

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
SITTING AS THE GOVERNING BODY OF THE FOLLOWING:  
SAN BERNARDINO COUNTY  
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT  
AND RECORD OF ACTION**

November 19, 2024

**FROM**

**NOEL CASTILLO, Director and Chief Flood Control Engineer, Department of Public Works and San Bernardino County Flood Control District  
TERRY W. THOMPSON, Director, Real Estate Services Department**

**SUBJECT**

Appraisal and Acquisition of Various Property Interests from Private Parties and San Bernardino County Flood Control District for the Rock Springs Road Bridge over Mojave River Project in the Unincorporated Area of Apple Valley

**RECOMMENDATION(S)**

1. Acting as the governing body of San Bernardino County:
  - a. Approve Appraisal Nos. 24-15 through 24-22, copies of which are on file with the Real Estate Services Department.
  - b. Authorize the acquisition of the following real property interests for the Rock Springs Road Bridge over Mojave River Project in the unincorporated area of Apple Valley, at a total cost not to exceed \$148,563, which includes the just compensation amount and an approximate 15% contingency amount:
    - i. Eight Grants of Easement to the County, totaling approximately 192,228 square feet, for highway and roadway purposes.
    - ii. Eight Temporary Construction Easements to the County, totaling approximately 89,095 square feet, for a period commencing on July 1, 2025, and expiring on the earlier of project completion or June 30, 2028.
    - iii. One fee interest to the San Bernardino County Flood Control District in a property identified as Assessor's Parcel Number 0433-014-07-0000, which property is approximately 11,407 square feet, subject to an access easement over entire fee property and a separate access easement over 3,003 square feet of the property.
  - c. Approve the **Acquisition Agreement No. 24-1096** with the San Bernardino County Flood Control District to acquire the following property interests over portions of San Bernardino County Flood Control District-owned property (portions of Assessor's Parcel Numbers 0433-014-04-0000 and 0438-165-26-0000) located in the unincorporated area of Apple Valley, for the Rock Springs Road Bridge over Mojave River Project for a total cost not to exceed \$7,007:
    - i. Two Grants of Easement, totaling approximately 62,599 square feet, for highway and roadway purposes.
    - ii. Two Temporary Construction Easements, totaling approximately 70,762 square feet, for a period commencing on July 1, 2025, and expiring on the earlier of project completion or June 30, 2028.

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- d. Approve the form of Acquisition Agreement among San Bernardino County, the San Bernardino County Flood Control District, and Billy W. Renkema and Shirley B. Renkema, husband and wife as joint tenants, for the Renkemas to convey fee title interest of approximately 11,407 square feet of real property (Assessor's Parcel Number 0433-014-07-0000) located in the unincorporated area of Apple Valley for the Rock Springs Road Bridge over Mojave River Project to the San Bernardino County Flood Control District by Grant Deed with a reservation of an access easement for the Renkemas over the entire property at a total cost not to exceed \$38,946, which includes the just compensation amount and an approximate 15% contingency amount, to be paid to the Renkemas by San Bernardino County.
  - e. Approve the form of Acquisition Agreement among San Bernardino County, the San Bernardino County Flood Control District, and Angiely Goodman, a married woman as her sole and separate property, and Deborah Lamb, for San Bernardino County to acquire the following property interests over portions of real property owned by Goodman and Lamb (portions of Assessor's Parcel Number 0438-165-27-0000) located in the unincorporated area of Apple Valley for the Rock Springs Road Bridge over Mojave River Project and for the San Bernardino County Flood Control District to grant an access easement to Goodman and Lamb of approximately 3,003 square feet over real property conveyed to the San Bernardino County Flood Control District, pursuant to Recommendation 1.d for the benefit of the real property currently owned by Goodman and Lamb (Assessor's Parcel Number 0438-165-27-0000) at a total cost to the County in an amount not to exceed \$48,060, which includes the just compensation amount and an approximate 15% contingency amount, to be paid to Goodman and Lamb by San Bernardino County:
    - i. One Grant of Easement, totaling approximately 20,420 square feet, for highway and roadway purposes.
    - ii. One Temporary Construction Easement, totaling approximately 2,932 square feet, for a period commencing on July 1, 2025, and expiring on the earlier of project completion or June 30, 2028.
  - f. Approve the form of Acquisition Agreement to acquire five Grants of Easement, totaling approximately 109,209 square feet for highway and roadway purposes, and five Temporary Construction Easements, totaling approximately 15,401 square feet, from four private property owners, for the Rock Springs Road Bridge over Mojave River Project in the unincorporated area of Apple Valley, at a total cost not to exceed \$54,550, which includes the just compensation amount and an approximate 15% contingency amount.
  - g. Authorize the Director of the Real Estate Services Department to complete and execute the Acquisition Agreements in substantial conformance with the approved forms in Recommendation Nos. 1.d. and 1.e. and four Acquisition Agreements, in substantial conformance with the approved form of Acquisition Agreement in Recommendation 1.f., and any other non-substantive documents necessary to complete these transactions, subject to County Counsel review.
2. Acting as the governing body of the San Bernardino County Flood Control District:
- a. Adopt a **Resolution No. 2024-162** making findings of fact as a Responsible Agency pursuant to the California Environmental Quality Act Guidelines; declaring that the conveyance of two Grants of Easement totaling approximately 62,599 square feet for highway and roadway purposes, and two Temporary Construction Easements totaling approximately 70,762 square feet for a period commencing on July 1, 2025, and expiring

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on the earlier of project completion or June 30, 2028, to San Bernardino County over portions of certain San Bernardino County Flood Control District-owned property (portions of Assessor's Parcel Numbers 0433-014-04-0000 and 0438-165-26-0000), the acquisition of fee property of approximately 11,407 square feet (Assessor's Parcel Number 0433-014-07-0000) subject to the grantor's reserved access easement over the entire fee property, and the conveyance of an access easement totaling 3,003 square feet over the acquired fee property (portion of Assessor's Parcel Number 0433-014-07-0000) for the benefit of the real property currently owned by Goodman and Lamb (Assessor's Parcel Number 0438-165-27-0000), all located in the unincorporated area of Apple Valley is in the public interest, the easement interests conveyed will not substantially conflict or interfere with San Bernardino County Flood Control District's regional flood control protection, and authorizing the conveyance of said easement interests and acquisition of the fee property in accordance with Water Code Appendix Section 43-6 and County Policy 12-17, for a total payment of \$7,007 for the easements and a total cost not to exceed \$38,946 for the fee interest.

- b. Approve the **Acquisition Agreement No. 24-1096** with San Bernardino County to convey the following property interests over portions of San Bernardino County Flood Control District-owned property (portions of Assessor's Parcel Numbers 0433-014-04-0000 and 0438-165-26-0000) located in the unincorporated area of Apple Valley for the Rock Springs Road Bridge over Mojave River Project upon payment of \$7,007:
  - i. Two Grants of Easement, totaling approximately 62,599 square feet, for highway and roadway purposes.
  - ii. Two Temporary Construction Easements, totaling approximately 70,762 square feet, for a period commencing on July 1, 2025, and expiring on the earlier of project completion or June 30, 2028.
- c. Approve two Grants of Easement to San Bernardino County totaling approximately 62,599 square feet for highway and road purposes over portions of San Bernardino County Flood Control District-owned property (portions of Assessor's Parcel Numbers 0433-014-04-0000 and 0438-165-26-0000) located in the unincorporated area of Apple Valley.
- d. Approve two Temporary Construction Easements to San Bernardino County totaling approximately 70,762 square feet, for a period commencing on July 1, 2025, and expiring on the earlier of project completion or June 30, 2028, over portions of San Bernardino County Flood Control District-owned property (portions of Assessor's Parcel Numbers 0433-014-04-0000 and 0438-165-26-0000) located in the unincorporated area of Apple Valley.
- e. Approve the form of Acquisition Agreement among San Bernardino County, the San Bernardino County Flood Control District, and Billy W. Renkema and Shirley B. Renkema, husband and wife as joint tenants, for the Renkemas to convey fee title interest of approximately 11,407 square feet of real property (Assessor's Parcel Number 0433-014-07-0000) located in the unincorporated area of Apple Valley for the Rock Springs Road Bridge over Mojave River Project, to the San Bernardino County Flood Control District by Grant Deed subject to the Renkemas reserved access easement over the entire fee title interest in property, at a total cost not to exceed \$38,946, which includes the just compensation amount and an approximate 15% contingency amount, to be paid to the Renkemas by San Bernardino County
- f. Approve the form of Acquisition Agreement among San Bernardino County, the San Bernardino County Flood Control District, and Angiely Goodman, a married woman as

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her sole and separate property, and Deborah Lamb for San Bernardino County to acquire the following property interests over portions of real property owned by Goodman and Lamb (portions of Assessor's Parcel Number 0438-165-27-0000) located in the unincorporated area of Apple Valley for the Rock Springs Road Bridge over Mojave River Project and for the San Bernardino County Flood Control District to grant an access easement to Goodman and Lamb of approximately 3,003 square feet over real property conveyed to the San Bernardino County Flood Control District pursuant to Recommendation 1.d., at a total cost not to exceed \$48,060 for the benefit of the real property currently owned by Goodman and Lamb (Assessor's Parcel Number 0438-165-27-0000), which includes the just compensation amount and an approximate 15% contingency amount, to be paid to Goodman and Lamb by San Bernardino County:

- i. One Grant of Easement, totaling approximately 20,420 square feet, for highway and roadway purposes.
- ii. One Temporary Construction Easement, totaling approximately 2,932 square feet, for a period commencing on July 1, 2025, and expiring on the earlier of project completion or June 30, 2028.
- g. Authorize the Director of Real Estate Services Department to execute the Acquisition Agreements in substantial conformance with the approved forms in Recommendation Nos. 2.e. and 2.f. and any other non-substantive documents necessary to complete this transaction, subject to County Counsel review.
- h. Authorize the Chair of the Board of Supervisors to execute the Grant of Easement over approximately 3,003 square feet of real property (portion of Assessor's Parcel Number 0433-014-07-0000) located in the unincorporated area of Apple Valley to Angiely Goodman, a married woman as her sole and separate property, and Deborah Lamb, for the benefit of the real property currently owned by Goodman and Lamb (Assessor's Parcel Number 0438-165-27-0000) subject to the full execution of the Acquisition Agreement in Recommendation Nos. 2.e and 2.f and acceptance of the fee title interest identified in Recommendation No. 2.e.
- i. Direct the Real Estate Services Department to file the responsible agency Notice of Determination in accordance with the California Environmental Quality Act.

(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 Discretionary General Funding (Net County Cost). The acquisition of various property interests by San Bernardino County (County) for the Rock Springs Road Bridge Over the Mojave River Project (Project) in the unincorporated area of Apple Valley, will be funded through a combination of Federal Highway Bridge Program (HBP) funds and Local Fee Plan funds. The total cost to the County to acquire the various property interests from seven property owners, including the San Bernardino County Flood Control District (FCD), is a not to exceed amount of \$148,563, which includes the just compensation amount and an approximate 15% contingency amount. Sufficient appropriation and revenue are included in the County's 2024-25 Road Operations budget (52002419-6650002000 H15087) and will be included in future recommended budgets. The total revenue to be received by FCD for the easement conveyances to the County will be \$7,007.

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**BACKGROUND INFORMATION**

The Project is a coordinated effort among the County, through the Department of Public Works – Transportation (DPW-T), the California Department of Transportation (Caltrans), and the Town of Apple Valley (Town) to widen Rock Springs Road by replacing the existing two-lane low water crossing on Rock Springs Road over the Mojave River with a two-lane bridge. The new bridge will feature four-foot shoulders, a concrete-barricaded sidewalk with streetlighting on the south side, and drainage improvements.

This bridge is part of a major circulation link in the High Desert between the Town of Apple Valley and the City of Hesperia. Approximately 13,033 vehicles use the roadway per day. Many residents of the Town and the County’s unincorporated areas to the east of the Mojave River use this road for commuting to work in Riverside, San Bernardino, Orange and Los Angeles counties. During large weather events, storm water runoff frequently overtops the existing three-section box culvert, causing road closures multiple times each year. Road closures can result in as much as a 13-mile detour for travelers. The nearest alternative river crossing is approximately four miles to the north.

A total of eight Grants of Easement for highway and roadway purposes, eight Temporary Construction Easements (TCEs), and one Grant Deed for the acquisition of one fee title interest in property will be required for the Project. DPW-T requested that the Real Estate Services Department (RESD) assist with the appraisal and acquisition of the needed property rights.

The interests in the portions of land to be acquired by the County for the Project are described as follows:

<b>Property Owner</b>	<b>Acquisition Number</b>	<b>Assessor’s Parcel Number</b>	<b>Total Area to be Acquired</b>
Johnston, Trustee	Easement - 1 (with grantor release of abutter’s rights) TCE – 1	0433-014-01-0000	55,283 square feet
			5,315 square feet
FCD	Easement -2 TCE - 2	0433-014-04-0000	7,751 square feet 23,514 square feet
FCD	Easement – 3 TCE - 3	0438-165-26-0000	54,848 square feet 47,248 square feet
Goodman & Lamb	Easement – 4 TCE – 4	0438-165-27-0000	20,420 square feet 2,932 square feet
Scott	Easement – 5 TCE - 5	0438-165-37-0000	12,399 square feet 2,099 square feet
McClaine	Easement – 6 TCE - 6	0438-165-30-0000	20,809 square feet 4,001 square feet
McClaine	Easement – 7 TCE - 7	0438-165-31-0000	9,908 square feet 1,906 square feet
Fintikakis	Easement – 8 TCE - 8	0438-165-32-0000	10,810 square feet 2,080 square feet
Renkema	Fee – 1 to FCD	0433-014-07-0000	11,407 square feet to

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			be granted to FCD*
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\* Subject to grantor’s reserved access easement over entire fee property and a separate access easement of 3,003 square feet to be conveyed by FCD to Goodman and Lamb.

RESD reviewed the Project with DPW-T and initiated the valuation of the various property 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 County Policy 12-20, for the acquisition of property rights for a public project.

Appraisal Nos. 24-15 through 24-22, copies of which are on file with RESD, were professionally prepared and approved by qualified RESD staff. The appraisals establish the amounts of just compensation to be paid to the property owners for the property rights necessary to complete the Project. RESD recommends that the appraisals be approved and that written offers be made to the impacted property owners.

The County is responsible for acquiring the right-of-way from properties located within the unincorporated Town areas and is responsible for acquiring the right-of-way from properties within for the Town’s Project. The County must deliver all documents demonstrating possession of its portion of the property interests for the Project to Caltrans for right-of-way certification, per California Transportation Commission guidelines, by January 2025, to receive an allocation of HBP funds for construction.

The easements to be granted by FCD and Angiely Goodman, a married woman as her sole and separate property, and Deborah Lamb (Goodman & Lamb) to the County for the Project will impair FCD and Goodman & Lamb’s access to their respective properties. Therefore, the property owned by Billy W. Renkema and Shirley B. Renkema, husband and wife as joint tenants (Renkema), will be acquired in fee by FCD, at the County’s cost, to provide FCD with alternate access to FCD’s property, subject to the Renkemas reserved access easement over the entire fee property. Simultaneous with FCD’s acquisition of the Renkema property, FCD will, at the County’s cost, grant an access easement to Goodman & Lamb.

Approval of this item will allow the Chair of the Board of Supervisors (Board), acting for FCD, to execute a Grant of Easement to Goodmand & Lamb over the FCD property that will be acquired from the Renkemas.

Easement rights from BNSF Railway Company will also be required for the Project. RESD is in the process of negotiating the easements. Once the negotiation and acquisition documents are complete, RESD and DPW-T will return to the Board for the necessary approvals.

The Director of RESD will also be authorized to execute any other non-substantive documents necessary to complete these transactions, subject to County Counsel review. In addition, the Director of RESD will accept all property right grants executed by the property owners on behalf of the County and will accept the Renkema property on behalf of FCD pursuant to the authority granted by the Board on March 27, 2012 (Item No. 75).

Since this Project receives federal funding, Caltrans reviewed the Project for compliance under the National Environmental Policy Act (NEPA). On March 19, 2015, Caltrans determined the

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Project is Categorically Excluded pursuant to Title 23 of the Code of Federal Regulations, Section 327.

As the California Environmental Quality Act (CEQA) Lead Agency for the Project, on June 2, 2015 (Item No. 67), the Board (acting for the County) adopted a Mitigated Negative Declaration (MND) for the Project, finding that there will not be a significant effect on the environment after implementation of the mitigation measures identified in the MND and the mitigation monitoring reporting program. The Clerk of the Board was directed to file and post a Notice of Determination (NOD). Accordingly, no further action is required for the underlying project by the County under CEQA.

The MND reflects the independent judgment of the County as the Lead Agency. For the contemplated real property transactions, FCD has reviewed the MND as a Responsible Agency and determined that adequate mitigation has been provided to avoid direct and or indirect environmental effects with respect to the property interests to be acquired for the Project. Upon adoption by the FCD Board of the Resolution making findings of fact as a Responsible Agency pursuant to CEQA, the Board (acting for FCD) will direct that a responsible agency NOD be filed by RESD.

**PROCUREMENT**

RESD can make offers and acquire the necessary property rights for the Project 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 12-20. FCD can convey the easement interests to the County, acquire a fee interest from the Renkemas, and convey an access easement to Goodman & Lamb in accordance with Water Code Appendix Section 43-6 and County Policy No 12-17.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Sophie A. Curtis, and Aaron Gest, Deputies County Counsel and , Scott Runyan, Principal Assistant County Counsel, 387-5455) on November 12, 2024; Public Works - and Flood Control District (Noel Castillo, Director, 387-7916) on September 7, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on September 26, 2024; Finance (Jessica Trillo, 387-4222, and Garrett Baker, 387-3077, Administrative Analysts) on November 4, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on November 4, 2024.

(KD: 665-0430)

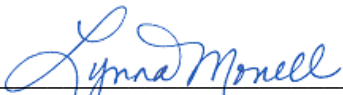
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Record of Action of the Board of Supervisors  
San Bernardino County  
San Bernardino County Flood Control District

**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: November 19, 2024



cc:    RESD - Thompson w/agree  
      Contractor - c/o RESD w/agree  
      File - w/agree  
      File - Real Estate Services w/attach  
CCM  11/20/2024