



San Bernardino County

Legislation Text

File #: 7039, Agenda Item #: 83

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

November 15, 2022

FROM

BEAHTA R. DAVIS, Director, Regional Parks Department

SUBJECT

Sponsor Agreement with California Conservation Corps for Preservation and Maintenance Work at County Regional Parks

RECOMMENDATION(S)

Approve Sponsor Agreement, including non-standard terms, with California Conservation Corps to provide personnel, equipment, and materials to assist with preservation projects at County Regional Parks, with cost of services to be negotiated for each project, effective November 15, 2022, and continuing until terminated by either party.

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

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

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). There are no explicit costs associated with this Sponsor Agreement (Agreement). All work performed under this Agreement will be negotiated between the California Conservation Corps (CCC) and the Regional Parks Department (Department) in future project proposals and the Department will be responsible for costs for labor, materials and supplies necessary for such projects. If such projects are negotiated, sufficient appropriation and revenue would be included in future recommended budgets.

BACKGROUND INFORMATION

Approval of this Agreement will provide the Department with resources to assist with preservation projects identified at any of the eight Regional Parks. The CCC will provide job skills training, educational opportunities, and increased awareness of the State's natural resources to their young Corps members and employees. In turn, the Department will receive a dedicated workforce to assist with conservation and preservation projects. Examples of work to be performed include trail maintenance, clean-up of trash and debris, landscaping, tree trimming, tree removal, and other minor maintenance projects. The term of the agreement is indefinite, with the option to terminate by either party with 30 days' notice.

The CCC is authorized to work on projects in rural and urban areas that provide a benefit to the public by, among other things, preserving, maintaining and/or enhancing the lands and water of the State of California, directly contributing to the conservation of energy and/or assisting in fire prevention and suppression. The

CCC is authorized, pursuant to the California Public Resources Code Section 14306, to execute contracts for furnishing the services of the CCC to any federal, state or local public entity, any local or statewide private organizations, and any person, firm, partnership, or corporation concerned with the objectives of the CCC program as specified in California Public Resources Code Sections 14000 and 14300.

The Agreement is the CCC's standard agreement which contains terms different from the standard County contract. The non-standard terms include the following:

1. The Agreement does not require the CCC to meet the County's insurance standards. The CCC is part of the State of California Natural Resources Agency and the State of California covers its motor vehicle and general liability exposure in accordance with the California Government Code provisions relating to liability.
 - The County standard contract requires contractors to carry appropriate insurance at limits and under conditions determined by the County's Risk Management Department.
 - Potential Impact: In the event of damage, the County would have to submit a claim to the State of California in accordance with the Government Code claims procedures.
2. The Agreement contains a mutual indemnification clause which requires the County to hold the CCC harmless and indemnify the CCC against any liability, damage or loss legally determined caused by the acts of the County while performing the work.
 - The County standard practice does not include any indemnification of a contractor by the County.
 - Potential Impact: The CCC is part of the State of California Natural Resources Agency and the CCC would also hold the County harmless and indemnify the County for any liability, damage or loss legally determined to have occurred by the acts of the CCC while performing the work. The mutual indemnification clause would make each party responsible for liability arising out the party's acts while performing the work.
3. The term of the Agreement is indefinite.
 - County Policy 11-04 does not permit indefinite term contracts unless approved by the Board of Supervisors.
 - Potential Impact: The Agreement may be terminated upon 30 days written notice from either party.

The Department recommends approval of the Agreement with the CCC, including the non-standard terms, because the CCC is providing paid work service to young adults 18-25 years old and providing benefits to the County's Regional Parks by supplying a workforce to assist with conservation and preservation projects at Park facilities.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on August 30, 2022; Risk Management (Victor Tordesillas, Director, 386-8623) on October 14, 2022; Finance (Elias Duenas, Administrative Analyst, 387-4052) on August 30, 2022; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on September 12, 2022.