



San Bernardino County

Legislation Text

File #: 5184, Agenda Item #: 71

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

December 7, 2021

FROM

BRENDON BIGGS, Chief Flood Control Engineer, Flood Control District

SUBJECT

Assignment and Consent to Assignment of Memorandum of Understanding to Arroyo Capital II-6 for Realignment and Improvement of Hawker Crawford Channel in the City of Fontana

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Flood Control District, approve Assignment and Consent to Assignment of Memorandum of Understanding No. 21-610 from EPC Holdings 883, LLC; EPC Holding 994, LLC; Roseville Investments, LLC; America Superior Land, LLC; and RMD Inland Investors, LLC to Arroyo Capital II-6, with no other changes to the Memorandum of Understanding.

(Presenter: Brendon Biggs, Chief Flood Control Engineer, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The realignment and improvement of the San Bernardino County Flood Control District (District) Hawker Crawford Channel Improvement (1910002518 - F02757) will be funded through the City of Fontana's (City) formation of a Community Facilities District (CFD). The City shall be solely responsible for the formation of the CFD, the levy and collection of taxes, the issuance of bonds, and the provision of disclosure pertaining to the special taxes.

BACKGROUND INFORMATION

On August 10, 2021 (Item No. 38), the Board of Supervisors (Board) approved Memorandum of Understanding No. 21-610 (MOU) for the realignment and improvement of Hawker Crawford Channel for the development of the Monarch Hills Project, a planned community in the City of Fontana. The MOU approved the fee conveyance of 10.1-acre portion of District-owned property in the Hawker Crawford Channel area (Assessor Parcel No. 0226-075-36) (Property) to EPC Holdings 883, LLC; EPC Holding 994, LLC; Roseville Investments, LLC; America Superior Land, LLC; and RMD Inland Investors, LLC (collectively, "Land Owner") in exchange for Land Owner's realignment and improvement of the Hawker Crawford Channel.

The Hawker Crawford Channel Project is located along the Land Owner's Monarch Hills Project frontage and connects to existing Hawker Crawford Channel inlet structure north of Duncan Canyon Road. The Monarch Hills Project is a planned residential community that consists of five, privately gated residential neighborhoods,

two private parks, a private recreation facility and pool, trails and a water quality basin. Adjacent properties consist of a mix of vacant land, low density single family residential properties and natural areas. The Project site is surrounded by the San Bernardino National Forest and San Gabriel Mountains to the north, Interstate 15 is due south and southeast and a community of single-family homes is located west of the Project site.

On September 8, 2021, the District was notified that EPC Holdings 883, LLC; EPC Holding 994, LLC; Roseville Investments, LLC; America Superior Land, LLC; and RMD Inland Investors, LLC was sold to Arroyo Capital II-6, LLC. Arroyo Capital II-6, LLC has agreed to accept all of Land Owner's obligations, responsibilities, and duties under the MOU. Section 21 of the MOU authorizes the Land Owner to assign the MOU with the written consent of the District. Approval of the Assignment and Consent to Assignment will allow the District to continue to work with Land Owner pursuant to the MOU to surplus identified District property within its ownership in exchange for the construction and dedication of an ultimate Hawker Crawford Channel facility to be conveyed to the District upon completion.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Sophie A. Akins, Deputy County Counsel, 387-5455) on October 19, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on November 12, 2021; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on November 18, 2021.