

San Bernardino County Flood Control District
Surplus Property Procedure
2021-2022

Page 1 of 2

Note:

The Flood Control District's Surplus Property Process is a separate process from the Flood District's Permitting Process.

Easement Rights conveyed to others by the District must also be declared surplus to District needs by the Board of Supervisors and are therefore part of the District's Surplus Property Procedure.

The procedure to obtain surplus property or rights from the District is as follows:

The entity taking title or receiving rights (or someone on their behalf) being the applicant, must send a request letter to Noel Castillo, Assistant Director in the Department of Public Works. Once the request has been approved to be taken to Surplus Property Review the initial Investigation Fee of \$1,189 will be required. This fee is authorized by the County Board of Supervisors per the current board fee that took effect on July 1, 2020 for fiscal year 20-21 and continued into the following fiscal year 21-22 to date ending June 30, 2022. It should be made payable to the San Bernardino County Flood Control District, and must be received for the formal review to be initiated.

The request should adequately explain what is requested from the District and why. Please include enough information either in or with the letter (such as a highlighted assessor plat and/or other mapping) so as the District receives enough information and the request can then be taken under an interim review. If more detailed information is required, it shall be requested by the District.

Mr. Castillo's mailing address and contact information:

attn: Noel Castillo, P.E.

Assistant Director

Department of Public Works

825 East Third Street

San Bernardino, CA 92415-0835

(909) 387-7906

Once the District is in receipt of the request, the interim review is approved, and the applicable fee is deposited, appropriate staff will review to determine if the land or easement rights are surplus to District needs. The District's Right-of-Way office has a surplus property review meeting scheduled monthly and at times on an as needed basis. A committee comprised of members of all the Divisions of the Flood Control District, as well as various other Divisions within the Department of Public Works conduct the monthly review and produce recommendations enabling the Assistant Director to render a decision. The applicant shall be notified of the decision after the review period has taken full course.

There can be no speculation in advance of the formal review as to the viability of the sale of District lands or the sale of easement rights. The great number of variables and the large amount of District and County personnel required for the review to bring all of those variables and relevant factors to light, prohibits this. Typically, not all facts are known before the review. Ultimately, the sale of District lands and/or the sale of easement rights must be approved by the Board of Supervisors.

San Bernardino County Flood Control District
Surplus Property Procedure
2021-2022

Page 2 of 2

If the result of the review is a positive recommendation, the second phase to complete the sale of the requested land or rights will begin. The second phase covers the review of submitted documents, mapping and appraisals, the creation of documents, exhibits, mapping, correspondence and reports, the processing of materials and any other actions required to bring the sale to completion. In this phase it is an "actual cost" process per the current board fee schedule that took effect on July 1, 2020. The applicant is obligated to pay the actual costs incurred by the Flood Control District in relation to the sale of the land or easement rights. Please read the current fee schedule carefully. If not acquired, it is available upon request or online linked from the Flood Control Engineering's webpage.

An initial deposit of \$5,000 will be due, again **payable to the San Bernardino County Flood Control District.**

Please forward the payment to the Assistant Director, Noel Castillo. The applicant will be billed for actual work costs exceeding the initial deposit. A completion of the sale of land or rights shall not occur if the payment to the District of outstanding project costs is still pending. Unused deposit money may be refunded when all charges for the project have been satisfied.

It is required by the District all legal descriptions be written by a licensed land surveyor describing the land, along with all plats to be submitted for review and approved by the District's Right-of-Way licensed staff. The applicant is responsible for any surveying that may be required to produce accurate descriptions and mapping

The District is required to receive Fair Market Value (FMV) for land and/or easement rights to be sold. The applicant is responsible for the appraisal of the property or rights. It should be submitted to the District's Right-of-Way office and will be reviewed by the County's Department of Real Estate Services.

When the legal description(s) and mapping are in order, the District will draft the required documentation for recordation. When the appraisal value is approved, the document package will be turned over to the County Department of Real Estate Services. Real Estate Services will process the package and take the proposed land/rights transaction before the County Board of Supervisors for approval. As the last step in the process, Real Estate Services will also oversee the sale of the land or rights. The sale of the land or rights by the Flood Control District is, as always, subject to the approval of the County Board of Supervisors.

Any questions regarding the above procedure should be directed to the District Right-of-Way office's licensed staff.

The District Right-of-Way office's mailing address and contact information:

attn: Flood Control Right-of-Way
Department of Public Works
Flood Control Engineering
825 E. Third St., Room 140
San Bernardino, CA 92415

(909) 387-7962