

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

May 5, 2026

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 City of San Bernardino Municipal Water Department for Non-Exclusive Access to Flood Control District Land in San Bernardino

RECOMMENDATION(S)

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

1. Find that approval of Amendment No. 1 to Revenue License Agreement No. 06-429 with City of San Bernardino Municipal Water Department, for 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. 1 to Revenue License Agreement No. 06-429** with City of San Bernardino Municipal Water Department for the following:
 - a. Non-exclusive use of Flood Control District right-of-way land west of University Parkway and east of Burlington Northern Santa Fe Railroad tracks, near Macy Basin in San Bernardino (Assessor's Parcel Number 0266-072-09-0000).
 - b. Extension of the Revenue License for a 10-year period from June 1, 2026 through May 31, 2036, pursuant to the City of San Bernardino Municipal Water Department's exercise of its first of three 10-year options to extend the term.
 - c. Authorization of a permitted holdover period from February 16, 2025 through May 31, 2026, with a holdover fee of \$1,556.
 - d. Approval of a total extended-term license fee of \$16,017 resulting in an increase to the total contract revenue from \$16,379 to \$32,396.
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

Promote and Fulfill the Countywide Vision.

Improve County Government Operations.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). Total revenue over the 10-year extended term for Amendment No. 1 (Amendment) to Revenue License Agreement No. 06-429 (License) is \$16,017, which includes a permitted holdover amount of \$1,556 for the period of February 16, 2025 through May 31, 2026, increasing the total contract amount from \$16,379 to \$32,396. License revenues will be

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received by the County Flood Control District (FCD) (1920002522). Annual License revenues are as follows:

Year	Annual Revenue
*February 16, 2025 – May 31, 2026	\$1,556
June 1, 2026 – May 31, 2027	\$1,205
June 1, 2027 – May 31, 2028	\$1,253
June 1, 2028 – May 31, 2029	\$1,303
June 1, 2029 – May 31, 2030	\$1,355
June 1, 2030 – May 31, 2031	\$1,409
June 1, 2031 – May 31, 2032	\$1,465
June 1, 2032 – May 31, 2033	\$1,524
June 1, 2033 – May 31, 2034	\$1,585
June 1, 2034 – May 31, 2035	\$1,648
June 1, 2035 – May 31, 2036	\$1,714
Total Revenue	\$16,017

*Permitted holdover period

BACKGROUND INFORMATION

On May 23, 2006 (Item No. 44), the Board of Supervisors (Board) approved the License with City of San Bernardino Municipal Water Department (SBMWD) for a 20-year term, with three 10-year options to extend. The License commenced on February 16, 2005 through February 15, 2025.

The License agreement entered a permitted holdover beginning February 16, 2025 and ending May 31, 2026, due to timing associated with negotiations and administrative processing. Real Estate Services Department (RESD) reached an agreement with SBMWD and negotiated an extension of the License for the period of June 1, 2026 through May 31, 2036.

This Amendment will extend the License with SBMWD for the non-exclusive use of FCD right-of-way land west of University Parkway and east of Burlington Northern Santa Fe Railroad tracks, near Macy Basin in San Bernardino (Property). Additionally, the Amendment adjusts the rental rate schedule and updates the 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: City of San Bernardino Municipal Water Department

Location: West of University Parkway and east of Burlington Northern Santa Fe Railroad tracks, near Macy Basin in San Bernardino (Assessor’s Parcel Number 0266-072-09-0000)

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Size: Approximately 930 lineal feet

Term: 10 years

Options: Two 10-year options remain

Rent: Monthly: \$100.42*
Annual: \$1,205.00
*High-range for comparable facilities in the San Bernardino area
per the competitive set analysis on file with RESD

Late Fees: None

Annual Increases: Approximately 4%

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 with 90 days written notice

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 February 13, 2026; Flood Control District (Noel Castillo, Director, 387-7906) on February 23, 2026; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on February 18, 2026; and County Finance and Administration (Kathleen Gonzalez, 387-5412, and Eduardo Mora, 387-4376, Administrative Analysts) on April 16, 2026

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 5, 2026



cc: RESD - Thompson w/agree
Contractor - c/o RESD w/agree
File - w/agree
MBA 05/15/2026