

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

October 21, 2025

FROM

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

SUBJECT

License Agreement with San Bernardino County Transportation Authority for a Cut-Off Wall in the City of San Bernardino

RECOMMENDATION(S)

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

1. Find that the approval of a License Agreement with the San Bernardino County Transportation Authority for the use of approximately 5,490 square feet of property, for the installation and maintenance of a cut-off wall along the south right-of-way line in portions of Assessor's Parcel Numbers 0142-132-03-0000 and 0142-802-02-0000, for the San Bernardino County Flood Control District, is an exempt project under the California Environmental Quality Act, Guidelines Section 15311 (accessory structures) and Section 15303(e) (new construction or conversion of small structures).
2. Approve a **License Agreement No. 25-844** with the San Bernardino County Transportation Authority for the use of approximately 5,490 square feet of property, for the installation and maintenance of a cut-off wall along the south right-of-way line in portions of Assessor's Parcel Numbers 0142-132-03-0000 and 0142-802-02-0000 for the San Bernardino County Flood Control District, for a month-to-month term, commencing upon execution by all parties, with an annual administration fee of \$1,500.
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

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

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

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The License Agreement with the San Bernardino County Transportation Authority (SBCTA) will result in an annual administration fee of \$1,500, which will be payable annually in advance by the San Bernardino County Flood Control District (FCD). The fee will be funded with property tax revenue. Sufficient appropriation and revenue have been included in FCD's 2025-26 budget (1920002522) and will be included in future recommended budgets.

**License Agreement with San Bernardino County Transportation Authority for a Cut-Off Wall in the City of San Bernardino
October 21, 2025**

All costs associated with the installation and maintenance of the cut-off wall (Project) will be borne solely by FCD. Upon termination of the License Agreement, FCD will be responsible for the removal of the improvements and restoring the property to its original condition.

BACKGROUND INFORMATION

FCD is requesting approval of a License Agreement with the SBCTA to allow for the construction, maintenance, and access for repairs of the Project. The Project, located at Meridian Avenue and the SBCTA railroad tracts within portions of Assessor's Parcel Numbers (APN's) 0142-132-03-0000 and 0142-802-02-0000, involves the installation of a cut-off wall, minor grading, and seepage repair to address potential flooding concerns.

The Project is the result of a Settlement Agreement between property owner Diana Richardson, and County Case No. CIVSB2133067, where it was determined that the construction of the Project is necessary to mitigate flooding risks. The Project will create a barrier that prevents the movement of water or soil in and out of the ground. The License Agreement provides FCD with the authority to build and maintain the Project on SBCTA property, as well as access for future maintenance activities.

In compliance with the California Environmental Quality Act (CEQA), FCD's Environmental Management Division staff reviewed the project and determined it qualifies for a Class 11 Categorical Exemption under Section 15311 of the CEQA Guidelines, which applies to accessory structures, including the construction of minor structures. Additionally, it qualifies for a Class 3 Categorical Exemption under Section 15303(e), which includes new construction or conversion of small accessory structures.

Summary of License Terms

Licensor:	San Bernardino County Transportation Authority
Location:	APN's 0142-132-03-0000 and 0142-802-02-0000
Size:	Approximately 5,490 square feet
Term:	Month to month, commencing upon execution of the agreement by all parties
Options:	None
Annual administration Fee:	\$1,500
Maintenance:	Provided by the District
Insurance:	The Certificate of Liability Insurance as required by the License will be obtained by the Real Estate Services Department prior to occupancy
Right to Terminate:	Either party has the right to terminate with 90-days' notice

PROCUREMENT

**License Agreement with San Bernardino County Transportation
Authority for a Cut-Off Wall in the City of San Bernardino
October 21, 2025**

FCD may enter into the License Agreement with the SBCTA for the use of approximately 5,490 square feet of property, for the Project in accordance with Water Code Appendix Section 43-6 and County Policy 12-17.

FCD anticipates presenting the Project specifications, as well as a recommendation to advertise for formal bids, to the County Administrative Office for consideration in the fall of 2025 in accordance with the County Policy 11-15.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (John Tubbs II, and Sophie A. Curtis, Deputies County Counsel, 387-5455) on September 16, 2025; Flood Control District (Noel Castillo, Director, 387-7906) on September 3, 2025; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on September 5, 2025; and County Finance and Administration (Kathleen Gonzalez, 387-5412, and Eduardo Mora, 387-4376, Administrative Analysts) on October 3, 2025.

(JAG: 677-8210)

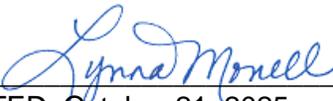
**License Agreement with San Bernardino County Transportation
Authority for a Cut-Off Wall in the City of San Bernardino
October 21, 2025**

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: October 21, 2025



cc: RESD - Thompson w/agree
Contractor - c/o RESD w/agree
File - w/agree
CCM 10/24/2025