

RESOLUTION NO. 2021-045

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT DECLARING THAT THE CONVEYANCE OF AN APPROXIMATELY 83,900 SQUARE FOOT EASEMENT OVER FLOOD CONTROL DISTRICT LAND (PORTION OF APN 0201-281-19) IS IN THE PUBLIC INTEREST AND WILL NOT INTERFERE WITH FLOOD PROTECTION IN THE REGION OR WITH THE USE OF THE PROPERTY BY THE DISTRICT, AND AUTHORIZING THE SALE AND CONVEYANCE OF SAID EASEMENT TO THE COUNTY OF SAN BERNARDINO

On Tuesday, April 6, 2021 on motion of Supervisor Baca, Jr., and duly seconded by Supervisor Cook and carried, the following Resolution by the Board of Supervisors of the San Bernardino County Flood Control District (District) is hereby adopted.

WHEREAS, the District owns real property which is part of the Deer Creek Spillway and located on the east side of Haven Avenue, generally south of Snow Drop Road in the City of Rancho Cucamonga [Assessor Parcel Number (APN) 0201-281-19] (Property) which is part of the regional flood control system; and

WHEREAS, the County of San Bernardino (County), the Department of Public Works-Special Districts (Special Districts) is working to the Snow Drop Road Improvement Project (Project) to widen and improve Snow Drop Road, Haven Avenue and Archibald Avenue with paving and drainage improvements; and

WHEREAS, Special Districts requires an 83,900 square foot easement from the District over the Property for road and drainage improvements as part of the Project and requested assistance from the Real Estate Services Department (RESA) to acquire the necessary property rights; and

WHEREAS, RESA appraised the easement at \$57,891 and subsequently presented the District with an offer to purchase the easement on behalf of Special Districts; and

WHEREAS, the District reviewed Special District's request and determined that the conveyance of the easement to the County for the Project is in the public interest and the easement interest conveyed will not substantially conflict or interfere with the use of that land by the District and will have no impact nor interfere with flood protection in the region; and

WHEREAS, the Project, which includes construction of the road and drainage improvements over the District Property, was reviewed by the County pursuant to the California Environmental Quality Act (CEQA) and an Initial Study and Mitigated Negative Declaration was approved by the Board of Supervisors (Board) on March 19, 2019 with an addendum approved by the Board on November 17, 2020, and a Notice of Determination was filed with the Clerk of the Board on January 5, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the District hereby declares that the conveyance of the easement interest to the County of San Bernardino is in the public interest and the easement interest conveyed will not substantially conflict or interfere with the use of that land by the District and will have no impact nor interfere with flood protection in the region, and authorizes the sale of the easement to the County of San Bernardino in accordance with the Water Code Appendix, Section 43-3, Government Code Section 25526.6, County Policy 12-17, and upon payment of \$57,891 to the District.

PASSED AND ADOPTED by the Board of Supervisors of the District by the following vote:

AYES: SUPERVISORS: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe,
Curt Hagman, Joe Baca, Jr.

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

* * * * *

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, 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 6, 2021. Item 49, CCM.

LYNNA MONELL
Clerk of the Board

By _____
Deputy