

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

**April 6, 2021**

**FROM**

**BRENDON BIGGS, Chief Flood Control Engineer, Flood Control District**

**SUBJECT**

Amendment to Common Use Agreement with the City of Rancho Cucamonga for a Recreational Multi-Use Community Trail Along East Etiwanda Creek Channel

**RECOMMENDATION(S)**

Acting as the governing body of the San Bernardino County Flood Control District, approve **Amendment No. 5 to Common Use Agreement No. 10-53** with the City of Rancho Cucamonga to include a portion of East Etiwanda Creek Channel in the recreational multi-use community trails system.

(Presenter: Melissa Walker, Deputy Director, 387-7906)

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

**Improve County Government Operations.**

**Pursue County Goals and Objective by Working with Other Agencies.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The San Bernardino County Flood Control District (District) costs associated with this amendment are limited to administrative costs related to the approval of this amendment. Improvements to District land for the development, operation and maintenance of the East Etiwanda Creek Channel in the recreational multi-use community trails system (Trail Segment) will be financed solely by the City of Rancho Cucamonga (Rancho Cucamonga). Although the District will not receive reimbursement from Rancho Cucamonga for the proposed Amendment No. 5, the District will benefit from improved access roads and reduced maintenance costs in the area of common use. Sufficient appropriation is included in the District's 2020-21 budget (1910002518).

**BACKGROUND INFORMATION**

On January 26, 2010 (Item No. 67) the Board of Supervisors approved Common Use Agreement No. 10-53 (CUA) between the District and Rancho Cucamonga under which Rancho Cucamonga was granted authorization to use portions of the District's right-of-way, defined as the Area of Common Use, for Day Creek Channel and Deer Creek Channel for recreational multi-use community trails.

Rancho Cucamonga's recreational multi-use community trail system has enhanced the Area of Common Use with features such as paved channel access roads, slurry sealing of existing asphalt concrete channel access roads, lockable access gates, step-throughs and signing and striping, thereby making District's right-of-way aesthetically pleasing to the community. In

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accordance with the CUA, development and operation of this trail system is at Rancho Cucamonga's sole expense and responsibility, will not interfere or conflict with any structures, facilities, operations or uses which the District has, or intends to have, for this land. Rancho Cucamonga and the District have been adding to the trail system subject to the CUA via amendments as follows:

Board Date	Item No.	Length Added	Amendment No.	Facility
June 28, 2011	130	Southern Pacific Railroad to Red Hill Country Club Drive	1	Cucamonga Creek Channel
May 21, 2013	64	Foothill Boulevard to Baseline Road	2	Cucamonga Creek Channel
November 4, 2014	58	Church Street to Baseline Road	3	Deer Creek Channel
December 10, 2019	44	Church Street to 4 <sup>th</sup> Street	4	Deer Creek Channel
December 10, 2019	44	Foothill Boulevard to 4 <sup>th</sup> Street	4	Cucamonga Creek Channel

The District and Rancho Cucamonga desire to amend the CUA, to add the additional stretch of multi-use trail to East Etiwanda Creek Channel. Amendment No. 5 will add an approximately 0.95 mile segment to Rancho Cucamonga's recreational multi-use community trail system along the west side of the District's East Etiwanda Creek Channel, from underneath the I-15 freeway, northerly to Banyan Street. The Trail Segment is labeled "Area of Common Use No. 7" and will connect with a segment, running from Baseline Avenue to City of Fontana limits underneath the I-15 freeway, proposed by the City of Fontana in a separate agreement. Rancho Cucamonga and the City of Fontana are working in coordination and cooperation on the construction of the Trail Segment. The addition of the Trail Segment to Rancho Cucamonga's trail system will benefit the District by improving the District's access roads and reducing the District's maintenance costs in the area of common use.

Accommodating the Trail Segment within the District's right-of-way will support the County and Chief Executive Officer's goals to improve County government operations, as well as to pursue County goals and objectives by working with other agencies.

The Rancho Cucamonga City Council approved Amendment No. 5 at its regular meeting on December 16, 2020. The term of the CUA remains unchanged from January 26, 2010 to January 26, 2030. Either party may terminate the CUA at any time with a one year prior notice.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Sophie A. Akins, Deputy County Counsel, 387-5455) on March 3, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on March 16, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on March 21, 2021.

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Record of Action of the Board of Supervisors  
San Bernardino County Flood Control District

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: April 6, 2021



cc: Flood - Walker w/agree  
Contractor - C/O Flood w/agree  
File - agree  
CCM 04/7/2021