

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

April 23, 2024

FROM

**TERRY W. THOMPSON, Director, Real Estate Services Department
NOEL CASTILLO, Director, Department of Public Works - Transportation**

SUBJECT

Appraisals and Acquisition Agreements for Temporary Construction Easements for the South Mentone Americans with Disabilities Act Ramps Project in Unincorporated Mentone

RECOMMENDATION(S)

1. Approve Appraisal Nos. 23-60 and 23-64, copies of which are on file with the Real Estate Services Department.
2. Authorize the acquisition of eight Temporary Construction Easements from two property owners, over portions of certain real properties, totaling approximately 12,109 square feet, for a period commencing on January 1, 2025, and terminating on the earlier of project completion or December 31, 2026, for the South Mentone Americans with Disabilities Act Ramps Project in the unincorporated area known as Mentone, at a total cost not to exceed \$17,200, which includes the just compensation and an approximate 10% contingency amount.
3. Approve the form of Acquisition Agreements to acquire eight Temporary Construction Easements from two property owners for the South Mentone Americans with Disabilities Act Ramps Project in the unincorporated area known as Mentone.
4. Authorize the Director of the Real Estate Services Department to:
 - a. Execute two Acquisition Agreements in conformance with the approved form of Acquisition Agreements to acquire a total of eight Temporary Construction Easements from two property owners over portions of certain real properties, totaling approximately 12,109 square feet, for the South Mentone Americans with Disabilities Act Ramps Project in the unincorporated area known as Mentone, at a total cost not to exceed \$17,200, which includes the just compensation and an approximate 10% contingency amount.
 - b. Execute any other documents necessary to complete these transactions, subject to County Counsel review.

(Presenter: Terry W. Thompson, Director, 387-5000)

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 eight Temporary Construction Easements (TCE's) for the South Mentone Americans with Disabilities Act (ADA) Ramps Project in the southern part of the unincorporated area known

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as Mentone (Project) will be funded with Senate Bill 1 (SB 1) Road Maintenance and Rehabilitation Account (RMRA) funds. The total cost to acquire the TCE's is estimated to be \$15,564 plus an approximate 10% contingency amount for potential administrative settlements, for an aggregate cost not to exceed \$17,200 (rounded). Sufficient appropriation and revenue are included in the Department of Public Works (DPW) 2023-24 Road Operations budget (6650002000 H15058) and will be included in future recommended budgets.

BACKGROUND INFORMATION

The Project consists of the construction and reconstruction of 38 ADA ramps, the reconstruction of portions of sidewalks, driveways, spandrels, cross gutter, and other minor street improvements as needed. Certain areas will require root pruning and installation of 24" deep root barriers. Approximately 14 ADA ramps will require TCE's to complete the proposed construction activity. The Project spans from Wabash Avenue and Sapphire Avenue and between 5th Avenue and Colton Avenue in the southern portion of Mentone.

DPW requires three TCE's totaling approximately 1,442 square feet from two properties located at 30598 and 30644 Independence Avenue [Assessor Parcel Number (APN) 0299-341-28 and 0299-341-29, respectively] and five TCE's totaling approximately 10,667 square feet from one property located at 31000 East Colton Avenue (APN 0299-031-30) in the unincorporated area known as Mentone in San Bernardino County (County). DPW has requested assistance from the Real Estate Services Department (RESD) in the valuation and acquisition of the TCE's required for the Project.

The temporary interests in the portions of land to be acquired for the Project are described as follows:

<u>Property Owner/Last Name</u>	<u>APN</u>	<u>TCE No.</u>	<u>Total Easement Area to be Acquired</u>
30598 Independence Ave LLC	0299-341-28 (portion) & 0299-341-29 (portion)	TCE-1	443 square feet
		TCE-2	884 square feet
		TCE-8	115 square feet
Redlands Unified School District	0299-031-30 (portion)	TCE-3	2,363 square feet
		TCE-4	2,327 square feet
		TCE-5	1,933 square feet
		TCE-6	1,921 square feet
		TCE-7	2,123 square feet

RESD reviewed the Project with DPW and initiated the valuation of the temporary easement interests under 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 No. 12-20, for the acquisition of property rights for a public project.

Appraisal Nos. 23-60 and 23-64, copies of which are on file with RESD, were professionally prepared and approved by qualified RESD staff. The appraisals establish the amounts of just compensation to be paid to the two property owners for the TCE's necessary to complete the Project. RESD recommends that the appraisals be approved and that written offers be made to the impacted property owners.

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Easements for the South Mentone Americans with Disabilities Act
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Approval of this item by the Board of Supervisors (Board), will authorize the acquisition of the TCE's and delegate authority to the Director of RESD to execute two Acquisition Agreements to acquire the TCE's from the two property owners for a total cost not to exceed \$17,200, which includes the just compensation and an approximate 10% contingency amount. The Director of RESD will also be authorized to execute any other documents necessary to complete these transactions, subject to County Counsel review. In addition, the Director of RESD will accept all TCE's executed by the property owners pursuant to the authority granted by the Board on March 27, 2012 (Item No. 75).

On August 9, 2022 (Item No. 39), 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.

PROCUREMENT

RESD can make offers and acquire the necessary TCE's 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 No. 12-20.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Agnes Cheng and Aaron Gest, Deputies County Counsel, 387-5455) on March 27, 2024; Public Works - Transportation (Noel Castillo, Director, 387-7916) on March 14, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on March 14, 2024; Finance (Carl Lofton, 387-5404, and Garrett Baker, 387-3077, Administrative Analysts) on April 4, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on April 4, 2024.

(TJS: 893-0340)

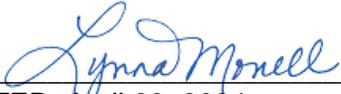
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: April 23, 2024



cc: File - RESD w/ template
JLL 04/26/2024