

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

Conveyance of Easement Deed over San Bernardino County Flood Control District Property in Fontana to San Bernardino County

**RECOMMENDATION(S)**

1. Acting as the governing body of the San Bernardino County Flood Control District:
  - a. Adopt **Resolution No. 2026-40** declaring that a portion of San Bernardino County Flood Control District-owned property (portion of Assessor's Parcel Number 0229-291-59-0000), comprising approximately 0.97 acres, located north of San Bernardino Avenue and west of VIP Road, in the City of Fontana, is no longer necessary for the uses and purposes for which it was acquired, that the conveyance of an easement will not substantially conflict or interfere with the use of the property by the San Bernardino County Flood Control District, and that the conveyance, to San Bernardino County, at no cost, by waiving the fair market value requirement of County Policy No. 12-17 is in the public interest; authorizing the conveyance of an Easement Deed to San Bernardino County at no cost in accordance with Water Code Appendix section 43-6 and County Policy No. 12-17 – Surplus Real Property, and finding the conveyance of the easement is categorically exempt from further environmental review under the California Environmental Quality Act Guidelines, California Code of Regulations, Sections 15312 (Class 12 – Surplus Government Property Sales) and 15061(b)(3) (Common Sense Exemption).
  - b. Approve the Easement Deed to San Bernardino County for landscaping purposes over an approximately 0.97-acre portion of San Bernardino County Flood Control District-owned property (portion of Assessor's Parcel Number 0229-291-59-0000) at no cost.
  - c. Authorize the Director of the Real Estate Services Department to execute any other non-substantive documents necessary to complete this transaction, subject to County Counsel review.
  - d. Direct the Real Estate Services Department to file and post the Notice of Exemption in accordance with the California Environmental Quality Act.
2. Acting as the governing body of San Bernardino County:
  - a. Approve the Easement Deed from the San Bernardino County Flood Control District for landscaping purposes over an approximately 0.97-acre portion of San Bernardino County Flood Control District-owned property (portion of Assessor's Parcel Number 0229-291-59-0000) at no cost.

**Conveyance of Easement Deed over San Bernardino County Flood Control District Property in Fontana to San Bernardino County  
April 21, 2026**

- b. Authorize the Director of the Real Estate Services Department to execute any other non-substantive documents necessary to complete this transaction, subject to County Counsel review.

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

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

**Promote and Fulfill the Countywide Vision.**

**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 San Bernardino County Flood Control District (FCD) will convey an Easement Deed for landscaping purposes to San Bernardino County (County) at no cost by waiving the fair market value requirement of County Policy No. 12-17 (Surplus Real Property) (Policy 12-17). The County, through its Department of Public Works – Special Districts (SDD), will maintain the easement area through funds provided through Community Facilities District (CFD) No. 2025-1 (Commerce Center II).

**BACKGROUND INFORMATION**

FCD operates the San Sevaïne Channel (Channel), which runs from Wilson Avenue in the City of Rancho Cucamonga and continues south to Philadelphia Avenue in the City of Fontana. The property immediately east of the Channel is being developed as the Commerce Center II Fontana Speedway (Project).

As part of its conditions of approval, the developer of the Project has requested that a landscaping easement be granted by FCD to the County over a portion of FCD-owned property (portion of Assessor's Parcel Number 0229-291-59-0000), comprising approximately 0.97 acres, located north of San Bernardino Avenue and west of VIP Road in the City of Fontana to allow the County, through SDD, to maintain trees and vegetation in the easement area. To provide a funding source for these ongoing maintenance services, the Board of Supervisors (Board) adopted Resolution No. 2025-75, on April 29, 2025 (Item No. 89), establishing CFD No. 2025-1, and subsequently adopted Ordinance No. 4486 on May 6, 2025 (Item No. 48), authorizing the levy of special taxes within the CFD. The special taxes collected through CFD No. 2025-1 will fund ongoing services, including landscape and related maintenance activities within the easement area. FCD has requested the assistance of the Real Estate Services Department (RESD) with the valuation and processing of the easement.

Policy 12-17 provides that if FCD determines that any of its property is no longer necessary for its uses and purposes, the Board of FCD may authorize its disposition at fair market value. FCD has determined that an easement conveyance is in the public interest and that the easement interest conveyed will not substantially conflict or interfere with the use of the property by FCD since the easement area is not usable nor developable. While RESD determined that the fair market value of the easement interest is \$80,000, the easement conveyance will be at no cost because the County will provide maintenance after the conveyance, which will relieve FCD from maintaining the easement area for landscaping purposes and is in the public interest. Therefore, FCD requests that the Board waive that portion of Policy 12-17 that requires payment of fair market value for the easement conveyance.

**Conveyance of Easement Deed over San Bernardino County Flood Control District Property in Fontana to San Bernardino County  
April 21, 2026**

Additionally, approval of this item will authorize the RESD Director to execute any other non-substantiative documents necessary for FCD and the County to complete the easement conveyance, subject to County Counsel review. The RESD Director will not be authorized to execute any documents that would bind FCD or the County to any actions not contemplated by, or arising from, the easement conveyance.

The conveyance of a landscaping easement by FCD was reviewed pursuant to the California Environmental Quality Act (CEQA) and was determined to be exempt from further environmental review pursuant to a Class 12 Categorical Exemption (Surplus Government Property Sales) under Section 15312 of the CEQA Guidelines since the land is not located in an area of statewide, regional, or areawide concern identified in Section 15206(b)(4). Additionally, the conveyance is determined to be categorically exempt from further environmental review under California Code of Regulations section 15061(b) (Common Sense Exemption) of the CEQA Guidelines, where it can be seen with certainty that there is no possibility that the easement conveyance may have a significant effect on the environment. FCD will have fulfilled its obligation under CEQA for this conveyance with the filing and posting of the Notice of Exemption by RESD.

**PROCUREMENT**

FCD may convey the easement interest to the County in accordance with Water Code Appendix section 43-6 and Policy 12-17 (but with a waiver of the fair market value requirement in said policy).

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Agnes Cheng, Sophie Curtis, and Aaron Gest, Deputies County Counsel, 387-5455) on March 18, 2026; Flood Control District/Special Districts (Noel Castillo, Director, 387-7916) on March 26, 2026; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on March 20, 2026; and County Finance and Administration (Kathleen Gonzalez, 387-5412, and Eduardo Mora, 387-4376, Administrative Analysts) on April 6, 2026.

(EV: 893-0921)

**Conveyance of Easement Deed over San Bernardino County Flood Control District Property in Fontana to San Bernardino County  
April 21, 2026**

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

**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/ resolution & deed  
File - Flood Control District w/ attachments

JLL 04/27/2026