

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

Tuesday, August 9, 2022

CURT HAGMAN
CHAIRMAN
Fourth District Supervisor



DAWN ROWE
VICE CHAIR
Third District Supervisor

COL. PAUL COOK (RET.)
First District Supervisor

JANICE RUTHERFORD
Second District Supervisor

JOE BACA, JR.
Fifth District Supervisor

Chief Executive Officer
Leonard X. Hernandez

County Counsel
Tom Bunton

Clerk of the Board
Lynna Monell

ROLL CALL

SUPERVISORS PRESENT:

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

OTHERS IN ATTENDANCE

Leonard X. Hernandez - Chief Executive Officer
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) Conference with Legal Counsel - Existing Litigation (Government Code section 54956.9(d)(1))
 1. Karla Palafox Diaz v. San Bernardino County, et al., Superior Court Case No. CIVDS1931417Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation (Government Code section 54956.9(d)(2))
 2. One case.

PUBLIC SESSION

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

Invocation and Pledge of Allegiance - Fourth District

Chaplain Brian Park of the Sheriff's Department

Memorial Adjournments

Board of Supervisors

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

- Lynette May Heckenlively-Boston, 84, of Victorville
- Wanda Lea McCreary-Howard, 91, of Apple Valley
- Ilma Pedraza, 79, of Victorville
- Karen Woods, 76, of Victorville

Second District – Supervisor Janice Rutherford

- Tonia Murrell Lewis, 83, of Fontana

Third District – Supervisor Dawn Rowe

- Diane Faye Amendt, 70, of Redlands
- Dallas Carter, 85, of Yucca Valley
- Edward J. Gregor, 74, of Grand Terrace
- Leo Griego, 75, of Barstow
- Veryl Victor Kelsey, 82, of Big Bear
- Rick Ray Millard, 64, of Joshua Tree
- Zeny Isabella Summerwind Murillo, 21, of Highland
- Susan Marie Zamora, 68, of Barstow

Fourth District – Supervisor Curt Hagman

- Arlene Marie Barrett, 85, of Upland
- Rosa Lorraine Bell, 79, of Montclair
- Alfredo Holguin, 81, of Ontario
- Harry Edmond Kordes, 89, of Ontario
- Bettie Jene Latiolait, 92, of Montclair
- Julie M. Potts, 73, of Upland
- Rosemary Clementine Santana, 70, of Chino
- David Turner Jr., 94, of Chino
- Hazel Etta Richeson, 85, of Ontario
- Fred M. Rodela, 92, of Montclair
- Benjamin Castillo Valadez, 93, of Chino

Fifth District – Supervisor Joe Baca, Jr.

- Norma Lea Allen, 89, of San Bernardino
- James Earl Harold, 64, of Rialto
- Jean Athol Yvonne Knipe, 77, of San Bernardino
- Robert Long, 90, of San Bernardino
- Jaime Mina Martinez, 41, of San Bernardino
- Helen M. May, 91, of Bloomington
- Maria V. Ocasio, 72, of San Bernardino
- Robert D. Porter, 90, of San Bernardino
- Marilyn J. Robbins, 79, of San Bernardino
- Jessie M. Sampson, 89, of Rialto
- Dennis Raymond Stevenson, 68, of Rialto
- John Randolph Webb, 68, of San Bernardino

Reports from County Counsel and Chief Executive Officer

There were no reports from County Counsel or Chief Executive Officer

Special Presentations, Resolutions and Proclamations - None

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

Adopt resolution recognizing Howard Thomas upon his retirement of 34 years of valued service to San Bernardino County.

Second and Third Districts

Adopt resolution congratulating the Lake Arrowhead Village on its 100th anniversary and joining the community in celebrating the history of the Alpine Plaza.

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

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

Second District Supervisor Janice Rutherford

- a. Declare and post vacancy per Maddy Act for the remaining 4-year term, expiring 1/31/2023 for Seat 2 held by Ray Allard on the Planning Commission.

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 4) Approve Amendment No. 2 to Employment Contract No. 21-616 with Steven Reyes to continue to provide support services to the Third District Supervisor as a Field Representative I, increasing the salary range, increasing the auto allowance per pay period, and adding the Portable Communications Device Allowance pursuant to the terms and conditions set forth in the San Bernardino County Exempt Group Working Conditions Ordinance, effective August 9, 2022, for an estimated annual cost of \$58,115 (Salary - \$40,550, Benefits - \$17,565).
(Presenter: Supervisor Dawn Rowe, Third District, 387-4855)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Aging and Adult Services

- 5)
1. Approve and authorize the submission of a grant application to the California Department of Aging for Access to Technology Program funding to provide older adults and adults with disabilities access to digital connectivity and technology, in the amount of \$2,793,450, for the period of October 1, 2022 through December 31, 2024.
 2. 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 any subsequent non-substantive application documents required to receive the grant award from the California Department of Aging for Access to Technology Program funding, on

behalf of the County, subject to review by County Counsel.

3. Direct the Chairman of the Board of Supervisors, Chief Executive Officer, or Director of the Department of Aging and Adult Services - Public Guardian to transmit all non-substantive documents in relation to the Access to Technology Program grant application to the Clerk of the Board of Supervisors within 30 days of execution.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Agriculture/Weights and Measures

- 6) Approve revenue agreement with the California Department of Food and Agriculture (State Agreement No. 22-0764-000-SA) for the enforcement, registration and renewal issuance activities related to the Industrial Hemp Cultivation Program retroactively from July 1, 2022 through June 30, 2024 for a maximum reimbursement of \$178,582.

(Presenter: Angela Godwin, Agricultural Commissioner/Sealer, 387-2117)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Arrowhead Regional Medical Center

- 7) Approve Amendment No. 3 to Physician Services Agreement No. 20-897 with Cal Med Physicians and Surgeons, Inc., adding an Associate Program Director in General Surgery and one Physician Assistant, increasing the contract amount by \$283,334 from \$32,147,776 plus variable costs to \$32,431,110 plus variable costs, with no change to the total contract term of January 1, 2021, through December 31, 2023.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 8) Approve Amendment No. 2 to the Multiple Product Purchase Agreement No. 19-836 with Integra LifeSciences Sales, LLC to increase the total not-to-exceed contract amount by \$1,500,000, from \$1,350,000 to \$2,850,000, and extend the term of the contract for two additional years, for a total contract period of December 17, 2019 through December 16, 2024.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 9) Accept and approve the revisions of policies and the report of the review and certification of the Arrowhead Regional Medical Center Operations, Policy and Procedure Manuals, included and summarized in Attachments A through C, related to the Department of Ambulatory Care Services Primary Care Clinics Policy and Procedure Manual.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 10) 1. Approve and authorize the submission of both Family Medicine and Internal Medicine grant applications, including non-standard terms, to the California Department of Health Care Access and Information for the Song-Brown Primary Care Residency Program Grant, in the combined amount of \$1,775,000, for the grant performance period of June 30, 2023, through August 31, 2026.
2. Authorize the Director of Arrowhead Regional Medical Center to execute and electronically transmit the grant applications, including any subsequent non-substantive amendments, subject to review by County Counsel.
3. Direct the Director of Arrowhead Regional Medical Center to transmit the grant applications, and all supporting documents, to the Clerk of the Board of Supervisors within 30 days of the transmission of the grant application.
- (Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 11) Authorize the Director of Arrowhead Regional Medical Center to execute a Letter of Termination discontinuing certain software licenses and services provided under Contract Nos. 01-160, 06-438, 11-910 and 17-855 with Medical Information Technology, Inc.
- (Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 12) 1. Approve an increase of appropriation to Contract No. 01-160 with Medical Information Technology, Inc. in the amount of \$2,428,552, for continued use and maintenance of the legacy electronic health record system for 24 months during conversion to the new Epic electronic health record system, with no change to the contract term beginning March 30, 2001, and continuing until terminated by either party.
2. Approve an increase of appropriation to Contract No. 06-438 with Medical Information Technology, Inc. in the amount of \$165,528, for continued use and maintenance of the legacy electronic health record system for approximately eight months during conversion to the new Epic electronic health record system, with no change to the contract term beginning November 30, 2006, and continuing until terminated by either party.
- (Presenter: William L. Gilbert, Director, 580-6150)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Auditor-Controller/Treasurer/Tax Collector

- 13) Approve Software License Agreement, including non-standard terms, with Ontario Systems, LLC d/b/a Finvi for software licensing, support, and development of the proprietary Revenue Plus Collector System, including a Statement of Work for professional services related to the proprietary Revenue Plus Collector System in an amount not to exceed \$816,668 retroactively for the three-year period of July 1, 2022, through June 30, 2025.
- (Presenter: Ensen Mason, Auditor-Controller/Treasurer/Tax Collector, 382-7000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 14) Approve Agreement and related documents, including Master Terms & Conditions, Terms & Conditions for Use of the Online Services, including non-standard terms, and the following pricing schedules with LexisNexis Risk Solutions for computer-assisted legal research and electronic library services in an aggregate amount not to exceed \$180,000 retroactively for the period of July 1, 2022, through December 31, 2023:
1. Schedule A-1 - Accurant for Government
 2. Schedule A-2 - Batch Services (Non-Fair Credit Reporting Act) for best social security number
 3. Schedule A-3 - Batch Services (Non-Fair Credit Reporting Act) for daily address verification (Presenter: Ensen Mason, Auditor-Controller/Treasurer/Tax Collector, 382-7000)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Behavioral Health

- 15) 1. Approve Amendment No. 1 to the standard agreement template for Substance Use Disorder and Recovery Services Residential Treatment and Withdrawal Management Services, increasing the total aggregate amount by \$457,500, from \$10,000,000 to \$10,457,500, for the period of January 1, 2022 through December 31, 2022.
2. Authorize the Assistant Executive Officer of Department Operations, the Deputy Executive Officer of Human Services, or the Director of the Department of Behavioral Health to execute Amendment No. 1 to the standard agreement template with current individual Substance Use Disorder and Recovery Services Residential Treatment and Withdrawal Management Services providers, on behalf of the County, subject to review by County Counsel.
- (Presenter: Georgina Yoshioka, Interim Director, 388-0801)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Community Development and Housing Department

- 16) 1. Authorize the submission of a grant application for the 2022 State Emergency Solutions Grant Continuum of Care to the State of California Department of Housing and Community Development in an amount not to exceed \$562,000.
2. Adopt Resolution approving an application for funding and the execution of a grant agreement, and any amendments thereto, from the 2022-23 funding year of the State Emergency Solutions Grant Program.
3. Authorize the Chief Executive Officer or the Deputy Executive Officer of Community Revitalization to submit grant documents and execute any subsequent non-substantive amendments in relation thereto, subject to review by County Counsel.
4. Direct the Chief Executive Officer or the Deputy Executive Officer of Community Revitalization to transmit all documents to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Martha Zepeda, Deputy Executive Officer, 501-0641)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Community Revitalization

- 17) Authorize the Auditor-Controller/Treasurer/Tax Collector to post appropriations and revenue adjustments as detailed in the Financial Impact Section to the Office of Homeless Services' 2022-23 budget in the amount of \$5,348,475 for the Project Roomkey and Rehousing Strategy Program Allocation (Four votes required).
(Presenter: Martha Zepeda, Deputy Executive Officer, 501-0641)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

County Administrative Office

- 18) 1. Approve a budget adjustment to Capital Improvement Program Project No. 18-222, using \$15 million from the Chino Plume Needs Reserve for the Chino Airport Groundwater Remedial Project (WBSE 10.10.0556).
2. Authorize the Auditor-Controller/Treasurer/Tax Collector to post budget adjustments, as detailed in the Financial Impact Section (Four votes required).
(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 19) Ratify the Chief Executive Officer's exercise of the authority granted by the Board of Supervisors on March 1, 2022 (Item No. 32), in approving the following contracts with subrecipients for American Rescue Plan Act funding for eligible projects in accordance with the Board of Supervisors approved Coronavirus Local Fiscal Recovery Fund Spending Plan:
1. Contract No. ARPA21-PRJC-007-TWE with the City of Twentynine Palms for the Twentynine Palms Sewer Project in the not-to-exceed amount of \$1,000,000 for the contract term of July 1, 2022 through December 31, 2026.
2. Contract No. ARPA21-PRJC-009-YUC with the City of Yucaipa for the Upper Wildwood Creek Basin Project in the not-to-exceed amount of \$880,000 for the contract term of July 12, 2022 through December 31, 2026.
(Presenter: Leonard X. Hernandez, Chief Executive Officer, 387-4811)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 20) Continue the Local Emergency Proclamation within San Bernardino County originally proclaimed by the Board of Supervisors on March 1, 2022, resulting from the impact of the worldwide Novel Coronavirus pandemic to the Emergency Medical Services system, for an additional 60 days in accordance with Government Code section 8630(c).
(Presenter: Daniel Munoz, Interim EMS Administrator, 388-5807)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 21) 1. Approve the Subscription Agreement with Quorum Analytics, Inc., including non-standard terms, to provide legislative tracking software in an amount not to exceed \$20,880 for a retroactive period of June 29, 2022 to June 28, 2023.
2. Authorize the Purchasing Agent to renew the Agreement annually for four one-year periods, through June 28, 2027, for a total cost of \$118,884.
3. Direct the Legislative Affairs Director to transmit all documents and amendments in relation

to this Agreement to the Clerk of the Board of Supervisors within 30 days of execution.
(Presenter: Bradley Jensen, Legislative Affairs Director, 387-4821)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Land Use Services

- 22) Approve contracts for the provision of on-call Fire Hazard Abatement contractor services with the following vendors, in an aggregate amount not to exceed \$1,050,000 for the period of September 1, 2022, through August 31, 2025, with two one-year options to extend.

1. AB Landscape
2. Sustainable Mitigation
3. C & M Weed Abatement

(Presenter: David Doublet, Director, 387-4431)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 23) Approve Employment Contract with Shannon Yauchzee for the provision of services as a Land Use Services Consultant, in the compensation amount of \$100 per hour, for an estimated cost of \$78,500 for a six-month term of August 8, 2022 through February 8, 2023.

(Presenter: David Doublet, Director, 387-4431)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Library

- 24) Adopt Resolution establishing revised public service hours for the Carter Public Library located at Carter High School, Rialto Unified School District, effective Tuesday, August 9, 2022.

(Presenter: Melanie Orosco, Interim County Librarian, 387-2220)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Preschool Services

- 25) Approve non-financial Memorandum of Understanding with Azusa Pacific University, including non-standard terms, for training and field experience for students in the nursing student internship program for the period of August 10, 2022 through July 31, 2025.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 26) 1. Accept and approve a grant award (Grant Award No. 09CH011719-03-00) from the United States Department of Health and Human Services, Administration for Children and Families for continued support of the Head Start, Early Head Start, and Early Head Start - Child Care Partnership Programs, in a combined amount of \$58,467,080, for the period of July 1, 2022 through June 30, 2023.

2. Designate the Chairman of the Board of Supervisors, the Chief Executive Officer, or the Director of Preschool Services Department to accept any subsequent non-substantive amendments in relation to Grant Award No. 09CH011719-03-00 for the Head Start, Early Head Start, and Early Head Start - Child Care Partnership Programs on behalf of the County, subject to review by County Counsel.
3. Direct the Chairman of the Board of Supervisors, the Chief Executive Officer, or the Director of Preschool Services Department to transmit all non-substantive amendments in relation to Grant Award No. 09CH011719-03-00 for the Head Start, Early Head Start, and Early Head Start - Child Care Partnership Programs to the Clerk of the Board of Supervisors within 30 days of execution.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 27) Approve Amendment No. 5 to Contract No. 16-199 with Dr. Bergin Psychotherapy Family Services, PC dba Dr. Bergin Family Counseling Services to provide mental health screenings and trauma treatment services countywide for Early Head Start, Early Head Start - Child Care Partnership, Head Start and State Preschool children ages 0 to 5 and their parents, updating contractor responsibility and revising the fee schedule to reflect the updated responsibilities, with no change to the contract amount of \$695,000 or contract period of July 1, 2016 through September 30, 2022.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Probation

- 28) Approve the Permanent Single Agreement with California Department of Education, Nutrition Services Division, including non-standard terms, to allow the Probation Department to continue to qualify for state and federal reimbursement for providing food services to detained juveniles at the Juvenile Detention and Assessment Centers, retroactively effective July 1, 2022 until terminated by either party.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 29) Approve non-financial agreement with Charles Brugnola to provide dog therapy program services to juvenile and youthful offenders in custody at A Restorative Integration for Successful Engagement secure youth treatment facility, at no cost to the County, for the period of August 10, 2022 through August 9, 2025.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Project and Facilities Management

- 30) 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 delegating 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 \$5,000,000, 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)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Public Defender

- 31) 1. Approve employment contracts with the following individuals, for the period of August 13, 2022 through August 12, 2024:
- Karla S. Barron as Mitigation Specialist, for the estimated annual cost of \$110,771 (\$86,237 Salary, \$24,534 Benefits).
 - Teresa Verduzco Villa as Office Assistant III, for the estimated annual cost of \$65,039 (\$44,335 Salary, \$20,704 Benefits).
 - Karina Gonzalez Dorado as Office Assistant III, for the estimated annual cost of \$65,039 (\$44,335 Salary, \$20,704 Benefits).
 - Francisco J. Robles as Office Assistant III, for the estimated annual cost of \$65,039 (\$44,335 Salary, \$20,704 Benefits).
2. Authorize the Public Defender to execute amendments to extend the term of the contracts for a maximum of one year on behalf of the County, subject to County Counsel review.
3. Direct the Public Defender to transmit all documents in relation to contract amendments to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Thomas W. Sone, Public Defender, 382-3950)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Public Health

- 32) Approve Memorandum of Understanding with San Bernardino County Superintendent of Schools, including non-standard terms, to provide support for Safe Schools for All Program through activities related to self-care, social emotional intelligence, and student voice in the amount of \$300,000, for the contract period of August 9, 2022 through December 31, 2022.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 33) 1. Approve a non-financial agreement template, including a non-standard term, with approved licensed orthopedists or pediatricians to provide Medical Therapy Conference services to children under the California Children's Services Program, for the period of August 9, 2022

through July 31, 2027.

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 agreement template with the individually approved licensed orthopedists or pediatricians, on behalf of the County.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 34)
 1. Approve and authorize the submission of a grant application to the Center for Disease Control and Prevention for U. S. Strengthening Public Health Infrastructure, Workforce, and Data Systems funding to support core infrastructure improvements, in the amount of \$33,018,272, for the period of November 1, 2022 through November 1, 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 application documents required to receive the grant award from the Center for Disease Control and Prevention for U. S. Strengthening Public Health Infrastructure, Workforce, and Data Systems funding, on behalf of the County, subject to review by County Counsel.
 3. Direct the Chairman of the Board of Supervisors, Chief Executive Officer, or Director of the Department of Public Health to transmit all non-substantive documents in relation to the U. S. Strengthening Public Health Infrastructure, Workforce, and Data Systems grant application to the Clerk of the Board of Supervisors within 30 days of execution.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Public Works-Transportation

- 35)
 1. Approve the plans and specifications for the Linden Avenue and Other Roads Project in the Rialto area, as signed and sealed by a registered civil engineer.
 2. Authorize the Director of the Department of Public Works to advertise the Linden Avenue and Other Roads Project in the Rialto area for formal bids.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 36)
 1. Award a construction contract to Matich Corporation (San Bernardino, CA) in the amount of \$3,094,329 for the Redwood Avenue and Other Roads Project in the Fontana Area.
 2. Authorize a contingency fund of \$309,432 for the Redwood Avenue and Other Roads Project in the Fontana Area.
 3. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$309,432 for verified quantity overruns for this unit priced construction contract.
 4. 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 \$167,216 of the \$309,432 contingency fund, pursuant to Public Contract Code section 20142.
 5. Authorize the Director of the Department of Public Works to accept the work when 100% complete and execute and file the Notice of Completion.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 37) 1. Approve Addendum No. 1, issued on April 22, 2022, to the bid documents for the Phelan Road Intersection Improvements in the Phelan area.
2. Award a construction contract to Matich Corporation (San Bernardino, CA) in the amount of \$2,056,154 for the Phelan Road Intersection Improvements in the Phelan area.
3. Authorize a contingency fund of \$205,615 for the Phelan Road Intersection Improvements in the Phelan area.
4. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$205,615 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 \$115,307 of the \$205,615 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: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 38) 1. Approve Addendum No. 1, issued on June 27, 2022 to the bid documents for the Chino/Montclair Area Overlay Project.
2. Award a construction contract to All American Asphalt (Corona, CA) in the amount of \$5,639,575.88 for the Chino/Montclair Area Overlay Project.
3. Authorize a contingency fund of \$563,957 for the Chino/Montclair Area Overlay Project.
4. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$563,957 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 \$563,957 contingency fund, pursuant to Public Contract Code section 20142.
6. Approve Escrow Agreement for Security Deposits in Lieu of Retention with All American Asphalt and Citizens Business Bank pursuant to Public Contract Code section 22300 for the Chino/Montclair Area Overlay Project.
7. Authorize the Director of the Department of Public Works to execute the Escrow Agreement for Security Deposits in Lieu of Retention and to provide and receive written notice under the agreement for the Chino/Montclair Area Overlay Project.
8. Direct the Director of the Department of Public Works to transmit all documents in relation to Escrow Agreement for Security Deposits in Lieu of Retention to the Clerk of the Board of Supervisors within 30 days of execution for the Chino/Montclair Area Overlay Project.
9. 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: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 39) 1. Find that the South Mentone Area Americans with Disabilities Act Ramps Project 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 South Mentone Area Americans with Disabilities Act Ramps Project 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: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 40) 1. Find that the Mission Boulevard Project in the Montclair 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 Mission Boulevard Project in the Montclair 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: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 41) 1. Approve agreement with Speedway SBC Development, LLC, for an advance payment in the amount of \$62,000 and reimbursement for actual costs, in excess of the advance payment, for preliminary engineering services, including San Bernardino County staff labor and Union Pacific Railroad Company work, necessary for the Auto Club Speedway Project - San Bernardino Avenue, effective upon execution by both parties through completion of the project and final payment from Speedway SBC Development, LLC or on December 30, 2027, whichever occurs first.
2. Approve agreement with Union Pacific Railroad Company in the amount of \$50,000 for preliminary engineering services to be performed by Union Pacific Railroad Company necessary for the Auto Club Speedway Project - San Bernardino Avenue, effective upon execution by both parties and shall terminate upon completion of the project and final payment for preliminary engineering work performed.
- (Presenter: Brendon Biggs, Director, 387-7906)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Real Estate Services

- 42) 1. Approve a no fee four-day Use Permit agreement with the American Cancer Society, Inc., for the period of October 28, 2022 through October 31, 2022, for the use of approximately 5.73 acres of San Bernardino County-owned land for the Construction vs. Cancer Event, incorporating static displays and operational demonstrations of heavy construction equipment, a static display of Sheriff's equipment, a children's activity area, vendor and sponsor display areas, and parking areas at the San Bernardino County-owned Sheriff's Regional Training Center in the Glen Helen area of San Bernardino.
2. Authorize the waiver of reimbursement charges set forth in County Policy 12-06 for the

event in Recommendation No. 1 for the period of October 28, 2022 through October 31, 2022.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 43) Approve Amendment No. 5 to Lease Agreement No. 06-1152 with IV3 662-696 S Tippecanoe Ave, LLC to reflect a change of property ownership from Tip Property Two, LLC to IV3 662-696 S Tippecanoe Ave, LLC, for the remaining term of the lease expiring December 31, 2024, and to update standard lease agreement language for approximately 18,000 square feet of office space at 662 South Tippecanoe Avenue in San Bernardino for the Preschool Services Department at no cost.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 44) 1. Approve Appraisal Nos. 22-36 through 22-45, copies of which are on file with the Real Estate Services Department.
2. Authorize the acquisition of one permanent roadway easement and 10 temporary construction easements for six months, from November 1, 2022 to April 30, 2023, with one six month option to extend for each temporary construction easement, collectively on portions of 10 parcels, from 10 property ownership groups for the Bloomington Avenue Pavement and Storm Drain Improvement Project in the unincorporated area of Bloomington.
3. Approve the Acquisition Agreement Template for the easement interests with the 10 property ownership groups.
4. Authorize the Director of the Real Estate Services Department to:
- a. Complete and execute Acquisition Agreements, which will conform to the approved Acquisition Agreement Template, for the easement interests with the 10 property ownership groups, for a not to exceed amount of \$23,000, which includes the appraised just compensation and a 10% contingency amount, plus \$500 per property for an option to extend the temporary construction easements by an additional six months, and accept the acquisition of one permanent roadway easement and 10 temporary construction easements.
 - b. Approve and execute any other documents necessary to complete these transactions, subject to County Counsel review.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 45) CONTINUED FROM TUESDAY, JULY 26, 2022, ITEM NO. 46
- Approve a 10-year revenue Lease Agreement with Threshold Technologies, Inc., for the retroactive period of August 1, 2022 through July 31, 2032, with one five-year option to extend the term of the lease, for Commercial Hangar No. 2, F-340, consisting of approximately 44,060 square feet of hangar space, 7,098 square feet of shop space, and 1,062 square feet of office space, at Chino Airport for the Department of Airports for total revenue in the amount of \$2,132,433.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 46) 1. Approve the Real Estate Services Department's use of an alternative procedure in lieu of a formal Request for Proposals as allowed per County Policy 12-02 - Leasing Privately Owned Real Property for San Bernardino County Use to lease approximately 28,889 square feet of office space from Tri-City Property, LLC for 10 years for the projected period of August 9, 2022 through August 8, 2032, subject to the landlord's completion of certain turnkey tenant improvements, with one five-year extension option for the Department of Public Health at 451 Vanderbilt Way, Suites 200 and 250 in San Bernardino.
2. Approve a new lease agreement with Tri-City Property, LLC, including non-standard terms, for 10 years for the projected period of August 9, 2022 through August 8, 2032, subject to the landlord's completion of certain turnkey tenant improvements, with one five-year extension option, for approximately 28,889 square feet of office space for the Department of Public Health at 451 Vanderbilt Way, Suites 200 and 250 in San Bernardino in the amount of \$9,935,505.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 47) 1. Approve Amendment No. 5 to Lease Agreement No. 98-809 with DRC 17 Mountain View, LP to terminate the lease, effective the date immediately preceding the commencement date of a new replacement lease with DRC 17 Mountain View, LP, which is projected to occur retroactive to July 31, 2022, for approximately 94,121 square feet of office space located at 10417 Mountain View Avenue in Loma Linda, following a permitted holdover for the period of November 1, 2019, through the date immediately preceding the commencement date of a new replacement lease, and provide for the landlord's refund of an overpayment of rent in the amount of \$377,751 for the period of November 1, 2019 through January 31, 2021, that resulted in a total net cost of \$5,173,188.
2. Approve the Real Estate Services Department's use of an alternative procedure in lieu of a Formal Request for Proposals, as allowed per County Policy 12-02 - Leasing Privately Owned Real Property for San Bernardino County Use to lease approximately 94,121 square feet of office space located at 10417 Mountain View Avenue in Loma Linda for the Department of Child Support Services.
3. Approve a new 10-year Lease Agreement, with one 10-year option to extend the term of the lease, with DRC 17 Mountain View, LP, commencing and retroactive to August 1, 2022 through July 31, 2032, for approximately 94,121 square feet of office space located at 10417 Mountain View Avenue in Loma Linda, provide for the landlord's completion of certain turnkey tenant improvements, with the cost to be amortized and reimbursed to the landlord over the period of the day after the improvement completion date through the then remaining lease term, which is projected to be for the period of April 1, 2024 through July 31, 2032, and provide for messaging on the Jumbotron monitor at the property complex for a total lease cost for the Department of Child Support Services in the amount of \$26,342,314.
4. Authorize the Purchasing Agent to issue Purchase Orders, as necessary, for a total amount not to exceed \$45,000 for any contingencies and/or minor change orders that may arise in order to complete certain turnkey tenant improvements set forth in the new 10-year replacement lease (Four votes required).

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Registrar of Voters

- 48) Approve the Microsoft Services Agreement for GroupMe with Skype Communications, S.à.r.l, including non-standard terms, to manage and coordinate teams in various locations via group messaging, at no cost, for a period beginning upon acceptance by the County and continuing until canceled by the County.

(Presenter: Michael Jimenez, Interim Registrar of Voters, 387-2100)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Sheriff/Coroner/Public Administrator

- 49) 1. Approve Employment Contract with Andres Lerma for the position of Sheriff/Coroner/Public Administrator's Departmental Information Systems Administrator, for an estimated annual cost of \$217,340 (Salary - \$120,744, Benefits - \$96,596) effective August 10, 2022 through August 9, 2025.
2. Authorize the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to execute amendments to this contract to extend the contract term for a maximum of three consecutive 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 amendments in relation to this contract to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: John Ades, Deputy Chief, 387-3760)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

SEPARATED ENTITIES

Board Governed County Service Areas

- 50) Acting as the governing body of the Board Governed County Service Area 60 - Apple Valley Airport:

1. Adopt Resolution authorizing:
- a. Filing of an application with the California Department of Transportation for an Airport Improvement Program Matching Grant in the amount of \$5,410 for the Design and Engineering of an airport perimeter fence, with a term of four years from execution of the grant documents.
 - b. Acceptance of the allocation of \$5,410 of Airport Improvement Matching Grant funds for the project.
 - c. Execution of an Airport Improvement Program Matching Grant Agreement for the project.
2. Authorize the Director of Airports to execute any documents required to apply for and accept the grant funds on behalf of the County and to amend the grant application and agreement to reflect the final costs upon project completion as it may affect the grant award.
3. Direct the Director of Airports to transmit all documents related to the application and acceptance of the grant in the above Recommendations to the Clerk of the Board of Supervisors within 30 days of execution.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

San Bernardino County Fire Protection District

- 51) Acting as the governing body of the San Bernardino County Fire Protection District, approve revenue agreement with the City of Victorville for their participation in the Household Hazardous Waste Collection Program from September 11, 2022, through June 30, 2027, in the total compensation amount not to exceed \$761,019.36.
(Presenter: Dan Munsey, Fire Chief/Fire Warden, 387-5779)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 52) Acting as the governing body of the San Bernardino County Fire Protection District:
1. Declare the following vehicles surplus property that no longer meet the needs of the San Bernardino County Fire Protection District:
 - a. 2000 KME Type 1 Fire Engine (Equipment No. 18322/Vehicle Identification Number 1K9AF4283YN058185), which is fully depreciated and has an estimated value of approximately \$6,700.
 - b. 2002 Pierce Heavy Rescue Vehicle (Equipment No. 18607/Vehicle Identification Number 4P1CT02U32A002043), which is fully depreciated and has an estimated value of approximately \$8,400.
 2. Approve agreement with the Dagget Fire Department for the transfer of surplus vehicle (Equipment No. 18322) identified in Recommendation No. 1.a. to Dagget Fire Department, at no cost, with San Bernardino County Fire Protection District receiving indemnity and a full release of liability upon transfer of title.
 3. Approve agreement with the City of Fontana, by and through its Police Department, for the transfer of surplus vehicle (Equipment No. 18607) identified in Recommendation No. 1.b. to Fontana Police Department, at no cost, with San Bernardino County Fire Protection District receiving indemnity and a full release of liability upon transfer of title.
 4. Authorize the Director of the Fleet Management Department to execute all necessary documentation for transfer of title of the surplus property identified in Recommendation No. 1.
- (Presenter: Dan Munsey, Fire Chief/Fire Warden, 387-5779)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 53) Acting as the governing body of the San Bernardino County Fire Protection District, approve a Side Letter Agreement between San Bernardino County Fire Protection District and San Bernardino County Professional Firefighters, IAFF, Local 935 to authorize Emergency Medical Technician Pay Stipend for the classification of Firefighter Paramedic Trainee.
(Presenter: Diane Rundles, Director, 387-5570)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 54) Acting as the governing body of the San Bernardino County Fire Protection District, approve proposed Side Letter Agreement between the International Union of Operating Engineers Local

12, representing employees in the General Fire Support Unit, and the San Bernardino County Fire Protection District, effective August 13, 2022.
(Presenter: Diane Rundles, Director, 387-5570)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 55) Acting as the governing body of the San Bernardino County Fire Protection District:
1. Rescind Resolution No. 2022-145, adopted on July 12, 2022, authorizing the continuing levy of special taxes on parcels within Community Facilities District No. 94-01.
 2. Adopt Resolution authorizing the continuing levy of special taxes on parcels within Community Facilities District No. 94-01, as detailed in Exhibit 1 to help fund the cost of providing fire services within the City of Hesperia.
 3. Direct the Auditor-Controller/Treasurer/Tax Collector to place the special taxes for Community Facilities District No. 94-01, as detailed in Exhibit 1, on the 2022-23 Tax Roll.
- (Presenter: Dan Munsey, Fire Chief/Fire Warden, 387-5779)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

MULTIJURISDICTIONAL ITEMS

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

- 56) 1. Acting as the governing body of San Bernardino County:
- a. Accept a grant award (Agreement No. 3-06-0058-010-2022) for \$79,470 from the Federal Aviation Administration Airport Improvement Program for the Airport Pavement Management System at the Barstow-Daggett Airport, with a term of four years from execution of the grant documents.
 - b. Accept a grant award (Agreement No. 3-06-0267-009-2022) for \$79,547 from the Federal Aviation Administration Airport Improvement Program for the Airport Pavement Management System at the Twentynine Palms Airport, with a term of four years from execution of the grant documents.
 - c. Delegate authority to the Director of Airports to electronically execute the grant award documents, including any related agreements, subject to review by County Counsel.
 - d. Direct the Director of Airports to transmit the documents related to the grant awards in Recommendation No. 1 to the Clerk of the Board of Supervisors within 30 days of execution.
2. Acting as the governing body of the Board Governed County Service Area 60 - Apple Valley Airport:
- a. Accept a grant award (Agreement No. 3-06-0009-012-2022) from the Federal Aviation Administration Airport Improvement Program for \$97,394 for the Design and Engineering of the Airport Perimeter Fence at the Apple Valley Airport, with a term of four years from execution of the grant documents.
 - b. Delegate authority to the Director of Airports to electronically execute the grant award documents, including any related agreements, subject to review by County Counsel.
 - c. Direct the Director of Airports to transmit the documents related to the grant award in Recommendation No. 2 to the Clerk of the Board of Supervisors within 30 days of execution.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 57) 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 18.014 for the period of June 1, 2022 through June 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 No. 12-04 and executed pursuant to the Policy and County Code Section 18.014 for the period of June 1, 2022 through June 30, 2022.
- (Presenter: James E. Jenkins, Director, 387-8810)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

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

- 58) 1. Acting as the governing body of San Bernardino County:
- a. Accept the Certified Election Results for the 2022 Statewide Direct Primary Election held on June 7, 2022 that are on file with the Clerk of the Board of Supervisors and the Registrar of Voters.
- b. Adopt a Resolution declaring the results for the offices under the jurisdiction of the San Bernardino County Board of Supervisors that appeared on the ballot in the 2022 Statewide Direct Primary Election, and declaring those candidates as elected or nominated who received the highest number of votes for each office.
2. Acting as the governing body of the San Bernardino County Fire Protection District, adopt a Resolution declaring the results for the contest under the jurisdiction of the San Bernardino County Fire Protection District that appeared on the ballot in the 2022 Statewide Direct Primary Election.
- (Presenter: Michael Jimenez, Interim Registrar of Voters, 387-2100)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 59) 1. Acting as the governing body of San Bernardino County:
- a. Find that the Sheriff's Benefit Rodeo 2022, to be held at Glen Helen Regional Park from September 23, 2022 through September 25, 2022, assists in meeting the social service needs of County residents and will be conducted in cooperation with Seven Point Inc., a nonprofit charitable organization.
- b. Authorize County officials and employees to solicit funds, provide administrative support during work hours, when necessary, and utilize County resources for the Sheriff's Benefit Rodeo 2022 activities.
2. Acting as the governing body of San Bernardino County Fire Protection District:
- a. Find that the Sheriff's Benefit Rodeo 2022, to be held at Glen Helen Regional Park from September 23, 2022 through September 25, 2022, assists in meeting the social service needs of San Bernardino County Fire Protection District residents, serves a San Bernardino County Fire Protection District purpose, and will be conducted by San Bernardino County in cooperation with Seven Point Inc., a nonprofit charitable organization.
- b. Authorize San Bernardino County Fire Protection District ambulance staff to provide emergency medical service support during work hours at the Sheriff's Benefit Rodeo

2022, and utilize San Bernardino County Fire Protection District resources in support of the Sheriff's Benefit Rodeo 2022 activities.
(Presenter: John Ades, Deputy Chief, 387-3760)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

ORDINANCES FOR INTRODUCTION

County Administrative Office

- 60) 1. Consider proposed ordinance relating to unlawful possession of a catalytic converter.
 2. Make alterations, if necessary, to proposed ordinance.
 3. Approve introduction of proposed ordinance.
 • An ordinance of San Bernardino County, State of California, to add Chapter 16 to Division 7 of Title 2 of the San Bernardino County Code, relating to unlawful possession of a catalytic converter.
 4. SCHEDULE ORDINANCE FOR FINAL ADOPTION ON TUESDAY, AUGUST 23, 2022, on the Consent Calendar.

(Presenter: Leonard X. Hernandez, Chief Executive Officer, 387-4811)

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

ORDINANCES FOR FINAL ADOPTION

Board of Supervisors

- 61) Adopt Ordinance relating to amendments to the Charter of San Bernardino County for Taxpayer Protection and Government Reform and ordering that the Charter amendments be submitted to the qualified electors at the November 8, 2022 election, which was introduced on July 26, 2022, Item No. 69.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

- 62) Adopt Ordinance to submit to the qualified electors at the November 8, 2022 election an advisory vote only measure on pursuing San Bernardino County's fair share of state funding, up to and including secession from the State of California, which was introduced on August 3, 2022, Item No. 1.

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

APPROVED (CONSENT CALENDAR)

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

DISCUSSION CALENDAR

Board of Supervisors

Action on Consent Calendar

Approval of the Consent Agenda

THE CONSENT AGENDA WAS APPROVED

Motion/Second: Dawn Rowe/Col. Paul Cook (Ret.)

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

Public Comment: Acquanetta Warren, L. Dennis Michael, Tom Murphy, Greg Devereaux, Jeff Burum, DeJonae Shaw, Carlos Rodriguez, Ana Gonzalez, Jeff Taylor

Deferred Items

No items were deferred for discussion

Land Use Services

- 63)
1. Conduct a public hearing to consider Land Use Service Department's proposed ordinance relating to allowed uses, permit requirements, and specific use regulations for the cultivation and manufacturing of industrial hemp.
 2. Adopt findings recommended by the Planning Commission for proposed ordinance.
 3. Make alterations, if necessary, to proposed ordinance.
 4. Approve introduction of proposed ordinance.
 - An Ordinance of San Bernardino County, State of California, to amend Tables 82-4, 82-7, and 82-17 of Division 2, related to allowed use and permit requirements for the cultivation and manufacturing of industrial hemp; and to add Chapter 84.35 to Division 4, related to specific use regulations for the cultivation and manufacturing of industrial hemp, all of Title 8 of the San Bernardino County Code.
 5. Consider Department of Agriculture/Weights & Measures' proposed ordinance relating to regulations for the cultivation of industrial hemp.
 6. Make alterations, if necessary, to proposed ordinance.
 7. Approve introduction of proposed ordinance.
 - An Ordinance of San Bernardino County, State of California, to add Chapter 15 of Division 3 of Title 3 of the San Bernardino County Code relating to regulation of the cultivation of industrial hemp.
 8. SCHEDULE BOTH ORDINANCES FOR FINAL ADOPTION ON TUESDAY, AUGUST 23, 2022 on the Consent Calendar.
 9. Direct the Clerk of the Board of Supervisors to file a Notice of Exemption for both ordinances.
- (Presenters: David Doublet, Director, 387-4431)

Hearing Opened

Public Comment: Jeff Taylor

Hearing Closed

APPROVED

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

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

Board of Supervisors

- 64)
1. Receive report regarding the process to fill the unanticipated vacancies of the Office of Assessor/Recorder.
 2. Provide direction on the process for the appointment to fill the vacancy for the current unexpired term of Assessor/Recorder ending at 11:59 a.m. on January 2, 2023.
 3. Determine if the vacancy for the next term of Assessor/Recorder, beginning at Noon on January 2, 2023, will be filled through an appointment that will occur between November 3, 2022 and March 3, 2023, or a special election that will be called by the Board of

Supervisors between November 3, 2022 and March 3, 2023 and held on the next established election date.
(Presenter: Curt Hagman, Chairman and Fourth District Supervisor, 387-4866)

Public Comment: None

REC. NO. 1: RECEIVED REPORT

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

REC. NO. 2: APPROVED AS AMENDED TO HAVE THE APPOINTMENT PROCESS POSTED TO THE CLERK OF THE BOARD WEBSITE

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

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

REC. NO. 3:

MOTION TO FILL THE CURRENT UNEXPIRED TERM BY APPOINTMENT VIA THE PROCESS ADOPTED IN RECOMMENDATION 2

Motion/Second: Col. Paul Cook (Ret.)/Janice Rutherford

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

MOTION TO FILL THE NEXT TERM BY APPOINTMENT AT A DATE TO BE DETERMINED

Motion/Second: Janice Rutherford/Joe Baca, Jr.

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

PUBLIC COMMENT

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

Public Comment: Jane Hunt-Ruble, Garth Pezant Sr., Michael Arthur, Ana Gonzalez, Ron Sellers, Joaquin Castillejos, Jorge Perez, Alexandra Beltran

INDIVIDUAL BOARD MEMBER COMMENTS (5 Minutes)

Fifth District Supervisor Joe Baca, Jr. thanked Martha Guzman-Hurtado and Luther Snoke for attending the grand opening at Ayala Park, that offers a multitude of activities and programs for the Bloomington community. He also said that the County is facing a multitude of challenges that require a lot of money and resources and that he is in support of looking at ways to find those resources for the residents of the county. He stated that he thinks it's a good move to try to fight for those resources, but he wanted to make it clear that he was not in support of secession.

Vice Chair and Third District Supervisor Dawn Rowe stated that she had the opportunity to take the inaugural flight out of San Bernardino International Airport on Breeze Airways, with reasonable daily non-stop flights to several locations and only \$5 a day to park.

Chairman and Fourth District Supervisor Curt Hagman stated that there has been a lot of sensationalism about the measure approved to be placed on the ballot, adding that what the Board of Supervisors has authorized is a study to learn more about where taxpayer dollars go to advocate and fight for our residents.

THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS IS SCHEDULED FOR TUESDAY, AUGUST 23, 2022 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, August 9, 2022. 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