

RESOLUTION NO. 2026-40

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT DECLARING THAT A PORTION OF SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT-OWNED PROPERTY, COMPRISING APPROXIMATELY 0.97 ACRES LOCATED NORTH OF SAN BERNARDINO AVENUE AND WEST OF VIP ROAD IN THE CITY OF FONTANA (PORTION OF ASSESSOR'S PARCEL NUMBER 0229-291-59-0000), IS NO LONGER NECESSARY FOR THE USES AND PURPOSES FOR WHICH IT WAS ACQUIRED, THAT THE CONVEYANCE OF AN EASEMENT OVER SAID PORTION WILL NOT SUBSTANTIALLY CONFLICT OR INTERFERE WITH THE USE OF THE PROPERTY BY THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT, AND THAT THE CONVEYANCE, TO SAN BERNARDINO COUNTY, AT NO COST, BY WAIVING THE FAIR MARKET VALUE REQUIREMENT OF COUNTY POLICY 12-17 IS IN THE PUBLIC INTEREST; AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO SAN BERNARDINO COUNTY AT NO COST IN ACCORDANCE WITH THE WATER CODE APPENDIX, SECTION 43-6 AND COUNTY POLICY 12-17, AND FINDING THE CONVEYANCE OF THE PORTION OF EASEMENT IS CATEGORICALLY EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES, CALIFORNIA CODE OF REGULATIONS SECTIONS 15312 (CLASS 12 – SURPLUS GOVERNMENT PROPERTY SALES) AND 15061(B)(3) (COMMON SENSE EXEMPTION)

On Tuesday, April 21, 2026, on motion of Supervisor Baca, Jr., duly seconded by Supervisor Hagman and carried, the following resolution is adopted by the Board of Supervisors of the San Bernardino County Flood Control District, State of California.

WHEREAS, the San Bernardino County Flood Control District (District) is the fee owner of certain real property located north of San Bernardino Avenue and west of VIP Road in the City of Fontana, identified as Assessor's Parcel Number 0229-291-59-0000 (Property); and

WHEREAS, the Property is part of the San Sevaine Channel, a regional flood control facility owned, operated, and maintained by the District and is located adjacent to a third-party development project (Project); and

WHEREAS, the developer of the Project requested that the District grant San Bernardino County (County) a landscaping easement over an approximately 0.97 acres portion of the Property to allow for landscaping improvements along the westerly side of VIP Road in connection with adjacent development and to allow the County to maintain trees and vegetation within the easement area; and

WHEREAS, County Policy 12-17 (Surplus Real Property) provides that if the District determines that the easement area is no longer necessary for its uses and purposes, the District's governing body may authorize the disposition of the easement area at the Property at fair market value; and

WHEREAS, the District reviewed the requested easement and determined that the easement area is no longer necessary for the uses and purposes for which it was acquired and that the conveyance of a landscaping easement over said area will not substantially conflict or interfere with the use of the Property by the District; and

WHEREAS, the Real Estate Services Department (RESA) determined that the fair market value of the easement interest is \$80,000; and

WHEREAS, the District, having reviewed RESA's valuation, has determined that conveying the easement to the County at no cost by waiving the fair market value requirement of County Policy 12-17 is in the public interest because the County will maintain the easement area after the conveyance, which will relieve the District from ongoing maintenance costs; and

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors hereby finds, declares, and resolves as follows:

SECTION 1. The above recitals constitute the findings and are incorporated herein.

SECTION 2. The Board of Supervisors hereby declares that an approximately 0.97-acre portion of the Property is no longer necessary for the uses and purposes for which it was acquired, that the conveyance of a landscaping easement over said portion will not substantially conflict or interfere with the use of the Property by the District; and that the easement conveyance to the County at no cost by waiving the fair market value requirement of County Policy 12-17 is in the public interest; and authorizes the conveyance by Easement Deed to San Bernardino County at no cost in accordance with Water Code Appendix Section 43-6 and the applicable portions of County Policy 12-17.

SECTION 3. The Board of Supervisors hereby finds that the conveyance of the easement is categorically exempt from further environmental review under the California Environmental Quality Act Guidelines, California Code of Regulations sections 15312 (Class 12 – Surplus Government Property Sales) and 15061(b)(3) (Common Sense Exemption).

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County Flood Control District 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

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STATE OF CALIFORNIA)
) ss.
SAN BERNARDINO COUNTY)

I, **LYNNA MONELL**, Clerk of the Board of the San Bernardino County Flood Control District, 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 April 21, 2026. Item #62 JLL

LYNNA MONELL
Clerk of the Board

By  _____
Date _____

