

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

January 13, 2026

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Revenue Project Agreement from the State of California, Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Division Grant and Cooperative Agreements Program

RECOMMENDATION(S)

1. Approve Revenue Project **Agreement No. 26-25** (State Agreement No. G25-03-15-L01), including non-standard terms, with the State of California, Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Division Grant and Cooperative Agreements Program, to accept funding for law enforcement activities within the jurisdiction of the San Bernardino County Sheriff/Coroner/Public Administrator's Department, in an amount not to exceed \$235,141, for the period of October 1, 2025 through September 30, 2026.
2. Authorize the Sheriff/Coroner/Public Administrator to execute and electronically submit the Revenue Project Agreement and any subsequent non-substantive amendments to the Revenue Project Agreement, as required by the State of California, Department of Parks and Recreation, Off-Highway Motor Vehicle Grant Program, subject to County Counsel review.
3. Direct the Sheriff/Coroner/Public Administrator to transmit the fully executed Revenue Project Agreement and any subsequent non-substantive amendments to the Clerk of the Board of Supervisors within 30 days of execution.
4. Authorize the Auditor-Controller/Treasurer/Tax Collector to post adjustments to the Sheriff/Coroner/Public Administrator's 2025-26 budget, as detailed in the Financial Impact Section (Four votes required).

(Presenter: Carolina Mendoza, Chief Deputy Director, 387-0640)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The grant award will provide funding to the Sheriff/Coroner/Public Administrator (Department) in the total amount of \$235,141 to help offset the cost of providing Off-Highway Vehicle (OHV) enforcement activities in the unincorporated areas of San Bernardino County. The OHV Grant Program requires a 25% local match of \$78,434, for a total project cost of \$313,575. The Department will utilize existing staff included in the 2025-26 Adopted Budget to satisfy the local match requirement. The grant will fund overtime, services and supplies,

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January 13, 2026**

administrative and other program related costs. Appropriation and revenue for this award are not included in the Department’s 2025-26 Adopted Budget.

The Department requests the Auditor-Controller/Treasurer/Tax Collector to post the following adjustments to the 2025-26 budget:

Fund Center	Commitment Item	Description	Action	Amount
4438001000	51001035	Overtime	Increase	\$194,257
4438001000	52002135	Special Department Expense	Increase	\$40,884
4438001000	40408955	State – Grants	Increase	\$235,141

BACKGROUND INFORMATION

The State of California, Department of Parks and Recreation (State) administers the OHV grant program that provides funding to cities, counties, appropriate districts, and non-profit organizations to provide OHV recreation, education, enforcement, and maintenance. This program is funded from OHV registrations, fines and forfeitures, fees, and fuel taxes. This grant is no longer awarded on a competitive basis. The grant awards are based on a proportional, “needs based” distribution. The Department has been receiving funding under this program since 2006.

Approval of the Revenue Project Agreement will allow the Department’s OHV enforcement teams to provide the following services: off-highway vehicle law enforcement on peak days, safeguarding the desert habitat, and provide information/education materials to the public on the safe and legal use of off-road vehicles in the areas within the Department’s jurisdiction, specifically Barstow, Colorado River, Twin Peaks, Victor Valley, Morongo Basin and Big Bear stations. In addition, the enforcement team provides supervisory personnel, manpower (patrol officers, dispatchers, and logistical support personnel), and equipment (patrol vehicles, support vehicles, mobile dispatch center and command post) to supplement the U.S. Bureau of Land Management (BLM) operations during several holiday weekends throughout the year.

The proposed Agreement includes non-standard terms and conditions that differ from the County’s standard contract language as follows:

1. The Agreement does not require the State to indemnify the County, as required by County Policies 11-05 and 11-07, including for intellectual property infringement claims. Further, the State requires the County to indemnify it in relation to activities related to the Agreement, except for claims arising from the concurrent or sole negligence of the State.
 - The County standard contract indemnity provision requires the State to indemnify, defend, and hold County harmless from third party claims arising out of the acts, errors, or omissions of any person. Further, the County standard contract does not include any indemnification or defense by the County of the State.
 - Potential Impact: The State is not required to defend, indemnify, or hold the County harmless from any claims, including indemnification for claims arising from the State’s negligent or intentional acts and intellectual property infringement. If the County is sued for any claim, including intellectual property infringement based on its use of the State’s software or services, the County may be solely liable for the costs of defense and damages, which could exceed the total Agreement amount. Further, by agreeing to

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Parks and Recreation, Off-Highway Motor Vehicle Recreation Division
Grant and Cooperative Agreements Program
January 13, 2026**

indemnify the State, County could be responsible to defend and reimburse the State for costs, expenses, and damages, which could exceed the total Agreement amount.

2. The State requires the County to represent and pay for the State's attorney's fees on any legal action related to the Agreement, unless the State elects to represent itself, in which case the State will bear its own attorney's fees.
 - The County standard contract requires each party to bear its own costs and attorney's fees, regardless of who is the prevailing party.
 - Potential Impact: If a party institutes any legal proceedings related to the Agreement, the County could potentially have to pay for attorney's fees to defend the State.

While the State's conditions are exceptions to the County's standard contract language, approval by the Board of Supervisors (Board) is necessary for the Department to provide the services listed in the Agreement for the safety and health of County residents. County Counsel and Risk Management have reviewed the non-standard language and provided input.

On May 20, 2025 (Item No. 89), the Board approved the submission of grant application for the OHV program, requesting grant funds in the amount of \$600,000, with a required 25% County match of \$200,000, for total project cost of \$800,000. The State subsequently awarded grant funding on November 17, 2025, in the amount of \$235,141 with a required match of \$78,434, for a total project cost of \$313,575, for the period of October 1, 2025 through September 30, 2026. The Department is submitting the Revenue Project Agreement to the Board for approval at this time as it is the first available meeting date after completion of the review process. The Department can submit claims for reimbursement retroactively to October 1, 2025.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Gavin Hagey, Deputy County Counsel, 387-5455) on December 30, 2025; Risk Management (Stephanie Pacheco, Staff Analyst, 386-9039) on December 12, 2025; Auditor-Controller/Treasurer/Tax Collector (Charlene Huang, Auditor-Controller Manager, 382-7022) on December 16, 2025; and County Finance and Administration (Erika Rodarte, Administrative Analyst, 387-4919) on December 23, 2025.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: January 13, 2026



cc: Sheriff - Mendoza w/agree for sign
Contractor - c/o Sheriff w/agree
File - w/agree
MBA 01/15/2026