

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

**May 18, 2021**

**FROM**

**BEAHTA DAVIS, Director, Regional Parks Department**

**SUBJECT**

Amendment to Consent Agreement with Southern California Edison for Santa Ana River Trail - Phase III

**RECOMMENDATION(S)**

1. Approve **Amendment No. 1 to Consent Agreement No. 19-355** with Southern California Edison, extending the term of the Consent Agreement to complete construction by October 2022, to cross four Southern California Edison easements at various locations along the southern bank of the Santa Ana River, from Waterman Avenue to California Street, in the cities of San Bernardino and Redlands for construction of the Santa Ana River Trail - Phase III.
2. Authorize the Director of Regional Parks or designee to execute future term extensions to Consent Agreement No. 19-355 with Southern California Edison, on behalf of the County, subject to County Counsel review.  
(Presenter: Beahta Davis, Director, 387-2340)

**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.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost) as the requested actions are administrative in nature. The Department of Regional Parks (Department) is funded by Net County Cost, fee revenue, and other funding. The construction phase of Phase III of the Santa Ana River Trails Project (SART III) is funded by the State Coastal Conservancy State Drinking Water, Water Quality and Supply Grant (Prop 84). Mitigation funds are funded by Active Transportation Program Cycle 5 Metropolitan Planning Organization component grant funds awarded by the California Transportation Commission and Transportation Development Act Article 3 grant funds awarded by San Bernardino County Transportation Authority (SBCTA).

**BACKGROUND INFORMATION**

On May 21, 2019 (Item No. 101) the Board of Supervisors (Board) approved Consent Agreement No. 19-355 with Southern California Edison (SCE) as portions of SART III will cross over four SCE electric transmission line easements. Pursuant to General Order 69-C of the California Public Utilities Commission, SCE is authorized to grant permission for use on, over or under any portion of SCE's right-of-way that will not interfere with their operations. In addition to

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granting the Department use of SCE easement for the trail, the Consent Agreement outlines terms of conditions of construction and maintenance of the trail to protect SCE facilities and trail users.

The Consent Agreement No. 19-355 provided that construction must commence within one year from the date of SCE's approval of the Consent Agreement, which was January 7, 2019. Consent Agreement No. 19-355 was executed prior to the Department finalizing environmental mitigation funding for construction of SART III. The Department has since obtained the necessary mitigation funding from the federal Active Transportation Program and San Bernardino County Transit Authority (SBCTA) and anticipates returning to the Board in July 2021 to accept grant funds.

On April 21, 2020 (Item No. 66), the Board approved the SART III plans and specifications and authorized the Director of the Department of Public Works (Public Works) to advertise the Project for bids. Public Works anticipates advertising the Project in Spring 2022 with construction to follow in Summer 2022.

Recommendation No. 1 approves Amendment No. 1 to Consent Agreement 19-355 with SCE to extend the construction completion date to October 2022. Recommendation No. 2 will authorize the Director of Regional Parks or designee to extend the term of Consent Agreement No. 19-355 with SCE should the Department experience any delays prior to or during construction.

Approval of Amendment No. 1 to Consent Agreement No. 19-355 with SCE aligns with the County and Chief Executive Officer Goals and Objectives by working with other agencies as the Project will ensure development of a well-planned, balanced and sustainable County.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Dawn Martin, Deputy County Counsel, 387-4322) on April 22, 2021; Finance (Elias Duenas, Administrative Analyst, 387-4052) on April 19, 2021; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on April 19, 2021.

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Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

Moved: Joe Baca, Jr. Seconded: Janice Rutherford

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

Lynna Monell, CLERK OF THE BOARD

BY



DATED: May 18, 2021



cc: Parks - Davis w/agree  
Contractor - C/O Parks w/agree  
File - w/agree

CCM 05/19/2021