

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

November 15, 2022

FROM

**TERRY W. THOMPSON, Director, Real Estate Services Department
SHANNON D. DICUS, Sheriff/Coroner Public Administrator**

SUBJECT

Revenue Use Permit Agreement with the County of Riverside for the use of Sheriff Training Facilities in San Bernardino

RECOMMENDATION(S)

1. Find that, pursuant to California Government Section 25526.6, a revenue use permit for scheduled use days during a two-year period, commencing and retroactive to July 23, 2022 through July 22, 2024, with the County of Riverside, for the use of certain paved portions of the training facilities at the San Bernardino County-owned Emergency Vehicle Operations Center at the Sheriff's Regional Training Center in the Devore area of San Bernardino is in the public interest and that the use permit will not substantially conflict or interfere with San Bernardino County's use of the property.
2. Approve a revenue use permit (**County Contract No. 22-1166**) for scheduled use days during a two-year period, commencing and retroactive to July 23, 2022 through July 22, 2024, with the County of Riverside, for the use of certain paved portions of the training facilities at the County-owned Emergency Vehicle Operations Center at the Sheriff's Regional Training Center in the Devore area of San Bernardino for revenue in the amount of \$24,000 plus \$96 per participant and reimbursement for fuel use.

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

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The minimum revenue to be received by San Bernardino County (County) during this use permit agreement is \$24,000. The County will also receive a \$96 track maintenance/utility fee per training participant, reimbursement for the cost of any fuel used by the County of Riverside (Riverside) and reimbursement for the cost of County Sheriff personnel monitoring the training events. Annual revenue will be deposited in the Sheriff/Coroner/Public Administrator's (Sheriff) fund (4439201000) as follows:

<u>Year</u>	<u>Minimum Annual Use Permit Revenue</u>
July 23, 2022 – July 22, 2023	\$12,000
July 23, 2023 – July 22, 2024	\$12,000

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<u>Year</u>	<u>Minimum Annual</u>
<u>Total Revenue</u>	<u>Use Permit Revenue</u>
	\$24,000

BACKGROUND INFORMATION

The recommended actions will find that a revenue use permit agreement with Riverside for scheduled use days during a two-year period, commencing and retroactive to July 23, 2022 through July 22, 2024, for the non-exclusive use of the paved portions of the training facilities at the County-owned Emergency Vehicle Operations Center (EVOC), at the Sheriff's Regional Training Center (SRTC) located at 18958 Institution Road in Devore for driver training courses for Riverside officers and cadets conducted by the Riverside Sheriff's Department, is in the public interest and will not substantially conflict or interfere with the County's use of the property.

On March 1, 2022 (Item No. 50), the Board of Supervisors (Board) approved a one-year Use Permit Agreement No. 22-107 (Original Permit), for Riverside's use of the paved portions of the training facilities at the EVOC, for scheduled use days retroactive to July 23, 2021 through July 22, 2022. The Sheriff requested the Real Estate Services Department (RESA) prepare a new replacement agreement for Riverside for scheduled use days for a two-year period. During protracted negotiations concerning the terms of the replacement use permit, the Original Permit expired. The Sheriff requested the term of this new replacement use permit be made retroactive to July 23, 2022, and continue through July 22, 2024, to avoid a gap in the term of the agreement.

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 Use Permit Terms

Lessor:	County of Riverside (Karen S. Spiegel, Chair of the Board of Supervisors of Riverside County)
Location:	County-owned EVOC at the Sheriff's Regional Training Center, Devore area of San Bernardino
Area:	Paved portions of the City Grid Area, Upper Track Area and the Motorcycle Pad Area
Term:	Scheduled use days during the two years period commencing and retroactive to July 23, 2022
Rent:	<u>Annual</u> \$12,000* *As set by Sheriff/Coroner/Public Administrator
Improvement Costs:	None
Maintenance:	Provided by County for the County-owned Emergency Vehicle Operations Center facilities, but Riverside to pay a track maintenance/utility fee per attendee, provided by

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Riverside for its vehicles and equipment

Utilities: Provided by County but Riverside to pay a track
maintenance/utility fee per attendee

Insurance: Both parties are self-insured public entities

Right to Terminate: Either party may terminate with 60-days' written notice

PROCUREMENT

Pursuant to California Government Code Section 25526.6, the Board may grant permits for use of any County property to any county in the manner, and upon the terms and conditions as the Board determines, upon a finding by the Board that the permits are in the public interest and that the permits 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 Richard Luczak, Deputy County Counsel, 387-5455) on October 12, 2022; Sheriff (Jose Torres, Administrative Manager, 387-3648) on September 4, 2022; Purchasing (Bruce Cole, Supervising Buyer, 387-2148) on September 2, 2022; Finance (Carolina Mendoza, Administrative Analyst, 387-0294, and Penelope Chang, Administrative Analyst, 387-4886) on October 25, 2022; and County Finance and Administration (Diana Atkeson, Deputy Executive Officer, 387-4376) on October 25, 2022.

(KB: 677-7961)

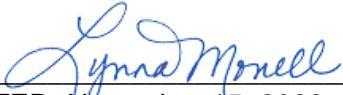
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: November 15, 2022



cc: RESD - Thompson w/agree
Contractor - C/O RESD w/agree
File - w/agree
CCM 11/23/2022