

WORKFORCE DEVELOPMENT BOARD GENERAL BOARD MEETING

WEDNESDAY, FEBRUARY 9, 2022 AT 8:30 AM – 10:30 AM

At this time, the Workforce Development Board (Board) is continuing to hold Board and Committee meetings to conduct essential business pursuant to California Government Code section 54953(e). Members of the public are encouraged to watch and participate electronically.

Topic: WDB General Board Meeting
Time: Feb 9, 2022 08:30 AM Pacific Time (US and Canada)

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These agendas contains a brief description of each item of business to be considered at today's meetings. In accordance with the Brown Act, these meeting agendas are posted at least 72 hours prior to the regularly scheduled meetings on the Workforce Development Board website and on the official Workforce Development Board Bulletin Board outside of the Workforce Development Department Administration Office at 290 North D Street, 6th Floor, San Bernardino, CA 92415. The agendas, their supporting documents and all writings received by the Board related to these items are public records and available for review on the website or **by emailing the Executive Secretary to the Board at Devra.Bell@wdd.sbcounty.gov prior to, or after, the meetings.**

The agendas and their supporting documents can be viewed online at www.sbcounty.gov/workforce. However, the online agendas may not include all available supporting documents nor the most current version of documents. Items listed on the Consent Calendar are expected to be routine and non-controversial and, unless the Board directs that an item be held for further discussion, the entire Consent Calendar will be acted upon as the first item of business on the Discussion Calendar. Members of the public may address the Board on any item on the agenda and on any matter that is within the Board's jurisdiction.

To address the Board regarding an item that is on the agenda, please "Raise Hand" in the Zoom meeting as follows:

- To raise your hand in Zoom's desktop app, click the "Reactions" button and then select "Raise Hand" button.
- In the mobile app, you can raise your hand by tapping your phone screen; click on the "More" button and then select the "Raise Hand" button
- If you later change your mind about raising your hand, you can lower it by clicking "Lower Hand."

After raising your hand, the Executive Secretary to the Board will unmute your account and you will have up to three minutes to address the Board.

Conflict of Interest Advisement

Board members please be advised: If an item on the Agenda relates to the provision of services by you, your immediate family, the entity you represent, or any person who has made \$250 in campaign contributions to you during the last twelve months, or if approval or disapproval of an Agenda item would have a foreseeable material effect on an economic interest of you, your immediate family, or the entity you represent, **then please follow these procedures:**

"When the Agenda item is first introduced, please immediately announce that you are recusing yourself from participating in the agenda item, and then refrain from discussing, voting on, or otherwise influencing the Board's consideration of the Agenda item."

**WORKFORCE DEVELOPMENT BOARD
GENERAL BOARD MEETING**

AGENDA

WEDNESDAY, FEBRUARY 9, 2022 AT 8:30 AM – 10:30 AM

OPENING

- 1) Chair Call Meeting to Order
- 2) Pledge of Allegiance
- 3) Introductions (Roll Call)
- 4) Success Stories
 - a) Youth
 - b) Business Services
 - c) AJCC Client

PUBLIC COMMENT

- 5) Comments from the General Public in Attendance

CONSENT AGENDA (Roll Call Vote)

- 6) Approval of Minutes from November 10, 2021 General Board Meeting

DISCUSSION (Roll Call Vote)

- 7) Ratification and Adoption of Resolution to Make Certain Findings as Required by California Government Code section 54953(e) to Participate in Public Meetings via Teleconference

PRESENTATION

- 8) Prison to Employment
- 9) Homeless Hiring Tax Credit

REPORTS/INFORMATION

- 10) Committee Reports
 - Economic Development and Business Resource (EDBR)
 - Special Populations
 - Youth
- 11) County Report

ADJOURNMENT

In conformity with Government Code section 54957.5, any writing that is a public record, that relates to an item listed on the Agenda, and that will be distributed to all or a majority of the Board less than 72-hours prior to this meeting (or is distributed at this meeting), will be available for public inspection at the time the writing is distributed. This inspection may be made at the office of the Workforce Development Department, 290 North "D" Street, 6th Floor, San Bernardino, California 92415-0041, or during this meeting.

The Workforce Development Board meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Board Secretary at least three (3) business days prior to the Board meeting. The Board Secretary's telephone number is (909) 387-9886 and the office is located at 290 North "D" Street, 6th Floor, San Bernardino, California 92415-0041. California Relay Service 711

This WIOA Title –I financially assisted program or activity is an equal opportunity employer/program. Auxiliary aides and services are available upon request to individuals with disabilities.

**San Bernardino County
Workforce Development Board
Agenda Item**

MEETING DATE: February 9, 2022

ITEM: (6)

SUBJECT: Minutes from November 10, 2021 Workforce Development Board
General Meeting

PRESENTED BY: Brad Gates, Interim Director
Workforce Development Department (WDD)

CONSENT X **DISCUSSION** _____ **INFORMATION** _____

RECOMMENDATION: Approve Minutes from November 10, 2021 Workforce Development Board
General Meeting

BACKGROUND: See attached minutes

**WORKFORCE DEVELOPMENT BOARD
GENERAL BOARD MEETING**

**THIS MEETING WAS CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S
EXECUTIVE ORDER N-29-20 DATED MARCH 17, 2020, WHICH SUSPENDS CERTAIN
REQUIREMENTS OF THE RALPH M. BROWN ACT.**

WEDNESDAY, NOVEMBER 10, 2021, 9:00 AM - 10:30 AM

MEETING MINUTES

ATTENDANCE:

Members				Staff to WDB	
	Present		Present		Present
Phil Cothran (<i>Chair</i>)	X	Lowell King	X	Devra Bell	X
Will Sterling (<i>Vice-Chair</i>)	X	Scott Kuethen	X	Sophie Akins	X
B.J. Patterson (<i>Second Vice-Chair</i>)	X	Louie Lopez		Brad Gates	X
Orlando Acevedo		Robert Loeun			
Cinnamon Alvarez	X	Dale Marsden	X		
Ken Boshart	X	Lina Montes			
Ricardo Cisneros		Henry Shannon	X		
Jimmy Elrod		Shannon Shannon	X		
Mike Gallo		Jonathan Weldy	X		
Cherilyn Greenlee	X				

OPENING

- 1) **Chair Call Meeting to Order** at 9:00 AM
- 2) **Pledge of Allegiance** – Henry Shannon led the pledge of Allegiance
- 3) **Introductions** – The Board Secretary took roll call attendance.

PUBLIC COMMENT

- 4) **Comments from the General Public in Attendance**
There were no public comments.

CONSENT AGENDA (Roll Call Vote)

5) Approval of Minutes from September 22, 2021 General Board Meeting

The Chair requested a motion to approve the consent agenda. Will Sterling motioned; Lowell King seconded the motion.

Pursuant to Government Code section 54953 (b)(2), a roll call vote was called as follows:

Phil Cothran, Chair: Aye
Orlando Acevedo: Absent
Cinnamon Alvarez: Aye
Kenneth Boshart: Aye
Ricardo Cisneros: Absent
Jimmy Elrod: Absent
Mike Gallo: Absent
Cherilyn Greenlee: Aye
Lowell King: Aye
Scott Kuethen: Aye
Louie Lopez: Absent
Robert Loebun: Absent
Dale Marsden: Aye
Lina Montes: Absent
B.J. Patterson: Aye
Henry Shannon: Aye
Shannon Shannon: Aye
Will Sterling: Aye
Jonathan Weldy: Aye

Without further comment or objection, motion carried.

DISCUSSION ITEMS

6) Ratification and Adoption of Resolution to Make Certain Findings as Required by California Government Code section 54953(e) to Participate in Public Meetings via Teleconference

Brad Gates provided an overview of the item. The Chair requested a motion to ratify the resolution that was previously approved at a special Executive Board meeting on October 13, 2021. The Chair requested a motion to approve. Henry Shannon motioned; Dale Marsden seconded the motioned. The Board Secretary took a roll call vote.

Pursuant to Government Code section 54953 (b)(2), a roll call vote was called as follows:

Phil Cothran, Chair: Aye
Orlando Acevedo: Absent
Cinnamon Alvarez: Aye
Kenneth Boshart: Aye
Ricardo Cisneros: Absent
Jimmy Elrod: Absent

Mike Gallo: Absent
Cherilyn Greenlee: Aye
Lowell King: Aye
Scott Kuethen: Aye
Louie Lopez: Absent
Robert Loeun: Absent
Dale Marsden: Aye
Lina Montes: Absent
B.J. Patterson: Aye
Henry Shannon: Aye
Shannon Shannon: Aye
Will Sterling: Aye
Jonathan Weldy: Aye

Without further comment or objection, motion carried by unanimous vote.

7) Approval to Develop Agreement with Victor Valley College for Pilot Incumbent Worker Training Program

Brad Gates provided an overview of the item, which was presented and approved at the October 13, 2021 Economic Development Business Resource (EDBR) Committee meeting. He noted that during that meeting, there were adjustments made to the costs allowed for the training, which are now included in the item. A discussion ensued about the training and how it will assist the firefighters. The Chair requested a motion to approve. Cinnamon Alvarez motioned; Cherilyn Greenlee seconded the motion. The Board Secretary took a roll call vote.

Pursuant to Government Code section 54953 (b)(2), a roll call vote was called as follows:

Phil Cothran, Chair: Aye
Orlando Acevedo: Absent
Cinnamon Alvarez: Aye
Kenneth Boshart: Aye
Ricardo Cisneros: Absent
Jimmy Elrod: Absent
Mike Gallo: Absent
Cherilyn Greenlee: Aye
Lowell King: Aye
Scott Kuethen: Aye
Louie Lopez: Absent
Robert Loeun: Absent
Dale Marsden: Aye
Lina Montes: Absent
B.J. Patterson: Aye
Henry Shannon: Aye
Shannon Shannon: Aye
Will Sterling: Aye
Jonathan Weldy: Aye

Without further comment or objection, motion carried by unanimous vote.

8) Approval of America's Job Center of California System Memorandum of Understanding

Brad Gates provided an overview of the item. The State requires the AJCC Memorandum of Understanding (MOU) be updated every three years. Will approval of this item, it will go to the Board of Supervisors for final approval. The MOU will take effect January 1, 2022-December 31, 2025. The Chair requested a motion to approve. B.J. Patterson motioned; Ken Boshart seconded the motion. The Board Secretary took a roll call vote.

Pursuant to Government Code section 54953 (b)(2), a roll call vote was called as follows:

Phil Cothran, Chair: Aye
Orlando Acevedo: Absent
Cinnamon Alvarez: Aye
Kenneth Boshart: Aye
Ricardo Cisneros: Absent
Jimmy Elrod: Absent
Mike Gallo: Absent
Cherilyn Greenlee: Aye
Lowell King: Aye
Scott Kuethen: Aye
Louie Lopez: Absent
Robert Loeun: Absent
Dale Marsden: Aye
Lina Montes: Absent
B.J. Patterson: Aye
Henry Shannon: Aye
Shannon Shannon: Aye
Will Sterling: Aye
Jonathan Weldy: Aye

Without further comment or objection, motion carried by unanimous vote.

9) Election of Workforce Development Board Officers: Chair, 1st Vice Chair and 2nd Vice Chair

Brad Gates introduced Scott Kuethen, Chair of the Nomination Committee. Mr. Kuethen provided an overview of the Nominations Committee meeting that took place on October 22, 2021, which also included Cinnamon Alvarez, Shannon Shannon, Brad Gates and Devra Bell. He discussed the process and rationale behind the members nominated. The slate that was put forward was: Phil Cothran, Chair; Will Sterling, 1st Vice Chair and B.J. Patterson, 2nd Vice Chair. Mr. Kuethen introduced Board Secretary, Devra Bell. Ms. Bell called on each member on the slate, to confirm their acceptance of the nomination. She then asked for any additional nominations from the floor. Henry Shannon motioned to close the nominations. A roll call vote was completed on the slate as presented.

Phil Cothran, Chair: Aye
Orlando Acevedo: Absent
Cinnamon Alvarez: Aye
Kenneth Boshart: Aye
Ricardo Cisneros: Absent

Jimmy Elrod: Absent
Mike Gallo: Absent
Cherilyn Greenlee: Aye
Lowell King: Aye
Scott Kuethen: Aye
Louie Lopez: Absent
Robert Loeun: Absent
Dale Marsden: Aye
Lina Montes: Absent
B.J. Patterson: Aye
Henry Shannon: Aye
Shannon Shannon: Aye
Will Sterling: Aye
Jonathan Weldy: Aye

REPORTS/INFORMATION

10) Committee Reports

The Chair introduced the Committee Chairs:

- EDBR: Cinnamon Alvarez discussed the Victor Valley College agreement regarding fire fighter training; the various hiring events and the EDBR work plan, with its accomplishments this year.
- Special Populations: Jonathan Weldy discussed the committee goals and the accomplishments over 2021; the business convening that was occurring that day; work on the employer tool kit; the UScience pilot program and legislative updates/transportation convening.
- Youth: B.J. Patterson provided an overview of the Youth Refresh and discussed the upcoming Youth RFP. He also introduced the new Youth member on the committee.
- AJCC Ad Hoc: Scott Kuethen reported on the efforts of adding services at satellite offices, as the county covers a large area. They are hoping to have many partners sharing facilities.

ADJOURNMENT

The Chair called for a motion to adjourn. B.J. Patterson motioned; Cinnamon Alvarez seconded the motion. None opposed. Motion carried.

The meeting adjourned at 9:51 AM

The next meeting of the General Board is scheduled for February 9, 2022, at 8:30 AM at the WDD Administration Office, 290 North D Street, 6th Floor, San Bernardino, CA 92415

Devra Bell, WDB Secretary

**San Bernardino County
Workforce Development Board
Agenda Item**

MEETING DATE: February 9, 2022

ITEM: (7)

SUBJECT: **Ratify and Adopt Resolution to Make Certain Findings as Required by California Government Code Section 54953(e) to Participate in Public Meetings via Teleconference**

PRESENTED BY: Bradley Gates, Interim Director
Workforce Development Department

CONSENT _____ **DISCUSSION** X **INFORMATION** _____

RECOMMENDATION: Ratify Resolution No. 2022-01 adopted by the Workforce Development Board Executive Committee and adopt a Resolution finding that meeting in person presents an imminent risk to the health or safety of attendees as a result of the COVID-19 State of Emergency and consider making the findings required by Assembly Bill 361, in order to continue meeting under its provisions.

BACKGROUND: On March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19. On March 17, 2020, the Governor issued Executive Order N-29-20, which, in part, suspended certain provisions of the Ralph M. Brown Act (Brown Act) related to participation in meetings via teleconference in order to provide legislative bodies with more flexibility to hold public meetings while maintaining social distancing due to COVID-19.

On June 11, 2021, the Governor issued Executive Order N-08-21 which, in part, provides that the teleconferencing provisions set forth in Executive Order N-29-20 expire on September 30, 2021. On September 16, 2021, the Governor signed Assembly Bill 361 into law, amending the Brown Act in order to continue some of the teleconferencing flexibility during a State of Emergency.

In order for the Workforce Development Board (WDB) to utilize the teleconferencing provisions of Assembly Bill 361, there must be a proclaimed State of Emergency and either: (1) social distancing measures recommended by State or local officials, or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees.

As a result of the March 4, 2020, State of Emergency, and the highly contagious Omicron variant of COVID-19, meeting in person at the meeting facilities of the WDB presents an imminent risk to the health or safety of attendees due to the unique characteristics of the size and capacity of its meeting facilities, the anticipated number of attendees, and the likely inability to socially distance.

Article VII of the WDB Bylaws authorizes the Executive Board to take action on urgent matters that cannot be timely acted upon by the WDB because of the timing of WDB meetings. The Executive Board adopted Resolution No. 2022-01 at its January 12, 2022 meeting. This proposed Resolution ratifies the action of the Executive Board to adopt Resolution No. 2022-01 and makes new findings to enable the WDB and its Brown Act committees to continue to meet virtually for another thirty (30) days. If necessitated by the status of the pandemic, staff will return to the WDB no later than thirty (30) days after the adoption of this Resolution, with a Board Item for the WDB to consider a new Resolution to make the findings required by Assembly Bill 361, in order to continue meeting under its provisions.

Attachment:
Resolution No. 2022-01
Resolution No. 2022-02

SAN BERNARDINO COUNTY WORKFORCE DEVELOPMENT BOARD

RESOLUTION NO. 2022-01

A RESOLUTION OF THE SAN BERNARDINO COUNTY
WORKFORCE DEVELOPMENT BOARD
FINDING THAT MEETING IN PERSON PRESENTS AN IMMINENT RISK TO
THE HEALTH OR SAFETY OF ATTENDEES
AS A RESULT OF THE COVID-19 STATE OF EMERGENCY

WHEREAS, on March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, under the provisions of Government Code section 8571, finding that strict compliance with various statutes and regulations specified in that order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of COVID-19; and

WHEREAS, Executive Order N-29-20, in part, suspended certain provisions of the Ralph M. Brown Act (Brown Act) related to participation in meetings via teleconference in order to provide legislative bodies with more flexibility to hold public meetings while maintaining social distancing due to COVID-19; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21 which, in part, provides that the teleconferencing provisions set forth in Executive Order N-29-20 expire on September 30, 2021; and

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 into law, amending the Brown Act in order to continue some of the teleconferencing flexibility during a State of Emergency following the expiration of Executive Order N-29-20 on September 30, 2021; and

WHEREAS, in order to utilize the teleconferencing provisions of Assembly Bill 361, there must be a proclaimed State of Emergency and either: (1) social distancing measures recommended by State or local officials, or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, there is currently a State of Emergency in California pursuant to the Governor's March 4, 2020, proclamation; and

WHEREAS, California Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention (CDC) caution that the Omicron variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, and that even fully vaccinated individuals can spread the virus to others resulting in rapid increases of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019Tncov/variants/OmicronTvariant.html>); and

WHEREAS, the CDC has established a "Community Transmission" metric with 4 tiers designed to reflect a community's COVID-19 case rate and percent positivity; and

WHEREAS, San Bernardino County currently has a Community Transmission metric of “high”; and

WHEREAS, due to the seriousness of the current pandemic situation, the CDC and CDPH recommend that all persons, regardless of vaccination status, wear facial coverings indoors; and

WHEREAS, due to the ongoing State of Emergency and the public health threat posed by COVID-19, the San Bernardino County Workforce Development Board seeks to make findings, as required by Assembly Bill 361, that as a result of the COVID-19 State of Emergency, the highly contagious Omicron variant of COVID-19, the anticipated number of attendees, the likely inability to socially distance, and due to the unique characteristics of the size and capacity of its meeting location, meeting in person would present an imminent risk to the health or safety of meeting attendees; and

WHEREAS, the circumstances of the State of Emergency continue to directly impact the ability of the members of the legislative body and members of the public to meet safely in person at the meeting facilities of the San Bernardino County Workforce Development Board; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the San Bernardino County Workforce Development Board thus intends to invoke the provisions of Assembly Bill 361 related to teleconferencing as provided in subdivision (e) of Government Code section 54953; and

NOW, THEREFORE, BE IT RESOLVED, by the San Bernardino County Workforce Development Board, as follows:

Section 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. The Governor’s State of Emergency Declaration, issued on March 4, 2020, remains active.

Section 3. As a result of the March 4, 2020, State of Emergency, and the highly contagious Omicron variant of COVID-19, meeting in person at the meeting facilities of the San Bernardino County Workforce Development Board presents an imminent risk to the health or safety of attendees due to the unique characteristics of the size and capacity of its meeting facilities, the anticipated number of attendees, and the likely inability to socially distance.

Section 4. This Resolution and the findings contained herein shall apply to all the committees of the San Bernardino County Workforce Development Board that are subject to the Brown Act.

Section 5. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) thirty (30) days after the adoption of this Resolution, or (ii) such time the San Bernardino County Workforce Development Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the San Bernardino County Workforce Development Board and its committees subject to the Brown Act may continue to teleconference in compliance with subdivision (e) of Section 54953 of the Government Code.

Section 6. Staff is directed to return to the San Bernardino County Workforce Development Board no later than thirty (30) days after the adoption of this Resolution, with an item for the San Bernardino County Workforce Development Board to consider making the findings required by Assembly Bill 361 in order to continue meeting under its provisions.

The foregoing Resolution was passed and adopted this 12th day of January, 2022 by the following vote:

AYES: Phil Cothran, Will Sterling, B.J. Patterson, Jonathan Weldy, Cinnamon Alvarez, Scott Kuethen, Shannon Shannon

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:



Phillip Cothran, Chairperson

ATTEST:



Devra Bell, Board Secretary

SAN BERNARDINO COUNTY WORKFORCE DEVELOPMENT BOARD

RESOLUTION NO. 2022-02

A RESOLUTION OF THE SAN BERNARDINO COUNTY
WORKFORCE DEVELOPMENT BOARD
FINDING THAT MEETING IN PERSON PRESENTS AN IMMINENT RISK TO
THE HEALTH OR SAFETY OF ATTENDEES
AS A RESULT OF THE COVID-19 STATE OF EMERGENCY

WHEREAS, on March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, under the provisions of Government Code section 8571, finding that strict compliance with various statutes and regulations specified in that order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of COVID-19; and

WHEREAS, Executive Order N-29-20, in part, suspended certain provisions of the Ralph M. Brown Act (Brown Act) related to participation in meetings via teleconference in order to provide legislative bodies with more flexibility to hold public meetings while maintaining social distancing due to COVID-19; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21 which, in part, provides that the teleconferencing provisions set forth in Executive Order N-29-20 expire on September 30, 2021; and

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 into law, amending the Brown Act in order to continue some of the teleconferencing flexibility during a State of Emergency following the expiration of Executive Order N-29-20 on September 30, 2021; and

WHEREAS, in order to utilize the teleconferencing provisions of Assembly Bill 361, there must be a proclaimed State of Emergency and either: (1) social distancing measures recommended by State or local officials, or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, there is currently a State of Emergency in California pursuant to the Governor's March 4, 2020, proclamation; and

WHEREAS, California Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention (CDC) caution that the Omicron variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, and that even fully vaccinated individuals can spread the virus to others resulting in rapid increases of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019Tncov/variants/OmicronTvariant.html>); and

WHEREAS, the CDC has established a "Community Transmission" metric with 4 tiers designed to reflect a community's COVID-19 case rate and percent positivity; and

WHEREAS, San Bernardino County currently has a Community Transmission metric of “high”; and

WHEREAS, due to the seriousness of the current pandemic situation, the CDC and CDPH recommend that all persons, regardless of vaccination status, wear facial coverings indoors; and

WHEREAS, due to the ongoing State of Emergency and the public health threat posed by COVID-19, the San Bernardino County Workforce Development Board seeks to make findings, as required by Assembly Bill 361, that as a result of the COVID-19 State of Emergency, the highly contagious Omicron variant of COVID-19, the anticipated number of attendees, the likely inability to socially distance, and due to the unique characteristics of the size and capacity of its meeting location, meeting in person would present an imminent risk to the health or safety of meeting attendees; and

WHEREAS, the circumstances of the State of Emergency continue to directly impact the ability of the members of the legislative body and members of the public to meet safely in person at the meeting facilities of the San Bernardino County Workforce Development Board; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the San Bernardino County Workforce Development Board thus intends to invoke the provisions of Assembly Bill 361 related to teleconferencing as provided in subdivision (e) of Government Code section 54953; and

WHEREAS, Article VII of the San Bernardino County Workforce Development Board Bylaws authorizes the Executive Board to take action on urgent matters that cannot be timely acted upon by the San Bernardino County Workforce Development Board because of the timing of San Bernardino County Workforce Development Board meetings; and

WHEREAS, pursuant to Article VII of the San Bernardino County Workforce Development Board Bylaws, the Executive Board adopted Resolution No. 2022-01 at its January 12, 2022 meeting in accordance with Assembly Bill 361 to enable the Executive Board and San Bernardino County Workforce Development Board Brown Act committees to meet virtually, subject to later ratification by the San Bernardino County Workforce Development Board; and

WHEREAS, this proposed Resolution ratifies Resolution No. 2022-01 and makes new findings to enable the San Bernardino County Workforce Development Board and its Brown Act committees to continue to meet virtually for another thirty (30) days; and

NOW, THEREFORE, BE IT RESOLVED, by the San Bernardino County Workforce Development Board, as follows:

Section 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Resolution No. 2022-01, previously adopted by the Executive Board pursuant to Article VII of the San Bernardino County Workforce Development Board Bylaws is hereby ratified as if originally adopted by the San Bernardino County Workforce Development Board.

Section 3. The Governor’s State of Emergency Declaration, issued on March 4, 2020, remains

active.

Section 4. As a result of the March 4, 2020, State of Emergency, and the highly contagious Omicron variant of COVID-19, meeting in person at the meeting facilities of the San Bernardino County Workforce Development Board presents an imminent risk to the health or safety of attendees due to the unique characteristics of the size and capacity of its meeting facilities, the anticipated number of attendees, and the likely inability to socially distance.

Section 5. This Resolution and the findings contained herein shall apply to all the committees of the San Bernardino County Workforce Development Board that are subject to the Brown Act.

Section 6. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) thirty (30) days after the adoption of this Resolution, or (ii) such time the San Bernardino County Workforce Development Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the San Bernardino County Workforce Development Board and its committees subject to the Brown Act may continue to teleconference in compliance with subdivision (e) of Section 54953 of the Government Code.

Section 7. Staff is directed to return to the San Bernardino County Workforce Development Board no later than thirty (30) days after the adoption of this Resolution, with an item for the San Bernardino County Workforce Development Board to consider making the findings required by Assembly Bill 361 in order to continue meeting under its provisions.

The foregoing Resolution was passed and adopted this 9th day of February, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Phillip Cothran, Chairperson

ATTEST:

Devra Bell, Board Secretary