

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

December 19, 2023

FROM

**TERRY W. THOMPSON, Director, Real Estate Services Department
GEORGINA YOSHIOKA, Director, Department of Behavioral Health**

SUBJECT

Use Agreement with St. John of God Health Care Services for Office Space and a Recovery Services Treatment Center in Victorville

RECOMMENDATION(S)

1. Find that approval of a Use Agreement with St. John of God Health Care Services for office space and a recovery services treatment center is an exempt project under the California Environmental Quality Act Guidelines Section 15301 - Existing Facilities (Class 1).
2. Approve a Use **Agreement No. 23-1366** with St. John of God Health Care Services for approximately 29.47 acres, totaling approximately 17,770 square feet of building area for office space and a recovery services treatment center located at 13333 Palmdale Road in Victorville, anticipated to commence on January 1, 2024 in the event that a pending escrow, with San Bernardino County Purchase and Sale Agreement No. 23-34 to purchase the property does not close before January 1, 2024; and expire upon the close of escrow of the County Purchase and Sale Agreement.
3. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption for the project as required under the California Environmental Quality Act.

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

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

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

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). There are no costs or revenue associated with this Use Agreement.

BACKGROUND INFORMATION

On January 24, 2023 (Item No. 46), the Board of Supervisors (Board) approved Purchase and Sale Agreement No. 23-34 (PSA) with St. John of God Health Care Services (SJOG). The purchase of approximately 29.47 acres included nine single-story buildings, totaling approximately 17,770 square feet of building area, located at 13333 Palmdale Road in Victorville (Property). The purchase of the property by San Bernardino County (County) from SJOG remains in escrow and SJOG's state licensing expires December 31, 2023, after which they will be unable to provide recovery and treatment services.

**Use Agreement with St. John of God Health Care Services for Office Space and a Recovery Services Treatment Center in Victorville
December 19, 2023**

The Use Agreement is anticipated to commence on January 1, 2024, in the event that a pending escrow, with the San Bernardino County PSA to purchase approximately 29.47 acres, totaling approximately 17,770 square feet of building area for office space and a recovery services treatment center in Victorville does not close by December 31, 2023, and expire upon the close of escrow of the PSA, and will allow the Department of Behavioral Health (DBH) contracted service provider to provide assistance and services to those who are struggling with addiction, poverty, and various other abuse and withdrawal support services in the High Desert. Services include withdrawal management, residential services, transitional living services, inpatient and outpatient services, and a state licensed daycare facility. DBH provides substance use disorder and recovery services and mental health services to County residents who are uninsured or recipients of Medi-Cal, and individuals experiencing a behavioral health crisis. The continuation of these services is vital to the community and will provide for the safety, health and social service needs of County residents.

DBH requested that the Real Estate Services Department (RESA) prepare a Use Agreement with SJOG to allow DBH early access to the facility. The Use Agreement will allow the County to take occupancy of the property prior to close of escrow in the event escrow on the PSA has not closed by December 31, 2023.

The project to approve the acquisition was reviewed pursuant to the California Environmental Quality Act and determined to be categorically exempt under Guidelines Section 15301 - Existing Facilities (Class 1) because the future operation and use occurs within city limits substantially surrounded by urban areas, and there is no possibility that the activity will have a significant impact on the environment.

Summary of Use Terms

Permitter:	St. John of God Health Care Services (Joseph de la Rosa a/k/a Br. Stephen de la Rosa, O.H., Secretary)
Location:	13333 Palmdale Road, Victorville, CA 92392
Size:	Approximately 29.47 acres, totaling approximately 17,770 square feet of building area
Term:	Commence on January 1, 2024, and expire upon the close of escrow of the PSA
Options:	None
Rent:	N/A
Annual Increases:	N/A
Improvement Costs:	N/A
Custodial:	Provided by Permitter
Maintenance:	Provided by Permitter

**Use Agreement with St. John of God Health Care Services for Office Space and a Recovery Services Treatment Center in Victorville
December 19, 2023**

Utilities: Provided by Permittor

Insurance: The Certificate of Liability Insurance, as required by the Lease, is on file with RESD

Holdover: In the event the County shall holdover and continue to occupy the premises with the consent of the Permittor, expressed or implied, the tenancy shall be deemed to be a tenancy from month-to-month upon the same terms and conditions, including rent, as existed, and prevailed at the time of the expiration of the term of this Use Agreement

Right to Terminate: Each Party has the right to terminate with delivery of 30 days written notice

Parking: Sufficient for County needs

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (John Tubbs II and Dawn Martin, Deputies County Counsel, 387-5455) on October 31, 2023; Behavioral Health (Lydia Bell, Administrative Manager, 386-9732) on November 14, 2023; Finance (Chris Lange, Administrative Analyst, 386-8393, and Garrett Baker, Administrative Analyst, 387-3077) on November 28, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on November 29, 2023.

(YG: 665-0268)

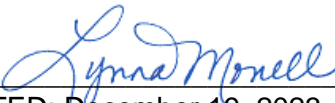
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Col. Paul Cook (Ret.)
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: December 19, 2023



cc: RESD - Thompson w/agree
Contractor - c/o RESD w/agree
File - w/agree
CCM 01/4/2024