

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

December 16, 2025

FROM

NOEL CASTILLO, Director and Chief Flood Control Engineer, Department of Public Works Transportation and Flood Control District
TERRY W. THOMPSON, Director, Real Estate Services Department

SUBJECT

Waiver Valuations and Amendment to Acquisition Agreements for Temporary Construction Easements on Privately Owned Properties and Appraisal and Acquisition Agreement for Fee Property from San Bernardino County Flood Control District for the Little Third Street and Little Tippecanoe Avenue Construction Project

RECOMMENDATION(S)

1. Acting as the governing body of San Bernardino County:
 - a. Approve Waiver Valuations 25-62 through 25-78 for 18 temporary construction easements and Appraisal 25-61 for one fee property, copies of which are on file with the Real Estate Services Department.
 - b. Authorize the acquisition of 18 temporary construction easements over portions of certain privately-owned real properties, totaling approximately 3,415 square feet, for the period commencing on December 1, 2025, and expiring on completion of the project improvements or November 30, 2026, whichever occurs first, from 16 private property owners, and one fee property (Assessor's Parcel Number 0279-122-24-0000), comprising approximately 4,125 square feet, from the San Bernardino County Flood Control District, for the Little Third Street and Little Tippecanoe Avenue Construction Project in the unincorporated area of San Bernardino County, at a total cost not to exceed \$12,100, which includes the just compensation plus an approximate 10% contingency amount, for the temporary construction easements from the private property owners and \$39,200 for the just compensation plus administration fees of approximately \$8,000 for the fee property from the San Bernardino County Flood Control District for an aggregate total cost not to exceed \$59,300.
 - c. Approve the form of Amendment No. 1 to existing Acquisition Agreements to acquire 18 temporary construction easements from 16 private property owners for the Little Third Street and Little Tippecanoe Avenue Construction Project in the unincorporated area of San Bernardino County.
 - d. Approve the **Acquisition Agreement No. 25-1125** with the San Bernardino County Flood Control District to acquire fee interest to a San Bernardino County Flood Control District-owned property (Assessor's Parcel Number 0279-122-24-0000), comprising approximately 4,125 square feet, for the Little Third Street and Little Tippecanoe Avenue Construction Project in the unincorporated area of San Bernardino County at a total cost of \$39,200, plus administrative fees of approximately \$8,000.

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- e. Authorize the Director of the Real Estate Services Department to:
 - i. Execute Amendment No. 1 to each of the existing Acquisition Agreements with the 16 private property owners in substantial conformance with the approved form of Amendment No. 1 to acquire 18 temporary construction easements over portions of certain privately-owned real properties, totaling approximately 3,415 square feet, for the period commencing on December 1, 2025, and expiring on completion of the project improvements or November 30, 2026, whichever occurs first, for the Little Third Street and Little Tippecanoe Avenue Construction Project, in the unincorporated area of San Bernardino County, at a total cost not to exceed \$12,100, which includes the just compensation and an approximate 10% contingency amount.
 - ii. Execute any other non-substantive documents necessary to complete these transactions, subject to County Counsel review.
- 2. Acting as the governing body of the San Bernardino County Flood Control District:
 - a. Adopt a **Resolution No. 2025-238**:
 - i. Finding that the sale of the land is an exempt project under the California Environmental Quality Act Guidelines, Section 15312 (Surplus Government Property Sales) and 15061(b)(3) (Common Sense Exemption).
 - ii. Declaring that certain real property, consisting of a total of approximately 4,125 square feet of land (Assessor's Parcel Number 0279-122-24-0000), located in the unincorporated area of San Bernardino, is no longer necessary for the uses and purposes of the San Bernardino County Flood Control District and is surplus and available for disposal pursuant to County Policy No. 12-17.
 - iii. Declaring that the land is exempt surplus pursuant to Government Code Section 54221(f)(1)(D).
 - iv. Authorizing the sale of the land by Grant Deed to San Bernardino County pursuant to Water Code Appendix section 43-6, Government Code Section 25365, and County Policy 12-17, upon payment of \$39,200 plus administrative costs of approximately \$8,000 (Four votes required).
 - b. Approve the **Acquisition Agreement No. 25-1125** with San Bernardino County to convey fee interest to a San Bernardino County Flood Control District-owned property (Assessor's Parcel Number 0279-122-24-0000), comprising approximately 4,125 square feet, for the Little Third Street and Little Tippecanoe Avenue Construction Project in the unincorporated area of San Bernardino County, at a total cost of \$39,200 plus administrative costs of approximately \$8,000.
 - c. Authorize the Director of the Real Estate Services Department to execute any other non-substantive documents necessary to complete this transaction, subject to County Counsel review.
 - d. Authorize the Chair of the Board of Supervisors to execute the Grant Deed to convey the San Bernardino County Flood Control District-owned property, comprising approximately 4,125 square feet, (Assessor's Parcel Number 0279-122-24-0000) located in the unincorporated area of San Bernardino County to San Bernardino County, upon payment of \$39,200 plus administrative costs of approximately \$8,000.
 - e. 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)

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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 County's Department of Public Works (DPW) is funded by Gas Tax revenues, fees, and other federal, state, and local funding. DPW's Little Third Street and Little Tippecanoe Avenue Construction Project in the unincorporated area of San Bernardino County (Project) is funded with Gas Tax revenues and Measure I Local Streets Program – San Bernardino Valley Subarea funds. The total cost to acquire the fee property from the San Bernardino County Flood Control District (FCD) is \$39,200 plus administrative costs of approximately \$8,000. The total cost to acquire the temporary construction easements (TCEs) from the private property owners is an amount not to exceed \$12,100, which includes the just compensation and an approximate 10% contingency amount. Sufficient appropriation and revenue are included in DPW's 2025-26 Road Operations budget (6650002000 H15122). FCD will receive revenue for Zone 2 (1920002522).

BACKGROUND INFORMATION

The Project involves installing new asphalt concrete pavement, sidewalk, curb and gutter, fencing, Americans with Disabilities Act (ADA) ramps and new storm drains located on East Little Third Street and Little Tippecanoe Avenue between Palm Lane and Tippecanoe Avenue in an unincorporated area of the County. DPW has requested assistance from the Real Estate Services Department (RESA) in the valuation and acquisition of the property rights required for the Project.

The property rights to be acquired for the Project are described as follows:

APN	Acq. Type	Acq No.	Fee Acq. Area (SF)	TCE Acq. Area (SF)
0279-053-34-0000	TCE	TCE-1	-	45
0279-063-14-0000	TCE	TCE-2	-	48
0279-053-33-0000	TCE	TCE-3	-	28
0279-092-20-0000	TCE	TCE-4	-	64
0279-092-06-0000	TCE	TCE-5	-	48
0279-092-03-0000	TCE	TCE-6	-	64
0279-053-30-0000	TCE	TCE-8	-	80
0279-053-29-0000	TCE	TCE-9	-	69
0279-053-28-0000	TCE	TCE-10	-	104
0279-053-27-0000	TCE	TCE-11	-	21
0279-053-25-0000	TCE	TCE-12	-	90
0279-053-24-0000	TCE	TCE-13	-	72
0279-053-23-0000	TCE	TCE-14	-	48

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0279-063-24-0000	TCE	TCE-15	-	73
0279-063-22-0000	TCE	TCE-16	-	48
0279-092-34-0000	TCE	TCE-17	-	2,153
0279-121-22-0000	TCE	TCE-18	-	175
0279-121-22-0000	TCE	TCE-19	-	185
0279-122-24-0000	Fee	A-1	4,125	-
		Total	4,125	3,415

On November 14, 2023 (Item No. 69), the Board of Supervisors (Board), acting for the County, approved the acquisition of 18 TCEs necessary for the Project, and delegated authority to the RESD Director to execute an approved form of Acquisition Agreements to acquire the TCEs. The RESD Director subsequently executed an Acquisition Agreement with each of the private property owners and obtained 18 TCEs for the period commencing on December 1, 2023 and expiring on completion of the project improvements or November 30, 2025, whichever occurs first. While these TCEs are now expired, the Project is not yet completed due to utilities conflict and a redesign requirement for the storm drain and water treatment system. Therefore, DPW has requested assistance from RESD to obtain new TCEs for one additional year so work on the Project may be completed.

In addition, the Project requires the fee acquisition of an FCD-owned property (Assessor's Parcel Number 0279-122-24-0000) (FCD Property) which was identified in the original project scope. The original 2023 Board item noted that the acquisition and disposition of this parcel would be brought forward separately at a later date. RESD reviewed the Project with DPW and initiated the valuation of the fee acquisition under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Government Code section 7260 et seq., corresponding regulations, County Policy No. 12-20, for the acquisition of property rights for a public project, and County Policy No. 12-17, for the disposition of surplus property for FCD.

County Policy No. 12-17 – Surplus Real Property (Policy No. 12-17) provides that if property is no longer needed, the Board may declare it surplus and authorize the disposition of the property. Because the FCD Property no longer serves a flood control purpose, FCD requests that the Board, acting for FCD, declare it surplus. The sale of the FCD Property was reviewed pursuant to the Surplus Land Act. Because the FCD Property is being conveyed to the County for a public right of way project, RESD has determined it qualifies as exempt surplus land pursuant to Government Code Section 54221(f)(1)(D). In accordance with California Department of Housing and Community Development (HCD) Surplus Land Act Guidelines Section 400(e), RESD will provide a copy of the Resolution to HCD for review and concurrence.

Waiver Valuations Nos. 25-62 through 25-78, copies of which are on file with RESD, were professionally prepared and approved by qualified RESD staff for the new TCEs. The waiver valuations, which are a permitted administrative valuation process for low-value/non-complex acquisitions, established the amounts of just compensation to be paid to the 16 private property owners for the TCE's necessary to complete the Project. RESD recommends that the waiver valuations be approved, and that written offers be made to the impacted property owners.

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Appraisal No. 25-61, a copy of which is on file with RESD, was professionally prepared and approved by qualified RESD staff for the FCD Property.

Upon approval of this item by the Board, acting for the County, the Director of RESD will be authorized to execute Amendment No. 1 to the existing Acquisition Agreements to acquire new TCEs from the 16 private property owners for a total cost not to exceed \$12,100, which includes the just compensation and an approximate 10% contingency amount.

Approval of this item by the Board, acting in its respective capacity for the County and FCD, will also approve the Acquisition Agreement for the County to acquire the FCD Property from FCD and delegate the Chair of the Board (Chair), acting for FCD, to execute a Grant Deed to convey the FCD Property to the County for a total cost of \$39,200, the appraised fair market value, plus FCD's administrative costs, estimated at approximately \$8,000.

The Director of RESD will also be authorized to execute any other documents necessary to complete this transaction, subject to County Counsel review. In addition, the Director of RESD will accept the new TCEs over the privately-owned properties and the Grant Deed for the FCD Property pursuant to the authority granted by the Board on March 27, 2012 (Item No. 75).

On July 11, 2023 (Item No. 34), the Board approved the Project and determined it to be exempt in accordance with the California Environmental Quality Act (CEQA). The Clerk of the Board was directed to file and post a Notice of Exemption. Accordingly, no further action is required under CEQA for the County.

The disposition of the property by FCD was reviewed pursuant to CEQA and was determined to qualify for a Class 12 Categorical Exemption (Surplus Government Property Sales) under Section 15312 of the CEQA Guidelines. Class 12 consists of sales of surplus government property except for parcels of land located in an area of statewide, regional, or areawide concern identified in Section 15206. Additionally, the conveyance is determined to be categorically exempt from further environmental review under California Code of Regulations section 15061(b)(3) (Common Sense Exemption) of the CEQA Guidelines, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. FCD will have fulfilled its obligation under CEQA for this disposition with the posting of the Notice of Exemption by RESD.

PROCUREMENT

RESD can make offers and acquire the necessary property rights for the Project 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 12-20.

FCD is authorized to declare the Property surplus pursuant to County Policy No. 12-17, declare the Property exempt surplus pursuant to Government Code Section 54221(f)(1)(D), and to sell the Property to the County pursuant to Water Code Appendix section 43-6, Government Code Section 25365, and County Policy No. 12-17.

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REVIEW BY OTHERS

This item has been reviewed by County Counsel (Sophie Curtis, Agnes Cheng and Aaron Gest, Deputies County Counsel, 387-5455) on November 18, 2025; Public Works - and Flood Control District (Noel Castillo, Director, 387-7916) on November 12, 2025; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on November 13, 2025; and County Finance and Administration (Kathleen Gonzalez, 387-5412, and Eduardo Mora, 387-4376, Administrative Analysts) on December 1, 2025.

(BF: 361-8976)

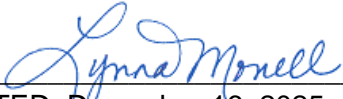
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Record of Action of the Board of Supervisors
San Bernardino County Flood Control District
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 16, 2025



cc: RESD - Thompson w/agree
 Contractor - c/o RESD w/agree
 File - w/agree
CCM 01/2/2026