

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

January 27, 2026

FROM

**TERRY W. THOMPSON, Director, Real Estate Services Department
JASON ANDERSON, District Attorney**

SUBJECT

Amendment to Facility Use Agreement with the City of San Bernardino for Office Space in San Bernardino

RECOMMENDATION(S)

1. Find that approval of Amendment No. 1 to Facility Use Agreement No. 17-364, with the City of San Bernardino for office space, is an exempt project under the California Environmental Quality Act Guidelines, Section 15301 - Existing Facilities (Class 1).
2. Approve **Amendment No. 1 to Facility Use Agreement No. 17-364** with the City of San Bernardino to:
 - a. Extend the term of the agreement by three years, for the period of February 1, 2026 through January 31, 2029, through the County's exercise of an existing extension option, following a permitted holdover period from July 1, 2024 through January 31, 2026.
 - b. Adjust the rental rate schedule.
 - c. Add one three-year option to extend.
 - d. Update standard facility use agreement language.
 - e. Continue using approximately 8,370 square feet of office space, located at 710 North D Street in San Bernardino for the District Attorney.
 - f. Increase the total Facility Use Agreement amount by \$5, from \$7 to \$12, inclusive of \$2 for the permitted holdover period.
3. Direct the Real Estate Services Department to file the Notice of Exemption in accordance with 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). The total cost of Amendment No. 1 (Amendment) to Facility Use Agreement No. 17-364 (FUA) is \$5, which includes \$2 for the permitted holdover period. FUA payments will be made from the Real Estate Services Department (RESD) rents budget (7810001000) and reimbursed from the District Attorney (DA) budget (4500001000). Sufficient appropriation is included in the 2025-26 RESD and DA budgets and will be included in future recommended budgets. Annual FUA costs are as follows:

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Year	FUA Cost
*July 1, 2024 – January 31, 2026	\$2
February 1, 2026 – January 31, 2027	\$1
February 1, 2027 – January 31, 2028	\$1
February 1, 2028 – January 31, 2029	\$1
Total Cost:	\$5

*Permitted holdover period

BACKGROUND INFORMATION

On May 23, 2017 (Item No. 101), the Board of Supervisors (Board) approved a seven-year FUA for 8,370 square feet of office space at 710 North D Street in San Bernardino (Premises), with the City of San Bernardino, for the San Bernardino County Auto Theft Task Force (SANCATT). The original term of the FUA was for the period of July 1, 2017 through June 30, 2024. SANCATT is comprised of several agencies including, the San Bernardino Police Department, Rialto Police Department, Ontario Police Department, California Highway Patrol, the DA's office, the Sheriff/Coroner/Public Administrator, the California Department of Insurance, Department of Motor Vehicles, and the National Insurance Crime Bureau. These agencies work together with the goal of reducing the incidents of vehicle theft countywide. SANCATT's primary efforts are directed toward the professional vehicle thief, with emphasis on organized vehicle theft operations.

Since the City of San Bernardino (City) and County are joint participants in this task force, the City's provision of space at nominal cost of \$1 annually represents an in-kind contribution toward the collective effort to reduce auto theft. This cooperative arrangement is common for multi-jurisdictional law enforcement task forces, where each agency contributes either space, personnel, or funding instead of paying market-rate rent.

At the request of the DA, RESD negotiated an amendment to extend the existing term which expired on June 30, 2024. Approval of this Amendment required additional review by both parties to confirm the continued use of the Premises under the FUA and to ensure all terms remained aligned with operational needs. As a result, on July 1, 2024, the FUA entered a permitted holdover. Over the subsequent two years, the Premises have continued to be occupied by the members of SANCATT under the terms of the FUA, providing uninterrupted access while both parties coordinated on long-term arrangement and operation requirements. In November 2025, both parties reached agreement on the terms of the Amendment at a time that allowed for a full evaluation of operational needs and ensured all provisions were mutually beneficial.

The Amendment will extend the term for the period of February 1, 2026 through January 31, 2029, adjust the rental rate schedule, add one three-year option to extend, and update standard FUA agreement language. All other FUA terms remain unchanged.

The project to approve the Amendment was reviewed pursuant to the California Environmental Quality Act (CEQA) and determined to be categorically exempt under CEQA Guidelines, Section 15301 - Class 1 Existing Facilities because the proposed FUA is to secure property to operate within the existing structure with negligible or no expansion of existing use.

Summary of FUA Terms

Lessor: City of San Bernardino
Eric Levitt, City Manager

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Location: 710 North D Street

Size: 8,370 square feet

Term: Three years, February 1, 2026 through January 31, 2029

Options: One three-year option

Rent: Annual: \$1
*Low-range for comparable facilities in the San Bernardino area per the competitive set analysis on file with RESD

Annual Increases: None

Improvement Costs: None

Custodial: Provided by City

Maintenance: Provided by City

Utilities: Provided by City

Insurance: Both public entities are self-insured

Holdover: Upon the end of the term, if permitted by the City, the FUA shall continue on a month-to-month term upon the same terms and conditions which existed at the time of expiration

Right to Terminate: FUA will terminate on the earliest to occur: (i) three years thereafter on January 31, 2029, (ii) the date the County's participation in the SANCATT program terminates; or (iii) the date the FUA terminates by default or material misrepresentation

Parking: Sufficient for County needs

PROCUREMENT

County Policy 12-02 does not apply to leases of real property owned by a federal agency, the State, a city, a county, a school district, special district, or other public entity. The Board shall, as required by law, approve all such leases.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (John Tubbs II and Daniella Hernandez, Deputies County Counsel, 387-5455) on January 23, 2026; District Attorney (Claudia Walker, Administration Chief, 382-7689) on October 8, 2025; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on October 2, 2025; and County Finance and Administration (Elias Duenas, 387-4052, and Eduardo Mora, 387-4376, Administrative Analysts) on January 9, 2026.

(DM: 677-8388)

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

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: January 27, 2026



cc: RESD - Thompson w/agree
 Contractor - c/o RESD w/agree
 File - w/agree
CCM 01/29/2026