

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

July 23, 2024

**FROM**

**NOEL CASTILLO, Chief Flood Control Engineer, Flood Control District**

**SUBJECT**

Amendment to Common Use Agreement with the City of Ontario for Recreational Multi-Use Community Trail along Cucamonga Channel

**RECOMMENDATION(S)**

Acting as the governing body of the San Bernardino County Flood Control District, approve **Amendment No. 4 to Common Use Agreement No. 16-257** with the City of Ontario to include a portion of the Cucamonga Channel in the recreational multi-use community trail system, with no change to the term of May 24, 2016 through May 24, 2036.

(Presenter: Noel Castillo, Chief Flood Control Engineer, 387-7906)

**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 this item will not result in the use of Discretionary General Funding (Net County Cost). The San Bernardino County Flood Control District (District) costs associated with the proposed amendment are limited to administrative costs related to the approval of this amendment. Sufficient appropriation for administrative costs has been included in the District's 2024-25 budget (1910002518). Improvements to District land through the development of the recreational multi-use community trails system will be financed solely by the City of Ontario (City). Although the District will not receive a fee from the City under the proposed Amendment No. 4 to Common Use Agreement No. 16-257 (Agreement), the District will benefit from improved access roads and reduced maintenance costs for the areas that become part of the trail system pursuant to the proposed amendment.

**BACKGROUND INFORMATION**

On October 23, 2012 (Item No. 80), the Board of Supervisors (Board) approved a Memorandum of Understanding (MOU) between the District and the City, Contract No. 12-773, for the development of a multi-use community trail system within portions of the District right-of-way. Among other things, the MOU required that the District and the City enter into a separate agreement for the development and construction of individual trail segments.

On May 24, 2016 (Item No. 190), the Board approved the Agreement between the District and the City under which the City was granted authorization to use portions of the District's right-of-way for County Line Channel and Cucamonga Channel, defined as the Area of Common Use, for recreational multi-use community trails. On April 21, 2020 (Item No. 78), the Board

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approved Amendment No. 1 to the Agreement to include a segment of a recreational multi-use community trail system along the District's Cucamonga Channel, from Merrill Avenue, northerly to Eucalyptus Avenue. On July 28, 2020 (Item No. 69), the Board approved Amendment No. 2 to the Agreement to include a segment of a recreational multi-use community trail system along the District's Cucamonga Channel, from Merrill Avenue to approximately 1,300 feet south of Merrill Avenue. On February 9, 2021 (Item No. 70), the Board approved Amendment No. 3 to the Agreement to include a segment of a recreational multi-use community trail system along the District's Cucamonga Channel from Ontario Ranch Road to approximately 2,500 feet south of Ontario Ranch Road.

The City's community trail has enhanced the Area of Common Use with features such as paved channel access roads, slurry sealing of existing asphalt concrete channel access roads, lockable access gates, step-throughs and signing and striping, thereby making District's right-of-way aesthetically pleasing to the community. In accordance with the Agreement, development and operation of this trail system is at the City's sole expense and responsibility, and will not interfere or conflict with any structures, facilities, operations or uses which the District has, or intends to have, for this land.

The District and City desire to amend the Agreement to add an additional segment of multi-use community trail along the District's Cucamonga Channel. Amending the existing Agreement will allow the City to add a segment of multi-use trail along the west side of District's Cucamonga Channel, approximately 2,500 feet between Ontario Ranch Road and Eucalyptus Avenue. Development, operation, and maintenance of the City's trail system will continue to be at the City's sole expense.

The term of the Agreement is for 20 years from May 24, 2016, terminating May 24, 2036, but may be terminated earlier upon one-year advance written notice by either party. No other terms and conditions of the Agreement will be modified by this Amendment.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Sophie A. Curtis, Deputy County Counsel, 387-5455) on June 4, 2024; Finance (Carl Lofton, 387-5404, and Jessica Trillo, 387-4222, Administrative Analysts) on June 28, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on July 2, 2024.

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: July 23, 2024



cc:     Flood - Gayman w/ agree  
         Contractor c/o Flood w/ agree  
         File w/ agree  
JLL     07/25/2024