

**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**

September 26, 2023

FROM

BEAHTA R. DAVIS, Director, Regional Parks Department

BRENDON BIGGS, Chief Flood Control Engineer, Flood Control District

SUBJECT

Memorandum of Understanding between San Bernardino County Flood Control and San Bernardino County Regional Parks Department for Maintenance Activities on the Santa Ana River Trail

RECOMMENDATION(S)

1. Acting as the governing body of the San Bernardino County Flood Control District, approve the Memorandum of Understanding (Agreement No. 23-1080) with San Bernardino County, through its Regional Parks Department, to perform routine maintenance, cleanup, and repair of the San Bernardino County Santa Ana River Trail facility and Cucamonga Trail, from October 1, 2023 through September 30, 2028, for a total of \$770,000.
2. Acting as the governing body of San Bernardino County, approve a Memorandum of Understanding (**Agreement No. 23-1080**) with the San Bernardino County Flood Control District to authorize the San Bernardino County Flood Control District to perform routine maintenance, cleanup, and repair of the San Bernardino County Santa Ana River Trail facility and Cucamonga Trail, from October 1, 2023 through September 30, 2028, for a total of \$770,000.

(Presenter: Beahta R. Davis, Director, 387-2340)

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 additional Discretionary General Funding (Net County Cost). The costs related to the Memorandum of Understanding (MOU) will be funded with available reserves from the County Trails System Fund (Fund 2702) and an ongoing allocation of \$100,000 of Discretionary General Funding, which was approved on January 23, 2018 (Item No. 65), for maintenance of the Santa Ana River Trail (SART). The Regional Parks Department (Department) has continued to use the funds to support annual maintenance through a MOU with the San Bernardino County Flood Control District (District) for the routine maintenance, cleanup, or repair of the SART. The District will be reimbursed by the Department. Sufficient appropriation for maintenance expenditures has been included in the District's 2023-24 budget (1920002522F02680) and the Department's 2023-24 budget (6520002702) and will

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be included in future recommended budgets. The annual payments will not exceed the amounts indicated in the following table:

Agreement Year	Not to Exceed Amount
October 1, 2023-September 30, 2024	\$120,000
October 1, 2024-September 30, 2025	\$120,000
October 1, 2025-September 30, 2026	\$150,000
October 1, 2026-September 30, 2027	\$180,000
October 1, 2027-September 30, 2028	\$200,000
Total	\$770,000

BACKGROUND INFORMATION

On November 8, 1994 (Item No. 8), the Board of Supervisors (Board) approved Contract No. 94-1148 (Contract), where the District and Department entered into a Common Use Agreement for SART. The Contract was amended on April 20, 1999 (Item No. 27, Amendment No.1), May 18, 2004 (Item No. 19, Amendment No. 2), and March 15, 2005 (Item No. 18, Amendment No. 3), to expand the geographic scope and term of the underlying agreement. The Common Use Agreement for SART, as amended, requires the Department to operate and maintain the multi-use trail system.

The District and Department have determined that it is more efficient for the District to undertake the maintenance, cleanup, or repair of the Department's SART, which includes completed and future phases of the trail located along the Santa Ana River, from the Riverside County line in the Colton area to Orange Street in the Redlands area, and the Cucamonga Trail located by San Antonio Channel Dam off 24th Street in Upland. The District shall utilize its on-call contractor list to perform routine maintenance work for the Department, subject to reimbursement from the Department on a quarterly basis as outlined in the MOU.

On January 23, 2018 (Item No. 65), the Board of Supervisors approved MOU No. 18-52 with the District for the maintenance, cleanup, and repair of the San Bernardino County's SART from January 23, 2018, through January 9, 2023. The District and the Department have been in negotiations since the expiration of MOU No. 18-52 and have been working together outside of a formal MOU to ensure the maintenance services have been addressed.

This MOU is in alignment with the County and Chief Executive Officer's goals and objectives to ensure the development of a well-planned, balanced, and sustainable County and to provide for the safety, health, and social service needs of County residents as the improved maintenance will provide County residents with an additional safe and healthy outdoor recreational opportunity.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, and Sophie A. Curtis, Deputies County Counsel, 387-5455) on August 21, 2023; Flood Control District (Andy Silao, Engineering Manager, 387-7961) on August 15, 2023; Finance (Elias Duenas, Administrative Analyst, 387-4052) on September 6, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on September 11, 2023.

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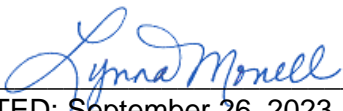
Record of Action of the Board of Supervisors
San Bernardino County Flood Control District
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Jesse Armendarez

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: September 26, 2023



cc: Regional Parks - Davis w/ agree
Contractor c/o Regional Parks w/ agree
File w/ agree
JLL 10/6/2023