

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

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS
OF THE BLOOMINGTON RECREATION AND PARK DISTRICT
AND RECORD OF ACTION**

November 17, 2020

FROM

BRENDON BIGGS, Director, Department of Public Works - Special Districts
GARY HALLEN, Director, Community Development and Housing

SUBJECT

Ayala Park Relocation Project - Amendment to Development Services Agreement

RECOMMENDATION(S)

1. Acting as the governing body of the County of San Bernardino, approve **Amendment No. 2** to **Agreement No. 18-760** between the County of San Bernardino, Bloomington Park Developer, LLC, and the Bloomington Recreation and Park District, increasing the total contract amount by \$710,000 (from \$5,380,000 to \$6,090,000) to provide additional development services for the Ayala Park Relocation Project. There is no change to the term of the contract.
2. Acting as the governing body of Bloomington Recreation and Park District:
 - a. Approve **Amendment No. 2** to **Agreement No. 18-760** between the County of San Bernardino, Bloomington Park Developer, LLC, and the Bloomington Recreation and Park District, increasing the total contract amount by \$710,000 (from \$5,380,000 to \$6,090,000) to provide additional development services for the Ayala Park Relocation Project.
 - b. Approve Memorandum of Understanding (**County Contract No. 20-1124**) with Fontana Water Company whereby Fontana Water Company will provide \$415,000 for water efficient landscape and irrigation costs that are part of the development services agreement with Bloomington Park Developer, LLC for the Ayala Park Relocation Project.
 - c. Authorize the Auditor-Controller/Treasurer/Tax Collector to post 2020-21 budget adjustments in the amount of \$710,000, as indicated in the Financial Impact section, for additional costs of the Ayala Park Relocation Project (Four votes required).

(Presenter: Trevor Leja, Deputy Director, 386-8811)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

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

Pursue County Goals and Objectives by Working with Other Agencies.

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FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost) as the additional \$710,000 for development services provided by Bloomington Park Developer, LLC (Park Developer) will be funded as follows:

- \$415,000 of grant funds from the Fontana Water Company (FWC) per a Memorandum of Understanding (MOU) with the Bloomington Recreation and Park District (BRPD).
- \$295,000 from use of BRPD Available Reserves.

This item also authorizes the Auditor-Controller/Treasurer/Tax Collector to post the following adjustments to the 2020-21 budget for BRPD:

| Fund Center | Commitment Item | Description | Action | Amount |
|--------------------|------------------------|-----------------------------------|---------------|---------------|
| 6250002584 | 55305030 | Operating Transfers Out | Increase | \$710,000 |
| 6200002584 | 40609972 | Other Grants (Revenue) | Increase | \$415,000 |
| 6250002584 | 37008880 | Fund Balance – Available Reserves | Decrease | \$295,000 |

Costs of Agreement No. 18-760 with Park Developer for the Ayala Park Relocation Project (Relocation Project) are incurred in a Community Development and Housing Department (CDH) fund. Operating Transfers Out of \$710,000 from BRPD are to the CDH fund for Amendment No. 2 costs. CDH has adequate appropriation available for this amendment and therefore no budgetary adjustments are needed at this time.

BACKGROUND INFORMATION

The community of Bloomington was identified as an investment and revitalization opportunity area as part of the Board of Supervisors' vision in revitalizing unincorporated areas of the County of San Bernardino (County). Revitalization efforts included adoption of the Valley Corridor Specific Plan (VCSP). VCSP encourages opportunities for healthier living, including pedestrian-oriented activity centers that highlight Bloomington's cultural, historical, and community assets. To further the VCSP vision, the County has designed the third phase of the Bloomington Affordable Housing Development, which includes relocation of Ayala Park.

Purchase of property for the new Ayala Park (Park) location was approved by the Board of Supervisors (Board) on January 23, 2018 (Item No. 40). The Park, which will be owned by BRPD, will be adjacent to the new Bloomington Community Center and include several recreational amenities for public enjoyment.

On October 16, 2018 (Item No. 22), the Board approved Development Services Agreement (Agreement No. 18-760) with Park Developer in the amount of \$635,000 for design and land use approvals for the Relocation Project. On December 10, 2019 (Item No. 53), the Board approved Amendment No. 1 to Agreement No. 18-760 that increased the contract amount by \$4,745,000 (from \$635,000 to \$5,380,000), which allowed Park Developer to proceed with construction of the Relocation Project. Amendment No. 1 also added BRPD as a signatory to the agreement.

While working collaboratively with the Fifth District Supervisor's Office to identify specific needs in the community of Bloomington, additional funds became available to enhance Park amenities that would provide for a more enjoyable experience. Amendment No. 2 to Agreement No. 18-

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760 increases the amount of the contract by \$710,000 and allows Park Developer to proceed with additional improvements for the Relocation Project. Specifically, the additional funding will be allocated toward water efficient landscape and irrigation costs, construction of a basketball court, additional picnic areas and shelters, decomposed granite in various areas, and lighting for the playground and basketball court area. These enhancements will contribute to the programming ability and overall appearance of the Park.

Pursuant to the MOU with FWC, \$415,000 of the \$710,000 amount to Park Developer for Amendment No. 2 will be used to fund the landscape and irrigation costs.

PROCUREMENT

Based on the results of a Request for Qualifications issued by CDH to secure a development partner for the Development Project, the Board on November 14, 2017 (Item No. 14) selected The Related Companies of California, LLC, which subsequently formed Park Developer, as partner on the Development Project and ultimately contractor for the Relocation Project.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Robert F. Messinger, Principal Assistant County Counsel, 387-5455 and Dawn Martin, Deputy County Counsel, 387-5455) on October 22, 2020; Auditor-Controller/Treasurer/Tax Collector (Erika Gomez, General Accounting Manager, 382-3196) on October 27, 2020; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412 and Tom Forster, Administrative Analyst, 387-4635) on October 28, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on November 1, 2020

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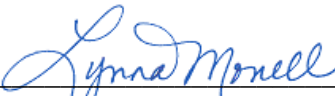
Record of Action of the Board of Supervisors
County of San Bernardino

Record of Action of the Board of Directors
Bloomington Recreation and Park District

APPROVED (CONSENT CALENDAR)

Moved: Robert A. Lovingood Seconded: Josie Gonzales
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD/SECRETARY

BY 
DATED: November 17, 2020



cc: SDD/BRPD- Jacklin w/agree for sign
 Contractor- C/O SDD/BRPD w/agree
 File- w/agree
LA 11/24/2020