

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

**March 12, 2024**

**FROM**

**BEAHTA R. DAVIS, Director, Regional Parks Department**

**SUBJECT**

Revenue Lease Agreement with Silver Rush Burger DBA The Philly Burger at Calico Ghost Town Regional Park for Operation of Silver Rush Burger

**RECOMMENDATION(S)**

Approve Revenue Lease **Agreement No. 24-235** with Silver Rush Burger DBA The Philly Burger to lease Building No. 25 and operate the Silver Rush Burger concession at Calico Ghost Town Regional Park, in which the County will receive lease fees of no less than \$34,800 for the initial three-year term of March 13, 2024 through March 12, 2027, with two three-year extension options (Four votes required).

(Presenter: Beahta R. Davis, Director, 387-2340)

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

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

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). Under this Revenue Lease Agreement (Lease), Silver Rush Burger DBA The Philly Burger (Concessionaire) will pay the Regional Parks Department (Department) a minimum monthly fee of \$1,200 or 8% of monthly gross income, whichever is greater. Concessionaire will also pay 3.5% of the monthly gross income as an advertising fee for promotion of the Calico Ghost Town Regional Park (Park). The Department will match the advertising fee payment equal to a minimum of one and a half times the 3.5% collected. Concessionaire is granted a three-month grace period for Lease payments from the date of operational opening. The planned opening of the premises to the public is August 1, 2024, so the first payment will be due the month of November 2024, payable by December 10, 2024.

The Concessionaire will also submit a \$1,200 security deposit following the execution of the Lease. Adequate appropriation and revenue have been included in the Department's 2023-24 budget and will be included in future recommended budgets.

**BACKGROUND INFORMATION**

The Department operates and maintains eight regional parks, including this Park located in the City of Yermo. The Park is an old west mining ghost town with State Historic Landmark status that has been proclaimed to be California's Silver Rush Ghost Town. Along with its history and attractions, such as the Mystery Shack, gold panning, and Calico/Odessa Railroad, the Park offers various shops, restaurants, camping, hiking, and off-roading.

**Revenue Lease Agreement with Silver Rush Burger DBA The Philly  
Burger at Calico Ghost Town Regional Park for Operation of Silver Rush  
Burger  
March 12, 2024**

The recommended Lease will provide for the Concessionaire to lease and operate concessions in Building No. 25, previously known as Old Miner's Café but will now be referred to as Silver Rush Burger, at the Park. The recommended Lease with the Concessionaire is for an initial three-year term commencing March 13, 2024, through March 12, 2024, and includes two three-year extension options for a possible aggregate term of nine years.

Silver Rush Burger will adopt a western style theme reflective of the Park. This will be seen in the name of the restaurant, uniforms worn by staff, and in the restaurant interior design. Silver Rush Burger will provide promotions, events, and marketing to attract public patronage to visit the Park, in addition to payment of a percentage of monthly gross to the Department as an advertising fee for promotion of the Park. Under the provisions of the Lease, once open and in full operations, the Silver Rush Burger concession is anticipated to offer burgers, hot dogs, fries, onion rings, chicken nuggets, sandwiches, salads, shakes, ice cream, beverages, bagels, breakfast sandwiches, and other snacks.

Approval of this Lease aligns with the County and Chief Executive Officer's goal and objective to operate in a fiscally-responsible and business-like manner by allowing the Department to leverage its amenities and land to raise revenue to support park maintenance and development. Per County Policy 12-05 and Government Code Section 25536, all leases of Park real property developed under a solicitation of proposals process require four votes for approval by the Board of Supervisors.

**PROCUREMENT**

Purchasing supports this competitive procurement based on Request for Proposals (RFP) No. PARKS23-PARKS-4913, released on February 24, 2023. The RFP was released to procure the lease and management of Building No. 25, previously known as Old Miner's Café, for concessions. Following review of the two proposals received and evaluation by Department management and County Finance, award to the Concessionaire is recommended as the proposal best meets the needs of the Department. Based on the competitive evaluation Silver Rush demonstrated the qualifications and experience and provided the most competitive financial statement. No protests were received.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on February 2, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on February 29, 2024; Real Estate Services Department (Lyle Ballard, Leasing and Property Manager, 387-5252) on February 29, 2024; Finance (Elias Duenas, Administrative Analyst, 387-4052) on February 20, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on February 26, 2024.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: March 12, 2024



cc: Parks - Davis w/ agree  
Contractor c/o Parks w/ agree  
File w/ agree  
JLL 03/19/2024