

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

January 14, 2025

FROM

MARK WARDLAW, Director, Land Use Services Department

SUBJECT

Assignment of Improvement Agreement and Replacement and Release of Bond Securities, Tract No. 20016, Fontana area

RECOMMENDATION(S)

1. Approve Assignment, Consent to Assignment and Amendment No. 1 to the road and drainage improvement agreements with Serena Village 206 Owner, LLC and accept replacement performance bond securities in the amount of \$110,000, and labor and materials bond securities in the amount of \$55,000, for the construction of the required road and drainage improvements for Tract No. 20016, consisting of 112 new condominium units located at the west side of Banana Avenue, approximately 600 feet south of Foothill Boulevard, within the Fontana area in an unincorporated portion of San Bernardino County.
2. Release the existing performance bond securities for the road and drainage improvements pledged by Inland Senior Development LLC in the amounts of \$110,000, and labor and materials bond securities in the amount of \$55,000, for Tract No. 20016.

(Presenter: Mark Wardlaw, 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

The approval of the assignment and substitution of bond securities for the existing securities will not result in the use of any additional Discretionary General Funding (Net County Cost). The substituted securities for this development, listed below, are adequate for the construction of the required improvements, which will be constructed at no direct cost to the County.

| Improvement | Performance Amount | Labor & Material Amount |
|--------------------|---------------------------|------------------------------------|
| Road and Drainage | \$110,000 | \$55,000 |

Surety*

BACKGROUND INFORMATION

On March 14, 2023 (Item No. 40), the Board of Supervisors (Board) entered into an agreement for the construction and maintenance of road and drainage improvements (Agreement), as well as accepted performance bond securities for the Agreement in the amount of \$110,000, to guarantee the completion of the required construction and maintenance of the improvements for Tract No. 20016 with Inland Senior Development Owner, LLC (Original Subdivider). The Board

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also approved the labor and materials bond securities for the Agreement, in the amount of \$55,000, to ensure payment to the contractors, subcontractors, and persons furnishing labor, materials, or equipment for the construction of the required improvements for Tract No. 20016.

Section 14 of the Agreements requires the Original Subdivider to immediately notify the County of any transfer of the property and to condition the transfer of said property on the condition that the subsequent owner assume the obligation of the Agreement in a form approved by the County. Original Subdivider has agreed to transfer its interest in the property to Serena Village 206 Owner, LLC (New Subdivider) upon the assumption of the obligations contained in the Agreement. The Land Use Service Department has no objection to this request and recommends that the Board approve the Assignment, Consent to Assignment and Amendment No. 1 to the Agreement to include New Subdivider as the responsible party to the Agreement.

This item also seeks the approval of replacement bond securities for the performance and labor and materials in the amount listed in the financial impact section. Upon acceptance of the new bond securities, this item will authorize the release of the existing bond securities pledged by the Original Subdivider and U.S Specialty Insurance Company. Pursuant to the California Subdivision Map Act and the County Development Code, the new securities will ensure the construction and warranty of the required improvements for the project, as well as payment to the contractors, the subcontractors, and persons furnishing labor, materials, or equipment for said improvements. The bond securities will remain in effect until released by the Board or Chief Executive Officer.

PROCUREMENT

Not Applicable

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Jason Searles, Supervising Deputy County Counsel, 387-5455) on November 22, 2024; Finance (Iliana Rodriguez, Administrative Analyst, 387-4205) on December 2, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on December 23, 2024.

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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: January 14, 2025



cc: Owner w/ bond
PW/Surveyor-Division Chief w/ bond
LUSD/Land Development w/ bond
File - Tract No. 20016 w/ bond

JLL 01/15/2025