

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS
OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
AND RECORD OF ACTION**

October 6, 2020

FROM

**TERRY W. THOMPSON, Director, Real Estate Services Department
DAN MUNSEY, Fire Chief/Warden, San Bernardino County Fire Protection District**

SUBJECT

Amendment No. 1 to Sublease Agreement with Big River Development Enterprises, an Entity of the Colorado River Indian Tribes, for Land for the San Bernardino County Fire Protection District in the Unincorporated Community of Big River

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Fire Protection District (SBCFPD), approve **Amendment No. 1** to Sublease **Agreement No. 11-48** with Big River Development Enterprises, an entity of the Colorado River Indian Tribes, to amend the sublease agreement for land in the unincorporated area of Big River on which SBCFPD operates a fire station facility to terminate the sublease by mutual agreement of the parties, effective October 6, 2020, at no additional cost.

(Presenter: Terry W. Thompson, Director, 387-5000)

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.**

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). There is no additional cost associated with this amendment to terminate the sublease.

BACKGROUND INFORMATION

The recommended action will amend an existing sublease with Big River Development Enterprises, an entity of the Colorado River Indian Tribes (BRDE), for land in the unincorporated area of Big River on which the SBCFPD operates Fire Station No. 17 to terminate the sublease by mutual agreement of the parties, effective October 6, 2020, at no cost.

On February 8, 2011 (Item No. 49), the Board of Directors (Board) of the SBCFPD approved a 20-year sublease, Agreement No. 11-48 (Sublease) with BRDE, to sublease land in the unincorporated area of Big River on which SBCFPD operates Fire Station No. 17 and provides fire protection and basic life support services to the area. The current term of the Sublease is for the period of February 26, 2009 through February 25, 2029 and neither party has the right to terminate the Sublease for convenience during the term.

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On July 14, 2020 (Item No. 59), the Board approved Agreement No. 20-595 (Fire Services Agreement) with the Colorado River Indian Tribes (CRIT), whereby SBCFPD contracted with CRIT for CRIT to provide fire protection and basic life support services to the unincorporated community of Big River for the period of July 14, 2020 through June 30, 2025. The Fire Services Agreement further provides that CRIT will use its own stations to provide agreement services and that SBCFPD will not provide any stations to CRIT.

In July 2020, as a result of the Fire Services Agreement, SBCFPD requested the Real Estate Services Department (RESA) prepare an amendment for the Board's approval to terminate the Sublease with BRDE by mutual agreement of SBCFPD and BRDE, effective October 6, 2020. As required by the Sublease, the metal butler building that comprises Fire Station No. 17, which was previously installed by SBCFPD on the subleased land, shall remain on the land and become the property of BRDE at the end of the Sublease. In addition, SBCFPD's prepaid annual rent in the amount of \$897.45 will also be retained by BRDE.

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

Summary of Sublease Terms

Lessor:	Big River Development Enterprises, an entity of The Colorado River Indian Tribes (Denis Patch, Chairman)
Location:	Lot 573 & 574, Tract 7422, as shown on map recorded in book 99, pages 65 to 91, inclusive of maps, in the office of the County recorder of San Bernardino County, State of California
Size:	Approximately 0.81 acres (35,077 sq. ft.)
Term:	20 years, which commenced February 26, 2009
Options	None
Rent:	Cost per sq. ft. per year: \$0.026* (35,077 sq. ft.) Annual: \$897.45 *Low-range for comparable facilities in the unincorporated area of Big River per the competitive set analysis on file with RESA
Annual Increases:	Based on percentage change to the CPI
Improvement Costs:	None
Insurance:	The Certificate of Liability Insurance, as required by the Sublease, is on file with RESA
Right to Terminate:	None

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PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Agnes Cheng, Deputy County Counsel and Scott Runyan, Deputy County Counsel, 387-5455) on September 17, 2020; SBCFPD (Dianne Mendez-Cantu, Staff Analyst II, 387-9605) on September 4, 2020; Purchasing Department (Bruce Cole, Buyer II, 387-2464) on August 28, 2020; Finance (Wen Mai, Principal Administrative Analyst, 387-4020 and Tom Forster, Administrative Analyst, 387-4635) on September 21, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on September 22, 2020.

(JAG: 677-8210)

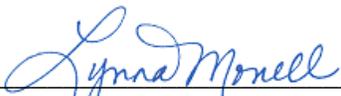
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Record of Action of the Board of Directors
San Bernardino County Fire Protection District

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, SECRETARY

BY 
DATED: October 6, 2020



cc: SDD/SBCFPD- Thompson w/agree
 Contractor- C/O SDD/SBCFPD w/agree
 File- w/agree
LA 10/21/2020