

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

February 11, 2020

**FROM**

**TERRY W. THOMPSON, Director, Real Estate Services Department  
JOHN MCMAHON, Sheriff/Coroner/Public Administrator**

**SUBJECT**

Use Permit Agreement with the American Cancer Society, Inc. for Use of Land at the Sheriff's Regional Training Center in San Bernardino

**RECOMMENDATION(S)**

Approve a three-day use permit **Agreement No. 20-88** with the American Cancer Society, Inc., for the period of March 6, 2020 through March 8, 2020, for the use of approximately 9.8 acres of 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, shuttle bus services, and parking areas at the County-owned Sheriff's Regional Training Center in the Glen Helen area of San Bernardino for no revenue.

(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.  
Pursue County Goals and Objectives by Working with Other Agencies.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). There is no revenue to be received by the County for the use of approximately 9.8 acres of land at the Sheriff's Regional Training Center (SRTC) for this three-day use permit. The American Cancer Society, Inc. (ACS) is responsible for all costs for the Construction vs Cancer Event (Event). ACS will provide a display area to the County without charge for the static display of Sheriff/Coroner/Public Administrator's (Sheriff) equipment at the Event. The cost to set up the display of the Sheriff's equipment is minimal and will be paid from the Sheriff's 2019-20 Operations Budget (4431121000).

**BACKGROUND INFORMATION**

The recommended action will approve a new, three-day use permit agreement with ACS for the period of March 6, 2020 through March 8, 2020, for the non-exclusive use of approximately 9.8 acres of land at the County-owned SRTC located at 18958 Institution Road in the Glen Helen area of San Bernardino for static displays of heavy construction equipment, demonstrations of a large crane operated solely by licensed operators, demonstrations of small excavators and scissor lifts operated by licensed operators in conjunction with Event attendees, vendor and

**Use Permit Agreement with the American Cancer Society, Inc. for Use of Land at the Sheriff's Regional Training Center in San Bernardino February 11, 2020**

sponsor display areas, static display area of Sheriff's equipment, such as a helicopter and a SWAT vehicle, children's activity area, shuttle bus services and parking areas for the Event.

The Sheriff requested the Real Estate Services Department (RESA) prepare a use permit agreement to provide for the use of approximately 9.8 acres of land, comprising various unpaved areas and unpaved and paved parking areas (Areas) of the SRTC by ACS for the Event. The agreement provides for the use of the Use Area for static displays and operational demonstrations of heavy construction equipment presently located on the SRTC and owned and operated by the Operating Engineers Funds, Inc. (OE). OE occupies approximately 38.01 acres of County-owned land at the SRTC and provides in-kind construction services to the County under the provisions of Lease Agreement No. 03-390, which was last approved by the Board of Supervisors on November 5, 2020 (Item No. 29). ACS will utilize volunteer, licensed operators from OE to perform demonstrations of large equipment and perform demonstrations of small excavators and scissor lifts to be operated by licensed operators in conjunction with Event attendees. The Use Permit agreement requires ACS to indemnify the County for the Event and to provide an increased general liability insurance limit as requested by Risk Management. In addition, all attendees who desire to participate in the operation of the small excavators and scissor lifts will be required to execute a release and waiver of liability for high risk activity that releases ACS and the County from liability for any injury to persons or damage to property resulting from attendee's participation in these demonstrations. ACS also plans to have a children's activity area, vendor and sponsor display areas, shuttle buses to transport attendees around the Use Area and parking areas. ACS is responsible for all costs associated with the Event including clean-up and restoration of the Use Area at the conclusion of the Event.

This new three-day use permit agreement provides for the use of approximately 9.8 acres of land at the County-owned SRTC in the Glen Helen area by ACS for the period of March 6, 2020 through March 8, 2020, for activities associated with the Construction vs Cancer fundraising event.

Staff has reviewed the recommended action pursuant to the California Environmental Quality Act (CEQA) and has determined that it does not constitute a project. Accordingly, no further action is required under CEQA.

Summary of Use Permit Terms

Permitee:	American Cancer Society, Inc. (Randi Stuart, Manager, Community Development)
Location:	The SRTC, Glen Helen area of San Bernardino
Size:	Approximately 9.8 acres of land
Term:	Three days commencing March 6, 2020 through March 8, 2020
Use Fee:	None, but a display area for Sheriff's equipment will be provided by ACS
Improvement Costs:	None

**Use Permit Agreement with the American Cancer Society, Inc. for Use of Land at the Sheriff's Regional Training Center in San Bernardino February 11, 2020**

Utilities: None

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

Right to Terminate: Either party may terminate with 1-day written notice for default

**PROCUREMENT**

Not applicable

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Rick Luczak, Deputy County Counsel and Agnes Cheng, Deputy County Counsel, 387-5455) on January 16, 2020; Sheriff (Jose Torres, Administrative Manager, 387-3648) on January 3, 2020; Finance (Carolina Mendoza, Administrative Analyst, 387-0294 and Monique Amis, Administrative Analyst, 387-4883) on January 26, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on January 27, 2020.

(KB: 677-7961)

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Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

Moved: Robert A. Lovingood Seconded: Josie Gonzales

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: February 11, 2020



cc: RESD- Thompson w/agree  
Contractor- C/O RESD w/agree  
File- w/agree

la 02/21/2020