

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

August 19, 2025

FROM

MIGUEL FIGUEROA, Director, Land Use Services Department

SUBJECT

Partial Reduction of Road and Drainage Performance Security for Parcel Map 20478 in the Fontana Area

RECOMMENDATION(S)

Approve the First Amendment to Agreement for Construction and Maintenance of Improvements Project: Road and Drainage Improvements – Parcel Map No. 20478 (Improvement Area: 3) with Speedway SBC Development, LLC, to accept rider for the partial reduction of the Faithful Performance Bond Project: Road and Drainage Improvements – Parcel Map No. 20478 (Improvement Area 3) by \$2,562,300, from \$2,847,000 to \$284,700, for road and drainage improvements, for Improvement Area 3 for Parcel Map No. 20478, in the Fontana area.

(Presenter: Miguel Figueroa, Director, 387-4431)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

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

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). Approval of this item will continue to ensure the construction and warranty of the required development infrastructure for Improvement Area 3 of Parcel Map No. 20478 per the California Subdivision Map Act, County General Plan and County Code.

The reduced road and drainage faithful performance security of \$2,562,300, from \$2,847,000 to \$284,700 (surety), along with the existing labor and materials security totaling \$1,423,500 (surety) for Improvement Area 3 are adequate to ensure completion of the improvements at no direct cost to the County. Securities will remain in effect until released by the Board of Supervisors (Board) or the Chief Executive Officer, pursuant to County Code Subsection 87.07.040(f).

BACKGROUND INFORMATION

Speedway SBC Development LLC, a Delaware Limited Liability Company (Subdivider), is requesting a partial reduction in the security amount associated with the faithful performance bond for the road and drainage improvements within Improvement Area 3 of Parcel Map No. 20478 in accordance with Section 66499.7 of the Government Code and Subsection 87.07.040(g) of the County Code. Parcel Map No. 20478 consists of 26 parcels and two letter lots located west of Cherry Avenue in the Fontana area.

**Partial Reduction of Road and Drainage Performance Security for Parcel
Map 20478 in the Fontana Area
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On June 11, 2024 (Item No. 55), the Board accepted the performance and labor and materials securities, and agreements for construction and maintenance of improvements with Subdivider as shown in the table below. The securities and agreements ensure for the construction and maintenance of the required road and drainage, sewer, and/or landscape improvements for Parcel Map No. 20478

Improvement Area	Improvement	Performance	Labor and Materials
1	Road and Drainage	\$5,120,500	\$2,560,250
	Sewer	\$151,000	\$75,500
	Landscape	\$943,000	\$471,500
2	Road and Drainage	\$5,074,000	\$2,537,000
	Sewer	\$171,000	\$85,500
	Landscape	\$256,000	\$128,000
3	Road and Drainage	\$2,847,000	\$1,423,500
	Sewer	\$471,000	\$235,500
	Landscape	\$442,000	\$221,000
4	Road and Drainage	\$5,748,000	\$2,874,000
	Sewer	\$36,500	\$18,250
	Landscape	\$363,000	\$181,500
5	Road and Drainage	\$2,509,500	\$1,254,750
	Sewer	\$295,000	\$147,500
6	Road and Drainage	\$2,498,000	\$1,249,000
	Landscape	\$165,000	\$82,500
7	Road and Drainage	\$8,985,000	\$4,492,500
	Sewer	\$785,500	\$392,750
	Landscape	\$165,000	\$82,500

Subdivider has completed a significant percentage of the required road and drainage improvements for Improvement Area 3 and is requesting a partial reduction in the faithful performance bond by \$2,562,300, from \$2,847,000 to \$284,700. Pursuant to Subsection 87.07.040(g) of the County Code, the Board may approve a partial release of performance security on the condition that the cost estimate of the remaining work shall not exceed 20 percent of the total original performance security, and the remaining security shall be 100 percent of the revised total cost estimate of the remaining work.

The Land Use Services Department has determined that the revised amount of \$284,700 represents 100 percent of the revised total cost estimate of completing the remaining work and this amount does not exceed 20 percent of the total original performance security of \$2,847,000. The revised amount of \$284,700 will also continue to ensure that at least 10 percent of the total estimated cost necessary for the guarantee and warranty of the road and drainage improvements for Improvement Area 3 will be available for 12 months following the completion and acceptance, against any defective work or labor done, or defective materials furnished.

Approval of this item will allow the partial reduction by amending the Agreement for Construction and Maintenance of Improvements Project: Road and Drainage Improvements – Parcel Map No. 20478 (Improvement Area: 3) and reduce the existing bond via an approved rider.

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PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jason Searles, Supervising Deputy County Counsel, 387-5455) on July 14, 2025; and County Finance and Administration (Iliana Rodriguez, Administrative Analyst, 387-4205) on July 31, 2025.

**Partial Reduction of Road and Drainage Performance Security for Parcel
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: August 19, 2025



cc: Owner w/ bond
PW/Surveyor/Division Chief w/ bond
LUSD/Land Development w/ bond
File - Parcel Map 20478 w/ bond
JLL 08/20/2025