

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

March 26, 2024

**FROM**

**TERRY W. THOMPSON, Director, Real Estate Services Department  
NOEL CASTILLO, Director, Department of Public Works - Transportation**

**SUBJECT**

Waiver Valuations and Acquisition Agreements for Easements for the Reche Canyon Road and Other Roads Improvement Project in the Colton Area

**RECOMMENDATION(S)**

1. Approve Waiver Valuations Nos. 23-58 and 23-59, copies of which are on file with the Real Estate Services Department.
2. Authorize the acquisition of two easements from two property owners over portions of certain real properties, totaling approximately 190 square feet, for the Reche Canyon Road and Other Roads Improvement Project in the Colton area, at a total cost not to exceed \$2,600, which includes the just compensation and an approximate 14% contingency amount.
3. Approve the form of Acquisition Agreement to acquire two easements from two property owners for the Reche Canyon Road and Other Roads Improvement Project in the Colton area.
4. Authorize the Director of the Real Estate Services Department to:
  - a. Execute two Acquisition Agreements in conformance with the approved form of Acquisition Agreement to acquire two easements from two property owners over portions of certain real properties, totaling approximately 190 square feet, for the Reche Canyon Road and Other Roads Improvement Project in the Colton area, at a total cost not to exceed \$2,600, which includes the just compensation and an approximate 14% contingency amount.
  - b. Execute any other documents necessary to complete these transactions, subject to County Counsel review.

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

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

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.  
Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The two easements (Easements) for the Reche Canyon Road and Other Roads Improvement Project (Project) will be funded with Discretionary General Funding allocated for the Department of Public Works (DPW) for the annual Maintenance of Effort requirement and Senate Bill 1 (SB1) Road Maintenance and Rehabilitation Account (RMRA) funds. The total cost to acquire the Easements is estimated to be \$2,280 plus an approximate 14% contingency

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amount for potential administrative settlements, for an aggregate cost not to exceed \$2,600 (rounded). Sufficient appropriation and revenue are included in DPW's 2023-24 Road Operations budget (6650002000 H15172).

**BACKGROUND INFORMATION**

The Project involves pavement rehabilitation on approximately seven miles of roads in the Colton area. Other improvements include installing new and reconstructing existing curb ramps at various locations pursuant to the Americans with Disabilities Act (ADA) guidelines as well as repairing or reconstructing spandrels and cross-gutters. DPW will require the Easements, totaling approximately 190 square feet, from two property owners to complete the Project. DPW has requested assistance from the Real Estate Services Department (RESD) in the valuation and acquisition of the Easements required for the Project.

The Easements to be acquired for the Project are described as follows:

<b>Property Owner/ Last Name</b>	<b>Easement No.</b>	<b>Assessor Parcel Number</b>	<b>Total Easement Area to be Acquired</b>
Goddard	E-2	0274-211-16 (portion)	75 square feet
Fey	E-3	0274-211-22 (portion)	115 square feet

RESD reviewed the Project with DPW and initiated the valuation of the easement interests under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Government Code section 7260 et seq., corresponding regulations, and San Bernardino County (County) Policy No. 12-20, for the acquisition of property rights for a public project.

Waiver Valuations Nos. 23-58 and 23-59, copies of which are on file with RESD, were approved by qualified RESD staff. The waiver valuations, which is a permitted administrative valuation process for low value/non-complex acquisitions, establishes the amounts of just compensation to be paid to the two property owners for the Easements necessary to complete the Project. RESD recommends that the waiver valuations be approved and that written offers be made to the impacted property owners.

Approval of this item by the Board of Supervisors (Board), will authorize the acquisition of the Easements and delegate authority to the Director of RESD to execute two Acquisition Agreements to acquire the Easements from the two property owners for a total cost not to exceed \$2,600, which includes the just compensation and an approximate 14% contingency amount. The Director of RESD will also be authorized to execute any other documents necessary to complete these transactions, subject to County Counsel review. In addition, the Director of RESD will accept all Easements executed by the property owners pursuant to the authority granted by the Board on March 27, 2012 (Item No. 75).

The Project was prioritized by the Board as part of the 2022-23 SB 1 RMRA project list approved on May 24, 2022 (Item No. 87). Updating of existing ADA compliant curb ramps and installation of new ADA compliant curb ramps in the Project area are required for the subject road improvements under the federal "2013 Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act

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Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing” guidelines.

On October 25, 2022 (Item No. 65), the Board approved the Project and determined it to be exempt in accordance with the California Environmental Quality Act (CEQA). The Clerk of the Board was directed to file and post a Notice of Exemption. Accordingly, no further action is required under CEQA.

**PROCUREMENT**

RESD can make offers and acquire the necessary Easements in conformance with all applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Government Code section 7260 et seq., corresponding regulations, and County Policy No. 12-20.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Agnes Cheng, and Aaron Gest, Deputies County Counsel, 387-5455) on February 14, 2024; Public Works (Mervat Mikhail, Deputy Director, 387-7916) on January 31, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on February 2, 2024; Finance (Carl Lofton, 387-5404, and Garrett Baker, 387-3077, Administrative Analysts,) March 1, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on March 1, 2024.

(TJS: 893-0340)

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY  \_\_\_\_\_  
DATED: March 26, 2024



cc: File - RESD w/ attachment  
JLL 03/29/2024