

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

**Tuesday, October 6, 2020**

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**CURT HAGMAN**  
**CHAIRMAN**  
Fourth District Supervisor



**JOSIE GONZALES**  
**VICE CHAIR**  
Fifth District Supervisor

**ROBERT A. LOVINGOOD**  
First District Supervisor

**JANICE RUTHERFORD**  
Second District Supervisor

**DAWN ROWE**  
Third District Supervisor

**Chief Executive Officer**  
Gary McBride

**County Counsel**  
Michelle D. Blakemore

**Clerk of the Board**  
Lynna Monell

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**ROLL CALL**

**SUPERVISORS PRESENT:**

Robert Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

**OTHERS IN ATTENDANCE**

Gary McBride - Chief Executive Officer  
Michelle D. Blakemore - County Counsel  
Lynna Monell - Clerk of the Board

**PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS**

**CLOSED SESSION**

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

1) **BOARD OF SUPERVISORS**

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

1. County of San Bernardino v. Blue Cross of California, et al., San Bernardino County Superior Court Case No. CIVDS1723565
2. Colonies Partners, L.P. v. County of San Bernardino, et al., United States Central District Court Case No. 5:18-cv-00420-KK
3. Paul Biane v. County of San Bernardino, et al., United States Central District Court Case No. 2:18-cv-008901
4. Jeffrey S. Burum v. County of San Bernardino, et al., United States Central District Court Case No. 5:18-cv-00672-JGB-SHK
5. John Dino DeFazio v. County of San Bernardino, et al., United States Central District Court Case No. 5:19-cv-00554
6. James Howard Erwin v. County of San Bernardino, et al., United States Central District Court Case No. 5:18-cv-01216-JGB-KK

7. Mark A. Kirk v. County of San Bernardino, et al., United States Central District Court  
Case No. 5:18-cv-01597-ODW-SHK  
Public Employee Performance Evaluation (Government Code section 54957)(b)(1))

8. Title: Chief Executive Officer  
Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation (Government  
Code section 54956.9(d)(4))

9. One case  
Conference with Real Property Negotiator (Government Code section 54956.8)

10. Property: APN 0239-031-32; 0239-031-04  
County Negotiator: Terry Thompson  
Negotiating Party: 215 Table Top LLC, Jim Mauge  
Under Negotiation: Price, Terms of Payment

**SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT**

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

11. Colonies Partners, L.P. v. County of San Bernardino, et al., United States Central  
District Court Case No. 5:18-cv-00420-KK

**PUBLIC SESSION**

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

Invocation and Pledge of Allegiance - Second District

Stephen Garcia of Thousand Pines Christian Camp in Crestline

Memorial Adjournments

Board of Supervisors

First District – Supervisor Robert A. Lovingood

- Lela Atkins, 88, of Hesperia
- William Lester Blackburn, 60, of Hesperia
- Diane Rae Giebelstein, 77, of Apple Valley
- Melody Lynn Maxon, 68, of Hesperia

Second District – Supervisor Janice Rutherford

Third District – Supervisor Dawn Rowe

Fourth District – Supervisor Curt Hagman

Fifth District – Supervisor Josie Gonzales

- Judith A. Badillo, 76, of Bloomington
- Kerry Lyn Collie, 52, of San Bernardino
- Victor Eugene Jozens, 88, of Rialto
- Raul Rosales, 28, of Rialto

Reports from County Counsel and Chief Executive Officer

County Counsel, Michelle Blakemore, stated the Board will reconvene Closed Session at the adjournment of Public Session to discuss item number 8, Chief Executive Officer evaluation.

Special Presentations, Resolutions and Proclamations

Vice Chair Gonzales

- COVID Courage Department Recognitions

- Equal Opportunity Commission’s 2020 Diversity & Inclusion Awards
- 2020 Great California ShakeOut Event

Presentation of the Agenda

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

**CONSENT CALENDAR**

**COUNTY DEPARTMENTS**

Board of Supervisors

- 2) Adoption of Recognitions, Resolutions and Proclamations:

Board of Supervisors

Presentation on COVID Courage Department Recognitions.

Present Equal Opportunity Commission’s 2020 Diversity & Inclusion Awards

Adopt and present proclamation for the 2020 Great California ShakeOut Event in the County of San Bernardino.

Adopt resolution recognizing Joy Anderson upon her retirement after 21 years of valuable service to the County of San Bernardino.

Adopt proclamation declaring the month of October through the year 2025 as National Cyber Security Awareness Month and supporting the national public awareness campaign, Stop.Think.Connect.™

Adopt proclamation declaring the month of November through the year 2025 as National Adoption Month in the County of San Bernardino.

Adopt resolution recognizing the Needles Chamber of Commerce on its 100th Anniversary.

Third and Fifth Districts

Adopt resolution congratulating the Colton Woman’s Club on celebrating their 120th Anniversary.

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

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

Chairman and Fourth District Supervisor Curt Hagman

- a. Declare and post vacancy per Maddy Act for the remaining 4-year term, expiring 1/31/2024

for Seat 9 held by Art Andres on the Emergency Medical Care Committee (At Large).

- b. Approve the appointment of Art Andres to Seat 10 on the Emergency Medical Care Committee for the remaining 4-year term, expiring 1/31/2023 (At Large).
- c. Approve the appointment of Paul B. Savino to Seat 14 on the Emergency Medical Care Committee for the remaining 4-year term, expiring 1/31/2023 (At Large).
- d. Approve the reappointment of Thurston "Smitty" E. Smith to Seat 1 on the Treasury Oversight Committee for a 4-year term, expiring 1/31/2024 (At Large).
- e. Approve the reappointment of Joseph F. Horzen to Seat 5 on the Treasury Oversight Committee for a 4-year term, expiring 1/31/2024 (At Large).

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 4)
  - 1. Direct the Clerk of the Board to post notice of vacancies on October 6, 2020 for three seats on the Board of Directors for the Inland Empire Resource Conservation District, and three seats on the Board of Directors for the Mojave Desert Resource Conservation District.
  - 2. Set a date of October 20, 2020, at 5:00 p.m. as the last day to submit applications for a seat as Director on the respective Boards.

(Presenter: Supervisor Curt Hagman, Fourth District, 387-4866)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Aging and Adult Services

- 5)
  - 1. Authorize the addition of one new regular Office Assistant II position, Clerical Unit, Range 27A, to the Department of Aging and Adult Services' 2020-21 budget.
  - 2. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the adjustments as indicated in the Financial Impact section below to the Department of Aging and Adult Services 2020-21 budget in the amount of \$56,156 to allow sufficient appropriation to pay for the addition of the new regular Office Assistant II position (Four votes required).

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

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Arrowhead Regional Medical Center

- 6) Approve Amendment No. 2 to Contract No. 4400012671 with Donald C. Miller and Associates, to increase the contract amount by \$112,200, from \$240,550 to \$352,750, and extend the term of the contract through April 15, 2021, for a total contract period of August 21, 2019 through April 15, 2021, for interim culinary support.  

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

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 7)
  1. Rescind Agreement No. 20-678 with MD Review for risk management external expert review services in the amount not to exceed \$719,040, for the contract period of August 26, 2020 through August 25, 2025.
  2. Approve Agreement with Medical Quality and Peer Review, LLC for risk management external expert review in the amount not to exceed \$719,040 for the contract period of October 7, 2020 through October 6, 2025.

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

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 8) Approve Amendment No. 2 to Contract No. 19-414 with AMN Workforce Solutions, LLC to add an hourly rate for clinical documentation improvement leadership services, with no change to the total cost of the Agreement of \$2,400,000, or to the contract period of July 1, 2019 through June 30, 2022.  
(Presenter: William L. Gilbert, Director, 580-6150)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 9) Approve Contract with Teleflex LLC and Arrow Interventional, Inc. for the purchase of the AC3 Optimus ® Intra-Aortic Balloon Pump System, to provide intra-aortic blood flow management during patient surgeries for the Arrowhead Regional Medical Center Cardiovascular Program, in the amount of \$224,850.55, with a three-year extended warranty commencing immediately following the end of the one-year manufacturer warranty.  
(Presenter: William L. Gilbert, Director, 580-6150)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 10) Approve Purchase Standard Terms and Conditions with LivaNova USA, Inc. for the purchase of two S5 Heart Lung Perfusion Systems used for cardiovascular procedures, in the total amount of \$467,000.  
(Presenter: William L. Gilbert, Director, 580-6150)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 11) Approve Contract with ACCO Engineered Systems, Inc., for preventative maintenance and unexpected repairs of the heating, ventilation, air conditioning and refrigeration systems at Arrowhead Regional Medical Center, for the contract period of October 7, 2020 through May 31, 2021, for a not to exceed amount of \$526,004.  
(Presenter: William L. Gilbert, Director, 580-6150)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 12) Approve Amendment No. 1 to Agreement No. 19-837 with Molina HealthCare of California, a California corporation, to allow Arrowhead Regional Medical Center to receive supplemental payments for Medi-Cal managed care capitation rate range increases during the State-established claim period of July 1, 2019 through June 30, 2020, and July 1, 2020 through December 31, 2020; and direct the Clerk of the Board to maintain confidentiality of the Amendment pursuant to Health and Safety Code Section 1457 (c)(1).  
(Presenter: William L. Gilbert, Director, 580-6150)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Auditor-Controller/Treasurer/Tax Collector

- 13) 1. Approve the following employment contracts to provide service and support to the Auditor-Controller/Treasurer/Tax Collector's Property Tax Division for the period of October 10, 2020, through October 6, 2023, with the option to extend the term for a maximum of three successive one-year periods:
- a. Josue Verdin, Accountant II, for the estimated annual cost of \$75,629 (Salary - \$50,419, Benefits - \$25,210).
  - b. Lucero Salazar, Accountant III, for the estimated annual cost of \$94,287 (Salary - \$62,858, Benefits - \$31,429).
2. Authorize the Auditor-Controller/Treasurer/Tax Collector to execute amendments to the contracts to extend the contract term for a maximum of three successive one-year periods on behalf of the County, subject to review by County Counsel.
3. Direct the Auditor-Controller/Treasurer/Tax Collector to transmit all amendments in relation to this contract to the Clerk of the Board of Supervisors within 30 days of execution.  
(Presenter: Douglas R. Boyd, Assistant Auditor-Controller/Treasurer/Tax Collector, 382-7004)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Children and Family Services

- 14) Approve non-financial Memorandum of Understanding between Children and Family Services, Department of Behavioral Health and Inland Counties Regional Center, to collaborate on services for children, non-minor dependents, and families with developmental disabilities for the period of October 7, 2020 through April 30, 2025.  
(Presenter: Marlene Hagen, Director, 388-0242)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

County Administrative Office

- 15) Approve Amendment No. 4 to Contract No. 18-08 with Community Arts, Inc., exercising the option to extend the contract from December 1, 2020 through November 30, 2021, for Phase 3 of the December 2nd Memorial Project, for a total contract term of January 8, 2018 through November 30, 2021, increasing the amount of the contract by \$137,500, from \$392,500, for a total contract amount not to exceed \$530,000, with the option to extend the contract for an additional one-year period.

(Presenter: Gary McBride, Chief Executive Officer, 387-5418)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 16) Ratify the Chief Executive Officer's exercise of the authority granted to him by the Board of Supervisors initially on March 24, 2020 (Item No. 67), and extended on May 19, 2020 (Item No. 105), June 23, 2020 (Item No. 124), July 28, 2020 (Item No. 72), August 25, 2020 (Item No. 71) and September 29, 2020 (Item No. 79), in approving the following actions in response to the worldwide health threat related to the Novel Coronavirus, or COVID-19:
1. Approve and authorize the submission of Arrowhead Regional Medical Center's grant application to the Maternal Learning & Innovation Center for the Supporting Providers and Families to Access Telehealth and Distant Care Services for Maternal Health Services for the purchase of fetal Doppler and blood pressure monitors in the amount of \$99,890, signed by the Chief Executive Officer on September 11, 2020.
  2. Approve Amendment No. 4 to Contract No. 17-849 with Nelsen's Janitorial Service to extend the contact term for six additional months (February 1, 2021 through July 31, 2021) and increase the contract by \$60,666 for the continued need of custodial services resulting from the COVID-19 pandemic, increasing the total contract amount from \$432,586 to a total not to exceed \$493,252, on the premises known as Lot 2, located at 21101 Dale Evans Parkway, Apple Valley and 11951 Hesperia Road, Hesperia, signed by the Chief Executive Officer on September 16, 2020.
  3. Approve Community Development and Housing Department's Agreement No. 20-879 with Ayres - Redlands, LP for the provision of rooms to build isolation capacity as a response to COVID-19, in an amount not to exceed \$1,337,144.76, effective August 28, 2020 through December 31, 2020, signed by the Chief Executive Officer on September 14, 2020.
  4. 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)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

District Attorney

- 17) 1. Approve submission of a grant application to the California Office of Emergency Services (Cal-OES) in the amount of \$228,052 for the San Bernardino County Unserved/Underserved Victim Advocacy and Outreach Program for the period of January 1, 2021 to December 31, 2021.
2. Adopt Resolution, as required by Cal OES, authorizing the District Attorney, on behalf of the Board of Supervisors, to sign and submit the grant application, including the Certificate of Assurance of Compliance, and any non-substantive amendments, subject to review by County Counsel.
  3. Direct the District Attorney to transmit all grant application documents and amendments to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Michael Fermin, Assistant District Attorney, 382-3662)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

## Human Resources

- 18) 1. Approve Amendment No. 4 to Agreement No. 14-954 between the County of San Bernardino and Voya Retirement Insurance and Annuity Company as the provider for administration, investment, and recordkeeping services for the voluntary retirement plans and the retirement medical trust plan amending the following in the plan sub-agreement:
- a. Administrative Services Agreement between the County of San Bernardino and Voya Retirement Insurance and Annuity Company and Voya Financial Partners, LLC, (collectively, Voya) for the County of San Bernardino Defined Contribution Plans (DC ASA) to restructure administrative fee collection from participants by removing the asset based fee collection language and move to collecting a flat dollar fee in the amount of \$126,250 quarterly on a pro-rata basis across all plan assets based on participant account balances.
- (Presenter: Diane Rundles, Director, 387-5570)

### **APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 19) Authorize extension of reimbursement of up to \$600 for childcare services to County employees who have been identified as emergency responders and healthcare providers covering the initial period of April 1, 2020 through June 30, 2020 and to now allow reimbursements through December 31, 2020.
- (Presenter: Diane Rundles, Director, 387-5570)

### **APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 20) 1. Approve Blue Shield of California and Kaiser Foundation Health Plan, Inc. medical premium rates for retirees and their eligible dependents, effective January 1, 2021, as shown in Attachment A.
2. Approve Delta Dental of California retiree dental premium rates for retirees and their eligible dependents, effective January 1, 2021, as shown in Attachment B.
- (Presenter: Diane Rundles, Director, 387-5570)

### **APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

## Information Services

- 21) 1. Approve the Clean My Org End User License Agreement with GEO Jobe GIS Consulting for administrative software and support for an indefinite term, terminable at any time.
2. Approve the Admin Tools for Portal End User License Agreement with GEO Jobe GIS Consulting for a suite of administrative software and support for an indefinite term, terminable at any time.
- (Presenter: Brent Rolf, GIS Manager, 388-5917)

### **APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales



- 22) 1. Approve Software License Agreement with Symantec Corporation, for Symantec software products and services, for the period of November 1, 2020, through October 31, 2021.  
2. Approve Foundation Agreement with Broadcom Inc., for Symantec software products and services, for the period of November 1, 2020, through October 31, 2021.  
(Presenter: Jake Cordova, Information Services Division Chief, 388-0503)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Preschool Services

- 23) Approve Amendment No. 1, effective July 1, 2020, to Contract No. 20-495 with Easter Seals Southern California, Inc., to provide Head Start and Early Head Start programs, increasing the total contract amount by \$619,813, from \$13,730,472 to \$14,350,285, with no change to the total contract period of July 1, 2020 through June 30, 2023.  
(Presenter: Phalos Haire, Director, 383-2005)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Public Health

- 24) Approve Amendment No. 1, effective December 1, 2020, to Contract No. 19-732 with UpToDate, Inc., for use of UpToDate Anywhere, an evidence-based, physician-authored clinical decision support resource, extending the contract an additional year, and increasing the total contract amount by \$9,875, from \$9,085 to \$18,960, for the period of December 1, 2019 through November 30, 2021.  
(Presenter: Corwin Porter, Director, 387-9146)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 25) 1. Approve employment contract with Jennifer N. Sayles, M.D., Physician Consultant, for an estimated annual cost of \$47,000 (\$42,000 Salary, \$5,000 Benefits), for the period of October 23, 2020 through December 31, 2020.  
2. Authorize the Assistant Executive Officer or the Director of Public Health to execute amendments to extend the term of the contract a maximum of six months on behalf of the County, subject to review by County Counsel.  
3. Direct the Human Services Assistant Executive Officer or 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.  
(Presenter: Corwin Porter, Director, 387-9146)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Public Works-Transportation

- 26) Adopt Resolution that accepts the following roads into the County Maintained Road System

pursuant to Streets and Highways Code section 941:

1. Juniper Lane, from Sequoia Place east to current maintained section, in the Crestline Area;
  2. Arth Drive, from Saxton Drive north to current maintained section, in the Crestline Area.
- (Presenter: Brendon Biggs, Assistant Director, 387-7906)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 27) Adopt Resolution that accepts Morning Star Court, in the Wrightwood Area, into the County Maintained Road System pursuant to Streets and Highways Code section 941.  
(Presenter: Brendon Biggs, Assistant Director, 387-7906)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 28) 1. Adopt Resolution:
- a. to establish a “No Trucks over 5 Tons” zone pursuant to County Code Section 52.0131 on Cactus Avenue from Jurupa Avenue to Santa Ana Avenue, in the Bloomington Area.
  - b. to rescind existing “No Trucks over 5 Tons” zone, per Resolution No. 2010-17, pursuant to County Code Section 52.0131 on Jurupa Avenue from Cactus Avenue easterly to Rialto City Limit, in the Bloomington Area.
- (Presenter: Brendon Biggs, Assistant Director, 387-7906)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 29) Approve a Cooperative Revenue Agreement with the County of Los Angeles for reimbursement of maintenance, snow removal and ice control activities in the Wrightwood area for the period of October 6, 2020 through June 30, 2025, in an amount not-to-exceed \$20,000 per project and up to \$50,000 per fiscal year.  
(Presenter: Melissa Walker, Deputy Director, 387-7906)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 30) 1. Approve the use of a Reimbursable Letter of Agreement (Agreement) with the State of California Department of California Highway Patrol (CHP) to provide uniformed personnel with patrol vehicles for traffic enforcement throughout the County of San Bernardino (County) unincorporated areas, on an as-needed basis, for the period of October 6, 2020 through October 5, 2022, for a total not-to-exceed amount of \$45,000.
2. Authorize the Director and/or Interim Director of Public Works, or his/her designee, to sign and submit Agreements to the CHP for traffic enforcement services in the County’s unincorporated areas as needed.  
(Presenter: Brendon Biggs, Assistant Director, 387-7906)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

## Real Estate Services

- 31) 1. Approve Corrective Appraisal Review No. 19-45R, dated November 5, 2019, on file with the Real Estate Services Department.
2. Adopt Resolution declaring vacant land owned by the County, identified as a 4.33 acre portion of Assessor Parcel Number (APN) 0239-031-55, in the Devore area, is surplus and no longer necessary for the uses and purposes for which it was acquired pursuant to County Policy 12-17 - Surplus Property and Government Code Section 54221.
3. Adopt Resolution declaring the Board's intention to sell said property pursuant to Section 25526 of the Government Code (Four votes required).
4. Adopt a finding of exemption and direct the Clerk of the Board to post a Notice of Exemption as required under the California Environmental Quality Act.
5. Authorize the Director of the Real Estate Services Department to execute any other documents necessary to complete these transactions.

(Presenter: Terry W. Thompson, Director, 387-5252)

### **APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 32) Continue the original finding made by the Board of Supervisors on April 21, 2020, that there is substantial evidence that the current state and local emergency, created by COVID-19 and declared by the Governor of California on March 4, 2020, and the County of San Bernardino Board of Supervisors on March 10, 2020, is an emergency pursuant to Public Contract Code Section 22050, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, and essential public services, and will not permit the delay resulting from a formal competitive solicitation of bids to procure construction services for projects necessary to prevent or address the effects of COVID-19, and delegating authority to the Chief Executive Officer to direct the Purchasing Agent to issue purchase orders and/or contracts, in a total amount not to exceed \$10,000,000, for any emergency construction and modifications of internal and external structures on behalf of Arrowhead Regional Medical Center related to COVID-19 and finding that the issuance of these purchase orders and/or contracts is necessary to respond to this emergency pursuant to Public Contract Code Sections 22035 and 22050 (Four votes required).

(Presenter: Terry W. Thompson, Director, 387-5252)

### **APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 33) 1. Approve the acquisition of approximately 6.82 acres of land improved with six residential buildings totaling 15,797 square feet [Assessor's Parcel Numbers (APNs) 1191-141-36, 37, 38, 40 and 42] located at 2626 & 2634 East Pacific Street in the City of San Bernardino (Property), for the purchase price of \$2,700,000 plus escrow and title fees estimated to be \$6,000, to implement a County-led acquisition project using HomeKey Program grant funding, in accordance with Government Code Section 25350.
2. Approve the Purchase and Sale Agreement and Joint Escrow Instructions between the County of San Bernardino and The Salvation Army, a California Corporation, to acquire said property.
3. Authorize the Director of the Real Estate Services Department, upon prior review and approval by County Counsel, to execute amendments to the Purchase and Sale Agreement and Joint Escrow Instructions, except amendments affecting the purchase price, with amendments delivered to the Clerk of the Board within 30 days of execution.

4. Confirm a finding of exemption and direct the Clerk of the Board to post a Notice of Exemption as required under the California Environmental Quality Act.
5. Authorize the Director of the Real Estate Services Department to execute escrow instructions, and any other documents necessary to complete this transaction.
6. Approve appropriation and revenue adjustments to the HomeKey Program (CIP 21-109) Budget to fund the acquisition of the Property 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: Terry W. Thompson, Director, 387-5252)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Regional Parks

- 34) Authorize the Auditor-Controller/Treasure/Tax Collector to post the budget adjustments, as detailed in the Financial Impact Section, to reflect a \$15,000 increase to the Fish and Game Commission's 2020-21 operating budget to fund the San Bernardino County Family Fish and Wildlife Festival scheduled for June 19, 2021 at Prado Regional Park. (Four votes required).

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

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 35) Approve Emergency Facilities and Land Use Agreement (129AB520K5304) with United States Department of Agriculture Forest Service for the use of a portion of Yucaipa Regional Park, for the set-up of an Incident Command Post for the El Dorado Incident (CA-BDU-012925), which started on September 5, 2020, whereby the County will receive a minimum of \$7,010 per day for the use of the park.

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

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Registrar of Voters

- 36) Approve budget adjustments in the amount of \$22.2 million to appropriation and \$3.8 million to revenue in the Registrars of Voters Department's 2020-21 budget and authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments, as detailed in the Financial Impact Section, for election related expenses for the 2020 Presidential General Election (Four votes required).

(Presenter: Bob Page, Registrar of Voters, 387-2100)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Risk Management

- 37) Approve Amendment No. 1 to Contract No. 20-233 with Oracle Investigations Group, Inc., an

investigative services provider for the County's self-insured general liability and workers' compensation claims program, to change their name to Oracle Investigations Group, LLC, and update their tax identification number to 85-2216077, with no change to the terms of the contract or contracted fee schedule.

(Presenter: LeAnna Williams, Director, 386-8621)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

38) Approve Amendment No. 1 to contracts with the following risk control services firms to extend the term for one additional year, for the new term of April 17, 2018 through April 16, 2022, and to increase the aggregate estimated cost by \$75,000, from \$350,000 to \$425,000, with all other terms and conditions to remain the same.

1. ehs International, Inc., Foothill Ranch (Agreement No. 18-177)
2. Group Delta Consultants, Inc., Irvine (Agreement No. 18-178)
3. Pacific EH&S Services, Inc., Irvine (Agreement No. 18-179)

(Presenter: LeAnna Williams, Director, 386-8621)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

39) Approve the renewal of contractor's pollution liability insurance program, as recommended by Willis Towers Watson Insurance Services West, Inc., to provide \$25 million in coverage limits for each pollution condition and aggregate limits, with a \$100,000 deductible, for a total premium not-to-exceed \$360,388, for a five-year term from October 8, 2020 through October 7, 2025.

(Presenter: LeAnna Williams, Director, 386-8621)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Sheriff/Coroner/Public Administrator

40) 1. Consider scheduling a public forum regarding U.S. Immigration and Customs Enforcement (ICE) access to local detention centers, as required by the Transparent Review of Unjust Transfers and Holds Act (AB 2792).

2. Schedule the public forum for TUESDAY, NOVEMBER 17, 2020.

(Presenter: John Ades, Captain, 387-0640)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

41) 1. Approve purchase of a Voluson S10 Expert BT18 USA ultrasound system in the amount of \$77,000, an unbudgeted fixed asset, from GE Medical Systems, Ultrasound and Primary Care Diagnostics, LLC to be used in the medical unit at County's Detention facilities.

2. Approve Contract with GE Medical Systems, Ultrasound and Primary Care Diagnostics, LLC, for the provision of an extended service warranty for a Voluson S10 Expert BT18 USA ultrasound system, in an amount not to exceed \$39,627, for an 84-month period to begin 13 months after initial delivery of equipment.

(Presenter: John Ades, Captain, 387-0640)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 42) Approve Contract with the County of Riverside, Office of the Sheriff-Coroner, in an annual amount not to exceed \$150,000, for a total aggregate amount not to exceed \$750,000, effective July 1, 2020 through June 30, 2025 for the provision of autopsy services.  
(Presenter: John Ades, Captain, 387-0640)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 43) 1. Approve Employment Contract with Paul Dongmin Kim for the provision of Chaplain services for the Sheriff/Coroner/Public Administrator, effective October 10, 2020 through October 9, 2023, for an estimated annual cost of \$81,521 (Salary - \$57,678; Benefits - \$23,843).  
2. Authorize the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to execute amendments to the contract to extend the term for an additional three one-year periods on behalf of the County, subject to County Counsel review.  
3. Direct the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to transmit all documents in relation to contract amendments to the Clerk of the Board of Supervisors within 30 days of execution.  
(Presenter: John Ades, Captain, 387-0640)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Workforce Development Department

- 44) Accept a Sub-grant award and approve Sub-grant Revenue Agreement (No. AA111030) with the State of California Employment Development Department, in the amount of \$5,654,633 for the period of April 1, 2020 to June 30, 2022, to provide Workforce Innovation and Opportunity Act Services for Program Year 2020-21.  
(Presenter: Marlena Sessions, Executive Director of Workforce Development, 387-9862)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

**SEPARATED ENTITIES**

Board Governed County Service Areas

- 45) Acting as the governing body of County Service Area 70 (CSA 70) - Zone W-3 (Hacienda Heights), CSA 70 - Zone J (Oak Hills), CSA 70 - Zone W-4 (Pioneertown), CSA 70 - Zone F (Morongo Valley), and CSA 70 - Zone CG (Cedar Glen):  
1. Ratify submittal of grant application to the United States Bureau of Reclamation requesting 2021 WaterSMART Water and Energy Efficiency Grant funding in the amount of \$543,120 for the installation and/or replacement of water meters and related meter reading/data

- capturing equipment.
2. Adopt resolution designating the Chair of the Board of Supervisors or Chief Executive Officer or Director/Interim Director of the Department of Public Works, on behalf of CSA 70 - Zone W-3 (Hacienda Heights), CSA 70 - Zone J (Oak Hills), CSA 70 - Zone W-4 (Pioneertown), CSA 70 - Zone F (Morongo Valley), and CSA 70 - Zone CG (Cedar Glen), to execute all documents and non-substantive amendments for this grant application, subject to review by County Counsel.
  3. Direct the Chief Executive Officer or Director/Interim Director of the Department of Public Works to transmit all documents and non-substantive amendments for this grant application to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Luther Snoke, Interim Director, 386-8811)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

San Bernardino County Fire Protection District

- 46) Acting as the governing body of the San Bernardino County Fire Protection District (SBCFPD), approve Amendment No. 1 to Sublease Agreement No. 11-48 with Big River Development Enterprises, an entity of the Colorado River Indian Tribes, to amend the sublease agreement for land in the unincorporated area of Big River on which SBCFPD operates a fire station facility to terminate the sublease by mutual agreement of the parties, effective October 6, 2020, at no additional cost.
- (Presenter: Terry W. Thompson, Director, 387-5000)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

**MULTIJURISDICTIONAL ITEMS**

Multijurisdictional Item with the following entities: County of San Bernardino; San Bernardino County Flood Control District

- 47) 1. Acting as the governing body of the County of San Bernardino, approve the Municipal Separate Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Participation and Joint Defense Agreement with the law firm of Pillsbury Winthrop Shaw Pittman LLP for the term October 6, 2020 through December 31, 2022 (Four votes required).
2. Acting as the governing body of the San Bernardino County Flood Control District, approve the MS4 NPDES Stormwater Permit Participation and Joint Defense Agreement with the law firm of Pillsbury Winthrop Shaw Pittman LLP for the term October 6, 2020 through December 31, 2022 (Four votes required).
- (Presenter: David Doublet, Deputy Director, 387-7906)

**APPROVED (CONSENT CALENDAR)**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Multijurisdictional Item with the following entities: County of San Bernardino; San Bernardino County Fire Protection District

- 48) 1. Acting as the governing body of the County of San Bernardino (County):
- a. Approve agreement with the San Bernardino County Fire Protection District (SBCFPD) for the County to provide one-time funding in an amount not to exceed \$300,000 and other support to SBCFPD for implementation of SBCFPD's Re-Entry Pilot Program, with a term of the agreement from October 6, 2020 through June 30, 2021.
  - b. Authorize the Auditor-Controller/Treasurer/Tax Collector to post adjustments totaling \$300,000, as detailed in the Financial Impact section, to the County Probation Department's 2020-21 budget (Four votes required).
2. Acting as the governing body of SBCFPD:
- a. Approve agreement with the County for SBCFPD to accept one-time funding in an amount not to exceed \$300,000 and other support from the County for implementation of SBCFPD's Re-Entry Pilot Program, with a term of the agreement from October 6, 2020 through June 30, 2021.
  - b. Authorize the Auditor-Controller/Treasurer/Tax Collector to post adjustments totaling \$300,000, as detailed in the Financial Impact section, to SBCFPD's 2020-21 budget (Four votes required).
- (Presenter: Dan Munsey, Fire Chief/Fire Warden, 387-5779)

**DEFERRED/APPROVED**

Motion/Second: Curt Hagman/Janice Rutherford

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

**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: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

**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: Clifford Reed, Dolores Compean, Armando Compean, Nancy Richardson, Raul Rodriguez Jr., Jane Hunt-Ruble, Kristie Sepulveda-Burchit, Phillip S. Fivgas, Claudia Rodriguez, Anja Otuafi, Ngalukilo Otuafi, Jamie Castillo, Jean Simonian, Tanya Ruhe, Bruce Krider, Sharon Logan, Priscilla Presley, Jessica Dula, Dana Krall, Whitney Smith, Melissa Whetsell, LaToya Brooks, Cassandra Lewis

**DISCUSSION CALENDAR (cont'd)**

Board of Supervisors



## Deferred Items

### County Administrative Office

- 49)
  1. Receive report providing information and updates on Novel Coronavirus, including the County's Readiness and Recovery Plan.
  2. Provide direction as needed on topics resulting from report.  
(Presenter: Gary McBride, Chief Executive Officer, 387-5417)

Public Comment: Douglas Hauser, Kristie Sepulveda-Burchit, Sherry Sag, Nicole Rafferty, Nancy Richardson, Raul Rodriguez Jr.

#### **RECEIVED REPORT**

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

### Board of Supervisors

- 50)
  1. Adopt Resolution requesting Governor Gavin Newsom establish a more stable and predictable process to reopen businesses and direct that communities in San Bernardino County that have experienced historically low rates of infection be permitted to reopen.
  2. Direct the County Administrative Office to transmit the resolution to the Governor's office.  
(Presenter: Chairman and Fourth District Supervisor Curt Hagman, 387-4866)

The Board directed staff to circulate the resolution to the cities and municipalities within the county asking them to sign on to the resolution

Public Comment: Nancy Richardson, Deanna Adams, Kristie Sepulveda-Burchit, Jamie Castillo, Nicole Rafferty, Melissa Whetsell

#### **APPROVED WITH BOARD DIRECTION**

Motion/Second: Curt Hagman/Robert A. Lovingood

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

### County Administrative Office

- 51)
  1. CONTINUED FROM TUESDAY, SEPTEMBER 29, 2020, ITEM NO. 26: Authorize the Chief Executive Officer to transfer allocations between categories identified within the Spending Plan or between Allocations in the Spending Plan with the other Board approved CARES Act Allocations under Recommendation No. 2, upon consultation with the Chairman of the Board of Supervisors.
  2. ALTERNATIVE 1: Require the CEO to present any changes in transfer allocations between categories identified within the Spending Plan to the Board of Supervisors for approval.  
(Presenter: Gary McBride, Chief Executive Officer, 387-5417)

Public Comment: Kristie Sepulveda-Burchit, Nicole Rafferty

#### **APPROVED REC. NO. 2**

Motion/Second: Curt Hagman/Janice Rutherford

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

- 52) CONTINUED FROM TUESDAY, SEPTEMBER 29, 2020, ITEM NO. 82:
  1. Approve introduction of ordinance relating to enforcement of COVID-19 public health orders, declaring violations of orders of the State or County Health Officer related to COVID-19 to be unlawful and a public nuisance and authorizing the issuance of administrative citations.

2. Make alterations, if necessary, to proposed ordinance.
3. Approve introduction of the proposed ordinance.
4. Read title only of proposed ordinance, waive reading of the entire text, and SCHEDULE FOR FINAL ADOPTION ON TUESDAY, OCTOBER 27, 2020 on the Consent Calendar.  
(Presenter: Gary McBride, Chief Executive Officer, 387-5417)

Public Comment: Sherry Sag, Raul Rodriguez Jr., Nancy Richardson, Deanna Adams, Shannon Gerstheimer, Kristie Sepulveda-Burchit, Jamie Castillo, Nicole Rafferty, Claudia Rodriguez, Melissa Whetsell, LaToya Brooks

**CONTINUED TO TUESDAY, OCTOBER 27, 2020**

Motion/Second: Robert A. Lovingood/Janice Rutherford

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Board of Supervisors

- 53) Approve Employment Contract with Leonard X. Hernandez for Position of Chief Executive Officer, effective October 10, 2020.  
(Presenter: Supervisor Curt Hagman, Fourth District, 387-4866)

Public Comment: None

**APPROVED**

Motion/Second: Curt Hagman/Dawn Rowe

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Land Use Services

- 54) 1. Conduct a public hearing to consider an appeal of a Planning Commission action to deny an Extension of Time for Master Tract Map 15791 (Project), a 1,375.51-acre subdivision in Lucerne Valley.
- Appellants: Lucerne Valley, LLC, et al./Michael Duffy
  - Applicants: Lucerne Valley, LLC, et al./Michael Duffy
  - Community: Lucerne Valley
  - Location: Extending from north to south, Sherman Way to Rabbit Springs Road and extending from west to east from Barstow Road to Post Office Road.
2. Deny the appeal and take the following actions for project denial:
- a. Find that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15270.
  - b. Deny the 12-month Extension of Time based on:
    - i. The lack of authority to grant an additional discretionary extension due to prior extensions having exhausted the maximum aggregate extensions authorized by law; and/or
    - ii. The authority of the Board of Supervisors (Board) to deny a discretionary extension, assuming a final discretionary extension is available.
  - c. Direct the Clerk of the Board to file the Notice of Exemption.
3. Alternatively, if the Board determines that a final discretionary extension is available, the Board may grant the appeal and take the following actions for project approval:
- a. Find that the Project is exempt from CEQA pursuant to State CEQA Guidelines Section 15162.
  - b. Adopt the Findings for approval of the Extension of Time.
  - c. Approve the 12-month Extension of Time.
  - d. Direct the Clerk of the Board to file the Notice of Exemption.
- (Presenter: Heidi Duron, Planning Director, 387-4110)

Hearing Opened  
Public Comment: None  
Hearing Closed

**APPROVED REC. NOS. 1 & 3**

Motion/Second: Dawn Rowe/Curt Hagman

AYE: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

**INDIVIDUAL BOARD MEMBER COMMENTS (5 Minutes)**

Third District Supervisor Dawn Rowe recognized Mark Lundquist for his exceptional work with the Morongo Basin Transportation Active Plan and will be presenting him with a Board certificate.

Vice Chair and Fifth District Supervisor Josie Gonzales thanked the Board and Chairman Hagman for giving her the opportunity to chair the meeting.

**THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS IS SCHEDULED FOR TUESDAY, OCTOBER 27, 2020 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, October 6, 2020. 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**

\_\_\_\_\_  
CURT HAGMAN, Chairman  
Board of Supervisors

\_\_\_\_\_  
LYNNA MONELL  
Clerk of the Board