

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

May 7, 2024

FROM

NOEL CASTILLO, Director, Department of Public Works – Special Districts

SUBJECT

Agreement with the Inland Empire Utilities Agency, Speedway SBC Development, LLC, and the City of Fontana to Provide Wastewater Treatment and Recycled Water Services

RECOMMENDATION(S)

Approve **Agreement No. 24-376** between Inland Empire Utilities Agency, Speedway SBC Development, LLC, the City of Fontana, and San Bernardino County, for the provision of sewer service, effective on the date SBC Development, LLC acquires any portion of the property and continues for a term of 60 years.

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

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

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

FINANCIAL IMPACT

This item will not result in the use of Discretionary General Funding (Net County Cost). The agreement will require Speedway SBC Development, LLC (Developer) to compensate the County for all labor and equipment costs associated with inspections and support services from the Department of Public Works – Special Districts' Water and Sanitation Division (Division) according to the current productive hourly rate and equipment schedule as approved by the Board of Supervisors (Board) on April 9, 2024 (Item No. 62). The Division included miscellaneous revenues in their 2023-24 budget and will continue to do so in future recommended budgets.

BACKGROUND INFORMATION

On October 15, 2022 (Item No. 102), the Board approved the Speedway Commerce Center II Specific Plan (Specific Plan) and Development Agreement No. 22-1006 with the Developer for future development within the Specific Plan area. The Developer is proposing to construct a new sewer collection system (Project) on its property to connect to the current permanent sewer system owned and operated by Inland Empire Utilities Agency (IEUA) and the City of Fontana (City). The Project will provide sewer service to the Speedway Commerce Center II Development, located at the former Auto Club Speedway, located in the Fontana area.

The new sewer collection system is to be used for domestic wastewater only, and the Division, on behalf of the County, will operate and maintain it while ensuring that the wastewater from the proposed sewer system discharging into the current permanent sewer system is in compliance with all applicable local, state and federal laws, ordinances, and regulations. Once the Project is

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completed and accepted by the County, the County shall own, operate, and maintain the Developer's sewer system, subject to the Developer forming a Community Facility District to finance its operation and maintenance.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on April 24, 2024; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on April 5, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on April 11, 2024.

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 7, 2024



cc: PW/SD - Beyeler w/agree
Contractor - c/o PW/SD w/agree
File - w/agree
CCM 05/13/2024