

RESOLUTION NO. 2020-111

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT DECLARING PORTIONS OF EASEMENT INTEREST IN A PORTION OF DISTRICT-OWNED PARCEL [ASSESSOR PARCEL NUMBER (APN) 0218-311-12] LOCATED WITHIN REMINGTON AVENUE IN THE CITY OF ONTARIO NO LONGER NECESSARY TO BE RETAINED FOR THE SPECIFIC USES AND PURPOSES OF THE DISTRICT AND THAT THE CONVEYANCE OF SAID EASEMENT INTEREST IS IN THE PUBLIC INTEREST AND WOULD NOT CONFLICT WITH REGIONAL FLOOD CONTROL OPERATIONS, AND AUTHORIZING THE CONVEYANCE OF SAID DISTRICT EASEMENT INTEREST TO THE CITY OF ONTARIO

On Tuesday June 23, 2020, on motion of Supervisor Gonzales, and duly seconded by Supervisor Lovingood and carried, the following Resolution is adopted by the Board of Supervisors of the San Bernardino County Flood Control District (District), County of San Bernardino, State of California.

WHEREAS, the District owns the real property forming part of the Cucamonga Channel facility (Cucamonga Channel), part of a regional flood control system; and

WHEREAS, a portion of proposed Remington Avenue within the City of Ontario (City) lies within the District owned land [Assessor Parcel Number (APN) 0218-311-12] that is part of the Cucamonga Channel ; and

WHEREAS, the District and the City entered into a Participation Agreement (Agreement) on January 7, 2020 (Item 40) that agreed to future conveyance of a road easement necessary for the City to complete Remington Avenue in exchange for fair market value of the easement interest and reimbursement of the District's administrative fees for the transaction; and

WHEREAS, the District and City have agreed on a road easement area consisting of 1,963 square feet west of Cucamonga Channel for the Project; and

WHEREAS, the City has deposited \$50,000 with the District and submitted an appraisal report that values the easement interest to \$29,445; and

WHEREAS, the District reviewed the proposed easement and determined that the easement interest is no longer necessary to be retained for the specific uses and purposes of the District, that conveyance of the easement interest is in the public interest and would not conflict with regional flood control operations; and

WHEREAS, the Real Estate Services Department reviewed the appraisal provided by the City and accepts the fair market value of \$29,445; and

WHEREAS, the easement interest will be conveyed to the City in accordance with Water Code Appendix Section 43-6 and County Policy 12-17; and

WHEREAS, the conveyance of the easement interest was reviewed pursuant to the California Environmental Quality Act (CEQA) and was determined to be exempt under Section 15305 (Class 5), minor alterations in land use which do not result in any changes in land use or density, and Section 15061(b) (Common Sense) when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the San Bernardino County Flood Control District hereby declares that easement interest in a portion of District-owned parcel [APN 0218-311-12] located within Remington Avenue in the City of Ontario and totaling approximately 1,963 square feet of land is no longer necessary to be retained for the specific uses and purposes of the District, and that conveyance of the easement interest is in the public interest and would not conflict with regional flood control operations, and authorizes the conveyance of said easement interest to the City of Ontario for the completion of Remington Avenue, in accordance with the Water Code Appendix, Section 43-6 and County Policy 12-17, upon payment of \$29,445 to the District.

PASSED AND ADOPTED by the Board of Supervisors of the San Bernardino County Flood Control District, by the following vote:

AYES: SUPERVISORS: Robert A. Lovingood, Janice Rutherford, Dawn Rowe,
Curt Hagman, Josie Gonzales

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

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STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of the San Bernardino County Flood Control District, County of San Bernardino, 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 Tuesday June 23, 2020. #111 LA

LYNNA MONELL
Clerk of the Board of Supervisors

By _____
Deputy