor-Controller as the Chief Accounting Officer for the County effective retroactively to November 3, 2020 (Five votes required).
2. Adopt Ordinance adding sections 12.0307 through 12.0310 to Chapter 3 of Division 2 of Title 1 all of the San Bernardino County Code, relating to powers and duties of the Auditor-Controller, which was introduced on December 13, 2022, Item No. 88, applying Sections 12.0307 through 12.0309 retroactively to November 3, 2020.
- (Presenter: Ensen Mason, Auditor-Controller/Treasurer/Tax Collector, 382-7000)

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

- 62) Adopt ordinance amending the San Bernardino County Code relating to compensation and terms and conditions of Exempt Group, Elected Officials, Public Service Employees and Law Clerk, which was introduced on December 13, 2022, Item No.89.
- (Presenter: Leonard X. Hernandez, 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

There were no public speakers on the Consent Calendar.

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

Item Nos. 30 and 31 were deferred for discussion

District Attorney

- 63) Approve Employment Contract with Grover Merritt as a Deputy District Attorney IV effective January 16, 2023 through June 28, 2024, for an estimated cost not to exceed \$169,486 (\$164,486 Salary, \$5,000 Benefits).
(Presenter: Michael Fermin, Chief Assistant District Attorney, 382-3662)

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.

San Bernardino County Fire Protection District

- 64) CONTINUED FROM TUESDAY, DECEMBER 13, 2022, ITEM NO. 92
Acting as the governing body of the San Bernardino County Fire Protection District, conduct a public hearing and take the following actions regarding Annexation No. 204:
1. Consider testimony of all interested persons and taxpayers for or against the proposed annexation of Assessor Parcel Number 0405-961-07-0000 into Community Facilities District No. 94-01 (City of Hesperia), as well as any protests received from both registered voters, if any, residing within Community Facilities District No. 94-01 or the territory proposed for annexation and persons owning real property within Community Facilities District No. 94-01 or the territory proposed for annexation.
 2. Adopt Resolution calling for a special mailed ballot election of the property owners of Assessor Parcel Number 0405-961-07-0000, in accordance with Government Code section 53339.7, regarding the proposed annexation of this parcel into Community Facilities District No. 94-01.
 3. Adopt Resolution that:
 - a. Declares the results of the special mailed ballot election and orders the annexation of Assessor Parcel Number 0405-961-07-0000 into Community Facilities District No. 94-01, making this parcel subject to the annual special tax for fire suppression services.
 - b. Directs the Secretary of the Board of Directors to cause the recordation of the Annexation No. 204 boundary map with the San Bernardino County Recorder.
 - c. Directs the Secretary of the Board of Directors to cause the preparation and recordation of the notice of special tax lien with the San Bernardino County Recorder within 15 days.
- (Presenter: Bertral Washington, Deputy Fire Chief of Administration, 387-5779)

Hearing Opened

Public Comment: None

Hearing Closed

APPROVED RECOMMENDATIONS NO. 1 & 2

Motion/Second: Curt Hagman/Jesse Armendarez

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

APPROVED RECOMMENDATION NO. 3

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

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

- 65) Acting as the governing body of the San Bernardino County Fire Protection District, conduct a public hearing and take the following actions regarding Annexation No. 205:
 - 1. Consider testimony of all interested persons and taxpayers for or against the proposed annexation of Assessor Parcel Number 0357-611-18-0000 into Community Facilities District No. 94-01 (City of Hesperia), as well as any protests received from both registered voters, if any, residing within Community Facilities District No. 94-01 or the territory proposed for annexation and persons owning real property within Community Facilities District No. 94-01 or the territory proposed for annexation.
 - 2. Adopt Resolution calling for a special mailed ballot election of the property owner of Assessor Parcel Number 0357-611-18-0000, in accordance with Government Code section 53339.7, regarding the proposed annexation of this parcel into Community Facilities District No. 94-01.
 - 3. Adopt Resolution that:
 - a. Declares the results of the special mailed ballot election and orders the annexation of Assessor Parcel Number 0357-611-18-0000 into Community Facilities District No. 94-01, making this parcel subject to the annual special tax for fire suppression services.
 - b. Directs the Secretary of the Board of Directors to cause the recordation of the Annexation No. 205 boundary map with the San Bernardino County Recorder.
 - c. Directs the Secretary of the Board of Directors to cause the preparation and recordation of the notice of special tax lien with the San Bernardino County Recorder within 15 days.
- (Presenter: Bertral Washington, Deputy Fire Chief of Administration, 387-5779)

Hearing Opened
Public Comment: None
Hearing Closed

APPROVED RECOMMENDATIONS NO. 1 & 2

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

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

APPROVED RECOMMENDATION NO. 3

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

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.

Public Comment: James Grigoli, Kati Parker, Jennifer Shaw

INDIVIDUAL BOARD MEMBER COMMENTS (5 Minutes)

Vice Chairman and First District Supervisor Col. Paul Cook (Ret.) congratulated the new chair. He also thanked Supervisor Hagman for the great job that he has done during his chairmanship.

Fifth District Supervisor Joe Baca, Jr. thanked Supervisor Hagman on his great work during his chairmanship. He stated that we have a great team up here and we have a lot to be proud of in 2022 and he looks forward to the great things we will do in 2023. He thanked Vice Chairman Cook for his leadership as he brings a wealth of experience to local government. He congratulated Chair Rowe and said she does a great job on giving balance by listening and advocating within her district. He thanked Congressman Aguilar for his leadership as the County received over \$12 million in appropriations for

projects throughout San Bernardino County. He talked about the importance of not waiting too long to submit our legislative package so that the County does not miss out on opportunities. He stated that on Friday, January 13, there is a ground-breaking for the Cedar interchange, a County led project to deal with traffic mitigation in Bloomington. He reminded everyone that our Point-in-Time Count is coming up and it is critical for our county to obtain resources for addressing homelessness.

Third District Supervisor Jesse Armendarez congratulated Chair Rowe and said that he looks forward to working with her and Vice Chairman Cook and the other Board members. He thanked everyone for showing support for him at his swearing in ceremony. He spoke about the opportunity to do great things in the community and he looks forward to working with each Board Member and continuing to move forward in the County.

Fourth District Supervisor Curt Hagman congratulated the new Chair and Vice Chairman and stated that he looks forward to this next year. He thanked the Department of Public Works and public safety, stating we have a fantastic team out there responding to issues 24/7 for our residents during this challenging weather time.

Chair and Second District Supervisor Dawn Rowe thanked Supervisor Hagman for his leadership. She thanked her team, family and colleagues for their support. She stated that she looks forward to taking our County to great places, doing things for our residents, and supporting our employees.

THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS IS SCHEDULED FOR TUESDAY, JANUARY 24, 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, January 10, 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