

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

**March 28, 2023**

**FROM**

**TERRY W. THOMPSON, Director, Real Estate Services Department**

**BRENDON BIGGS, Director, Department of Public Works - Transportation**

**SUBJECT**

Appraisal and Acquisition for the Stanfield Cutoff at State Route 38 Project in the Big Bear Lake Area

**RECOMMENDATION(S)**

1. Approve Appraisal No. 23-09 and Appraisal No. 23-10, copies of which are on file with the Real Estate Services Department.
2. Authorize one Permanent Partial Fee Interest Acquisition, one Permanent Road Easement and one Temporary Construction Easement from Bear Valley Unified School District, as well as one Temporary Construction Easement from VCA North Shore Animal Hospital Inc., for two years collectively, for the Stanfield Cutoff at State Route 38 Project in an unincorporated area near the City of Big Bear Lake.
3. Approve the Acquisition Agreement templates for the Partial Fee Interest, Permanent Road Easement and Temporary Construction Easement interests with the two property ownership groups respectively.
4. Authorize the Director of the Real Estate Services Department to:
  - a. Complete and execute two Acquisition Agreements, in conformance with the templates referenced in Recommendation No. 3, for the Partial Fee Interest, Permanent Road Easement and Temporary Construction Easement interests with the two property ownership groups, for a not to exceed amount of \$309,100, plus escrow and title fees, which includes the appraised just compensation and a 10% contingency amount.
  - b. Approve and execute any other documents necessary to complete these transactions, including the required conveyance of deeds necessary to complete the Stanfield Cutoff at State Route 38 Project, subject to County Counsel review.

(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 Stanfield Cutoff at State Route 38 Project near the City of Big Bear Lake (Project) is funded by Measure "I" 2010-2040 Mountains Subarea Major Local Highways Program, which is administered by the San Bernardino County Transportation Authority (SBCTA), the State of California, and the State Highway Operations and Protection Program Minor B funds. The cost to acquire these real property interests is \$309,100 plus escrow and title fees estimated to be

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\$3,000. Sufficient appropriation and revenue are included in the Department of Public Works (DPW) 2022-23 Road Operations budget (6650002000 14H15055).

**BACKGROUND INFORMATION**

The Project will include installation of a roundabout at the intersection of State Route 38 (SR-38) and Stanfield Cutoff (also known as North Shore Drive) to improve the intersection's efficiency, traffic flow, and pedestrian and general public safety. The Project work includes reconstruction and installation of a single-lane roundabout, crosswalks, sidewalks, and lighting.

On September 29, 2020 (Item No. 48), the Board of Supervisors (Board) approved Cooperative Agreement No. 20-945 between the County, the City of Big Bear Lake, and SBCTA for the Project. On March 2, 2021 (Item No. 33), the Board approved Cooperative Agreement No. 21-155 between the County and the California Department of Transportation (Caltrans) for the Project.

The Project requires the DPW – Transportation Division (DPW-T) acquire one Partial Fee interest portion and one Permanent Road Easement, totaling 17,562 square feet, from one parcel owned by Bear Valley Unified School District and two Temporary Construction Easements (TCEs), totaling 6,831 square feet, across two parcels, one owned by Bear Valley Unified School District and one owned by VCA North Shore Animal Hospital Inc. DPW-T has retained Dokken Engineering as a consultant for right of way services, including appraisal and acquisition of right of way required for the Project. DPW-T requested assistance from the Real Estate Services Department (RESD) for oversight of right of way services for the Project.

The interests to be acquired from the parcels are described as follows:

<b>Property Owner/ Last Name</b>	<b>Type of Property Interest</b>	<b>Assessor's Parcel Number</b>	<b>Total Area to be Acquired (square feet)</b>
Bear Valley Unified School District	School Corner Acquisition Fee	0304-431-03	12,760
	School County Strip Acquisition Road Easement		4,802
	School TCE		4,139
VCA North Shore Animal Hospital Inc.	VCA Lakeside Animal Hospital TCE	0304-431-05	2,692

RESD reviewed the Project with DPW-T and oversaw the appraisal of the 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 No. 12-20, for acquisition of property rights for a public project.

Appraisal No. 23-09 and Appraisal No. 23-10, copies of which are on file with RESD, were professionally reviewed and approved by qualified RESD staff. The appraisals establish the amounts of just compensation to be paid to the two property owners for the School Corner Acquisition Fee (Fee), Permanent Road Easement and TCE interests necessary to construct the Project. RESD recommends that the appraisals and just compensation amounts be approved, and that written offers be made by Dokken Engineering on behalf of DPW-T and RESD to the impacted property owners. The Fee interest will be transferred to Caltrans upon completion of the construction of the Project.

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Upon approval, the Director of RESD will complete and execute Acquisition Agreements for the Fee and Easement interests with the two property ownership groups for a not to exceed amount of \$309,100, plus escrow and title fees, which includes the appraised just compensation and an approximate 10% contingency amount. In addition, the Director of RESD will accept the acquisition of the Partial Fee interest, Road Easement and the two TCEs. Lastly, this item allows the Director of RESD to approve and execute any other documents necessary to complete these transactions, including the required conveyance of deeds necessary to complete the Project, subject to County Counsel review. RESD will maintain these documents in its files.

On October 6, 2022, Caltrans, acting as the Lead Agency for the Project as it occurs partially on a State Highway, reviewed and approved compliance with the California Environmental Quality Act (CEQA) and determined this Project is Categorically Exempt as it has no significant impacts on the environment. The County, as the Responsible Agency for the Project, concurs with Caltrans findings. Additionally, pursuant to the delegated authority from the United States Forest Service, Caltrans reviewed the Project for compliance under the National Environmental Policy Act (NEPA) and determined the Project is Categorically Excluded pursuant to Title 23 of the Code of Federal Regulations, section 771.117(c).

On November 15, 2022 (Item No. 63), the Board approved the Project and considered a categorical exemption in accordance with CEQA. The Clerk of the Board was directed to file and post a Notice of Exemption. Accordingly, no further action is required under CEQA.

**PROCUREMENT**

RESD and DPW-T's consultant, Dokken Engineering, can make offers and acquire the necessary right of way 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 No. 12-20.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (John Tubbs II, Deputy County Counsel, and Aaron Gest, Deputy County Counsel, 387-5455) on March 2, 2023; Public Works (Mervat Mikhail, Deputy Director, 387-7916) on February 16, 2023; Purchasing (Bruce Cole, Supervising Buyer, 387-2148) on February 16, 2023; Finance (Carl Lofton, Administrative Analyst, and Garrett Baker, Administrative Analyst, 387-5423) on March 7, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on March 10, 2023.

(BF: 361-8976)

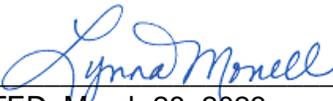
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Record of Action of the Board of Supervisors  
San Bernardino County

**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: March 28, 2023



cc: File - Real Estate Services w/attach  
CCM 04/10/2023