



San Bernardino County

Legislation Text

File #: 3469, Agenda Item #: 49

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
SITTING AS THE GOVERNING BOARD OF THE FOLLOWING:
COUNTY OF SAN BERNARDINO
BOARD GOVERNED COUNTY SERVICE AREAS
AND RECORD OF ACTION**

January 5, 2021

FROM

**BRENDON BIGGS, Director, Department of Public Works - Special Districts
JOHN McMAHON, Sheriff/Coroner/Public Administrator**

SUBJECT

Amendment to Memorandum of Understanding for Operation, Maintenance, and Management of County-Owned Water Distribution and Water Treatment Systems at the High Desert Detention Center

RECOMMENDATION(S)

1. Acting as the governing body of the County of San Bernardino, approve Amendment No. 1 to Memorandum of Understanding (MOU) No. 15-336 between the Sheriff/Coroner/Public Administrator (Sheriff) and County Service Area 70 Countywide (CSA 70), exercising the first of three one-year options to extend the term, for a new total contract period from July 1, 2015 through June 30, 2021, and increase the compensation amount by \$506,600, from \$2,368,650 to \$2,875,250, as the Sheriff will continue to reimburse CSA 70 for the cost of providing operations, maintenance and management of the County-owned water distribution and water treatment systems located at the High Desert Detention Center.
2. Acting as the governing body of CSA 70, approve Amendment No. 1 to MOU 15-336 between the Sheriff and CSA 70, exercising the first of three one-year options to extend the term, for a new total contract period from July 1, 2015 through June 30, 2021, and increase the compensation amount by \$506,600, from \$2,368,650 to \$2,875,250, as the Sheriff will continue to reimburse CSA 70 for the cost of providing operations, maintenance and management of the County-owned water distribution and water treatment systems located at the High Desert Detention Center.

(Presenter: Trevor Leja, Deputy Director, 386-8811)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). In accordance with this recommended amendment, the Sheriff shall reimburse CSA 70 an amount not to exceed \$506,600 for the cost of services provided during 2020-21. This amount reflects no change from prior year. The Sheriff and CSA 70 each have adequate appropriation and revenue in their respective 2020-21 budgets to support this amendment.

BACKGROUND INFORMATION

In January 2006, the High Desert Detention Center (HDDC) located at 9438 Commerce Way in Adelanto was added as the fourth detention facility in the County's Bureau of Corrections. The HDDC became the first facility of its size to serve the County's High Desert region. As part of construction of this facility, a water well, reverse osmosis water treatment unit, large reservoir and associated appurtenances were designed and constructed on site.

The Sheriff is responsible for ensuring that the water distribution and water treatment systems operation, maintenance, and management at the HDDC are conducted according to federal, state and local regulatory requirements. As the Sheriff does not employ State Water Resources Control Board-certified water distribution and water treatment operators to provide these services, on June 16, 2015 (Item No. 90), the Board of Supervisors (Board) approved a MOU (No. 15-366) with the Public Works Department, Special Districts (Special Districts), through CSA 70, to perform systems operation, maintenance, and management at the HDDC from July 1, 2015 through June 30, 2020. CSA 70 has been providing these services for the Sheriff since January 2014.

Approval of the recommended amendment will extend the term of the MOU by one year from July 1, 2020 through June 30, 2021. Language in the existing MOU allows the term to be extended for three one-year increments through mutual agreement of the parties. Board approval of this item would exercise the first of those three one-year options, thus permitting CSA 70 to continue to provide service for the Sheriff through staff that has the certification and experience necessary to ensure public health and safety by meeting all regulatory requirements.

The amendment is retroactive to July 1, 2020, as Special Districts continued to operate and maintain the water distribution/water treatment systems to ensure public health and safety. Special Districts was in the process of completing an evaluation of its indirect costs and subsequent administration spread that delayed the MOU extension and consequently allowed the term to expire. It was also during this interim period that the Water and Sanitation Division of Special Districts relocated from the High Desert to San Bernardino. Moving forward, Special Districts will diligently perform routine and consistent reviews of all MOUs and contracts to ensure that they remain active throughout their lifecycle and therefore avert the need for future retroactive items. Special Districts continues to implement a comprehensive contract tracking tool that should aid in this effort.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Dawn Martin, Deputy County Counsel, 387-5455 on December 4, 2020 and Richard Luczak, Deputy County Counsel, 387-5455 on December 8, 2020); Finance (Tom Forster, Administrative Analyst, 387-4635 on December 9, 2020 and Carolina Mendoza, Administrative Analyst, 387-0294 on December 10, 2020); and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on December 15, 2020.