

**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 SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
AND RECORD OF ACTION**

October 22, 2024

FROM

**DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District
TERRY W. THOMPSON, Director, Real Estate Services Department
NOEL CASTILLO, Chief Flood Control Engineer, Flood Control District**

SUBJECT

Conveyance of Easements to Southern California Edison Company in an Unincorporated Area of San Bernardino

RECOMMENDATION(S)

1. Acting as the governing body for San Bernardino County Flood Control District:
 - a. Find that approval of conveyance of one permanent easement to Southern California Edison Company is an exempt project under the California Environmental Quality Act Guidelines Section 15061(b) (Common Sense Exemption).
 - b. Adopt a **Resolution No. 2024-155** declaring the conveyance of one permanent easement, over a portion of San Bernardino County Flood Control District-owned property, located in the unincorporated area of San Bernardino (portion of Assessor's Parcel Number 0273-011-26-0000), to Southern California Edison Company for electrical utilities is in the public interest; declaring that the interest conveyed will not substantially conflict or interfere with the use of the property by San Bernardino County Flood Control District; and authorizing the conveyance by Grant of Easement in accordance with Water Code Appendix Section 43-6 and Government Code Section 25526.6, at no cost.
 - c. Authorize the Chair of the Board of Supervisors to execute one Grant of Easement to convey the easement to Southern California Edison Company.
 - d. Authorize the Director of the Real Estate Services Department to execute any other non-binding documents necessary to complete this transaction, subject to County Counsel review.
 - e. Direct the Real Estate Services Department to file the Notice of Exemption in accordance with the California Environmental Quality Act.
2. Acting as the governing body for San Bernardino County Fire Protection District:
 - a. Find that approval of conveyance of one permanent easement to Southern California Edison Company is an exempt project under the California Environmental Quality Act Guidelines Section 15061(b) (Common Sense Exemption).
 - b. Adopt a **Resolution No. 2024-156** declaring the conveyance of one permanent easement, over a portion of San Bernardino County Fire Protection District -owned

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property, located in the unincorporated area of San Bernardino (portion of Assessor's Parcel Number 0273-011-22-0000), to Southern California Edison Company for electrical utilities is in the public interest; declaring that the interest conveyed will not substantially conflict or interfere with the use of the property by San Bernardino County Fire Protection District; and authorizing the conveyance by Grant of Easement in accordance with Health and Safety Code Section 13861(b) and Government Code Section 25526.6, at no cost.

- c. Authorize the Chair of the Board of Directors to execute one Grant of Easement to convey the easement to Southern California Edison Company.
- d. Authorize the Director of the Real Estate Services Department to execute any other non-binding documents necessary to complete these transactions, subject to County Counsel review.
- e. 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.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). One easement will be granted by the County Flood Control District (FCD) to Southern California Edison Company (Edison) pursuant to Water Code Appendix Section 43-6 and Government Code Section 25526.6. Another easement will be granted by San Bernardino County Fire Protection District (SBCFPD) to Edison pursuant with the Health and Safety Code Section 13861(b) and Government Code Section 25526.6. Both easements will be granted at no cost pursuant to Government Code Section 25526.6 which states that the "board may grant or otherwise convey, or by ordinance, may authorize such county officer or officers as are deemed appropriate, to grant or otherwise convey an easement, license, or permit for use of any real property of the county to the state, or to any county, city, district, or public agency or corporation, or to any public utility corporation in the manner and upon the terms and conditions as the board or authorized county officer determines or prescribes, upon a finding by the board or authorized county officer that the conveyance is in the public interest and that the interest in land conveyed will not substantially conflict or interfere with the use of the property by the county". Edison will be responsible for the installation, operation, and maintenance of Edison's improvements therein.

BACKGROUND INFORMATION

On January 10, 2023 (Item No. 55), the SBCFPD Board of Directors approved the Fire Station 226 New Build Project to replace the outdated, existing 4,530 square foot fire station with a modern 9,945 square foot fire station. Fire Station 226, which is located in the unincorporated area of San Bernardino, was constructed in the 1950's and has provided emergency services since its construction. The old facility is limited in its ability to provide modern fire service operations and no longer meets current building codes and safety standards which have changed significantly since its construction. Completion of the new, larger, modern station will enable SBCFPD to provide expanded emergency services and maintain public safety in the areas it serves.

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The purpose of the easements is to support new electrical service needed to begin operating the new fire station. Due to additional electrical demand needed for the new station, the current electrical service is not viable and cannot support the new station's demand. The conveyance of the two easements over portions of SBCFPD and FCD properties will allow Edison to install and connect a new electrical raceway (conduit) from the new station to a new Edison electrical vault located across the street from Fire Station 226.

FCD and SBCFPD each reviewed Edison's request for the easements on its respective properties and determined that the easements are in the public's interest, and the easements conveyed will not substantially conflict or interfere with either FCD's or SBCFPD's use of their respective properties.

Additionally, this item will authorize the Director of the Real Estate Services Department (RESA) to execute other documents necessary to complete this transaction, subject to County Counsel review. The Director of RESA will not be authorized to execute any documents that would bind the County to any actions not contemplated by, or arising from, the transaction which is the subject of these recommendations.

The conveyance of the easements was reviewed pursuant to the California Environmental Quality Act (CEQA) and determined to be categorically exempt from further environmental review in accordance with CEQA Guidelines Section 15061(b) (common sense exemption), as it can be seen with certainty that there is no possibility that the grant of easements may have a significant effect on the environment. SBCFPD and FCD will have fulfilled the obligations under CEQA for these conveyances with the posting of the Notice of Exemptions by RESA.

PROCUREMENT

FCD can convey the easement to Edison in accordance with Water Code Appendix Section 43-6 and Section 25526.6 of the Government Code. SBCFPD can convey the easement to Edison in accordance with Health and Safety Code Section 13861(b) and Section 25526.6 of the Government Code.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Agnes Cheng, Sophie A. Curtis, and Richard Luczak, Deputies County Counsel, 387-5455) on September 3, 2024; San Bernardino County Fire Protection District (Dan Munsey, Fire Chief/Fire Warden, 387-5952) on September 6, 2024; San Bernardino County Flood Control District (Grant Mann, Deputy Director, 387-7918) on September 6, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on September 8, 2024; Finance (Jessica Trillo, 387-4222, Ivan Ramirez, 387-4020, and Garrett Baker, 387-3077, Administrative Analysts) on October 4, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on October 7, 2024

(NA: 501-6726)

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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 Flood Control District

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD/SECRETARY

BY 
DATED: October 22, 2024



cc: SDD/SBCFPD – Munsey w/Grant Easement
File - Flood Control Operations w/resolution
File - SDD/SBCFPD w/resolution w/Grant Easement
CCM 10/24/2024