

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS  
OF SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT  
AND RECORD OF ACTION**

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

March 25, 2025

**FROM**

**DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District  
TERRY W. THOMPSON, Director, Real Estate Services Department  
NOEL CASTILLO, Director, Department of Public Works – Transportation**

**SUBJECT**

Appraisals and Acquisition Agreements for Permanent Road and Temporary Construction Easements for the Muscoy Area Pedestrian Improvements Project.

**RECOMMENDATION(S)**

1. Acting as the governing body of San Bernardino County:
  - a. Approve Appraisals Nos. 24-33 to 24-39, 24-41 to 24-54, 24-56 to 24-62, 24-69 to 24-80, 24-83 to 24-97, 24-103 to 24-112 and 24-121 to 24-143, copies of which are on file with the Real Estate Services Department.
  - b. Authorize the acquisition of six Permanent Road Easements from six property owners over portions of certain real properties, totaling approximately 300 square feet, and 87 Temporary Construction Easements from 82 property owners over portions of certain real properties, totaling approximately 83,194 square feet, for the Muscoy Area Pedestrian Improvements Project in the unincorporated area of Muscoy, at a total cost not to exceed \$284,000, which includes the just compensation and an approximate 15% contingency amount.
  - c. Approve Acquisition **Agreement No. 25-186** with the San Bernardino County Fire Protection District to acquire two Temporary Construction Easements over portions of certain real properties (portions of Assessor's Parcel Numbers 0268-041-18-0000 and 0268-041-15-0000), totaling approximately 1,110 square feet, for the Muscoy Area Pedestrian Improvements Project, in the unincorporated area of Muscoy, at a total cost of \$3,300.
  - d. Approve the form of Acquisition Agreement to acquire six Permanent Road Easements from six property owners over certain real properties, totaling approximately 300 square feet, and 85 Temporary Construction Easements from 81 property owners over portions of certain real properties, totaling approximately 82,084 square feet, for the Muscoy Area Pedestrian Improvements Project in the unincorporated area of Muscoy.
  - e. Authorize the Director of the Real Estate Services Department to complete and execute Acquisition Agreements, in substantial conformance with the approved form of Acquisition Agreement in Recommendation 1.d, to acquire the easement interests in Recommendation No. 1.d at a total cost not to exceed \$280,700, which includes the just

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compensation and an approximate 15% contingency amount, and 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 Fire Protection District:
  - a. Adopt a **Resolution No. 2025-67** to:
    - i. Make findings of fact as a Responsible Agency pursuant to California Environmental Quality Act Guidelines.
    - ii. Declare that the conveyance of two Temporary Construction Easements totaling approximately 1,110 square feet for a period commencing on October 1, 2025, and expiring on the earlier of project completion or September 30, 2028, to San Bernardino County over portions of certain San Bernardino County Fire Protection District-owned property (portions of Assessor's Parcel Number's 0268-041-18-0000 and 0268-041-15-0000), located in the unincorporated area of Muscoy is in the public interest, the easement interests conveyed will not substantially conflict or interfere with San Bernardino County Fire Protection District's use of the property, and
    - iii. Authorize the conveyance of said easement interests to San Bernardino County in accordance with Health and Safety Code Section 13861(b), Government Code Section 25526.6, and County Policy No. 12-17, for a total payment of \$3,300.
  - b. Approve the Acquisition **Agreement No. 25-186** with San Bernardino County to convey two temporary construction easements for a period commencing on October 1, 2025, and expiring on the earlier of project completion or September 30, 2028, over portions of San Bernardino County Fire Protection District-owned property (portions of Assessor's Parcel Numbers 0268-041-18-0000 and 0268-041-15-0000), totaling approximately 1,110 square feet, located in the unincorporated area of Muscoy, for the Muscoy Area Pedestrian Improvements Project upon payment of \$3,300.
  - c. Authorize the Chair of the Board of Directors to execute two Temporary Construction Easements pursuant to Recommendation No. 2.b to San Bernardino County.
  - d. 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)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**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 six Permanent Road Easements (PEs) and 87 Temporary Construction Easements (TCEs) for the Muscoy Area Pedestrian Improvements Project (Project) in the unincorporated area of Muscoy, will be funded with Gas Tax revenue and State Active Transportation Program (ATP) funds. The total cost to acquire the PEs and TCEs shall not exceed \$284,000, which includes an approximate 15% contingency amount for potential administrative settlements. Sufficient appropriation and revenue are included in the Department of Public Works-Transportation (DPW-T) 2024-25 Road Operations budget (6650002000 20H15130) and will be included in future recommended budgets. The total revenue to be received by the San Bernardino County Fire Protection District (SBCFPD) for the TCE conveyances to the County will be \$3,300.

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**BACKGROUND INFORMATION**

On July 12, 2022 (Item No. 32), the Board of Supervisors (Board), acting for the County, approved the Project and determined it to be exempt under the California Environmental Quality Act Guidelines (CEQA), Title 14 of the California Code of Regulations Section 15301 (c) Class 1 (existing facilities) and Section 15302(c) Class 2 (replacement or reconstruction). The Clerk of the Board was directed to file and post a Notice of Exemption. Accordingly, no further action is required for the underlying project by the County under CEQA.

The Project is located on Darby Street, Duffy Street, Blake Street, First Avenue, June Street, Second Avenue, and Vermont Street in the unincorporated area of Muscoy. The Project involves the installation of pedestrian safety improvements including crosswalks, pedestrian flashing beacons, traffic signage, speed feedback signs, and sidewalks; construction of new or replacement of existing curb ramps at various locations in accordance with current design standards and pursuant to the Americans with Disabilities Act (ADA) guidelines, and associated roadway widening.

The Project was selected because Muscoy Elementary School and Vermont Elementary School are listed as priority projects in the San Bernardino County Regional Safe Routes to School Plan administered by the San Bernardino County Transportation Authority in consultation with and on behalf of the County and 24 incorporated cities. DPW-T has requested assistance from the Real Estate Services Department (RES D) in the valuation and acquisition of the easements required for the Project.

The easement interests in the portions of land to be acquired for the Project are described as follows, with the names of the Owner(s) on file with RES D:

<b>Parcel ID</b>	<b>APN</b>	<b>Acq. Type</b>	<b>Acq. Area (SF)</b>
E-8	0263-031-32-0000	PE	68
E-10	0263-011-28-0000	PE	49
E-151	0263-061-44-0000	PE	69
E-61	0268-171-14-0000	PE	48
E-63	0268-051-40-0000	PE	18
E-152	0268-041-02-0000	PE	48
TCE-27	0263-061-44-0000	TCE	2613
TCE-2	0263-111-18-0000	TCE	75
TCE-3	0263-121-02-0000	TCE	75
TCE-5	0267-071-21-0000	TCE	60
TCE-153	0263-011-28-0000	TCE	570

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TCE-11	0263-011-32-0000	TCE	910
TCE-12	0263-011-31-0000	TCE	1,625
TCE-13	0263-011-24-0000	TCE	2,400
TCE-14	0262-196-02-0000	TCE	546
TCE-17	0263-061-03-0000	TCE	500
TCE-18	0263-061-04-0000	TCE	1,133
TCE-19	0263-061-33-0000	TCE	825
TCE-20	0263-061-32-0000	TCE	700
TCE-21	0263-061-06-0000	TCE	1,220
TCE-22	0263-061-07-0000	TCE	765
TCE-23	0263-061-08-0000	TCE	532
TCE-24	0263-061-17-0000	TCE	640
TCE-25	0263-061-49-0000	TCE	715
TCE-26	0263-061-48-0000	TCE	850
TCE-28	0263-041-17-0000	TCE	190
TCE-29	0263-081-14-0000	TCE	3,056
TCE-30	0263-081-22-0000	TCE	780
TCE-31	0263-081-13-0000	TCE	2,376
TCE-32	0263-081-12-0000	TCE	2,376
TCE-33	0263-081-11-0000	TCE	2,640
TCE-34	0263-061-19-0000	TCE	535
TCE-35	0263-061-35-0000	TCE	350
TCE-36	0263-061-43-0000	TCE	350
TCE-37	0263-061-27-0000	TCE	285
TCE-38	0263-061-26-0000	TCE	250
TCE-39	0263-061-47-0000	TCE	660
TCE-40	0263-061-46-0000	TCE	726
TCE-41	0263-061-40-0000	TCE	1,575

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TCE-42	0263-071-27-0000	TCE	55
TCE-44	0263-081-06-0000	TCE	763
TCE-45	0263-081-08-0000	TCE	1,297
TCE-46	0263-081-34-0000	TCE	1,203
TCE-47	0263-081-33-0000	TCE	900
TCE-48	0263-081-36-0000	TCE	600
TCE-49	0263-081-26-0000	TCE	1500
TCE-50	0263-081-27-0000	TCE	1,440
TCE-51	0263-081-28-0000	TCE	1,750
TCE-53	0268-031-21-0000	TCE	2,645
TCE-54	0268-031-06-0000	TCE	1,000
TCE-55	0268-031-07-0000	TCE	500
TCE-56	0268-031-08-0000	TCE	1,378
TCE-57	0268-031-09-0000	TCE	1,440
TCE-58	0268-031-10-0000	TCE	978
TCE-59	0268-031-11-0000	TCE	175
TCE-60	0267-232-16-0000	TCE	110
TCE154	0268-171-14-0000	TCE	790.5
TCE-62	0268-061-01-0000	TCE	265
TCE-63	0268-051-40-0000	TCE	68
TCE-64	0268-041-03-0000	TCE	3,249
TCE-65	0268-041-04-0000	TCE	2,774
TCE-66	0268-041-05-0000	TCE	1,463
TCE-67	0268-041-06-0000	TCE	1,274
TCE-68	0268-031-01-0000	TCE	780
TCE-69	0268-031-02-0000	TCE	1,368
TCE-70	0268-031-17-0000	TCE	720
TCE-71	0268-031-18-0000	TCE	1,162

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TCE-72	0268-031-22-0000	TCE	900
TCE-73	0268-041-02-0000	TCE	4,102
TCE-74	0267-231-31-0000	TCE	150
TCE-76	0268-041-21-0000	TCE	1,958
TCE-77	0268-041-18-0000	TCE	60
TCE-78	0268-041-15-0000	TCE	1,050
TCE-79	0268-041-08-0000	TCE	2,829.75
TCE-80	0268-041-09-0000	TCE	2,536
TCE-130	0263-041-27-0000	TCE	115
TCE-131	0263-051-15-0000	TCE	400
TCE-132	0263-061-50-0000	TCE	480
TCE-133	0263-061-51-0000	TCE	450
TCE-134	0263-081-07-0000	TCE	64
TCE-135	0263-081-16-0000	TCE	544
TCE-136	0263-081-17-0000	TCE	432
TCE-137	0263-081-18-0000	TCE	672
TCE-138	0263-081-19-0000	TCE	225
TCE-139	0263-081-29-0000	TCE	574
TCE-140	0263-081-38-0000	TCE	196
TCE-141	0263-101-27-0000	TCE	175
TCE-142	0263-101-49-0000	TCE	115
TCE-144	0267-231-25-0000	TCE	120
TCE-146	0268-031-13-0000	TCE	113
TCE-147	0268-031-16-0000	TCE	11
TCE-148	0268-031-26-0000	TCE	263
TCE-149	0268-031-27-0000	TCE	108

RESD reviewed the Project with DPW-T and initiated the valuation of the PE and TCE 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.

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Appraisal Nos. 24-33 to 24-39, 24-41 to 24-54, 24-56 to 24-62, 24-69 to 24-80, 24-83 to 24-97, 24-103 to 24-112 and 24-121 to 24-143, 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 property owners for the property rights necessary to complete the Project. RESD recommends that the appraisals be approved and that written offers be made to the impacted property owners.

Approval of this item by the Board acting as the governing body for the County, and the Board of Directors for the SBCFPD will authorize the County's acquisition of the PEs and TCEs, approve an Acquisition Agreement between the County and SBCFPD for the County's acquisition of two TCEs from SBCFPD for the Project, and delegate authority to the Director of RESD to execute the Acquisition Agreements with the remaining 81 property owners to acquire the PEs and TCEs, for a total cost not to exceed \$280,700, which includes the just compensation and an approximate 15% contingency amount. Just Compensation, in right-of-way acquisition projects, refers to the fair market value that must be paid to a property owner when their property is acquired for public use, fair market value is typically determined through an appraisal. The Director of RESD will also be authorized to execute any other non-substantive documents necessary to complete these transactions, subject to County Counsel review. In addition, the Director of RESD will accept all PEs and TCEs executed by the property owners pursuant to the authority granted by the Board on March 27, 2012 (Item No. 75).

Real Estate Services is requesting the use of a template and delegation of authority to the RESD Director to enhance efficiency and flexibility in the acquisition process. This approach helps mitigate delays often caused by protracted negotiations while ensuring that all agreements comply with Board-approved standards. Delegation of authority further enables staff to manage routine execution tasks effectively, streamlining the overall process to meet Project deadlines.

As provided in the Resolution referenced in Recommendation No. 2.a., SBCFPD, acting as a Responsible Agency under CEQA, has independently reviewed and considered the Notice of Exemption filed by the County, as well as the proposed conveyance of the easements, and finds that the conveyance of the easements is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), known as the Common Sense Exemption, as it can be seen with certainty that there is no possibility that the conveyance of the easements may have a significant effect on the environment. SBCFPD also finds that the Project qualifies for a categorical exemption under CEQA Guidelines Section 15301, as the conveyance of the easements involves negligible or no expansion of existing facilities or former use. When the Board considers the environmental finding, the filing and posting of a Notice of Exemption is recommended. This item directs the Real Estate Services Department to file the Notice of Exemption in accordance with the California Environmental Quality Act.

**PROCUREMENT**

RESD can make offers and acquire the necessary PEs and TCEs 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. SBCFPD can convey the easement interests to the County in accordance with Health and Safety Code Section 13861(b), Government Code Section 25526.6, and County Policy No. 12-17.

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**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Agnes Cheng, Rick Luczak, and Aaron Gest ,  
Deputies County Counsel, 387-5455) on March 3, 2025; San Bernardino County Fire Protection  
District (Bertral Washington, Deputy Fire Chief, 387-5779) on February 20, 2025; Public Works  
(Noel Castillo, Director, 387-7916) on February 19, 2025; Purchasing (Dylan Newton, Buyer III,  
387-3377) on February 13, 2025; Finance (Ivan Ramirez, 387-4020, Kathleen Gonzalez, 387-  
5412, and Eduardo Mora, 387-4376, Administrative Analysts) on March 6, 2025; and County  
Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423)  
on March 10, 2025.

(JAG: 677-8210)



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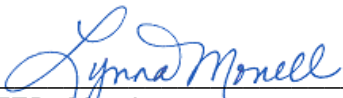
Record of Action of the Board of Directors  
San Bernardino County Fire Protection District

Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD/SECRETARY

BY   
DATED: March 25, 2025



cc: RESD - Thompson w/agree  
Contractor - c/o RESD w/agree  
File - w/agree  
File – Real Estate Services Department w/template  
MBA 03/27/2025