

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

April 7, 2026

FROM

MARCUS DILLARD, Chief of Homeless Services, Office of Homeless Services

SUBJECT

Non-Financial Consent Letter for Outreach Service Delivery on California Department of Transportation Property

RECOMMENDATION(S)

1. Approve non-financial Consent Letter **Contract No. 26-267** (Form MTC-0131B) with non-standard terms, with the California Department of Transportation granting the County permission to conduct homeless outreach, social services engagement, and relocation assistance for people experiencing homelessness within California Department of Transportation property located within San Bernardino County for a one-year term from the date it is fully executed.
2. Authorize the Assistant Executive Officer, Deputy Executive Officer, or the Chief of the Office of Homeless Services to execute the Consent Letter on behalf of the County.
3. Direct the Chief of the Office of Homeless Services to transmit the Consent Letter to the Clerk of the Board of Supervisors within 30 days of execution.
(Presenter: Marcus Dillard, Chief of Homeless Services, 501-0644)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote and Fulfill the Countywide Vision.

Improve County Government Operations.

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 the Consent Letter, Form MTC-0131B (Consent Letter), with the California Department of Transportation (DOT) will not result in the use of additional Discretionary General Funding (Net County Cost). The Consent Letter only addresses access to DOT property and as such is non-financial in nature.

BACKGROUND INFORMATION

The Office of Homeless Services (OHS) coordinates and supports regional efforts to address homelessness throughout San Bernardino County. As part of this effort, OHS leads an outreach team and partners with service providers to engage individuals experiencing homelessness, connect them to shelter and housing resources, and facilitate access to supportive services including behavioral health, medical care, and public benefits.

Individuals experiencing homelessness may reside in areas adjacent to or within the DOT owned rights-of-way. To mitigate the risk of conducting outreach and engagement activities

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within these areas, DOT utilizes a standardized consent letter titled Consent Letter for Service Providers Accessing Encampments on Caltrans Property, Form MTC-0131B (Form). The Form outlines risks of performing outreach within these areas and provides guidelines for minimizing risk of injury to OHS staff and outreach providers. The Form also requires written acknowledgement by OHS.

The Consent Letter contains the following non-standard contract terms:

1. The County is required to indemnify, defend and hold harmless DOT for any claims arising from any activities which are the subject of the Consent Letter and the presence of any personnel on the property.
 - The County standard contract does not include any indemnification or defense by the County of a contractor.
 - Potential Impact: By agreeing to indemnify DOT, the County will be permitted to enter upon DOT property.
2. The County is required to maintain general liability insurance and be named as additional insured.
 - The County standard contract does not require the County to maintain insurance.
 - Potential Impact: The County will have to provide coverage for liability arising out of the work or operations performed pursuant to the Consent Letter.
3. The County cannot terminate the Consent Letter for convenience.
 - The County standard contract gives the County the right to terminate the contract, for any reason, with a 30-day written notice of termination.
 - Potential Impact: The County would not be able to terminate the Consent Letter before the expiration of the one-year term.

The proposed Consent Letter authorizes the OHS outreach team to access DOT properties for the limited purpose of conducting outreach, engagement, service coordination, and connection to housing resources. This authorization supports OHS and its contracted service providers to continue coordinated efforts to engage with vulnerable populations. The consent does not transfer any property rights and may be revoked by DOT in accordance with its terms.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on March 3, 2026; Risk Management (Stephanie Mead, Staff Analyst II, 386-9044) on March 5, 2026; and County Finance and Administration (Paul Garcia, Administrative Analyst, 386-8392) on March 16, 2026.

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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: April 7, 2026



cc: OHS - Dillard w/agree for sign
Contractor - c/o OHS w/agree
File - w/agree

CCM 04/8/2026