

**RESOLUTION NO. 2016-213**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT DECLARING THAT THE CONVEYANCE OF 12.35 ACRES (PORTIONS OF APN's 0297-101-32 AND 0297-061-34) OF FLOOD CONTROL DISTRICT PROPERTY IS IN THE PUBLIC INTEREST, THE PROPERTY BEING CONVEYED IS NO LONGER NECESSARY FOR USE BY THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT, AND AUTHORIZE THE CONVEYANCE OF SAID PROPERTY TO THE SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT, A CALIFORNIA MUNICIPAL WATER DISTRICT**

On Tuesday, November 15, 2016, on motion of Supervisor Hagman, and duly seconded by Supervisor Lovingood and carried, the following Resolution is adopted by the County of San Bernardino Board of Supervisors, acting in its capacity as the governing board (Board) of the San Bernardino County Flood Control District (District), County of San Bernardino, State of California.

**WHEREAS**, the District owns fee title to approximately 64 acres of land [APN's 0297-101-32 and 0297-061-34 (District Property)] in the City of Highland; and

**WHEREAS**, the District maintains the District Property as part of its regional flood control system; and

**WHEREAS**, the San Bernardino Valley Municipal Water District (SBVMWD) requested that the District convey a 12.35-acre portion (Property) of the District Property located east of Old Greenspot Road, South of Santa Ana Canyon Road, for the purposes of completing a water recharge facility redesign; and

**WHEREAS**, the District has reviewed the request from SBVMWD and determined that the conveyance of said Property is in the public interest and the land conveyed will not substantially conflict or interfere with the use of the District Property; and

**WHEREAS**, Real Estate Services Department (RESA) has reviewed the appraisal prepared by James Smothers, MAI, and agrees the Property has a value of \$164,800; and

**WHEREAS**, the District will convey the Property, in fee, to SBVMWD in accordance with the San Bernardino County Flood Control Act, California Water Code Appendix, Chapter 43, Section 43-6, and Government Code Section 25365, to the SBVMWD upon payment by the SBVMWD of \$164,800 to the District; and

**WHEREAS**, SBVMWD is the lead agency for the redesign project with respect to the California Environmental Quality Act (CEQA). Environmental Impact Reports and Addenda were prepared for this project pursuant to the provisions of CEQA and reflect the independent judgement of the Lead Agency. The County Environmental Management Division has reviewed the environmental record for this project and has determined that the potential impacts from granting the fee portions of District Property were also adequately addressed in SBVMWD's CEQA review and environmental record; and

**WHEREAS**, the Board of Supervisors acting as a responsible agency under CEQA will adopt the concurrently submitted Findings of Fact pursuant to CEQA and the State CEQA Guidelines which will fulfill the District's obligations under CEQA;

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby declares that the conveyance of fee portions of APN's 0297-101-32 and 0297-061-34 is in the public interest and the property being conveyed is no longer necessary for use by the District, and authorizes the conveyance of the Property in accordance with the San Bernardino County Flood Control Act, Water Code Appendix, Chapter 43, Section 43-6 and Government Code Section 25365 to SBVMWD upon payment of \$164,800 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, James Ramos,  
Curt Hagman, Josie Gonzales

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

\* \* \* \* \*

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

I, **LAURA H. WELCH**, Clerk of the Board, 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 San Bernardino County 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, November 15, 2016. Item 63 jll

LAURA H. WELCH  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy