

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

October 22, 2024

**FROM**

**NOEL CASTILLO, Director, Department of Public Works - Transportation**

**SUBJECT**

Cooperative Agreement with the City of Fontana for Contract Maintenance and Emergency Work

**RECOMMENDATION(S)**

Approve Cooperative **Agreement No. 24-1002** with the City of Fontana for street repairs, maintenance, and emergency work within the incorporated area of the City of Fontana and the surrounding unincorporated area, effective October 22, 2024, through September 30, 2029, in an amount not to exceed \$75,000 per project and not to exceed an aggregate total of \$100,000 per fiscal year.

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

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

**Improve County Government Operations.**

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

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

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Department of Public Works – Transportation (Department) is funded by Gas Tax revenue, fee revenue, and other local, state, and federal funding. Costs and reimbursement revenue for street repairs, maintenance, and emergency work will vary depending upon the maintenance or repair needs related to the proposed Cooperative Agreement (Agreement). Costs to the County are unknown, as future maintenance and repair needs related to this Agreement are unforeseeable. Depending on the project, one of the aforementioned funding sources will be used to fund the cost of the Agreement.

All work requested by the City of Fontana (City) will be performed by County staff or contractors and will be 100% reimbursed by the City, up to a total of \$75,000 per project, and not to exceed an aggregate total of \$100,000 per fiscal year. All work requested by the County will be performed by the City's staff or contractors and will be 100% reimbursable by the County, up to a total of \$75,000 for each project and not to exceed an aggregate total of \$100,000 per fiscal year.

Sufficient appropriation and revenue have been included in the 2024-25 Road Operations budget (6650002000 - 71H15013) and will be included in future recommended budgets.

**BACKGROUND INFORMATION**

**Cooperative Agreement with the City of Fontana for Contract  
Maintenance and Emergency Work  
October 22, 2024**

This Agreement will allow the County and the City to provide maintenance and emergency work within the unincorporated area of the County and the incorporated area of the City in an amount not to exceed \$75,000 per project, up to an aggregate total of \$100,000 per fiscal year. The City and County have determined that occasionally utilizing each other's labor and equipment resources can be the most cost-effective and timely process for maintenance and repairs of roadways within City and County jurisdictions. It is anticipated at this time that requested work assignments may include, but are not limited to, maintenance or emergency repair of streets/highways, appurtenant fencing, culvert or drainage facilities, grading and application of soil stabilization product on dirt roads, as well as providing heavy equipment for storm debris cleanup, striping, chip sealing, maintenance or emergency paving.

According to the terms of the Agreement, the requesting agency will prepare and submit a work assignment request that outlines the work being requested within the scope and budget limitations of the Agreement. The performing agency will then prepare a cost estimate and a project schedule prior to the start of work. The requesting agency will be invoiced based on actual costs incurred by the agency performing the maintenance and/or emergency work.

Under the Agreement, the Director of the Department is delegated the authority to identify specific County projects in which the City may take the lead utilizing City forces or City contractors. With respect to work provided to City, the Agreement states that the Director of the Department has the authority to approve or disapprove an individual project and provide specific services to City. In addition, the Agreement provides that the performing agency is under no obligation to perform the work tasks.

After completion of all requested work, receipt of an invoice, and acceptance by the requesting agency of the work, the requesting agency shall reimburse the performing agency. Also, the requesting agency shall be responsible for all future maintenance and repair work, unless the requesting agency submits a future request to the performing agency to provide additional maintenance and repair work under the Agreement.

Approval of this item aligns with the County and the Chief Executive Officer's goals of improving County government operations, providing for the safety, health, and social service needs of County residents, and pursuing County goals and objectives by working with other agencies by providing a streamlined approach to the maintenance and repairs within the incorporated City, as well as within the County's unincorporated jurisdiction.

The Agreement shall expire on September 30, 2029, or it may be terminated by either party upon providing the other party a 30-day advance written notice. The City approved this item at their Council meeting on September 24, 2024.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455, on August 1, 2024; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on September 30, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on October 4, 2024.

**Cooperative Agreement with the City of Fontana for Contract  
Maintenance and Emergency Work  
October 22, 2024**

Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: October 22, 2024



cc: Public Works - Transportation - Gayman w/agree  
Contractor - c/o Public Works - Transportation w/agree  
File - w/agree

MBA 10/23/2024