

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

June 10, 2025

FROM

BEAHTA R. DAVIS, Director, Regional Parks Department

SUBJECT

Revenue Agreement with the State of California Department of Forestry and Fire Protection for Incident Command Post at Yucaipa Regional Park

RECOMMENDATION(S)

Approve Revenue **Agreement No. 25-428** with the State of California Department of Forestry and Fire Protection, including non-standard terms, for the use of a portion of Yucaipa Regional Park for an Incident Command Post and Base Camp for the Line Fire, for the retroactive period of September 30, 2024 through October 11, 2024, for the contract amount of \$3,000 per day. (Presenter: Beahta R. Davis, Director, 387-2340)

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 and Stakeholders.

FINANCIAL IMPACT

Approval of the Agreement will not result in the use of Discretionary General Funding (Net County Cost). Under this Agreement, the State of California Department of Forestry and Fire Protection (Permittee) will pay the Regional Parks Department (Department) \$3,000 per day for the use of a portion of Yucaipa Regional Park (Park) from September 30, 2024, through October 11, 2024.

BACKGROUND INFORMATION

On September 5, 2024, the Line Fire Incident began in Highland at Baseline Road and Aplin Road. As of December 23, 2024, the fire burned 43,978 acres. Due to the fire's proximity to Yucaipa Regional Park, an Incident Command Post was established at the Park on September 30, 2024. The recommended Agreement provides that the Permittee will provide compensation for the period of September 30, 2024, through October 11, 2024 for the use of a portion of the Park at the rate of \$3,000 per day.

The Agreement is non-negotiable and includes terms that is different from the standard County contract as follows:

1. The Agreement does not require Permittee to meet the County's insurance standards as required pursuant to County Policies, 11-05, 11-07 and 11-07SP.
 - County policy requires contractors to carry appropriate insurance at limits and under conditions determined by the County's Risk Management Department and as set forth in County policy and in the County standard contract.

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- Potential Impact: The County has no assurance that the Permittee will be financially responsible for claims that may arise under the Agreement, which could result in expenses to the County that exceed the total Agreement amount.
2. The Agreement requires the Permittee and the County to hold each other harmless against any and all claims for injury to the person or damage to the property arising from the uses in the Agreement, except where such injury or damage is proximately caused by the negligent or willful acts of the other.
- The County standard contract indemnity provision requires the contractor to indemnify, defend, and hold County harmless from all claims arising out of the acts, errors or omissions of any person. The County standard contract does not include any indemnification or defense by the County of a contractor.
 - Potential Impact: Permittee is not required to defend, indemnify or hold the County harmless from any and all claims. If the County is sued for any claim, the County may be solely liable for the costs of defense and damages, which could exceed the total Agreement amount.

The Department recommends the Agreement, including non-standard terms, in order to receive revenue reimbursement from the Permittee for use of the Park for the Line Fire Incident.

This revenue agreement aligns with the County and Chief Executive Officer goals and objectives to operate in a fiscally responsible and business-like manner by enabling the Department to leverage its park property resources to generate revenue.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on April 29, 2025; Finance (Elias Duenas, Administrative Analyst, 387-4052) on May 12, 2025; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on May 13, 2025.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 10, 2025



cc: Parks - Davis w/agree
Contractor - c/o Parks w/agree
File - w/agree
MBA 06/24/2025