

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

**May 7, 2024**

**FROM**

**LUTHER SNOKE, Chief Executive Officer, County Administrative Office**

**SUBJECT**

Amendment to Contract with the City of Twentynine Palms for the Twentynine Palms Sewer Project

**RECOMMENDATION(S)**

1. Approve **Amendment No. 1 to Contract No. 22-741** with the City of Twentynine Palms for the Twentynine Palms Sewer Project, decreasing the contract by \$220,820 from a not-to-exceed amount of \$1,000,000 to \$779,180, and modifying the beginning date for obligating project costs to extend the contract term by six months, for a total contract period of January 1, 2022 through December 31, 2026, for American Rescue Plan Act funding for eligible projects in accordance with the Board of Supervisors' approved Coronavirus Local Fiscal Recovery Fund Spending Plan.
2. Authorize the Chief Executive Officer or County Chief Financial Officer to execute any amendments to the American Rescue Plan Act contracts that decrease the not-to-exceed contract amount, make non-substantive changes, or execute any additional documentation required in connection with the standardized American Rescue Plan Act contracts that were previously executed and ratified by the Board of Supervisors, subject to review by County Counsel, provided that such documents do not increase the total not-to-exceed amounts, or the total contract terms.
3. Direct the County Chief Financial Officer to transmit all amendments in relation to Recommendation No. 2 to the Clerk of the Board of Supervisors within 30 days of execution.  
(Presenter: Luther Snoke, Chief Executive Officer, 387-4811)

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

**Promote the Countywide Vision.**

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

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

**Provide for the Safety, Health and Social Service Needs of County Residents.**

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

**Focus on Recovery and Resiliency Following Major Emergency Responses such as the December 2, 2015 Terrorist Attack (SB Strong) and the Global COVID-19 Pandemic.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). San Bernardino County (County) received a direct allocation of \$423.5 million under the American Rescue Plan Act – Coronavirus Local Fiscal Recovery Fund (ARPA Fund) to bolster the County's response to the COVID-19 pandemic and its economic impact. The Board of Supervisors (Board) approved an expenditure plan for the use of these funds, known as the

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County Local Fiscal Recovery Spending Plan (Spending Plan), on June 8, 2021 (Item No. 121) and amended the plan on August 24, 2021 (Item No. 21). The Third District Board Office recommended to proceed with executing Amendment No. 1 to Contract No. 22-741 with the City of Twentynine Palms (City). Sufficient appropriation is included in the ARPA Fund's 2023-24 budget.

**BACKGROUND INFORMATION**

On March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law and established the \$350 billion Coronavirus State and Local Fiscal Recovery Fund to distribute resources to state and local governments throughout the nation.

The County established an ARPA Team who reviews all potential projects to determine eligibility for ARPA funding and if the project and use is in accordance with the Board approved Spending Plan. When projects are deemed eligible, the ARPA Team works with the subrecipients to determine subrecipient compliance with ARPA guidelines, and subsequently initiates the contract process.

On March 1, 2022 (Item No. 32), the Board authorized the Chief Executive Officer (CEO) to execute the Board-approved standard ARPA contract template with subrecipients and directed that ARPA contracts executed by the CEO be brought back to the Board for ratification within 30 days of contract execution. Monthly reporting has been provided to the Board detailing the status of ARPA contracts.

On August 9, 2022 (Item No. 19), the Board ratified the CEO's exercise of the authority in executing Contract No. 22-741 on July 22, 2022 with the City. The contract was for the Twentynine Palms Sewer Project, which is to address the anticipated increase of water usage and septic loading within the service area, in the not-to-exceed amount of \$1,000,000 for the contract term of July 1, 2022 through December 31, 2026.

The City is almost entirely on septic systems to dispose of wastewater. In 2016, a City Wastewater Master Plan was adopted, and the Wastewater Master Plan was designed to identify and describe the potential facilities that would be required for a centralized sewer collection system, as well as wastewater treatment plant to replace the septic systems currently in place.

The City intended to utilize the original ARPA contract cost of \$1,000,000 towards the design of the sewer and wastewater treatment plant, which will be utilized in the future when the City acquires the appropriate funding. As the design phase is near to its completion, the City has recognized that project cost savings have been realized. Amendment No. 1 to Contract 22-741 will decrease the not-to-exceed Contract amount from \$1,000,000 to \$779,180, modify the obligation date, and amend the scope of expenditures as originally identified in Exhibit "A". All other terms and conditions remain unchanged.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on April 18, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on April 11, 2024; Risk Management (Victor Tordesillas, Deputy Executive Officer, 387-3101) on

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April 10, 2024; Finance (Joon Cho, Chief Administrative Analyst, 387-5402) on April 8, 2024; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on April 18, 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: CAO - Erickson w/agree  
Contractor - c/o CAO w/agree  
File - w/agree

CCM 05/10/2024