

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
SITTING AS THE GOVERNING BOARD OF THE FOLLOWING:
SAN BERNARDINO COUNTY
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
AND RECORD OF ACTION**

April 21, 2026

FROM

**NOEL CASTILLO, Chief Flood Control Engineer, Flood Control District
MIGUEL FIGUEROA, Director, Land Use Services Department**

SUBJECT

Amendment to Memorandum of Understanding for Code Enforcement Services

RECOMMENDATION(S)

1. Acting as the governing body of the San Bernardino County Flood Control District, approve **Amendment No. 3 to Memorandum of Understanding No. 15-278** with San Bernardino County for code enforcement services, to update the Flood Control District Ordinance referenced in the Memorandum of Understanding, increase the contract by \$2,000,000, from \$3,400,000 to \$5,400,000, and extend the term by five years, for a total contract term of June 2, 2015 to June 30, 2031.
2. Acting as the governing body of San Bernardino County, approve **Amendment No. 3 to Memorandum of Understanding No. 15-278** with the San Bernardino County Flood Control District for code enforcement services, to update the Flood Control District Ordinance referenced in the Memorandum of Understanding, increase the contract by \$2,000,000, from \$3,400,000 to \$5,400,000, and extend the term by five years, for a total contract term of June 2, 2015 to June 30, 2031.

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

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Operate in a Fiscally Responsible and Business-Like Manner.

Improve County Government Operations.

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) is funded by property tax revenue, fee revenue and other local, state, and federal funding. The total increased cost of \$2,000,000, or not-to-exceed \$400,000 per year, will be funded with property tax revenue. Sufficient appropriation and revenue will be included in the District's 2026-27 recommended budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

On June 2, 2015 (Item No. 91), the Board of Supervisors (Board) approved Memorandum of Understanding (MOU) No. 15-278 between the District and the County of San Bernardino

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(County) under which County Land Use Services, Code Enforcement Division (Code Enforcement) would enforce District Ordinance Nos. 12-02 and 12-03 relating to trespass and parking violations on District property.

On June 12, 2018 (Item No. 115), the Board approved Amendment No. 1 to the MOU which extended the term of the MOU between the District and the County by three years, for a total period of June 2, 2015, to June 30, 2021, and increased the amount of compensation paid by the District to the County for such services to \$350,000 per year, for a total amount of \$1,050,000.

On March 9, 2021 (Item No. 56), the Board approved Amendment No. 2 to the MOU which extended the term of the MOU by five years, for a total contract period of June 2, 2015, to June 30, 2026, with no change to the amount of compensation paid by the District to the County for such services at \$350,000 per year, for a total amount of \$1,750,000.

On June 28, 2022 (Item No. 120), the Board repealed District Ordinance No. 12-02, which is referenced in the MOU, and replaced Ordinance No. 12-02 with Ordinance No. 22-02. Ordinance No. 22-02 clarified the citing, charging, and filing of any criminal violations as either a misdemeanor or an infraction, at the discretion of the citing office and the prosecuting attorney, based on the facts and circumstance of each case.

The proposed Amendment No. 3 to the MOU for code enforcement services updates the reference from Ordinance No. 12-02 to Ordinance No. 22-02, increases the amount of compensation to \$400,000 per year, for a cumulative total increase of \$2,000,000, and extends the term of the MOU by five years, for a total contract term of June 2, 2015, to June 30, 2031.

Ordinance Nos. 22-02 and 12-03 address trespassing and parking violations, respectively, on District property and provide for enforcement by Code Enforcement. The MOU provides that the District will reimburse Code Enforcement for its services in enforcing the District Ordinance Nos. 22-02 and 12-03 as well as investigating illegal dumping activities in an annual amount not-to-exceed \$400,000 per fiscal year, for a cumulative total of \$2,000,000 for the five-year period.

Extending the term of the MOU supports the County and Chief Executive Officer's goals and objectives to improve County government operations, provide for the safety, health and social service needs of county residents, by working with other agencies.

In enforcing Ordinance Nos. 22-02 and 12-03 on behalf of the District, Code Enforcement will follow its procedures and issue administrative citations pursuant to County Code sections 11.0201- 11.0212 (and the successor provisions thereof).

The MOU shall expire on July 1, 2031, unless terminated earlier by either party upon 30 day advance written notice to the other party.

PROCUREMENT

Not applicable.

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REVIEW BY OTHERS

This item has been reviewed by County Counsel (Sophie A. Curtis and Brett Davison, Deputies County Counsel, 387-5455) on April 8, 2026; and County Finance and Administration (Kathleen Gonzalez, Administrative Analyst, 387-5412) on April 6, 2026.

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Record of Action of the Board of Supervisors
San Bernardino County Flood Control District
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: April 21, 2026



cc: Flood Control - Basta w/ agree
Contractor c/o Flood w/ agree
File w/ agree
JLL 04/27/2026