

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

May 18, 2021

**FROM**

**BRENDON BIGGS, Director, Department of Public Works – Solid Waste Management**  
**TERRY W. THOMPSON, Director, Real Estate Services Department**

**SUBJECT**

Amendment No. 1 to Revenue License Agreement with the Burr Group, Inc. for the Use of a Portion of the County-Owned Crestline Yard for the Department of Public Works in Crestline

**RECOMMENDATION(S)**

1. Find that, pursuant to California Government Section 25526.6, Amendment No. 1 to Lease Agreement No. 16-504 with the Burr Group, Inc. to extend the term of the lease five years for the period of July 1, 2021 through June 30, 2026, adjust the license fee schedule, and update standard license agreement language for the non-exclusive use of approximately 21,780 square feet of County-owned property located within the Department of Public Works Crestline Yard in Crestline is in the public interest and that the amendment to the license agreement will not substantially conflict or interfere with the County's use of the property.
2. Approve **Amendment No. 1 to Revenue License Agreement No. 16-504**, with the Burr Group, Inc. to extend the term of the license five years by licensee's exercising an extension option for the period of July 1, 2021 through June 30, 2026, adjusts the license fee schedule, and update standard license agreement language for the non-exclusive use of approximately 21,780 square feet of the County-owned property located within the Department of Public Works Crestline Yard in Crestline for total revenue in the amount of \$57,720.

(Presenter: Terry W. Thompson, Director, 387-5252)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

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

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The total revenue to be received by the Solid Waste Management Division (SWMD) budget (6700004250) during this five-year amendment is \$57,720. Annual license revenue is as follows:

<u>Year</u>	<u>Annual License Revenue</u>
July 1, 2021 – June 30, 2022	\$10,872
July 1, 2022 – June 30, 2023	\$11,196
July 1, 2023 – June 30, 2024	\$11,532

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<u>Year</u>	<u>Annual License Revenue</u>
July 1, 2024 – June 30, 2025	\$11,880
July 1, 2025 – June 30, 2026	<u>\$12,240</u>
<b>Total Revenue:</b>	<b>\$57,720</b>

**BACKGROUND INFORMATION**

The recommended action will amend an existing revenue license with the Burr Group, Inc. (Burr Group) to extend the term of the license five years by Burr Group's exercising an extension option for the period of July 1, 2021 through June 30, 2026 for the non-exclusive use approximately 21,780 square feet of the County-owned Department of Public Works Crestline Yard in Crestline for the storing and staging of recycling and solid waste hauling containers to benefit the mountain customers.

On June 28, 2016 (Item No. 61), the Board of Supervisors (Board) approved a five-year license agreement, No. 16-504, for the non-exclusive use of approximately 21,780 square feet of the County-owned property located within the Department of Public Works Crestline Yard in Crestline. The original term of the license was for the period of July 1, 2016 through June 30, 2021.

SWMD requested the Real Estate Services Department (RESO) draft Amendment No. 1 to Revenue License Agreement 16-504 with the Burr Group, who notified SWMD of its exercise of the existing extension option under the License. Amendment No. 1 to Revenue License Agreement No. 16-504 extends the term of the license five years, adjusts the license fee schedule, and updates the standard license language provisions. All other terms and conditions of the license remain unchanged.

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 License  
Terms**

Licensee:	Burr Group, Inc. (Tracy Sweeney, Chief Operations Officer/Vice President)
Location:	Crestline Road Yard, Crestline
Size:	Non-exclusive use of approximately 21,780 square feet of County-owned property
Term:	Five years commencing July 1, 2021
Options	None

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Rent:	Revenue per sq. ft. per month: approximately \$0.05 Monthly: \$906 Annual: \$10,872 *Low-range for comparable facilities in the Crestline area per the competitive set analysis on file with RESD
Annual Increases:	3%
Improvement Costs:	None
Maintenance:	Provided by Licensee
Utilities:	Provided by Licensee
Insurance:	The Certificate of Liability Insurance, as required by the license, is on file with RESD
Right to Terminate:	Either party has the right to terminate the license with 90-days' notice

**PROCUREMENT**

Pursuant to California Government Code Section 25526.6, the Board may grant licenses for use of any County-owned property to a public benefit corporation in the manner and upon the terms and conditions as the Board determines upon a finding by the Board that the agreement is in the public interest and will not substantially conflict or interfere with the County's use of the property.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Agnes Cheng, Deputy County Counsel and Kristina Robb, Deputy County Counsel, 387-5455) on April 26, 2021; Department of Public Works-Solid Waste Management Division (Brendon Biggs, Director, 387-7906) on March 8, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222 and Carl Lofton, Administrative Analyst, 387-5404) on May 3, 2021; and County Finance and Administration (Matthew Erickson, Chief Financial Officer, 387-5423) on May 3, 2021.

(LB: 453-5227)

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

**APPROVED (CONSENT CALENDAR)**

Moved: Joe Baca, Jr. Seconded: Janice Rutherford

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: May 18, 2021



cc: RESD - Thompson w/agree  
Contractor - C/O RESD w/agree  
File - w/agree  
CCM 05/19/2021