

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

April 9, 2024

**FROM**

**NOEL CASTILLO, Director, Department of Public Works – Transportation**

**SUBJECT**

Utility Agreement with East Valley Water District for Waterline Relocations for the Little Third Street and Little Tippecanoe Avenue Project in the San Bernardino Area

**RECOMMENDATION(S)**

Approve Utility **Agreement No. 24-311** with the East Valley Water District for the relocation of East Valley Water District's waterline facilities that conflict with the San Bernardino County's Little Third Street and Little Tippecanoe Avenue Project in the San Bernardino area, at an estimated cost not to exceed amount of \$464,888, for a contract term commencing April 9, 2024, and that shall terminate upon receipt of a Notice of Completion of the Project, or April 9, 2027, whichever occurs first.

(Presenter: Noel Castillo, Director, 387-7906)

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

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Little Third Street and Little Tippecanoe Avenue in the San Bernardino Area (Project) is funded with Gas Tax, Measure I Local Streets Program San Bernardino Valley Subarea, and anticipated Federal Congressionally Directed Spending revenue. The Project's waterline relocations will be funded with Measure I Local Streets Program San Bernardino Valley Subarea funds. Sufficient appropriation and revenue are included in the Department of Public Works (Department) 2023-24 Road Operations budget (66500002000 34H15122/TX1825) and will be included in future recommended budgets.

**BACKGROUND INFORMATION**

The Project involves pavement rehabilitation, new asphalt concrete pavement, sidewalks, curb and gutter, storm drains, fencing, streetlights, and new curb ramps in accordance with current design standards and pursuant to the Americans with Disabilities Act (ADA) guidelines.

On July 11, 2023 (Item No. 34), the Board of Supervisors (Board) approved and determined the Project was exempt under the California Environmental Quality Act (CEQA) and a Notice of Exemption was filed. No further action related to CEQA is required at this time.

On November 14, 2023 (Item No. 69), the Board authorized the acquisition of 18 temporary construction easements (TCEs) from 16 property owners, over portions of certain real

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properties. Although there are 18 TCEs, there are only 17 Acquisition Agreements, as two properties are included in one agreement among the 16 property owners.

Subsequent to the Board's approval of the Project and the County's acquisition of the easements, Department staff determined during the design phase that the Project would impact East Valley Water District's (District) existing waterlines, water meters, fire hydrants, and appurtenant structures, necessitating a relocation in order to accommodate the Project within the right-of-way. The Utility Agreement (Agreement) with the District will provide for the relocation of the District's waterlines, water meters, fire hydrants, and appurtenant structures, with the District to be the lead agency for the design and the relocation work. Given that the District possesses prior rights within the public right-of-way on Little Third Street, from Palm Lane east to Pedley Road, the County will pay for the design and relocation costs, at an estimated amount not to exceed \$464,888.

The County has requested that the District complete the above relocation and installation work prior to the commencement of the Project. The proposed Agreement sets forth the terms and conditions under which the District will relocate and install District's facilities, subject to reimbursement from County, for a contract term commencing April 9, 2024, that shall terminate upon receipt of a Notice of Completion of the Project, or April 9, 2027, whichever occurs first. The Agreement may be terminated by either party, with or without cause, upon 30 days advance written notice. Upon completion of the relocation of the District facilities under the Agreement, the District shall own, operate, and maintain its facilities.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on February 14, 2024; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on March 18, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on March 24, 2024.

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Relocations for the Little Third Street and Little Tippecanoe Avenue  
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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: April 9, 2024



cc: PW - Nguyen w/ agree  
Contractor c/o PW w/ agree  
File w/ agree

JLL 04/12/2024