

# **REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT AND RECORD OF ACTION**

**June 2, 2020**

## **FROM**

**BRENDON BIGGS, Interim Chief Flood Control Engineer, Flood Control District**

## **SUBJECT**

**Mutual Aid Agreement with City of San Bernardino for Maintenance and Emergency Work**

## **RECOMMENDATION(S)**

Acting as the governing body of the San Bernardino County Flood Control District (District), approve a **Mutual Aid Agreement No. 20-356** with the City of San Bernardino (City) for maintenance and emergency work on District and City facilities within the incorporated and unincorporated areas of the City, for the period from June 2, 2020 through September 30, 2024, in an amount not to exceed \$45,000 per project and \$100,000 for each party per fiscal year. (Presenter: Brendon Biggs, Interim Chief Flood Control Engineer, 387-7906)

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

**Improve County Government Operations.**

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

## **FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The District is funded by property taxes, fees, and local, state, and federal funding. Costs to the District for this Mutual Aid Agreement (Agreement) will vary depending upon the maintenance or repair needs. All work requested by the City will be performed by District staff or contractors and will be 100% reimbursable by the City, up to a total of \$45,000 per project and not to exceed \$100,000 per fiscal year. All work requested by the District will be performed by City staff or contractors and will be 100% reimbursable by the District, up to a total of \$45,000 for each project and not to exceed \$100,000 per fiscal year. Sufficient appropriation and revenue has been included in the District's 2019-20 Zone 2 budget (1920002522) and will be included in future recommended budgets.

## **BACKGROUND INFORMATION**

The proposed Agreement authorizes the District and the City to provide mutual aid for repairs, maintenance, and emergency work within the unincorporated and incorporated area of the City. The City and District have determined that on occasion utilizing each other's labor and equipment resources can be the most cost-effective and timely process for maintenance and repairs of District and City facilities located within their jurisdictions. Work assignments include, but are not limited to, maintenance and repairs for basin access roads, fences, and culvert and homeless camp cleanup.

This Agreement will align with the County and Chief Executive Officer's goals and objectives of improving County government operations and working with other agencies to provide a

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streamlined approach to the maintenance and repairs of District and City facilities located within the District and City jurisdictions.

According to the terms of the Agreement, the requesting agency will prepare and submit to the agency performing the work, a work assignment request that outlines the work 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 start of work for the requesting agency's approval. The requesting agency will be invoiced based on actual costs incurred by the agency performing the work. The Agreement further provides that the performing agency is under no obligation to perform the work tasks if the agency determines, in its sole discretion, that the agency's current workload prevents it from providing the assistance at the time of an individual work assignment request or if the scope is not feasible with current work forces.

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.

The Agreement expires on September 30, 2024 or may be terminated by either party upon providing the other party a 30-day advance written notice. The City approved the Agreement at their Council meeting on September 10, 2019, however, made additional changes to term length and indemnifications which required follow-up review and approval by County Counsel, Risk Management, and the District. These changes have been approved by relevant District staff.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Sophie A. Akins, Deputy County Counsel, 387-5455) on January 7, 2020; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on May 12, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on May 17, 2020.

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Record of Action of the Board of Supervisors  
San Bernardino County Flood Control District

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: June 2, 2020



cc: SBCFCD- Walker w/agree for sign  
Contractor- C/O SBCFCD w/agree  
File- w/agree  
la 06/10/2020