

RESOLUTION NO. 2024-136

RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY DECLARING THE CONVEYANCE OF TWO NON-EXCLUSIVE UNDERGROUND ELECTRICAL EASEMENTS TOTALING APPROXIMATELY 12,100 SQUARE FEET OVER PORTIONS OF SAN BERNARDINO COUNTY-OWNED PROPERTY, COMPRISING APPROXIMATELY 553 SQUARE FEET OF LAND (PORTION OF ASSESSOR'S PARCEL NUMBER 1119-231-08) AND APPROXIMATELY 11,547 SQUARE FEET OF LAND (PORTIONS OF ASSESSOR'S PARCEL NUMBER 1119-241-03 AND 1119-241-30), LOCATED WITHIN THE MID-VALLEY SANITARY LANDFILL IN THE CITY OF RIALTO TO SOUTHERN CALIFORNIA EDISON COMPANY FOR POWER SUPPLY AND COMMUNICATION SYSTEMS PURPOSES FOR SAN BERNADINO COUNTY'S TENANT IS IN THE PUBLIC INTEREST AND THE INTERESTS IN THE LAND CONVEYED WILL NOT SUBSTANTIALLY CONFLICT OR INTERFERE WITH THE USE OF THE PROPERTY BY SAN BERNARDINO COUNTY, AND AUTHORIZING THE CONVEYANCE OF SAID EASEMENTS TO THE SOUTHERN CALIFORNIA EDISON COMPANY PURSUANT TO GOVERNMENT CODE SECTION 25526.6

On Tuesday, September 10, 2024, on motion of Supervisor Hagman, duly seconded by Supervisor Baca, Jr. and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, San Bernardino County (County) owns real property and Solid Waste Management Division (SWMD) operates and manages the Mid-Valley Sanitary Landfill (MVSL) on said property, which is located in the City of Rialto. The site occupies approximately 499 acres, of which 408 acres are permitted for waste disposal; and

WHEREAS, as waste is emplaced in the MSVL, it decomposes, producing landfill gas (LFG), which is comprised of methane, carbon dioxide, and very minor amounts of gaseous organic compounds. Current Federal, State, and local regulations require the extraction, collection, and treatment of LFG to protect the surrounding environment. LFG is also a potential source of renewable energy, which can be used directly, in combustion processes, or processed and converted into a renewable fuel; and

WHEREAS, on September 24, 2019, the County's Board of Supervisors (Board) approved Contract Numbers 19-649 and 19-651 with Bio-Fuels San Bernardino Biogas, LLC (Bio-Fuels) for a Landfill Gas Sale and Purchase Agreement and a Landfill Site Lease, respectively, which were each amended and approved by the Board on June 28, 2022 (Item No. 69); and

WHEREAS, Bio-Fuels has requested that the County convey to Southern California Edison Company (Edison) two non-exclusive Underground Electrical Easements (Easements) totaling approximately 12,100 square feet over portions of the MSVL, including one comprising approximately 553 square feet of land (portions of Assessor's Parcel Number 1119-231-08) and another for approximately 11,547 square feet of land (portions of Assessor's Parcel Number's 1119-241-03 and 1119-241-30) to provide power supply to Bio-Fuels processing facilities; and

WHEREAS, the conveyance of the Easements is in the public interest and will not substantially conflict or interfere with the County's use of the MVSL; and

WHEREAS, the County may convey the Easements to Edison at no cost in accordance with California Government Code Section 25526.6; and

NOW, THEREFORE, BE IT RESOLVED that the Board of the County hereby declares that the recitals above are all true and correct and are incorporated herein and that the conveyance of two non-exclusive Easements totaling approximately 12,100 square feet over portions of the MVSL, including one comprising approximately 553 square feet of land (portion of Assessor's Parcel Number 1119-231-08) and another for approximately 11,547 square feet of land (portions of Assessor's Parcel Number's 1119-241-03 and 1119-241-30), to Edison for underground electrical supply and communication systems is in the public interest and that the interests conveyed will not substantially conflict or interfere with the County's use of the MVSL, and authorizes the conveyance of said Easements to Edison in accordance with Section 25526.6 of the Government Code at no cost.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, State of California, by the following vote:

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

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO) ss.

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify the foregoing to be a full, true, and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of September 10, 2024. #60 MBA

LYNNA MONELL
Clerk of the Board of Supervisors

By  Deputy

