

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

April 21, 2026

FROM

**NOEL CASTILLO, Chief Flood Control Engineer, Flood Control District
TERRY W. THOMPSON, Director, Real Estate Services Department**

SUBJECT

Amendment to Revenue License Agreement with San Bernardino Valley Municipal Water District for Non-Exclusive Access to Flood Control District Land in San Bernardino

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Flood Control District:

1. Find that Amendment No. 1 to Revenue License Agreement No. 07-148 with San Bernardino Valley Municipal Water District, for non-exclusive access to Flood Control District land, is an exempt project under the California Environmental Quality Act Guidelines, Sections 15301 – Existing Facilities (Class 1) and Section 15061(b)(3) – Commonsense Exemption.
2. Approve **Amendment No. 1 to Revenue License Agreement No. 07-148** with San Bernardino Valley Municipal Water District for the non-exclusive use of approximately 26,250 square feet of Flood Control District right-of-way (Assessor's Parcel Numbers 0141-421-11-000, 0278-191-24-0000, 0279-043-13-0000, and 0279-093-01-0000) in San Bernardino, for the operation of a 78-inch underground water pipeline, as follows:
 - a. Approve a two-month permitted holdover period from March 1, 2026 through April 30, 2026, in the amount of \$1,124.
 - b. Approve extending the term for 10 years from May 1, 2026 through April 30, 2036, through the San Bernardino Valley Municipal Water District's exercise of a 10-year extension option.
 - c. Approve total additional revenue in the amount of \$85,282, which includes \$1,124 for the permitted holdover period, from March 1, 2026 through April 30, 2026, and \$84,158 for the extended 10-year term.
 - d. Increase the total contract revenue by \$85,282, from \$95,274 to \$180,556.
3. Direct the Real Estate Services Department to file the Notice of Exemption in accordance with the California Environmental Quality Act.

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

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

**Improve County Government Operations.
Promote and Fulfill the Countywide Vision.**

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The total revenue for Amendment No. 1 (Amendment) to Revenue License Agreement No. 07-148 (License) over the 10-year term is \$85,282, consisting of \$1,124 for the permitted

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holdover period and \$84,158 for the extended term. License revenues will be received by the Flood Control District (FCD) (1920002522). Annual License revenues are as follows:

Year	Revenue
*March 1, 2026 – April 30, 2026	\$1,124
May 1, 2026 – April 30, 2027	\$7,010
May 1, 2027 – April 30, 2028	\$7,290
May 1, 2028 – April 30, 2029	\$7,582
May 1, 2029 – April 30, 2030	\$7,885
May 1, 2030 – April 30, 2031	\$8,200
May 1, 2031 – April 30, 2032	\$8,528
May 1, 2032 – April 30, 2033	\$8,869
May 1, 2033 – April 30, 2034	\$9,224
May 1, 2034 – April 30, 2035	\$9,593
May 1, 2035 – April 30, 2036	\$9,977
Total Revenue	\$85,282

*Permitted holdover period

BACKGROUND INFORMATION

On February 27, 2007 (Item No. 59), the Board of Supervisors (Board) approved the License with the San Bernardino Valley Municipal Water District (SBVMWD) for a 20-year term, with three 10-year options to extend. The License commencement date was March 1, 2006, with a term through February 28, 2026.

The Real Estate Services Department (RESO) initiated discussions with SBVMWD, and SBVMWD agreed to exercise its option to extend the License from May 1, 2026 through April 30, 2036. The License entered into a permitted month-to-month holdover beginning March 1, 2026 through April 30, 2026, due to timing associated with negotiations and administrative processing.

This Amendment will extend the License with SBVMWD for the non-exclusive use of FCD right-of-way land adjacent to Twin Creek Channel, generally located between Chandler Place to the north and Century Avenue to the south; southwest corner of E. 9th Street and Pedley Rd; and North of the intersection of E. 3rd Street at N Lena Road in San Bernardino (Property). SBVMWD operates and maintains a 78-inch underground water pipeline running parallel to FCD's right-of-way for a distance of approximately 525 linear feet. The Amendment extends the term for the period from May 1, 2026 through April 30, 2036, through the exercise of a 10-year extension option, adjusting the rental rate schedule and updating standard license agreement language. All other terms and conditions of the License remain unchanged.

The project to approve the Amendment was reviewed pursuant to the California Environmental Quality Act (CEQA) and determined to be categorically exempt under Section 15301 – Class 1 Existing Facilities because the proposed License is to secure continued use of the property within existing facilities with negligible or no expansion of existing use and Section 15061(b)(3) (Common Sense Exemption), because the action is purely administrative and transactional in nature, it can be seen with certainty that there is no possibility that the activity may have a significant effect of the environment. Accordingly, no further action is required under CEQA.

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Summary of License
Terms

Licensee: San Bernardino Valley Municipal Water District

Location: FCD right-of-way land adjacent to Twin Creek Channel, bounded by Chandler Place to the north and Century Avenue to the south; southwest corner of E. 9th Street and Pedley Road; and North of the intersection of E. 3rd Street at N Lena Road in San Bernardino (Assessor's Parcel Numbers 0141-421-11-000, 0278-191-24-0000, 0279-043-13-0000, and 0279-093-01-0000)

Size: Approximately 26,250 square feet

Term: 10 years (May 1, 2026 through April 30, 2036)

Options: Two 10-year options remain

Rent: Monthly: \$584.17*
Annual: \$7,010.00
*Low-range for comparable facilities in the San Bernardino area per the competitive set analysis on file with RESD

Late Fees: \$25 administrative late fee plus interest at 1.5% per month

Annual Increases: Approximately 4%

Improvement Costs: None

Custodial: None

Maintenance: Licensee responsibility

Utilities: None

Insurance: The Certificate of Liability Insurance, as required by the License, is on file with RESD

Holdover: Upon expiration of the term, and if permitted by Licensor, the License shall continue on a month-to-month basis under the same terms and conditions in effect at expiration

Right to Terminate: Either party with 180-days written notice

Parking: None

PROCUREMENT

Not applicable.

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REVIEW BY OTHERS

This item has been reviewed by County Counsel (John Tubbs II and Sophie Curtis, Deputies County Counsel, 387-5455) on March 24, 2026; Flood Control District (Noel Castillo, Director, 387-7906) on March 25, 2026; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on March 23, 2026; and County Finance and Administration (Kathleen Gonzalez, 387-5412, and Eduardo Mora, 387-4376, Administrative Analysts) on April 6, 2026.

(CM: 840-266-0977)

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Record of Action of the Board of Supervisors
San Bernardino County Flood Control District

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 21, 2026



cc: RESD-Thompson w/ agree
Contractor c/o RESD w/ agree
File w/ agree

JLL 04/27/2026