

RESOLUTION NO. 2021-187

RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; DECLARING THE CONVEYANCE OF AN EASEMENT OVER A PORTION OF COUNTY-OWNED PROPERTY (PORTION OF APNs 1055-231-03 and 1056-101-01), CONTAINING APPROXIMATELY 13,635 SQUARE FEET, TO THE CITY OF CHINO FOR DRAINAGE PURPOSES IS IN THE PUBLIC INTEREST AND WILL NOT SUBSTANTIALLY CONFLICT OR INTERFERE WITH THE USE OF THE PROPERTY BY THE COUNTY; AND AUTHORIZING THE CONVEYANCE BY GRANT OF EASEMENT TO THE CITY OF CHINO

On Tuesday October 26, 2021, on motion of Supervisor Baca Jr., duly seconded by Supervisor Cook and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, County of San Bernardino, State of California.

WHEREAS, San Bernardino County (COUNTY) is the fee owner of approximately 23.75 acres of real property (APNs 1055-231-03 and 1056-101-01) generally located on the south side of Kimball Avenue, east of Euclid Avenue, in the City of Chino (County Property); and

WHEREAS, the COUNTY's Department of Airports operates the Chino Airport on the Property; and

WHEREAS, Richland Venture (Richland) is developing its adjacent real property, comprising 72.9-acres, located to the south and east of the County Property; and

WHEREAS, as a condition of Richland's development its property, the City of Chino (City) required Richland to obtain a drainage easement for the City on a portion of the County Property and make drainage improvements thereon that form part of the City's Storm Drain Line "H" as identified in the City's Master Plan of Drainage; and

WHEREAS, COUNTY's Department of Airports has reviewed the easement request and determined that the conveyance of said drainage easement to the City will not substantially conflict or interfere with COUNTY's use of the County Property; and

WHEREAS, the fair market value of the proposed easement interest was appraised at \$4,619, using a commonly used and acceptable method of valuation, as verified by the COUNTY's Real Estate Services Department, and administrative processing costs of \$5,610 were incurred by COUNTY for the easement; and

WHEREAS, the COUNTY can convey the easement to the City in accordance with California Government Code Section 25526.

WHEREAS, the COUNTY as a CEQA Responsible Agency must make certain findings pursuant to Section 15096(h) of the CEQA Guidelines in order to take action on the conveyance of the easement to the City; and

WHEREAS, a Final Environmental Impact Report (FEIR) for the Preserve Specific Plan was prepared and adopted by the City as Lead Agency pursuant to the California Environmental Quality Act (CEQA) on March 25, 2003; and

WHEREAS, a FEIR for the Altitude Business Centre Development on Richland's property for industrial buildings totaling up to 1,219,015 square feet and associated site and off-site improvements (Project) was certified by the City as Lead Agency pursuant to CEQA on October 7, 2019; and

WHEREAS, the City's Storm Drain Line "H" is included in both FEIRs and the drainage easement constitutes only minor changes to the Project that can reasonably be considered to be covered by the FEIRs; and

WHEREAS, the COUNTY, as a Responsible Agency, has verified that the City-adopted FEIRs adequately analyze the potential environmental impacts and concurs in the analysis and conclusions set forth in said FEIRs; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of San Bernardino County hereby finds, determines and orders as follows:

1. The above recitals constitute findings of the Board and are incorporated herein.
2. The FEIR for the Preserve Specific Plan and the FEIR for the Altitude Business Centre Development are, by this reference, incorporated into this Resolution as if fully set forth herein.
3. The COUNTY hereby certifies that, acting as a Responsible Agency pursuant to Section 15096 of the CEQA Guidelines, it has independently reviewed and analyzed the FEIRs and other information in the record and has considered the information contained therein, prior to acting upon or approving the easement conveyance before the Board for consideration.
4. The COUNTY, in its capacity as Responsible Agency, considered the FEIRs prepared for the Project, and independently finds that the FEIRs are adequate for use by the COUNTY to take action on the grant of easement to the City. Furthermore, the COUNTY finds the City's Storm Drain Line "H" is included in both FEIRs and the drainage easement constitutes only minor changes to the Project that can reasonably be considered to be covered by the FEIRs and that no further CEQA analysis is required.
5. The COUNTY designates the Real Estate Services Department's offices at 385 North Arrowhead Avenue, Third Floor, San Bernardino CA 92415-0180 as the custodian of documents and records of proceedings on which this finding is based.
6. The COUNTY hereby declares that the conveyance of an easement over a portion of the County Property, consisting of approximately 13,635 square feet, to the City for drainage purposes is in the public interest and will not substantially conflict or interfere with the use of the County Property by the COUNTY and authorizes the conveyance by Grant of Easement to the City in accordance with Government Code Section 25526.6 upon payment of \$10,229, comprising \$4,619 as the fair market value of the easement interest plus \$5,610 for reimbursement of administrative processing costs.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, State of California, 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 San Bernardino County, 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 October 26, 2021. #58 LA

LYNNA MONELL
Clerk of the Board of Supervisors

By _____
Deputy