**File #:** 3948, **Agenda Item #:** 52

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

# REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS OF THE FOLLOWING: BIG BEAR VALLEY RECREATION AND PARK DISTRICT BLOOMINGTON RECREATION AND PARK DISTRICT IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY INLAND COUNTIES EMERGENCY MEDICAL AGENCY SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT AND RECORD OF ACTION

**April 6, 2021**

**FROM**
**LEONARD X. HERNANDEZ, Chief Executive Officer, County Administrative Office**

**SUBJECT**
Authority for Actions Related to COVID-19 Pandemic and Non-Standard Contract Terms

**RECOMMENDATION(S)**
Acting as the governing body of the County of San Bernardino, Board Governed County Service Areas, San Bernardino County Flood Control District, Big Bear Valley Recreation and Park District, Bloomington Recreation and Park District, In-Home Supportive Services Public Authority, Inland Counties Emergency Medical Agency, and the San Bernardino County Fire Protection District, in response to the local emergency within San Bernardino County resulting from the worldwide health threat related to the Novel Coronavirus or COVID-19, extend the authorization for the Chief Executive Officer, upon consultation with County Counsel, to approve contracts with non-standard language as identified in County Policy 11-05, Section B., through May 31, 2021, subject to ratification by the Board of Supervisors at the next available Board meeting.
(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**
**Promote the Countywide Vision.**
**Improve County Government Operations.**
**Operate in a Fiscally-Responsible and Business-Like Manner.**

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

## FINANCIAL IMPACT

The County continues to incur significant costs resulting from the COVID-19 pandemic. These costs may require the use of additional Discretionary General Funding should federal funding or other sources of funding not be available. Originally on March 24, 2020 (Item No. 67), and later 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), September 29, 2020 (Item No. 79), October 27, 2020 (Item No. 96), November 17, 2020 (Item No. 99), December 15, 2020 (Item No. 80), January 26, 2021 (Item No. 67), February 9, 2021 (Item No. 75), and March 9, 2021 (Item No. 53), the Board of Supervisors (Board) authorized the Chief Executive Officer (CEO) to use additional Discretionary General Funding (Net County Cost), in response to the COVID-19 pandemic, if necessary.

## BACKGROUND INFORMATION

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

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

On December 27, 2020, President Trump approved the legislative package that funds the federal government and provides the next coronavirus relief package. The relief package includes an extension to the deadline to expend CARES Act Coronavirus Relief Funds. The original CARES Act legislation provided fiscal support for costs incurred through December 30, 2020. The extension included in the new federal legislation will allow recipients of Coronavirus Relief Funds to utilize the funding for costs incurred through December 31, 2021.

Per County Policy 11-05, contracts containing non-standard terms must be approved by the Board of Supervisors (Board). Many contracts, especially those for technology products to assist in the response to the COVID-19 virus, contain non-standard contract terms which must be approved by the Board of Supervisors pursuant to County Policy 11-05. On November 17, 2020 (Item No. 98), the Board authorized the CEO to approve non-standard terms in response to COVID-19 through December 31, 2020. Due to the relief package signed by President Trump on December 27, 2020, approval of this item will facilitate continued swift response to the COVID-19 pandemic by authorizing the CEO, upon consultation with County Counsel, to continue to approve contracts with non-standard language as identified in County Policy 11-05, Section B., through May 31, 2021, subject to ratification by the Board. On January 26, 2021 (Item No. 68), February 9, 2021 (Item No. 76), and March 9, 2021 (Item No. 54), the Board had also authorized the CEO to approve non-standard terms through February 28, 2021, March 31, 2021, and April 30, 2021, respectively.

## PROCUREMENT

Not Applicable.

## REVIEW BY OTHERS

This item has been reviewed by County Counsel (Michelle Blakemore, County Counsel, 387-5455) on March 22, 2021; Finance (Stephenie Shea, Administrative Analyst, 387-4919) on March 21, 2021; and County

Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on March 22, 2021.