

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

December 16, 2025

**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 West Valley MRF, LLC, for Non-exclusive Access to Flood Control District Land in Fontana

**RECOMMENDATION(S)**

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

1. Find that approval of Amendment No. 2 to Revenue License Agreement No. 12-793 with West Valley MRF, LLC, for the non-exclusive access to Flood Control District land, is an exempt project under the California Environmental Quality Act Guidelines, Section 15301 – Existing Facilities (Class 1).
2. Approve **Amendment No. 2 to Revenue License Agreement No. 12-793** with West Valley MRF, LLC, for non-exclusive access to Flood Control District land at the Etiwanda/San Sevaïne Flood Control Channel south of Napa Street in Fontana (Assessor's Parcel Number 0229-291-59-0000), to extend the license term by exercising a five-year option to extend for the period of March 1, 2026 through February 28, 2031, for the amount of \$19,242, to include an extended term fee of \$11,810, following a permitted holdover for the period of January 6, 2023 through February 28, 2026, of \$7,432, increasing the contract amount from \$17,951 to a new total revenue of \$37,193.
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.**

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

**FINANCIAL IMPACT**

Approval of Amendment No. 2 (Amendment) to Revenue License Agreement No. 12-793 (License) will not result in the use of Discretionary General Funding (Net County Cost). Total revenue over the five-year term is \$19,242, which includes a permitted holdover period amount of \$7,432 for the period of January 6, 2023 through February 28, 2026. License revenues will be received by the County Flood Control District (FCD) (1910002518). Annual License revenues are as follows:

Year	Revenue
*January 6, 2023 – February 28, 2026	\$7,432
March 1, 2026 – February 28, 2027	\$2,224

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March 1, 2027 – February 29, 2028	\$2,291
March 1, 2028 – February 28, 2029	\$2,360
March 1, 2029 – February 28, 2030	\$2,431
March 1, 2030 – February 28, 2031	\$2,504
<b>Total Revenue</b>	<b>\$19,242</b>

\*Holdover period

**BACKGROUND INFORMATION**

On November 6, 2012 (Item No. 83), the Board of Supervisors (Board) approved the License with West Valley MRF, LLC (MRF) for a five-year term commencing on November 6, 2012 through November 5, 2017. The License includes five five-year extension options. On December 19, 2017 (Item No. 84), the Board approved Amendment No. 1, for an extended period of five years from January 6, 2018 through January 5, 2023. All other terms remained unchanged

Since the License expiration, Real Estate Services (RESO) has continued discussions with MRF to extend the License from March 1, 2026 through February 28, 2031. MRF has remained in month-to-month occupancy under the terms of the existing License for the period of January 6, 2023 through February 28, 2026, which was due to continued contract negotiations. All other terms and conditions of the License remain unchanged.

This Amendment will extend the License with MRF for non-exclusive access to FCD land at the Etiwanda/San Sevaine Flood Control Channel south of Napa Street in Fontana (Property). The Amendment extends the term for the period from March 1, 2026 through February 28, 2031, through the exercise of a five-year extension option, adjusting the rental rate schedule and updating standard license agreement language. All other License terms 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 property to operate within the existing structure with negligible or no expansion of existing use. Accordingly, no further action is required under CEQA.

**Summary of License  
Terms**

Licensee:	West Valley MRF, LLC
Location:	Etiwanda/San Sevaine Flood Control Channel south of Napa Street in Fontana (Assessor's Parcel Number 0229-291-59-0000)
Size:	2,352 square feet
Term:	Five-year term, from March 1, 2026 through February 28, 2031
Options:	Three remaining five-year options available
Rent:	Monthly: \$185* Annual: \$2,224

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\*\$0.08 per square foot per month is mid-range for comparable facilities (\$0.04 - \$0.14) in the Fontana area per the competitive set analysis on file with RESD

Late Fees	\$25 administrative fee per late payment, plus 1.5% simple interest per month on overdue amounts
Annual Increases:	3%
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 the end of the term, if permitted by Licensor, the License shall continue on a month-to-month term upon the same terms and conditions which existed at the time of expiration
Right to Terminate:	Either party may terminate this License at least 90 days prior to the date of termination
Parking:	None

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (John Tubbs II and Sophie Curtis, Deputies County Counsel, 387-5455) on November 14, 2025; Flood Control District (Noel Castillo, Director, 387-7906) on November 12, 2025; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on November 13, 2025; and County Finance and Administration (Kathleen Gonzalez, 387-5412, and Eduardo Mora, 387-4376, Administrative Analysts) on November 26, 2025.

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

Lynna Monell, CLERK OF THE BOARD

BY  \_\_\_\_\_  
DATED: December 16, 2025



cc:     RESD - Thompson w/agree  
         Contractor - c/o RESD w/agree  
         File - w/agree  
CCM   12/30/2025