

## RESOLUTION NO. 2025-67

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT MAKING RESPONSIBLE AGENCY FINDING PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, DECLARING THAT THE CONVEYANCE OF TWO TEMPORARY CONSTRUCTION EASEMENTS OVER PORTIONS OF SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT-OWNED PROPERTY TO SAN BERNARDINO COUNTY, TOTALING APPROXIMATELY 1,110 SQUARE FEET, (PORTIONS OF ASSESSOR'S PARCEL NUMBER 0268-041-18-0000 AND 0268-041-15-0000) LOCATED IN THE UNINCORPORATED AREA OF MUSCOY, IS IN THE PUBLIC INTEREST, DECLARING THAT THE EASEMENT INTERESTS CONVEYED WILL NOT SUBSTANTIALLY CONFLICT OR INTERFERE WITH SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICTS USE OF THE PROPERTY, AND AUTHORIZING THE CONVEYANCE OF SAID EASEMENT INTERESTS TO SAN BERNARDINO COUNTY IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION 13861(B) AND COUNTY POLICY NO. 12-17.**

On Tuesday, March 25, 2025, on motion of Supervisor Baca, Jr., duly seconded by Supervisor Hagman and carried, the following resolution is adopted by the Board of Directors (Board) of the San Bernardino County Fire Protection District ("District").

**WHEREAS**, the District owns certain real property located in the unincorporated area of Muscoy, identified as portions of Assessor's Parcel Numbers 0268-041-18-0000 and 0268-041-15-0000 (the "Property"); and

**WHEREAS**, the San Bernardino County ("County") is undertaking a project known as the Muscoy Area Pedestrian Improvements Project located on Darby Street, Duffy Street, Blake Street, First Avenue, June Street, Second Avenue, and Vermont Street, in the unincorporated area of Muscoy (the "Project"), which involves minor pavement improvements associated with the installation of pedestrian safety enhancements including crosswalks, pedestrian flashing beacons, signage, speed feedback signs, street lights, sidewalks, and new or replacement curb ramps at various locations, in compliance with Americans with Disabilities Act ("ADA") guidelines; and

**WHEREAS**, the Project has been identified as a priority under the County's Regional Safe Routes to School Plan administered by the San Bernardino County Transportation Authority in consultation with the County and 24 incorporated cities, with particular emphasis on improvements serving Muscoy Elementary School and Vermont Elementary School; and

**WHEREAS**, the County has requested the District's conveyance of two Temporary Construction Easements totaling approximately 1,110 square feet for a period commencing on October 1, 2025, and expiring on the earlier of Project completion or September 30, 2028 (the "Easements"), over portions of the Property to facilitate the completion of the Project; and

**WHEREAS**, the County's Real Estate Services Department ("RESD") has determined the fair market value of the Easements to be \$3,300; and

**WHEREAS**, the District has determined that the conveyance of the Easements to the County is in the public interest and that the Easements conveyed will not substantially conflict or interfere with the District's use of the Property;

**WHEREAS**, the County, as the Lead Agency for environmental review under the California Environmental Quality Act (CEQA), determined that the Project is exempt from CEQA pursuant to CEQA Guidelines Sections 15301(c) (Class 1 – Existing Facilities) and 15302(c) (Class 2 – Replacement or Reconstruction), and on July 12, 2022 (Item No. 32), the County Board of Supervisors approved these findings and directed that a Notice of Exemption be filed; and

**WHEREAS**, the District, acting as a Responsible Agency under CEQA, has independently reviewed and considered the Notice of Exemption filed by the County, as well as the proposed conveyance of the Easements, and finds that the conveyance of the Easements is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), known as the Common Sense Exemption, as it can be seen with certainty that there is no possibility that the conveyance of Easements may have a significant effect on the environment. The District further finds that the Project qualifies for a categorical exemption under CEQA Guidelines Section 15301, as the conveyance of the Easements involves negligible or no expansion of existing facilities or former use; and

**WHEREAS**, the District may convey the easements to the County in accordance with Health and Safety Code Section 13861(B), Government Code Section 25526.6, and County Policy No. 12-17, and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the District as follows:

**SECTION 1.** The above recitals, including the findings, are true and correct and are a substantive part of this Resolution.

**SECTION 2.** The Board of Directors of the District, as responsible agency, finds that the conveyance of the Easements has been independently reviewed pursuant to CEQA and is determined to be categorically exempt and the Board authorizes and directs RESD to file a Notice of Exemption in accordance with CEQ following adoption of this Resolution.

**SECTION 3.** The Board of Directors of the District, hereby declares that the conveyance of the Easements to the County is in the public interest to support the completion of the Project and enhance pedestrian safety in the Muscoy area and the Easements conveyed will not substantially conflict or interfere with the District's use of the Property.

**SECTION 3.** The Board of Directors of the District authorizes the conveyance of the Easements, totaling approximately 1,110 square feet, for a period to commence on October 1, 2025, and expires on the earlier of Project completion or September 30, 2028 to the County in accordance with Health and Safety Code Section 13861(B), Government Code Section 25526.6, and County Policy No. 12-17, for a total payment of \$3,300.

**PASSED AND ADOPTED** by the Board of Directors for the District, by the following vote:

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

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

\* \* \* \* \*

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

I, **LYNNA MONELL**, Secretary of the Board of Directors of the San Bernardino County Fire Protection District, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Directors of the District, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of Tuesday, March 25, 2025. #72 MBA

LYNNA MONELL  
Secretary of the Board of Directors

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