

## **AGENDA**

### **Transit Committee Meeting**

**January 13, 2022**

**9:00 AM**

**MEETING ACCESSIBLE VIA ZOOM AT:** <https://gosbcta.zoom.us/j/88903858791>

#### **Teleconference**

Dial: 1-669-900-6833

Meeting ID: 889 0385 8791

**Consistent with AB 361 and Gov. Code § 54953(e)(1), and subsequent Board action taken on January 5, 2022 by SBCTA Board of Directors, this meeting will be held remotely.**

#### ***Transit Committee Membership***

##### **Chair**

Mayor Ray Marquez  
City of Chino Hills

Mayor Pro Tem Alan Wapner  
City of Ontario

##### **Vice Chair**

Mayor David Avila  
City of Yucaipa

Mayor L. Dennis Michael  
City of Rancho Cucamonga

Mayor Frank Navarro  
City of Colton

Mayor Deborah Robertson  
City of Rialto

Mayor Acquanetta Warren  
City of Fontana

Mayor John Valdivia  
City of San Bernardino

Mayor Pro Tem Larry McCallon  
City of Highland

Council Member Rick Denison  
Town of Yucca Valley

Mayor John Dutrey  
City of Montclair

Supervisor Dawn Rowe  
County of San Bernardino

**San Bernardino County Transportation Authority  
San Bernardino Council of Governments**

**AGENDA**

**Transit Committee Meeting**

**January 13, 2022**

**9:00 AM**

**MEETING ACCESSIBLE VIA ZOOM AT:** <https://gosbcta.zoom.us/j/88903858791>

**Teleconference**

Dial: 1-669-900-6833

Meeting ID: 889 0385 8791

**Interested persons may submit Public Comment in writing to the Clerk of the Board at [clerkoftheboard@gosbcta.com](mailto:clerkoftheboard@gosbcta.com). Written comments must acknowledge the Agenda Item number, and specify whether the commenter wishes the comment be included with the minutes or read into the record. Comments read into the record will be read for three minutes; if three minutes pass and there is comment still unread, the time will not be extended and the remaining comment will not be read. Public Comment must be submitted no later than 5:00 pm on January 12, 2022.**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional “*Meeting Procedures*” and agenda explanations are attached to the end of this agenda.

**CALL TO ORDER**

(Meeting Chaired by Ray Marquez)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- iv. Agenda Notices/Modifications – Betty Pineda

**Possible Conflict of Interest Issues**

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

**1. Information Relative to Possible Conflict of Interest**

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

**This item is prepared monthly for review by Board of Directors and Committee members.**

Pg. 13

## **CONSENT CALENDAR**

Items listed on the Consent Calendar are expected to be routine and non-controversial. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Members.

### **Consent - Transit**

2. **Contract Change Orders to on-going Contracts with Stadler US, Flatiron West, Inc., and Granite Construction Company** Pg. 16

Receive and file change order report.

**Presenter: Victor Lopez**

**This item is not scheduled for review by any other policy committee or technical advisory committee.**

## **DISCUSSION ITEMS**

### **Discussion - Transit**

3. **Allocation of Funding for Transit Equity Day** Pg. 19

That the Transit Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

Approve an allocation to fund a countywide free fare day for Transit Equity Day in an amount not-to-exceed \$59,800 to be funded with Local Transportation Funds in the Valley, and State Transit Assistance Funds in the Mountain/Desert areas.

**Presenter: Nancy Strickert**

**This item is not scheduled for review by any other policy committee or technical advisory committee.**

4. **Amendment No. 2 to Contract No. 16-1001440 with AECOM for Construction Management Services for the Redlands Passenger Rail Project** Pg. 21

That the Transit Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

A. Approve Amendment No. 2 to Contract No. 16-1001440 with AECOM Technical Services, Inc., for Construction Management Services for the Redlands Passenger Rail Project, increasing the contract amount by \$1,200,000.00, for a new not-to-exceed amount of \$20,318,064.00.

B. Approve contingency in an amount not-to-exceed \$120,000.00 for Contract No. 16-1001440 and authorize the Executive Director, or his designee, to release contingency as necessary for the Project.

**Presenter: Victor Lopez**

**This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft amendment.**

**5. Preview of the Hearing to Consider Resolutions of Necessity for Property Interests for the West Valley Connector Project**

Pg. 27

That the Transit Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

A. Conduct public hearings to consider condemnation of interests in real property described more particularly in each of the Resolutions of Necessity described below (referred to below collectively as the “Subject Property Interests”), which are required for the West Valley Connector Project.

B. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-041 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Cesar Charolet, Trustee of The Cesar Charolet Family Trust (U.S. Property) dated June 4, 2020. (Assessor’s Parcel Number [APN] 1010-543-10 & 1010-543-11). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

C. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-042 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Earl Campio. (APN 1010-543-12). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

D. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-043 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Trinidad Jauregui, as to an undivided one-third interest; Guadalupe Jauregui, as to an undivided one-third interest; and Rodolfo Jauregui, as to an undivided one-third interest. (APN 1011-121-02). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

E. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-044 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Bhaskara Reddy Vijaya Munagala and Padmaja Reddy Munagala. (APN 1010-552-06). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

F. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-045 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Roy Dale Astfalk and Jessica T. Astfalk, Trustees under the Roy Dale Astfalk and Jessica T. Astfalk Trust Agreement dated June 5, 1998. (APN 1011-111-18 & 1011-111-19). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and



*(Item 5. cont.)*

G. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-047 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Pirseh, LLC, a California limited liability company. (APN 1011-121-17 & 1011-121-18). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

H. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-048 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Amin Jafari and Monica M. Jafari. (APN 1010-552-07 & 1010-552-37). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

I. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-049 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Majed Nabhan, Trustee of the Virtue Trust dated December 18, 2018 (APN 1010-552-38). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

J. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-050 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Airport Gateway Plaza, LLC, a California limited liability company (APN 0110-431-11). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

K. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-051 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Amir Mahdavi, a single man, as to an undivided 60% interest; and Rassoul Mahdavi, Trustee of The Family Trust of Rassoul Mahdavi, dated May 2, 2005, as to an undivided 40% interest, as tenants in common. (APN 1010-491-03). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

L. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-052 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Florentino R. Fernandez & Maria C. Fernandez, Co-Trustees of the Fernandez Family Trust dated March 2, 2015 (APN 1011-132-10 11). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

M. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-053 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Robert William Volm (APN 1011-132-12). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

*(Item 5. cont.)*

N. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-054 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Grace Property Management, LLC, A California limited liability company (APN 1011-141-07). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

O. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-055 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by A&C New Place, LLC, A California limited liability company (APN 1049-021-29). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

P. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-056 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Israel Cisneros, a married man, as his sole and separate property. (APN 1048-525-20). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

Q. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-057 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Ayalco, LLC, a California limited liability company. (APN 1049-091-03). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

R. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-058 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by David D. Miller and Denyse Miller, husband and wife, as joint tenants. (APN 1048-481-06). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

S. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-062 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Elia M. Tawil, Trustee of the Elia M. Tawil Revocable Trust dated December 20, 2006. (APN 1048-524-17). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

T. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-063 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Gabriel P. Chavez, Successor Trustee of the Javier H. Chavez Family Trust established March 8, 1989. (APN 1049-093-10). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

*(Item 5. cont.)*

U. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-064 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Calypso Group Investment, LLC, a California limited liability company. (APN 1048-471-15). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

V. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-065 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by 8th Street Rancho, LLC, a California limited liability company. (APN 1049-091-02). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

W. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-068 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Sea Partners, LLC, a California limited liability company. (APN 1049-101-39). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

X. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-070 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Joe Howard Combee and Cheryl Ellen Combee, Trustees of The Joe and Cheryl Combee Revocable Trust. (APN 0110-081-06). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

Y. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-071 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Town Square M Properties, LLC, a California limited liability company. (APN 0110-121-03). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

Z. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-073 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Fayek J. Salhab and Shifaa G. Salhab, husband and wife, as joint tenants. (APN 0110-061-04 & 18). The Resolution must be approved by at least a two-thirds vote of the Board of Directors.

**Presenter: Ramie Dawit**

**This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel has reviewed this item and the draft resolutions.**

## **6. Tunnel to Ontario International Airport Update**

Pg. 64

Receive and file an update on Request for Proposals No. 21-1002450 for the Tunnel to Ontario International Airport Infrastructure Developer contract issued to The Boring Company.

**Presenter: Carrie Schindler**

**This item is not scheduled for review by any other policy committee or technical advisory committee.**

### **Public Comment**

Brief Comments from the General Public

**Interested persons may submit Public Comment in writing to the Clerk of the Board at [clerkoftheboard@gosbeta.com](mailto:clerkoftheboard@gosbeta.com). Written comments must acknowledge the Agenda Item number, and specify whether the commenter wishes the comment be included with the minutes or read into the record. Comments read into the record will be read for three minutes; if three minutes pass and there is comment still unread, the time will not be extended and the remaining comment will not be read. Public Comment must be submitted no later than 5:00 pm on January 12, 2022.**

### **Comments from Board Members**

Brief Comments from Board Members

## **ADJOURNMENT**

### **Additional Information**

Attendance

Pg. 65

Acronym

Pg. 66

Mission Statement

Pg. 68

**The next Transit Committee Meeting is scheduled for February 10, 2022.**

## **Meeting Procedures and Rules of Conduct**

**Meeting Procedures** - The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

**Accessibility** – During the COVID-19 crisis, meetings are being held virtually using web-based or telephone technologies. If accessibility assistance is needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk can be reached by phone at (909) 884-8276 or via email at [clerkoftheboard@gosbcta.com](mailto:clerkoftheboard@gosbcta.com).

**Agendas** – All agendas are posted at 1170 W. 3<sup>rd</sup> Street, 1st Floor, San Bernardino at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the SBCTA offices located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino and our website: [www.gosbcta.com](http://www.gosbcta.com).

**Agenda Actions** – Items listed on both the “Consent Calendar” and “Discussion” contain recommended actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors or unanimous vote of members present as provided in the Ralph M. Brown Act Government Code Sec. 54954.2(b).

**Closed Session Agenda Items** – Consideration of closed session items excludes members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Public Comment may be submitted in writing to the Clerk of the Board via email at [clerkoftheboard@gosbcta.com](mailto:clerkoftheboard@gosbcta.com). Written comments must acknowledge the Agenda Item number, and specify whether the commenter wishes the comment be included with the minutes or read into the record. Comments read into the record will be read for three minutes; if three minutes pass and there is comment still unread, the time will not be extended and the remaining comment will not be read. Public Comment must be submitted no later than 5:00 pm the day before the meeting. Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should indicate their request when Public Comment is called for during the meeting. This request to speak can be achieved by either using the ‘Raise Hand’ feature in Zoom platform or by verbally stating interest when the Chair calls for Public Comment. When recognized by the Chair, speakers should be prepared to announce their name for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations. Members of the public requesting information be distributed to the Board of Directors must provide such information electronically to the Clerk of the Board via email at [clerkoftheboard@gosbcta.com](mailto:clerkoftheboard@gosbcta.com) no later than 5:00 pm the day before the meeting. The

Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board’s authority. Matters raised under “Public Comment” may not be acted upon at that meeting. “Public Testimony on any Item” still applies.

**Disruptive or Prohibited Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to be removed from the virtual meeting. Disruptive or prohibited conduct includes without limitation: addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, posting profane or rude content in the virtual meeting environment, or otherwise preventing the Board from conducting its meeting in an orderly manner. Your cooperation is appreciated!

**General Practices for Conducting Meetings**  
**of**  
**Board of Directors and Policy Committees**

**Attendance.**

- The Chair of the Board or a Policy Committee (Chair) has the option of taking attendance by Roll Call or Self-Introductions. If attendance is taken by Roll Call, the Clerk of the Board will call out by jurisdiction or supervisorial district. The Member or Alternate will respond by stating his/her name. If attendance is by Self-Introduction, the Member or Alternate will state his/her name and jurisdiction or supervisorial district.
- A Member/Alternate, who arrives after attendance is taken, shall announce his/her name prior to voting on any item.
- A Member/Alternate, who wishes to leave the meeting after attendance is taken but before remaining items are voted on, shall announce his/her name and that he/she is leaving the meeting.

**Basic Agenda Item Discussion.**

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.
- The “aye” votes in favor of the motion shall be made collectively. Any Member who wishes to oppose or abstain from voting on the motion, shall individually and orally state the Member’s “nay” vote or abstention. Members present who do not individually and orally state their “nay” vote or abstention shall be deemed, and reported to the public, to have voted “aye” on the motion.

**The Vote as specified in the SANBAG Bylaws.**

- Each Member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

**Amendment or Substitute Motion.**

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he or she would like to amend his or her motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is voted upon first, and if it fails, then the original motion is considered.
- Occasionally, a motion dies for lack of a second.

**Call for the Question.**

- At times, a Member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

**The Chair.**

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Chair.

**Courtesy and Decorum.**

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

*Adopted By SANBAG Board of Directors January 2008*

*Revised March 2014*

*Revised May 4, 2016*



## ***Minute Action***

### AGENDA ITEM: 1

***Date:*** January 13, 2022

***Subject:***

Information Relative to Possible Conflict of Interest

***Recommendation:***

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

***Background:***

In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual, except for the initial award of a competitively bid public works contract. This agenda contains recommendations for action relative to the following contractors:

<b>Item No.</b>	<b>Contract No.</b>	<b>Principals &amp; Agents</b>	<b>Subcontractors</b>
2	16-1001531	Stadler US, Inc. <i>Martin Ritter</i>	None
2	17-1001705	Flatiron West, Inc. <i>Dale A. Nelson</i>	All American Asphalt Hayward Baker, Inc. Pacific Steel Group Southwest V-Ditch, Inc. Schuff Steel Company Paramount Metal Supply Perimeter Security Group Alcorn Fence Company BC Traffic Specialist Select Electric, Inc. Mass Electric Const. Co. R. Dugan Construction, Inc. Rock Structures Advanced Geosolutions, Inc. Veolia Transportation Maintenance and Infrastructure
2	19-1002070	Granite Construction Company Brad J. Williams	Pacific Crane and Hoist, Inc. Facility Builders & Erectors, Inc. Beeson Masonry & Concrete, Inc. dba Pacific Pervious Coreslab Structures (LA), Inc. H. Wayne Lewis, Inc. dba Amber Steel Company Ken Curran Electric, Inc. PGC Construction, Inc. H & H Engineering Construction, Inc.

*Entity: San Bernardino County Transportation Authority*

2 Cont'd			CL Coatings, Inc. Crown Fence Co. Air & Lube Systems, Inc. Wine Gardner Masonry, Inc. Meadows Sheet Metal & Air Conditioning, Inc. Dbm Meadows Mechanical
4	16-1001440	Aecom Technical Services, Inc. <i>Chris Mockus</i>	None

**Item No. 5 – Preview of the Hearing to Consider Resolutions of Necessity for Property Interests for the West Valley Connector Project**

<b>APN#</b>	<b>Principals &amp; Agents</b>
1010-543-10 & 1010-543-11	Cesar Charolet, Trustee of The Cesar Charolet Family Trust (U.S. Property) dated June 4, 2020
1010-543-12	Earl Campio
1011-121-02	Trinidad Jauregui, as to an undivided one-third interest; Guadalupe Jauregui, as to an undivided one-third interest; and Rodolfo Jauregui, as to an undivided one-third interest
1010-552-06	Bhaskara Reddy Vijaya Munagala and Padmaja Reddy Munagala
1011-111-18 & 1011-111-19	Roy Dale Astfalk and Jessica T. Astfalk, Trustees under the Roy Dale Astfalk and Jessica T. Astfalk Trust Agreement dated June 5, 1998
1011-121-17 & 1011-121-18	Pirseh, LLC, a California limited liability company
1010-552-07 & 1010-552-37	Amin Jafari and Monica M. Jafari
1010-552-38	Majed Nabhan, Trustee of the Virtue Trust dated December 18, 2018
0110-431-11	Airport Gateway Plaza, LLC, a California limited liability company
1010-491-03	Amir Mahdavi, a single man, as to an undivided 60% interest; and Rassoul Mahdavi, Trustee of The Family Trust of Rassoul Mahdavi, dated May 2, 2005, as to an undivided 40% interest, as tenants in common
1011-132-10 & 11	Florentino R. Fernandez & Maria C. Fernandez, Co-Trustees of the Fernandez Family Trust dated March 2, 2015
1011-132-12	Robert William Volm
1011-141-07	Grace Property Management, LLC, A California limited liability company
1049-021-29	A&C New Place, LLC, A California limited liability company
1048-525-20	Israel Cisneros, a married man, as his sole and separate property
1049-091-03	Ayalco, LLC, a California limited liability company
1048-481-06	David D. Miller and Denyse Miller, husband and wife, as joint tenants
1048-524-17	Elia M. Tawil, Trustee of the Elia M. Tawil Revocable Trust dated December 20, 2006

<b>Item No. 5 – Preview of the Hearing to Consider Resolutions of Necessity for Property Interests for the West Valley Connector Project</b>	
1049-093-10	Gabriel P. Chavez, Successor Trustee of the Javier H. Chavez Family Trust established March 8, 1989
1048-471-15	Calypso Group Investment, LLC, a California limited liability company
1049-091-02	8th Street Rancho, LLC, a California limited liability company
1049-101-39	Sea Partners, LLC, a California limited liability company
0110-081-06	Joe Howard Combee and Cheryl Ellen Combee, Trustees of The Joe and Cheryl Combee Revocable Trust
0110-121-03	Town Square M Properties, LLC, a California limited liability company
0110-061-04 & 18	Fayek J. Salhab and Shifaa G. Salhab, husband and wife, as joint tenants

***Financial Impact:***

This item has no direct impact on the annual budget.

***Reviewed By:***

This item is prepared monthly for review by Board of Directors and Committee members.

***Responsible Staff:***

Carrie Schindler, Director of Transit and Rail Programs

Approved  
Transit Committee  
Date: January 13, 2022

Witnessed By:

## ***Minute Action***

### AGENDA ITEM: 2

***Date:*** January 13, 2022

***Subject:***

Contract Change Orders to on-going Contracts with Stadler US, Flatiron West, Inc., and Granite Construction Company

***Recommendation:***

Receive and file change order report.

***Background:***

San Bernardino County Transportation Authority (SBCTA) has two ongoing construction contracts and one vehicle procurement contract related to the Transit and Rail Program. The following Construction Change Orders (CCO) were approved since the last reporting to the Transit Committee:

A. Contract No. 17-1001705 with Flatiron West, Inc. (Flatiron) for the RPRP Mainline Construction has had the following CCOs executed since the last report:

- 1) CCO 158: Southern California Edison (SCE) metering revisions at Tippecanoe (\$33,000.00)
- 2) CCO 167: Waterman Avenue catch basin grade separation (\$36,000.00)
- 3) CCO 168: Geothermal waterline shutdown and bypass at Arrowhead Avenue (\$15,236.61)
- 4) CCO 169: Additional battery charging at communication cases due to SCE meter delays (\$8,000.00)
- 5) CCO 172: Revisions to the City of Redlands traffic controller cabinet foundations (\$76,453.56)
- 6) CCO 173: SCE metering revisions at Central Avenue (\$25,000.00)
- 7) CCO 175: Mountain View Avenue Cast in Drill Hole (CIDH) retaining wall (\$475,000.00)

B. Contract No. 19-1002070 with Granite Construction Company (Granite) for the Redlands Passenger Rail Project Arrow Maintenance Facility has had the following CCOs executed since the last report:

- 1) CCO 016: Miscellaneous metal revisions (\$28,418.84)

***Financial Impact:***

This item is consistent with the Fiscal Year 2021/2022 Budget.

***Reviewed By:***

This item is not scheduled for review by any other policy committee or technical advisory committee.

*Entity: San Bernardino County Transportation Authority*

Transit Committee Agenda Item  
January 13, 2022  
Page 2

***Responsible Staff:***

Victor Lopez, Director of Capital Delivery

---

Approved  
Transit Committee  
Date: January 13, 2022  
Witnessed By:

---

San Bernardino County Transportation Authority

## Rail and Transit Construction Contracts

<b>RPRP- Mainline Construction Flatiron West, Inc (17-1001705)</b>		
<b>Executed Change Orders</b>		
Number	Description	Amount
158	CN 158 - SCE metering revisions Tippecanoe	\$33,000.00
167	CN 175 - Waterman Ave catch basin grade seperation	\$36,000.00
168	RFC 020 - Geothermal waterline shutdown and bypass Arrowhead Ave	\$15,236.61
169	RFC 030 - Additional battery charging for communication cases	\$8,000.00
172	CN 207 - Revisions to the City of Redlands traffic controller cabinet foundations	\$76,453.56
173	CN 140 - SCE metering revisions to Central Ave	\$25,000.00
175	CN 211 - Mountain View ave CIDH and retaining wall construction	\$475,000.00
<b>CCO TOTAL</b>		<b>\$16,510,280.42</b>
<b>APPROVED CONTINGENCY</b>		<b>\$23,134,814.59</b>
<b>REMAINING CONTINGENCY</b>		<b>\$6,624,534.17</b>
<b>RPRP- Arrow Maintenance Facility (AMF) Granite Construction Company (19-1002070)</b>		
<b>Executed Change Orders</b>		
Number	Description	Amount
16	Miscellaneous metal revisions	\$28,418.84
<b>CCO TOTAL</b>		<b>\$4,539,588.36</b>
<b>APPROVED CONTINGENCY</b>		<b>\$8,363,400.00</b>
<b>REMAINING CONTINGENCY</b>		<b>\$3,823,811.64</b>
<b>RPRP- Vehicle Procurement From Stadler US (16-1001531)</b>		
<b>Executed Change Orders</b>		
Number	Description	Amount
8	PTC direct battery supply and acoustic warning	\$16,464.00
<b>CCO TOTAL</b>		<b>\$673,508.83</b>
<b>APPROVED CONTINGENCY</b>		<b>\$3,390,508.00</b>
<b>REMAINING CONTINGENCY</b>		<b>\$2,716,999.17</b>

Attachment: January 2022 TC Change Orders [Revision 1] (8227 : Contract Change Orders to on-going Contracts with Stadler, Flatiron &

## *Minute Action*

### AGENDA ITEM: 3

**Date:** *January 13, 2022*

**Subject:**

Allocation of Funding for Transit Equity Day

**Recommendation:**

That the Transit Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

Approve an allocation to fund a countywide free fare day for Transit Equity Day in an amount not-to-exceed \$59,800 to be funded with Local Transportation Funds in the Valley, and State Transit Assistance Funds in the Mountain/Desert areas.

**Background:**

In 2019, a multimodal working group was established between the San Bernardino County transportation operators and San Bernardino County Transportation Authority (SBCTA), to work collectively to help our riders receive cohesive and seamless service within the county as well as to help promote transit countywide. The multimodal working group has already completed a “Welcome Back” Campaign to encourage riders to safely start riding public transit and it also provided a free fare day on Car Free Day which was funded by the transit agencies. This item is to approve an allocation for SBCTA to fund a free fare day for Transit Equity Day on February 4th in an amount not-to-exceed \$59,800.

SBCTA’s Board of Directors created an Equity Ad Hoc Committee, to lead an effort to work towards equity among its residents. SBCTA staff, working with the multimodal group has identified an effort, Transit Equity Day, which supports public transit as well as SBCTA’s goal of equity for all.

For the past four years on February 4th, a network of transit rider unions, community organizations, environmental groups and labor unions have organized Transit Equity Day—a national day of action to commemorate the birthday of Rosa Parks by declaring that public transit is a civil right. This means that everyone should have access to free (or affordable) public transportation regardless of age, race, or class.



SBCTA staff feels this would be a perfect opportunity to show support for public transportation, its riders, and SBCTA efforts to work towards equity among its residents. Table 1 outlines the approximate fare revenue for a single day for each transit agency. The Metrolink fare revenue request is an estimate and staff is continuing to coordinate with them to finalize the amount. Each agency will only be reimbursed for trips taken, not as a flat fee.

*Table 1*

<b>Agencies</b>	<b>Fare Revenue Request</b>
Metrolink	\$30,000
Omnitrans	\$25,000
Victor Valley Transit Authority	\$3,500

*Entity: San Bernardino County Transportation Authority*

## Transit Committee Agenda Item

January 13, 2022

Page 2

Mountain Transit	\$300
Morongo Basin Transit Authority	\$800
City of Needles	\$200
<b>Total</b>	<b>\$59,800</b>

At this time, SBCTA has unallocated Local Transportation Funds (LTF) in the Valley area and State Transit Assistance Funds in the Mountain/Desert areas that are able to cover this cost without effecting any other transit agency budget or project within the county. SBCTA will process the allocations to reimburse the transit agencies once the actual free fare amounts are tallied and known. Additionally, marketing material will be created to promote Transit Equity Day and provided to all agencies who are participating. The multimodal working group understands that this is a one day only event and does not attempt to resolve all equity issues. However, there is value in promoting the need for equity and continuing to take steps towards fair and equitable programs and events.

***Financial Impact:***

This item is consistent with the Fiscal Year 2021/2022 Budget.

***Reviewed By:***

This item is not scheduled for review by any other policy committee or technical advisory committee.

***Responsible Staff:***

Nancy Strickert, Transit Program Manager

Approved  
Transit Committee  
Date: January 13, 2022

Witnessed By:

San Bernardino County Transportation Authority



## ***Minute Action***

### AGENDA ITEM: 4

***Date:*** January 13, 2022

***Subject:***

Amendment No. 2 to Contract No. 16-1001440 with AECOM for Construction Management Services for the Redlands Passenger Rail Project

***Recommendation:***

That the Transit Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

A. Approve Amendment No. 2 to Contract No. 16-1001440 with AECOM Technical Services, Inc., for Construction Management Services for the Redlands Passenger Rail Project, increasing the contract amount by \$1,200,000.00, for a new not-to-exceed amount of \$20,318,064.00.

B. Approve contingency in an amount not-to-exceed \$120,000.00 for Contract No. 16-1001440 and authorize the Executive Director, or his designee, to release contingency as necessary for the Project.

***Background:***

On October 4, 2016, Contract No. 16-1001440 was awarded to AECOM Technical Services, Inc. for Construction Management Services for the Redlands Passenger Rail Project (RPRP), as the first construction contracts were getting ready to advance to construction. Contract No. 16-1001440 includes Construction Management Services for the demolition of the building at 133 E Street in San Bernardino, the early utility relocation contract, and the nine-mile mainline construction contract.

The mainline construction contract was issued with a scheduled substantial completion date of July 1, 2021, and a final acceptance date of November 24, 2021. Construction has progressed well, however, there have been a few issues that have delayed the completion of the mainline construction work. The mainline construction substantial completion is now anticipated to be in February 2022, with final acceptance in May 2022. As previously reported in the quarterly updates, Southern California Edison (SCE) has caused material delays as a result of not setting and powering up the thirty (30) new meters necessary for signal and positive train control testing, the last of which were energized in late October 2021. Second, at the time the mainline construction project was awarded, the adjacent project for the Mountain View Avenue Widening, led by the Inland Valley Development Agency (IVDA), was progressing ahead of the RPRP with the construction contract awarded prior to RPRP, and a shorter construction schedule. Unfortunately, the IVDA project did not get completed until July 2021, affecting work at that crossing. Further, at the completion of the Mountain View Avenue Widening Project, it was determined that one of the bridge wing walls was insufficient to provide proper railroad loading and prescribed walkways per California Public Utility Commission (CPUC) standards. This required SBCTA to do unanticipated work, including additional work by our designer of record, construction management firm, and contractor. The contractor is scheduled to complete this work in early January 2022. The last issue which has led to the mainline construction schedule slippage was the previously reported delay of the first Arrow vehicle, which arrived on December 2, 2021. Per Policy No. 11000 V.C.3.a, an amendment can increase the cost of an established scope of work when there are factors generally beyond the consultant's control and

***Entity:*** San Bernardino County Transportation Authority

## Transit Committee Agenda Item

January 13, 2022

Page 2

not anticipated during the initial cost proposal. Based on the factors listed above, it is a matter of prudence and necessity to proceed with the amendment. In order to close out the mainline contract, the contractor is required to validate the infrastructure with a diesel multiple unit. A review of the sequential events and comprehensive schedule based on the latest milestones met indicates substantial completion in late February 2022, and final acceptance in May 2022. Amendment No. 2 is needed to increase the fee for Contract No. 16-1001440 as AECOM is providing services for longer than expected, and at a higher level of effort. The increase will be funded with Measure I Metrolink/Rail Service Program funds previously allocated to RPRP.

***Financial Impact:***

This item is consistent with the Fiscal Year 2021/2022 Budget.

***Reviewed By:***

This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel, Procurement Manager and Risk Manager have reviewed this item and the draft amendment.

***Responsible Staff:***

Victor Lopez, Director of Capital Delivery

---

Approved  
Transit Committee  
Date: January 13, 2022

Witnessed By:

## General Contract Information

Contract No: 16-1001440 Amendment No.: 2Contract Class: Payable Department: TransitVendor No.: 00091 Vendor Name: AECOMDescription: CM Services for RPRP Demolition, Early Utility, and Mainline Construction

List Any Related Contract Nos.: \_\_\_\_\_

Dollar Amount							
Original Contract		\$	17,380,058.00	Original Contingency		\$	1,738,006.00
Prior Amendments		\$	-	Prior Amendments		\$	-
Prior Contingency Released		\$	1,738,006.00	Prior Contingency Released (-)		\$	(1,738,006.00)
Current Amendment		\$	1,200,000.00	Current Amendment		\$	120,000.00
Total/Revised Contract Value		\$	20,318,064.00	Total Contingency Value		\$	120,000.00
	Total Dollar Authority (Contract Value and Contingency)					\$	20,438,064.00

## Contract Authorization

Board of Directors \_\_\_\_\_ Date: 2/2/2022 \_\_\_\_\_ Committee \_\_\_\_\_ Item # \_\_\_\_\_

## Contract Management (Internal Purposes Only)

Other Contracts \_\_\_\_\_ Sole Source? No \_\_\_\_\_ No Budget Adjustment \_\_\_\_\_

Federal/State/Local \_\_\_\_\_ Construction Management \_\_\_\_\_ N/A \_\_\_\_\_

## Accounts Payable

Estimated Start Date:				10/4/2016		Expiration Date:				9/30/2022		Revised Expiration Date:					
NHS:				N/A		QMP/QAP:				N/A		Prevailing Wage:				Yes	
												Total Contract Funding:		Total Contingency:			
Fund		Prog	Task	Sub-Task	Object	Revenue	PA Level	Revenue Code Name		\$	20,318,064.00		\$	120,000.00			
GL:	4150	30	0315	0324	52005	41100000		MSI			2,634,892.75			-			
GL:	1050	30	0315	0324	52005	42218001		STA			4,215,809.25			-			
GL:	2090	30	0315	0324	52005	42106852		TIGER			145,041.76			-			
GL:	2120	30	0315	0324	52005	42107022		FTA 5307			12,122,320.24			-			
GL:	4150	30	0315	0324	52005	41100000		MSI			1,200,000.00			120,000.00			
GL:											-			-			
GL:											-			-			
GL:											-			-			
GL:											-			-			
GL:											-			-			

Victor Lopez

Project Manager (Print Name)

Carrie Schindler

Task Manager (Print Name)

Additional Notes:

Attachment: 16-1001440-02\_CSS [Revision 1] (8195 : Amendment No. 2 to Contract No. 16-1001440 with AECOM for Construction Management

# AMENDMENT NO. 2 TO CONTRACT NO. 16-1001440

## FOR

### REDLANDS PASSENGER RAIL PROJECT (RPRP)

### CONSTRUCTION MANAGEMENT SERVICES

This AMENDMENT No. 2 to Contract No. 16-1001440 is made by and between the San Bernardino County Transportation Authority ("SBCTA") and AECOM Technical Services, Inc., a California Corporation, ("CONSULTANT"). SBCTA and CONSULTANT are each a "Party" and collectively the "Parties" herein.

#### RECITALS:

- A. The Parties entered into Contract No. 16-1001440 on October 17, 2016, setting forth the terms and conditions for construction management services ("Contract"); and
- B. On April 17, 2019, Contingency Amendment 0A released \$72,355.36 for additional pothole services; and
- C. On May 13, 2021, SBCTA and CONSULTANT executed Amendment No. 1 to extend the period of performance through September 30, 2022; and
- D. On July 28, 2021, Contingency Amendment 1B released \$1,665,650.64 for additional support for based on latest project schedule; and
- E. As a result of various delays outside the Consultant's control, SBCTA and Consultant desire to amend the aforesaid contract to increase the contract amount by \$1,200,000.

**NOW, THEREFORE,** the Parties agree to amend the Contract as follows:

1. Article 3. COMPENSATION, sub-paragraph 3.2 shall be deleted and replaced in its entirety to read as follows:

“3.2 The total Contract Not-To-Exceed Amount is Twenty Million Three Hundred Eighteen Thousand Sixty-Four Dollars (\$20,318,064.00). All Work provided under this Contract is to be performed as set forth in Exhibit A “Scope of Work”, and shall be reimbursed pursuant to Exhibit B “Price Form”. The hourly labor rates identified in Exhibit B shall remain fixed for the term of this Contract and include CONSULTANT’s direct labor costs, indirect costs, and profit. All expenses shall be reimbursed for the amounts identified in Exhibit B. Any travel expenses must be pre-approved by SBCTA and shall be reimbursed for per diem expenses at a rate not to exceed the currently authorized rates for state employees under the State Department of Personnel Administration rules. SBCTA will not reimburse CONSULTANT for any expenses not shown in Exhibit B

or agreed to and approved by SBCTA as required under this Contract.

Escalation shall be at three percent (3%). Escalation shall commence as of October 1, 2017, and shall be applied each October 1<sup>st</sup> for the term of the Contract.”

2. Except as amended by this Amendment No. 2, all other provisions of the Contract and amendments thereto shall remain in full force and effect and are incorporated herein by this reference.
3. The Recitals set forth above are incorporated herein by this reference.
4. This Amendment No. 2 is effective upon execution by SBCTA.

-----SIGNATURES ON FOLLOWING PAGE-----

DRAFT

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 2 below.

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

**AECOM Technical Services, Inc.**

By: \_\_\_\_\_  
Curt Hagman  
Board President

By: \_\_\_\_\_  
Chris Mockus  
CM Division Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Julianna K. Tillquist  
General Counsel

CONCURRENCE:

By: \_\_\_\_\_  
Jeffery Hill  
Procurement Manager

DRAFT

## ***Minute Action***

### AGENDA ITEM: 5

***Date:*** January 13, 2022

***Subject:***

Preview of the Hearing to Consider Resolutions of Necessity for Property Interests for the West Valley Connector Project

***Recommendation:***

That the Transit Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

- A. Conduct public hearings to consider condemnation of interests in real property described more particularly in each of the Resolutions of Necessity described below (referred to below collectively as the “Subject Property Interests”), which are required for the West Valley Connector Project.
- B. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-041 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Cesar Charolet, Trustee of The Cesar Charolet Family Trust (U.S. Property) dated June 4, 2020. (Assessor’s Parcel Number [APN] 1010-543-10 & 1010-543-11). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and
- C. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-042 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Earl Campio. (APN 1010-543-12). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and
- D. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-043 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Trinidad Jauregui, as to an undivided one-third interest; Guadalupe Jauregui, as to an undivided one-third interest; and Rodolfo Jauregui, as to an undivided one-third interest. (APN 1011-121-02). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and
- E. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-044 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Bhaskara Reddy Vijaya Munagala and Padmaja Reddy Munagala. (APN 1010-552-06). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and
- F. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-045 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Roy Dale Astfalk and Jessica T. Astfalk,

*Entity: San Bernardino County Transportation Authority*

Trustees under the Roy Dale Astfalk and Jessica T. Astfalk Trust Agreement dated June 5, 1998. (APN 1011-111-18 & 1011-111-19). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

G. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-047 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Pirseh, LLC, a California limited liability company. (APN 1011-121-17 & 1011-121-18). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

H. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-048 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Amin Jafari and Monica M. Jafari. (APN 1010-552-07 & 1010-552-37). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

I. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-049 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Majed Nabhan, Trustee of the Virtue Trust dated December 18, 2018 (APN 1010-552-38). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

J. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-050 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Airport Gateway Plaza, LLC, a California limited liability company (APN 0110-431-11). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

K. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-051 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Amir Mahdavi, a single man, as to an undivided 60% interest; and Rassoul Mahdavi, Trustee of The Family Trust of Rassoul Mahdavi, dated May 2, 2005, as to an undivided 40% interest, as tenants in common. (APN 1010-491-03). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

L. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-052 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Florentino R. Fernandez & Maria C. Fernandez, Co-Trustees of the Fernandez Family Trust dated March 2, 2015 (APN 1011-132-10 11). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

M. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-053 authorizing and directing General Counsel, or her designees, to prepare,

San Bernardino County Transportation Authority



commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Robert William Volm (APN 1011-132-12). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

N. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-054 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Grace Property Management, LLC, A California limited liability company (APN 1011-141-07). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

O. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-055 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by A&C New Place, LLC, A California limited liability company (APN 1049-021-29). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

P. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-056 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Israel Cisneros, a married man, as his sole and separate property. (APN 1048-525-20). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

Q. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-057 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Ayalco, LLC, a California limited liability company. (APN 1049-091-03). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

R. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-058 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by David D. Miller and Denyse Miller, husband and wife, as joint tenants. (APN 1048-481-06). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

S. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-062 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Elia M. Tawil, Trustee of the Elia M. Tawil Revocable Trust dated December 20, 2006. (APN 1048-524-17). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

T. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-063 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Gabriel P. Chavez, Successor Trustee of the

San Bernardino County Transportation Authority

Javier H. Chavez Family Trust established March 8, 1989. (APN 1049-093-10). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

U. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-064 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Calypso Group Investment, LLC, a California limited liability company. (APN 1048-471-15). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

V. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-065 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by 8th Street Rancho, LLC, a California limited liability company. (APN 1049-091-02). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

W. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-068 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Sea Partners, LLC, a California limited liability company. (APN 1049-101-39). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

X. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-070 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Joe Howard Combee and Cheryl Ellen Combee, Trustees of The Joe and Cheryl Combee Revocable Trust. (APN 0110-081-06). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

Y. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-071 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Town Square M Properties, LLC, a California limited liability company. (APN 0110-121-03). The Resolution must be approved by at least a two-thirds vote of the Board of Directors; and

Z. Upon completion of the public hearing, that the Board of Directors adopt the Resolution of Necessity No. 22-073 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring certain real property interests on the real property owned by Fayek J. Salhab and Shifaa G. Salhab, husband and wife, as joint tenants. (APN 0110-061-04 & 18). The Resolution must be approved by at least a two-thirds vote of the Board of Directors.

***Background:***

The San Bernardino County Transportation Authority (SBCTA), in cooperation with Omnitrans, and the cities of Pomona, Montclair, Ontario, Rancho Cucamonga, and Fontana, proposes to construct the West Valley Connector Project (“WVC Project”). The WVC Project is a 100% zero-emission Bus Rapid Transit (“BRT”) system. It is the first stage of the San Bernardino

County Zero Emission Bus Initiative and second BRT route in San Bernardino County. The WVC Project is a proposed 35-mile-long transit improvement project that would connect the cities of Pomona, Montclair, Ontario, Rancho Cucamonga and Fontana. The WVC Project includes up to 60 station platforms at 33 locations/major intersections and associated improvements. A new operations and maintenance facility for light maintenance activities would be constructed. The WVC Project would be constructed in two phases including Phase I/Milliken Alignment, from the Pomona Regional Transit Center to Victoria Gardens in Rancho Cucamonga, and Phase II/Haven Alignment, from Ontario International Airport (ONT) to Kaiser Permanente Medical Center in Fontana. Phase I is scheduled for operation in early 2025. Construction of Phase II/Haven Alignment is scheduled to occur after the completion of Phase I when funding is available. Stations would be “rapid bus” style stations designed for fast boarding.

Phase 1 of the WVC Project is 19 miles and will upgrade a portion of existing Route 61 which runs along Holt Boulevard, adding approximately 3.5 miles as center running, dedicated bus-only lanes. There will be 21 stations in Phase 1 that will provide a much-improved transit connection to ONT and help build transit connectivity by linking ONT, two Metrolink lines (San Bernardino and Riverside), and multiple major activity centers along the route including Ontario Mills and Victoria Gardens. Headways will be 10 minutes in the peak commute period and 15 minutes off-peak, providing a high level of service to the community.

The WVC Project involves use of local, state, and federal funding, including funds administered by the Federal Transit Administration (FTA). Based on the multiple funding sources, the environmental documentation was prepared jointly in compliance with both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). SBCTA was the lead agency under CEQA and FTA was the lead agency under NEPA.

In May 2020, the SBCTA Board of Directors (Board) adopted Resolution No. 20-046, making findings necessary to approve the Mitigation Monitoring and Reporting Program, adopting a Statement of Overriding Considerations, and approving and certifying the Final Environmental Impact Report (EIR) in compliance with CEQA for the WVC Project. Subsequently, on May 12, 2020, FTA approved the Findings of No Significant Impact (FONSI) in accordance with NEPA, which concluded the Environmental Clearance of the WVC Project. In adopting Resolution No. 20-046, the Board found that Alternative B, which was designated as the preferred alternative, would better meet the purpose of the WVC Project and need than Alternative A. The Board emphasized that the City of Ontario commissioned a Holt Boulevard Mobility and Streetscape Strategic Plan that is consistent with the proposed improvements included with Alternative B. Accordingly, the Board rejected Alternative A.

The Board further found that the benefits of the WVC Project outweigh the unavoidable environmental impacts. The Board emphasized that the WVC Project (under approved Alternative B) has significant benefits, including improved travel time and the speed and reliability of bus transit based on the proposed exclusive bus-only lanes with five center-running stations in Ontario. The WVC Project is consistent with several regional and local land-use plans, including helping to achieve the goals of Southern California Association of Governments’ (SCAG) Regional Comprehensive Plan and Regional Transportation Plan/Sustainable Communities Strategy, SBCTA’s Long-Range Transit Plan for San Bernardino Valley, goals related to improving transit opportunities in the General Plans of the cities of San Bernardino County Transportation Authority

Pomona, Montclair, Ontario, Rancho Cucamonga, and Fontana and the counties of Los Angeles and San Bernardino, and the Specific Plans, Community Plans, and Master Plans along the project corridor. Resolution No. 20-046 highlighted that the City of Ontario's Holt Boulevard Mobility and Streetscape Strategic Plan specifically reflects the WVC Project with exclusive bus-only lanes on Holt Boulevard. In addition, the WVC Project would facilitate future transit-oriented developments and mixed-use developments along the project corridor to revitalize the WVC Project area. The WVC Project is supported by Caltrans, Districts 7 and 8, and the cities along the WVC Project corridor, including Pomona, Montclair, Ontario, Rancho Cucamonga, and Fontana. Further, the Board found that the WVC Project would have economic benefits for the area, revitalize adjacent land uses along the corridor, and improve sidewalks and parkways associated with land acquisition for the widened right-of-way.

In January 2021, the Board authorized SBCTA staff and its consultants to proceed with the acquisition activities, including appraisals, appraisal reviews, negotiations, relocation assistance, property management, environmental site assessments, and building demolition in support of the right-of-way acquisition needs for the WVC Project.

The Board further authorized staff to proceed with the acquisition of the required property or property rights necessary for the WVC Project from identified property owners, including relocation assistance, demolition of existing structures, property management, disposal of excess property, and environmental testing and remediation. The Board also authorized the Director of Transit and Rail Programs, or his designees, to add or remove parcels from the list of properties as the Director determines from time to time are necessary for the WVC Project, provided said parcels are environmentally cleared.

The WVC Project requires that SBCTA acquire the necessary property interests expeditiously to ensure that construction can be completed within the proposed timeline to ensure that there are no costly delays or impacts to funding. Throughout the environmental and preliminary engineering process, SBCTA has made extensive efforts to plan the WVC Project in a way that minimizes the impacts of the WVC Project on properties in the WVC Project area. These efforts include minimizing impacts to parcels from which SBCTA requires certain property interests and maintaining ingress and egress from the adjacent street to the impacted properties during construction of the WVC Project. Although most of the proposed improvements are anticipated to be constructed within the existing right of way, SBCTA will require certain property interests to accommodate the WVC Project.

SBCTA's acquisition agents continue to negotiate in good faith, on behalf of SBCTA, with the owners of properties impacted by the WVC Project. Based on the timing of the WVC Project, however, it is necessary for SBCTA to consider the adoption of resolutions of necessity at this time to acquire the property interests necessary for the WVC Project and obtain possession of said property interests in time to ensure that the WVC Project is operational by early 2025.

SBCTA has complied with applicable law and requirements for the acquisition of property for public use by eminent domain. In accordance with Code of Civil Procedure Section 1245.235, SBCTA mailed to the owners of the Subject Property Interests a Notice of Hearing regarding the intent of SBCTA to adopt a Resolution of Necessity for acquisition by eminent domain of the respective Subject Property Interests. The Code of Civil Procedure Section 1245.235 notice of hearing was mailed to the listed address of all persons whose names appear on the last equalized San Bernardino County Transportation Authority

county assessment roll as the owner or owners of the property of which the respective Subject Property Owners are a part. Further, in accordance with Code of Civil Procedure Section 1245.235, SBCTA also mailed a Notice of Hearing regarding the intent of SBCTA to adopt a Resolution of Necessity for acquisition by eminent domain of the respective Subject Property Interests to the City of Ontario as required by Public Utilities Code Section 130220.5(c).

The purpose of this agenda item is for the Board to consider the information and evidence to support the findings required for the adoption of the Resolutions of Necessity to authorize the acquisition by eminent domain of the Subject Property Interests described in this report. Although the adoption of the Resolutions of Necessity is recommended for the Subject Property Interests in order to maintain the WVC Project schedule and avoid delays, SBCTA's acquisition agents will continue to negotiate with the property owners in an effort to acquire the Subject Property Interests needed through a voluntary purchase and avoid litigation in the eminent domain process.

The owners of the subject properties are:

- Cesar Charolet, as Trustee of The Cesar Charolet Family Trust (U.S. Property) dated June 4 2020
- Earl Campio, a married man
- Trinidad Jauregui, a married man, as his sole and separate property, as to an undivided one-third interest; Guadalupe Jauregui, a married man, as his sole and separate property, as to undivided one-third interest; and Rodolfo Jauregui, a married man, as his sole and separate property, as to an undivided one-third interest
- Bhaskara Reddy Vijaya Munagala and Padmaja Reddy Munagala, husband and wife, as joint tenants
- Roy Dale Astfalk and Jessica T. Astfalk, Trustees under The Roy Dale Astfalk and Jessica T. Astfalk Trust Agreement dated June 5, 1998
- Pirseh, LLC, a California limited liability company
- Amin Jafari and Monica M. Jafari, husband and wife, as joint tenants
- Majed Nabhan, Trustee of the Virtue Trust dated December 18, 2018
- Airport Gateway Plaza, LLC, a California limited liability company
- Amir Mahdavi, a single man, as to an undivided 60% interest; and Rassoul Mahdavi, Trustee of The Family Trust of Rassoul Mahdavi, dated May 2, 2005, as to an undivided 40% interest, as tenants in common
- Florentino R. Fernandez & Maria C. Fernandez, Co-Trustees of the Fernandez Family Trust dated March 2, 2015
- Robert William Volm
- Grace Property Management LLC, a California limited liability company
- A&C New Place LLC, a California limited liability company
- Israel Cisneros, a married man, as his sole and separate property

San Bernardino County Transportation Authority

- Ayalco, LLC, a California limited liability company
- David D. Miller and Denyse Miller, husband and wife, as joint tenants
- Elia M. Tawil, Trustee of the Elia M. Tawil Revocable Trust dated December 20, 2006
- Gabriel P. Chavez, Successor Trustee of the Javier H. Chavez Family Trust, established March 8, 1989
- Calypso Group Investment, LLC, a California limited liability company
- 8th Street Rancho, LLC, a California limited liability company, which acquired title as 8th St. Rancho, LLC
- Sea Partners, LLC, a California limited liability company
- Joe Howard Combee and Cheryl Ellen Combee, Trustees of The Joe and Cheryl Combee Revocable Trust
- Town Square M Properties, LLC, a California limited liability company
- Fayek J. Salhab & Shifaa G. Salhab, husband and wife, as joint tenants

### ***Support for Adoption of Resolutions of Necessity***

SBCTA is authorized to acquire property by eminent domain pursuant to the California Public Utilities Code Sections 130220.5 and 130809(b)(4). SBCTA is also authorized to acquire property for public use by eminent domain pursuant to Section 19 of Article 1 of the California Constitution, California Code of Civil Procedure Section 1230.010 et seq. (Eminent Domain Law), including but not limited to Sections 1240.010, 1240.020, 1240.110, 1240.120, 1240.320, 1240.330, 1240.510, 1240.610, 1240.650 and by other provisions of law. Acquisition of the property interests by eminent domain will allow SBCTA to obtain legal rights to the properties needed for the WVC Project in cases where a negotiated sale cannot be reached. Adoption of a Resolution of Necessity authorizes SBCTA to file an eminent domain proceeding for the acquisition by eminent domain of the property interests described in each Resolution of Necessity. It is necessary to obtain authorization to commence eminent domain proceedings at this time because it can take several months to obtain possession of the Subject Property Interests needed for the WVC Project. SBCTA needs to obtain prejudgment possession in time to ensure that the WVC Project is operational by early 2025.

To adopt the subject Resolutions of Necessity, SBCTA must make the four findings discussed below for each of the property interests needed for the WVC Project in accordance with Code of Civil Procedure Sections 1240.030 and 1245.230. The issue of the amount of just compensation for each of the property interests is not addressed by these Resolutions of Necessity and is not an issue before the Board at the hearing. The four necessary findings are:

- 1. The public interest and necessity require the WVC Project;**
- 2. The WVC Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;**
- 3. The Subject Property Interests sought to be acquired are necessary for the WVC Project; and**

**4. The offer required by Government Code Section 7267.2 has been made to the owner or owners of record.**

The four required findings are supported by the evidence set forth below.

**1. The public interest and necessity require the WVC Project.**

The WVC Project, as planned and designed, will be a 100% zero-emission BRT system, the first stage of the San Bernardino County Zero Emission Bus Initiative and second BRT route in San Bernardino County. The WVC Project is a proposed 35-mile-long transit improvement project that would connect the cities of Pomona, Montclair, Ontario, Rancho Cucamonga and Fontana. The WVC Project includes up to 60 station platforms at 33 locations/major intersections and associated improvements. The WVC Project will also construct a new operations and maintenance facility for light maintenance activities. The WVC Project will be constructed in two phases, including Phase I/Milliken Alignment, from the Pomona Regional Transit Center to Victoria Gardens in Rancho Cucamonga, and Phase II/Haven Alignment, from ONT to Kaiser Permanente Medical Center in Fontana. Phase I is scheduled for operation in early 2025. Construction of Phase II/Haven Alignment is scheduled to occur after the completion of Phase I when funding is available. Stations would be “rapid bus” style stations designed for fast boarding.

Phase 1 of the WVC Project is 19 miles and will upgrade a portion of existing Route 61 which runs along Holt Boulevard, adding approximately 3.5 miles as center running, dedicated bus-only lanes. There will be 21 stations in Phase 1 that will provide a much-improved transit connection to ONT and help build transit connectivity by linking ONT, two Metrolink lines (San Bernardino and Riverside), and multiple major activity centers along the route, including Ontario Mills and Victoria Gardens. Headways will be 10 minutes in the peak commute period and 15 minutes off-peak, providing a high level of service to the community. The WVC Project traverses an urban corridor, and BRT stations have been located to create a comfortable, efficient transit place that fits into the community fabric. The WVC Project is in the public interest and necessity because it will create an efficient alternative to the use of personal vehicles, thereby reducing the overall emissions into the environment.

The WVC Project is also in the public interest and necessity because it will improve travel time and the speed and reliability of bus transit based on the proposed exclusive bus-only lanes with five center-running stations in Ontario. The WVC Project is consistent with several regional and local land-use plans, including helping to achieve the goals of Southern California Association of Governments’ (SCAG) Regional Comprehensive Plan and Regional Transportation Plan/Sustainable Communities Strategy, SBCTA’s Long-Range Transit Plan for San Bernardino Valley, goals related to improving transit opportunities in the General Plans of the cities of Pomona, Montclair, Ontario, Rancho Cucamonga, and Fontana and the counties of Los Angeles and San Bernardino, and the Specific Plans, Community Plans, and Master Plans along the project corridor. Resolution No. 20-046 highlighted that the City of Ontario’s Holt Boulevard Mobility and Streetscape Strategic Plan specifically reflects the WVC Project, with exclusive bus-only lanes on Holt Boulevard. In addition, the WVC Project will facilitate future transit-oriented developments and mixed-use developments along the project corridor to revitalize the WVC Project area. The WVC Project is also in the public interest and necessity because it will result in economic benefits for the area, revitalize adjacent land uses along the corridor, and

San Bernardino County Transportation Authority

improve sidewalks and parkways associated with land acquisition for the widened right-of-way.

**2. The WVC Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury.**

The purpose of the WVC Project is to improve corridor mobility and transit efficiency in the western San Bernardino Valley from the city of Pomona, in Los Angeles County, to the city of Fontana, in San Bernardino County, with an enhanced, state-of-the-art BRT system (i.e., a system that includes off-board fare vending, all-door boarding, Transit Signal Priority (TSP) optimized operating plans, and stations that consist of branded shelter/canopy, security cameras, benches, lighting, and variable message signs). The WVC Project seeks to address the growing traffic congestion and travel demands of the nearly one million people that would be added to Los Angeles and San Bernardino County by 2040 as set forth in SCAG's 2016 Regional Transportation Plan/Sustainable Communities Strategy growth forecast. Improved rapid transit along the project corridor would help Omnitrans and SBCTA achieve the long-range goals to cost effectively enhance lifeline mobility and accessibility, improve transit operations, increase ridership, support economic growth and redevelopment, conserve nonrenewable resources, and improve corridor safety.

The WVC Project is planned and designed to improve transit service by better accommodating existing high bus ridership. It is also planned and designed to improve ridership by providing a viable and competitive transit alternative to the automobile and improve efficiency of transit service delivery while lowering Omnitrans' operating costs per rider. Further, the WVC Project supports local and regional planning goals to organize development along transit corridors and around transit stations. Current and future population and employment conditions establish a need for higher-quality transit service. The WVC Project corridor is primarily an inter-city route that serves densely populated neighborhoods with a high percentage of transit patrons that are minority, low-income, and/or transit dependent. The WVC Project corridor includes a current high level of employment and several key activity centers. Regionally, the Inland Empire leads the six-county southern California region in growth. Current and future transportation conditions establish a need for an improved transit system. The current standard bus service has several deficiencies that do not make transit an attractive alternative to the automobile, particularly in terms of corridor travel time. Current and future travel demand is expected to accompany the projected growth in population and employment, further increasing the need for an improved transit system. Finally, transit-related opportunities exist in the WVC Project area. Current transit access to employment and intermodal centers is considered inadequate to meet current and future needs. High-quality, reliable rapid transit service is needed to deliver riders to these multiple destinations; the WVC Project would provide such a service. The WVC Project alignment passes through potential redevelopment and transit-oriented development areas and would help foster their potential for development.

The WVC Project will affect approximately 241 parcels, and will require several business and residential relocations. SBCTA held several meetings and considered alternatives to the current Alternative B design that the Board selected as the preferred alternative based on the benefits to the WVC Project corridor. The WVC Project was planned and designed in a manner to accomplish the greatest public good and cause the least private injury. SBCTA and its acquisition agents have had numerous communications with the owners of the properties impacted by the WVC Project and will work with all owners of impacted parcels to minimize the San Bernardino County Transportation Authority



impact of the WVC Project on the subject properties and to assist those persons and businesses displaced by the WVC Project to receive applicable relocation assistance and benefits.

**3. Each of the Subject Property Interests SBCTA seeks to acquire is necessary for the WVC Project.**

SBCTA seeks to construct the WVC Project, as planned and designed, to improve bus efficiency and reduce carbon emissions over a 19-mile segment. The WVC Project requires the acquisition of additional right-of-way for the proposed bus way. Phase 1 of the WVC Project is 19 miles and will upgrade a portion of existing Route 61 which runs along Holt Boulevard, adding approximately 3.5 miles as center running, dedicated bus-only lanes. There will be 21 stations in Phase 1 that will provide a much-improved transit connection to ONT and help build transit connectivity by linking ONT, two Metrolink lines (San Bernardino and Riverside), and multiple major activity centers along the route including Ontario Mills and Victoria Gardens. Headways will be 10 minutes in the peak commute period and 15 minutes off-peak, providing a high level of service to the community. The WVC Project traverses an urban corridor, and BRT stations have been identified to create a comfortable, efficient transit place that fits into the community fabric. The WVC Project will create an efficient alternative to the use of personal vehicles thereby reducing the overall emissions into the environment.

Although SBCTA is constructing portions of the WVC Project within existing ROW, the WVC Project requires acquisition of the subject property interests listed below and cannot be constructed without the acquisition of said subject property interests:

- Cesar Charolet, Trustee of The Cesar Charolet Family Trust (U.S. Property) dated June 4, 2020: A permanent roadway easement, and a temporary construction easement are needed for construction of the WVC Project improvements.
- Earl Campio, a married man, as his sole and separate property: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Trinidad Jauregui, a married man, as his sole and separate property, as to an undivided one-third interest; Guadalupe Jauregui, a married man, as his sole and separate property, as to an undivided one-third interest; and Rodolfo Jauregui, a married man, as his sole and separate property, as to an undivided one-third interest, all as tenants in common: A temporary construction easement is needed for construction of the WVC Project improvements.
- Bhaskara Reddy Vijaya Munagala and Padmaja Reddy Munagala, husband and wife, as joint tenants: A temporary construction easement is needed for construction of the WVC Project improvements.
- Roy Dale Astfalk and Jessica T. Astfalk, Trustees under The Roy Dale Astfalk and Jessica T. Astfalk Trust Agreement dated June 5, 1998: A temporary construction easement is needed for construction of the WVC Project improvements.

- Pirseh, LLC, a California limited liability company: Three temporary construction easements are needed for construction of the WVC Project improvements.
- Amin Jafari and Monica M. Jafari, husband and wife, as joint tenants: Two temporary construction easements are needed for construction of the WVC Project improvements.
- Majed Nabhan, Trustee of the Virtue Trust dated December 18, 2018: A temporary construction easement is needed for construction of the WVC Project improvements.
- Airport Gateway Plaza, LLC, a California limited liability company: A temporary construction easement is needed for construction of the WVC Project improvements.
- Amir Mahdavi, a single man, as to an undivided 60% interest; and Rassoul Mahdavi, Trustee of The Family Trust of Rassoul Mahdavi, dated May 2, 2005, as to an undivided 40% interest: A temporary construction easement is needed for construction of the WVC Project improvements.
- Florentino R. Fernandez and Maria C. Fernandez, Co-Trustees of the Fernandez Family Trust dated March 2, 2015: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Robert William Volm, a single man: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Grace Property Management, LLC, a California limited liability company: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- A & C New Place, LLC, a California limited liability company: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Israel Cisneros, a married man, as his sole and separate property: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Ayalco, LLC, a California limited liability company: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.

- David D. Miller and Denyse Miller, husband and wife, as joint tenants: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Elia M. Tawil, Trustee of the Elia M. Tawil Revocable Trust dated December 20, 2006: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Gabriel P. Chavez, Successor Trustee of the Javier H. Chavez Family Trust, established March 8, 1989: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Calypso Group Investment, LLC, a California limited liability company: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- 8th Street Rancho, LLC, a California limited liability company: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Sea Partners, LLC, a California limited liability company: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Joe Howard Combee and Cheryl Ellen Combee, Trustees of The Joe and Cheryl Combee Revocable Trust: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Town Square M Properties, LLC, a California limited liability company: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.
- Fayek J. Salhab and Shifaa G. Salhab, husband and wife, as joint tenants: A permanent roadway easement, and a temporary construction easement is needed for construction of the WVC Project improvements.

A number of parcels have constructed improvements that encroach within the public right-of-way. SBCTA is compensating the property owners for any improvements affected by the WVC Project, even in those cases where said improvements encroach in the public right-of-way.

As stated above, the public use for which SBCTA seeks to acquire the subject property interests, namely street widening for bus related purposes to improve corridor mobility and transit efficiency with an enhanced, state-of-the-art BRT system, and all uses necessary or convenient thereto, will not unreasonably interfere with or impair the continuance of the public use to which any easement holders may have appropriated the area (Code of Civil Procedure Section San Bernardino County Transportation Authority

1240.510). Further, the WVC Project may require the relocation of several utilities to the proposed new right-of-way area. The public use for which SBCTA seeks to acquire the subject property interests, namely street widening for bus related purposes to improve corridor mobility and transit efficiency with an enhanced, state-of-the-art BRT system, and all uses necessary or convenient thereto is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders have appropriated any utility easements located in the subject property interests that are affected by the WVC Project. Accordingly, SBCTA is authorized to acquire the Subject Property Interests pursuant to Code of Civil Procedure Sections 1240.510, 1240.610, and 1240.650.

Pursuant to Code of Civil Procedure Sections 1240.510 and 1240.610, to the extent that any of the Subject Property Interests are already devoted to a public use, the use proposed by this WVC Project is a more necessary public use than the use to which the Subject Property Interests, or any portion thereof, are already devoted, or, in the alternative, is a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Subject Property Interests, or any portion thereof, are already devoted.

In addition, to the extent the Subject Property Interests, or portions thereof, are currently devoted to or held for some public use, SBCTA intends to acquire substitute property pursuant to Code of Civil Procedure Sections 1240.320 and 1240.330. The requirements of said sections have been satisfied and the acquisition of said substitute property is necessary for the WVC Project. The substitute property may be conveyed by SBCTA to the owner(s) of the property interests needed for the WVC Project.

**4. Offers required by Section 7267.2 of the Government Code have been made to the owner or owners of record.**

SBCTA, pursuant to Government Code Section 7260 *et seq.*, obtained a fair market value appraisal of the Subject Property Interests, set just compensation in accordance with the fair market value and extended a written offer to the owners of record of the Subject Property Interests. As detailed above, SBCTA extended to the owner of record of the Subject Property Interest a written offer pursuant to Government Code Section 7267.2 to acquire the Subject Property Interests for a public use, namely public road widening and related purposes, and all uses necessary or convenient thereto. Specifically, SBCTA extended written offers to the following record owners of the Subject Property Interests:

- SBCTA extended a written offer to Cesar Charolet, Trustee of The Cesar Charolet Family Trust (U.S. Property) dated June 4, 2020, to purchase an approximate 1,055 square foot permanent easement and impacted site improvements, as well as an approximate 1,084 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1328 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Numbers 1010-543-10 & 11.
- SBCTA extended a written offer to Earl Campio, a married man, as his sole and separate property, to purchase an approximate 512 square foot permanent

easement and impacted site improvements, as well as an approximate 254 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1340 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1010-543-12.

- SBCTA extended a written offer to Trinidad Jauregui, a married man, as his sole and separate property, as to an undivided one-third interest; Guadalupe Jauregui, a married man, as his sole and separate property, as to an undivided one-third interest; and Rodolfo Jauregui, a married man, as his sole and separate property, as to an undivided one-third interest, all as tenants in common, to purchase an approximate 1,130 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1267 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1011-121-02.
- SBCTA extended a written offer to Bhaskara Reddy Vijaya Munagala and Padmaja Reddy Munagala, husband and wife, as joint tenants, to purchase an approximate 1,746 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1442 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1010-552-06.
- SBCTA extended a written offer to Roy Dale Astfalk and Jessica T. Astfalk, Trustees under The Roy Dale Astfalk and Jessica T. Astfalk Trust Agreement dated June 5, 1998, to purchase an approximate 933 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1363 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Numbers 1011-111-18 & 19.
- SBCTA extended a written offer to Pirseh, LLC, a California limited liability company, to purchase an approximate 444 square foot temporary construction easement with a term of twenty-four months, over a portion of APN 1011-121-17, as well as an approximate 1,327 square foot temporary construction easement with a term of twenty-four months, over a portion of APN 1011-121-17, and an approximate 862 square foot temporary construction easement with a term of twenty-four months, over a portion of APN 1011-121-18 for public road widening and related purposes, and all uses necessary or convenient thereto in connection

with the construction and future maintenance of the WVC Project, from the real property located at 1263-1265 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Numbers 1011-121-17 & 18.

- SBCTA extended a written offer to Amin Jafari and Monica M. Jafari, husband and wife, as joint tenants, to purchase an approximate 491 square foot temporary construction easement with a term of twenty-four months over a portion of APN 1010-552-07, as well as an approximate 863 square foot temporary construction easement with a term of twenty-four months, over a portion of APN 1010-552-37 for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1448-1502 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Numbers 1010-552-07 & 37.
- SBCTA extended a written offer to Majed Nabhan, Trustee of the Virtue Trust dated December 18, 2018 to purchase an approximate 848 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1512 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1010-552-38.
- SBCTA extended a written offer to Airport Gateway Plaza, LLC, a California limited liability company, to purchase an approximate 382 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 730 N. Archibald Avenue, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 0110-431-11.
- SBCTA extended a written offer to Amir Mahdavi, a single man, as to an undivided 60% interest; and Rassoul Mahdavi, Trustee of The Family Trust of Rassoul Mahdavi, dated May 2, 2005, as to an undivided 40% interest, as tenants in common, to purchase an approximate 2,288 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 830 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1010-491-03.
- SBCTA extended a written offer to Florentino R. Fernandez and Maria C. Fernandez, Co-Trustees of the Fernandez Family Trust dated March 2, 2015 to purchase an approximate 410 square foot permanent easement and impacted site improvements, as well as an approximate 4,191 square foot temporary construction easement with a term of twenty-four months, over portions of the

real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1021 & 1013 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Numbers 1011-132-10 & 11.

- SBCTA extended a written offer to Robert William Volm to purchase an approximate 175 square foot permanent easement and impacted site improvements, as well as an approximate 2,151 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1005 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1011-132-12.
- SBCTA extended a written offer to Grace Property Management, LLC, a California limited liability company, to purchase an approximate 257 square foot permanent easement and impacted site improvements, as well as an approximate 1,454 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 961 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1011-141-07.
- SBCTA extended a written offer to A & C New Place, LLC., a California limited liability company, to purchase an approximate 873 square foot permanent easement and impacted site improvements, as well as an approximate 935 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 661 W. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1049-021-29.
- SBCTA extended a written offer to Israel Cisneros, a married man, as his sole and separate property, to purchase an approximate 396 square foot permanent easement and impacted site improvements, as well as an approximate 782 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 635 E. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1048-525-20.
- SBCTA extended a written offer to Ayalco, LLC, a California limited liability company, to purchase an approximate 2,148 square foot permanent easement and

impacted site improvements, as well as an approximate 1,749 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 522 E. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1049-091-03.

- SBCTA extended a written offer to David D. Miller and Denyse Miller, husband and wife, as joint tenants, to purchase an approximate 453 square foot permanent easement and impacted site improvements, as well as an approximate 921 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at North side of E. Holt Boulevard, East of North Allyn Avenue, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1048-481-06.
- SBCTA extended a written offer to Elia M. Tawil, Trustee of the Elia M. Tawil Revocable Trust dated December 20, 2006, a California corporation, to purchase an approximate 71 square foot permanent easement and impacted site improvements, as well as an approximate 1,278 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 601 E. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1048-524-17.
- SBCTA extended a written offer to Gabriel P. Chavez, Successor Trustee of the Javier H. Chavez Family Trust, established March 8, 1989, to purchase an approximate 1,513 square foot permanent easement and impacted site improvements, as well as an approximate 397 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 646 E. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1049-093-10.
- SBCTA extended a written offer to Calypso Group Investment, LLC, a California limited liability company, to purchase an approximate 124 square foot permanent easement and impacted site improvements, as well as an approximate 1,132 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at



1111 E. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1048-471-15.

- SBCTA extended a written offer to 8th Street Rancho, LLC, a California limited liability company, to purchase an approximate 1,227 square foot permanent easement and impacted site improvements, as well as an approximate 756 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 512 E. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1049-091-02.
- SBCTA extended a written offer to Sea Partners, LLC, a California limited liability company, to purchase an approximate 1,871 square foot permanent easement and impacted site improvements, as well as an approximate 2,288 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 844 E. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 1049-101-39.
- SBCTA extended a written offer to Joe Howard Combee and Cheryl Ellen Combee, Trustees of The Joe and Cheryl Combee Revocable Trust, to purchase an approximate 86 square foot permanent easement and impacted site improvements, as well as an approximate 640 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1619 E. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 0110-081-06.
- SBCTA extended a written offer to Town Square M Properties, LLC, a California limited liability company, to purchase an approximate 188 square foot permanent easement and impacted site improvements, as well as an approximate 1,408 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1512 E. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Number 0110-121-03.
- SBCTA extended a written offer to Fayek J. Salhab and Shifaa G. Salhab, husband and wife, as joint tenants, to purchase an approximate 1,237 square foot permanent easement and impacted site improvements, as well as an approximate 1,435 square foot temporary construction easement with a term of twenty-four months, over portions of the real property for public road widening and related

purposes, and all uses necessary or convenient thereto in connection with the construction and future maintenance of the WVC Project, from the real property located at 1323-1329 E. Holt Boulevard, Ontario, and identified as San Bernardino County Tax Assessor's Parcel Numbers 0110-016-04 & 18.

***Incorporation of Above-Referenced Documents:***

The following documents on file with the SBCTA's Clerk's Office, which are referenced in this report, are incorporated herein by this reference:

- Resolutions of Necessity
- SBCTA Resolution No. 20-046
- Offer letter to the record owners of the subject property interests
- Notice pursuant to Code of Civil Procedure Section 1245.235 to the record owners of the subject property interests
- Notice pursuant to Code of Civil Procedure Section 1245.235 to the Cities of Montclair, Ontario, Pomona and Rancho Cucamonga as required by Public Utilities Code Section 130220.5(c)
- Project plans
- Environmental Documents relating to the WVC Project

***Financial Impact:***

This item is consistent with the Fiscal Year 2021/2022 Budget under Task No. 0315 Transit Capital, Sub-Task No. 0334 West Valley Connector.

***Reviewed By:***

This item is not scheduled for review by any other policy committee or technical advisory committee. SBCTA General Counsel has reviewed this item and the draft resolutions.

***Responsible Staff:***

Ramie Dawit, Transit and Rail Consultant - WSP

---

Approved  
Transit Committee  
Date: January 13, 2022  
Witnessed By:

# WEST VALLEY CONNECTOR PROJECT

## RESOLUTIONS OF NECESSITY FOR PROJECT RIGHT-OF-WAY

Presenter: Ramie Dawit  
SBCTA Right-of-Way Manager

Transit Committee  
January 13, 2022



**cta**  
San Bernardino County  
Transportation Authority

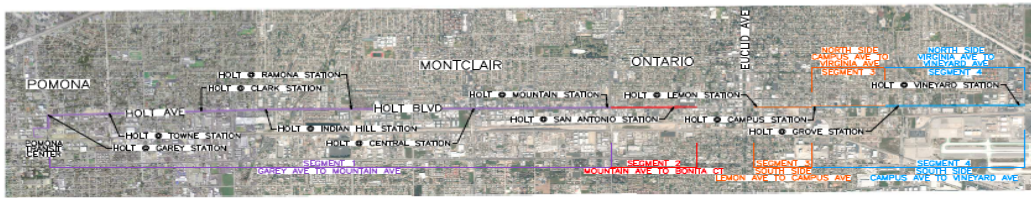
### SBCTA IS REQUESTED TO MAKE THE FOLLOWING FINDINGS:

1. The public interest and necessity require the proposed project
2. The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury
3. The real property to be acquired is necessary for the project
4. The offer of just compensation has been made to the property owner



**SBCTA Request**

- Connect the Pomona, Montclair, Ontario, and Rancho Cucamonga communities with improved bus service with 10-minute headways during peak hour and 15-minute headways off peak hour and with stops at the Pomona Transit Center, Ontario International Airport, Ontario Mills, Rancho Cucamonga Metrolink Station, and Victoria Gardens
- Construct 21 bus stations serving the 19-mile-long route between the Pomona Transit Center in Pomona and Victoria Gardens in Rancho Cucamonga
- Widen approximately 3.5 miles of Holt Boulevard in Ontario to accommodate dedicated bus lanes and five center-running bus stations
- Introduce transit signal priority at intersections to improve bus service
- Provide enhanced amenities for passengers at stations including bike racks and improved wayfinding signage
- Install pantograph charging to allow for use of sustainable electric bus fleet
- Construct continuous sidewalk along both sides of Holt Boulevard through the City of Ontario to improve pedestrian accessibility



**WEST VALLEY CONNECTOR  
PROJECT**  
INFORMATION ONLY DO NOT RECORD



## West Valley Connector Project

OWNER: CHAROLET

PROJECT AREA



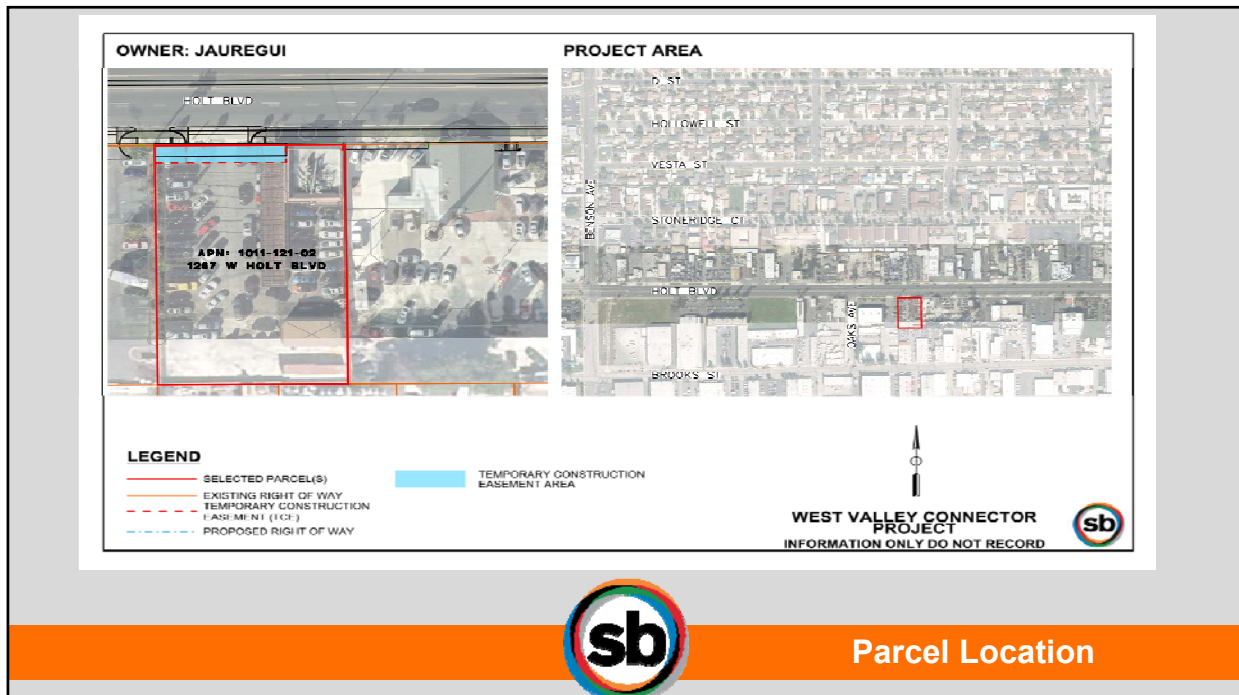
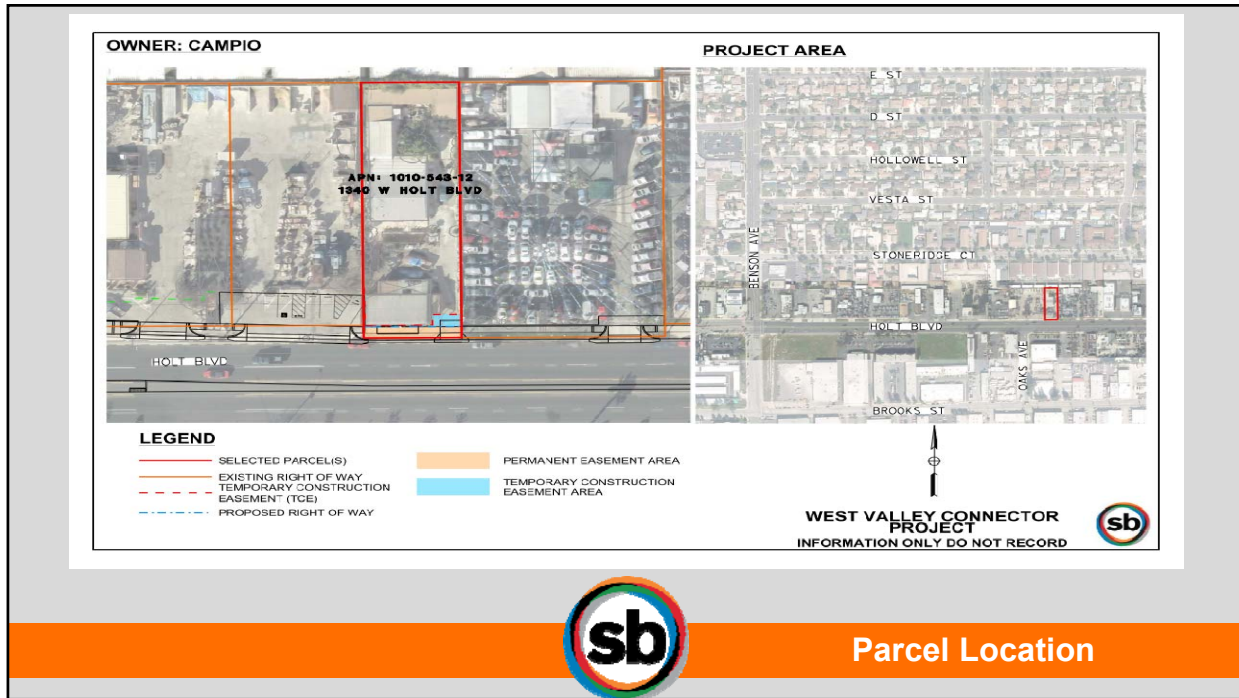
### LEGEND

- |   |  |
|---|--|
| — SELECTED PARCEL(S)                      | — PERMANENT EASEMENT AREA              |
| — EXISTING RIGHT OF WAY                   | — TEMPORARY CONSTRUCTION EASEMENT AREA |
| --- TEMPORARY CONSTRUCTION EASEMENT (TCE) |  |
| --- PROPOSED RIGHT OF WAY                 |  |

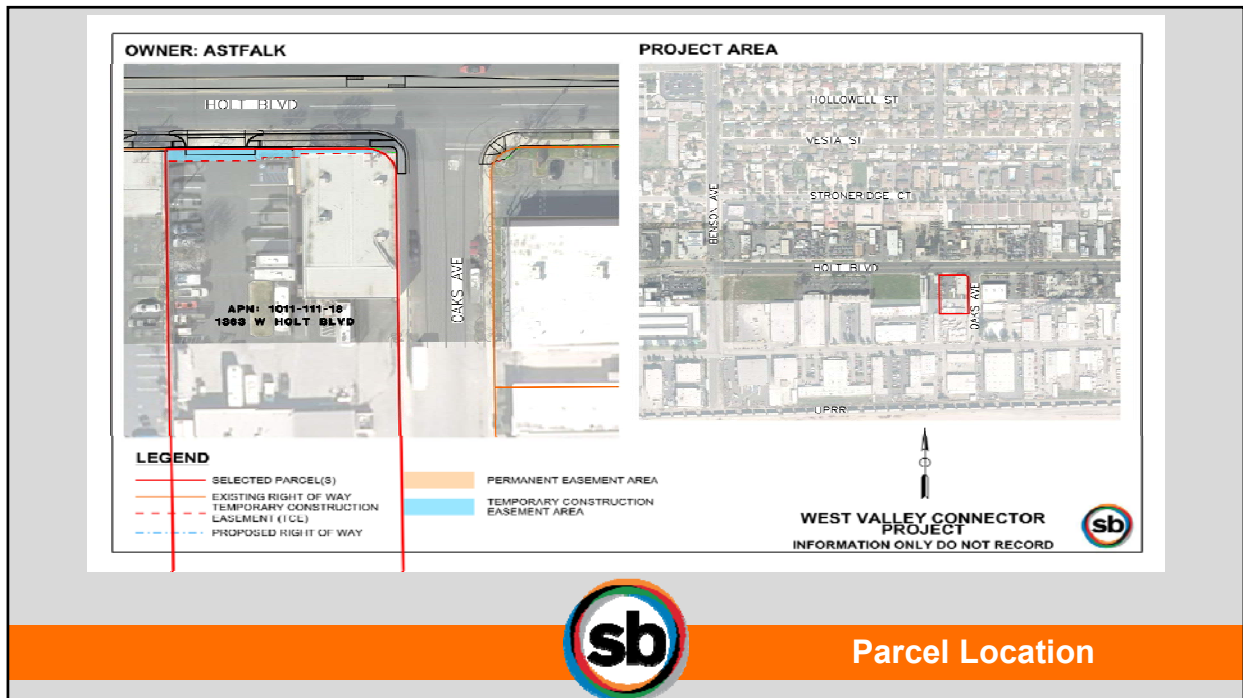
**WEST VALLEY CONNECTOR  
PROJECT**  
INFORMATION ONLY DO NOT RECORD

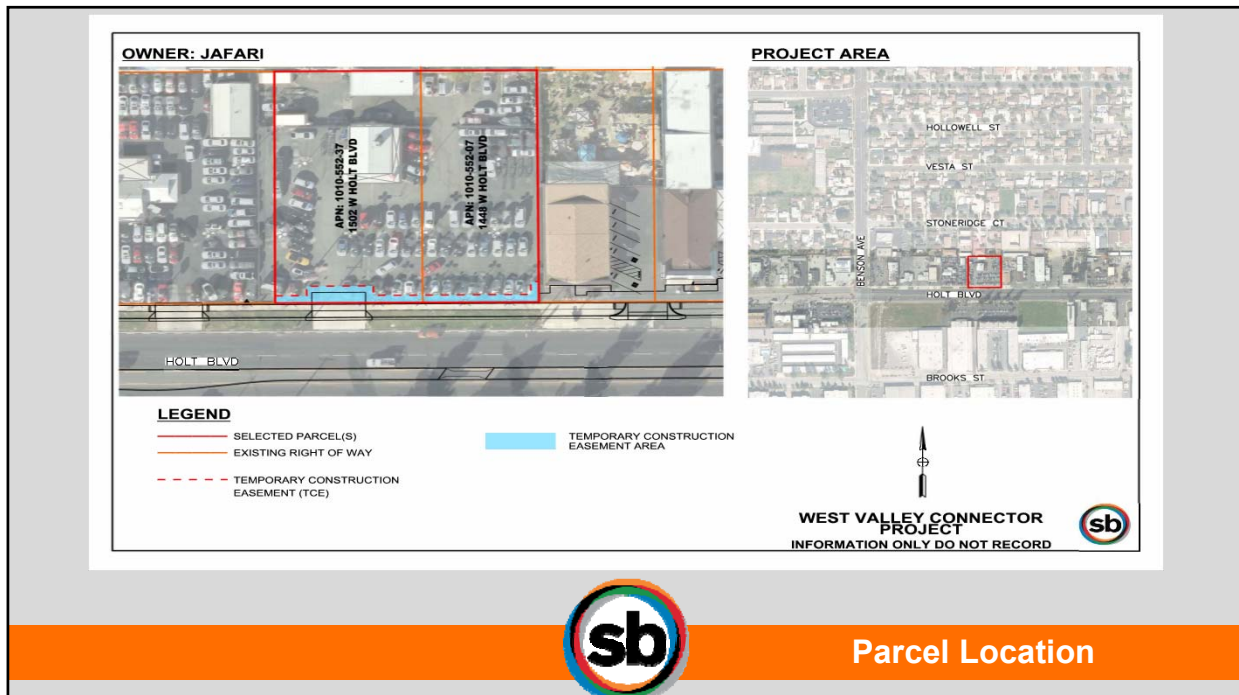
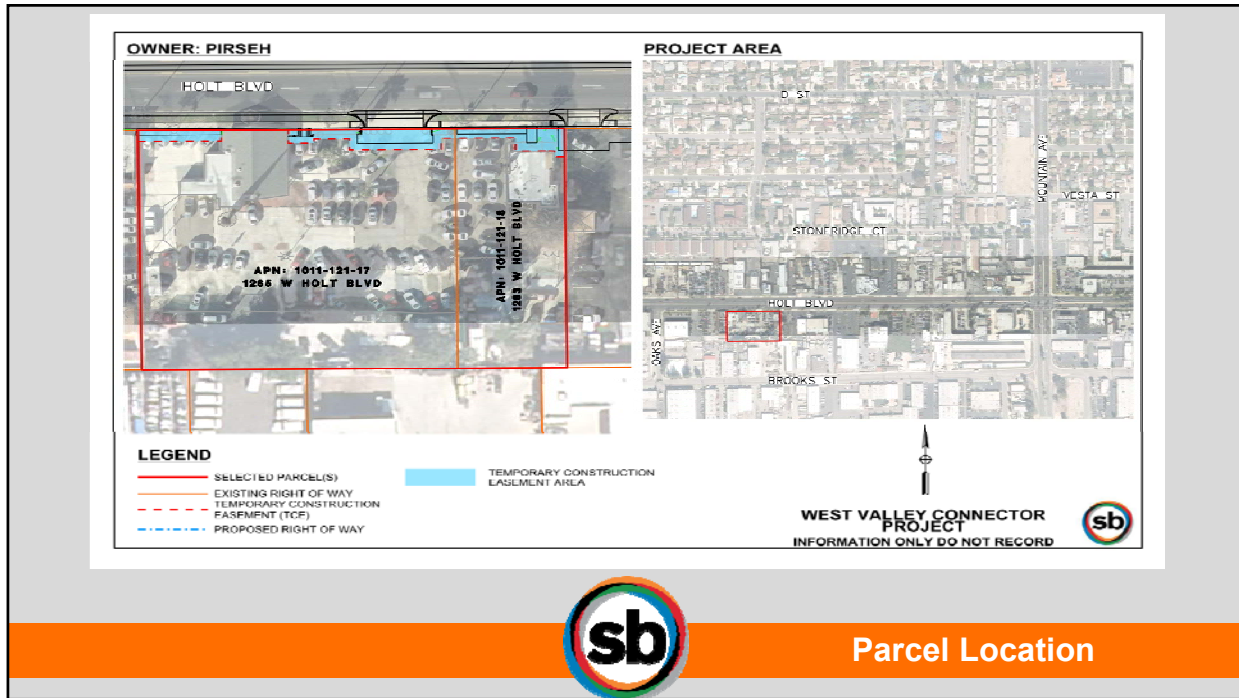


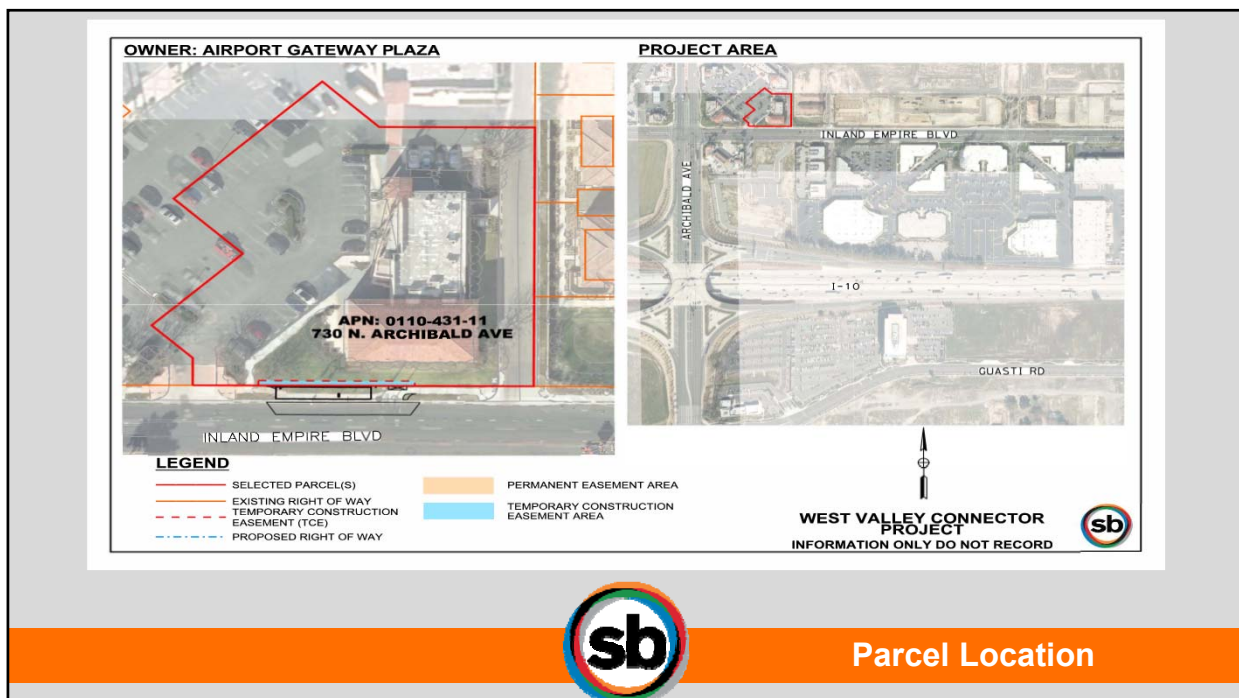
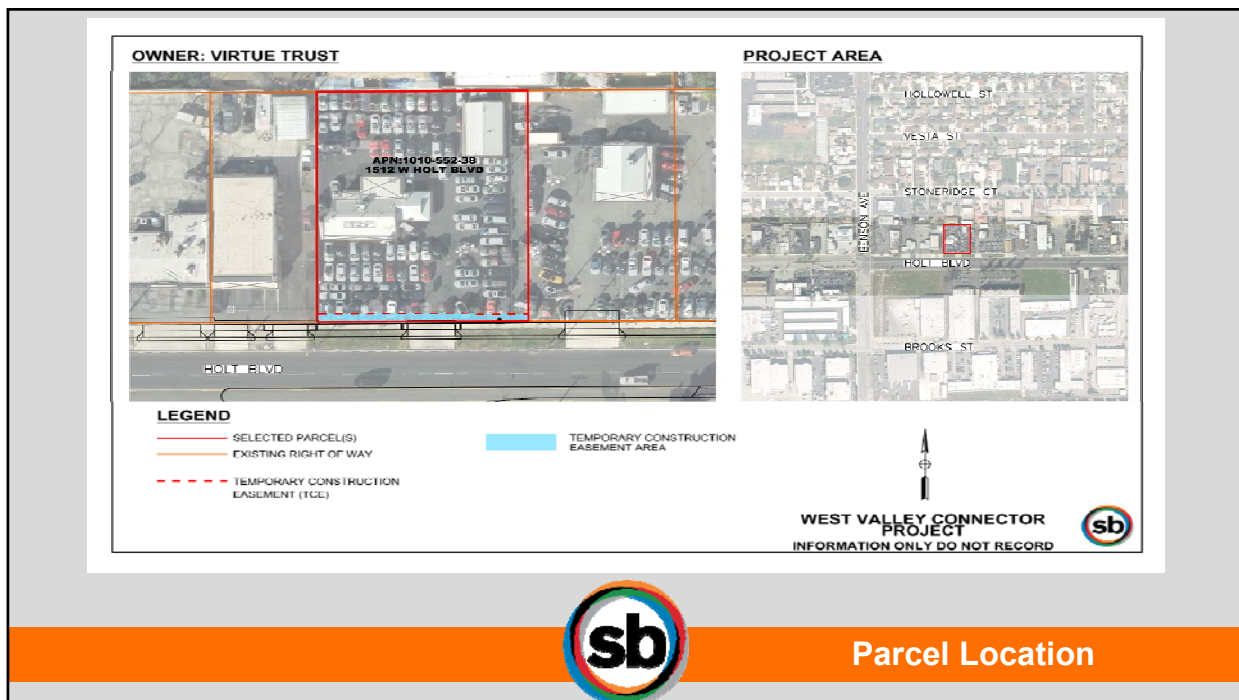
## Parcel Location



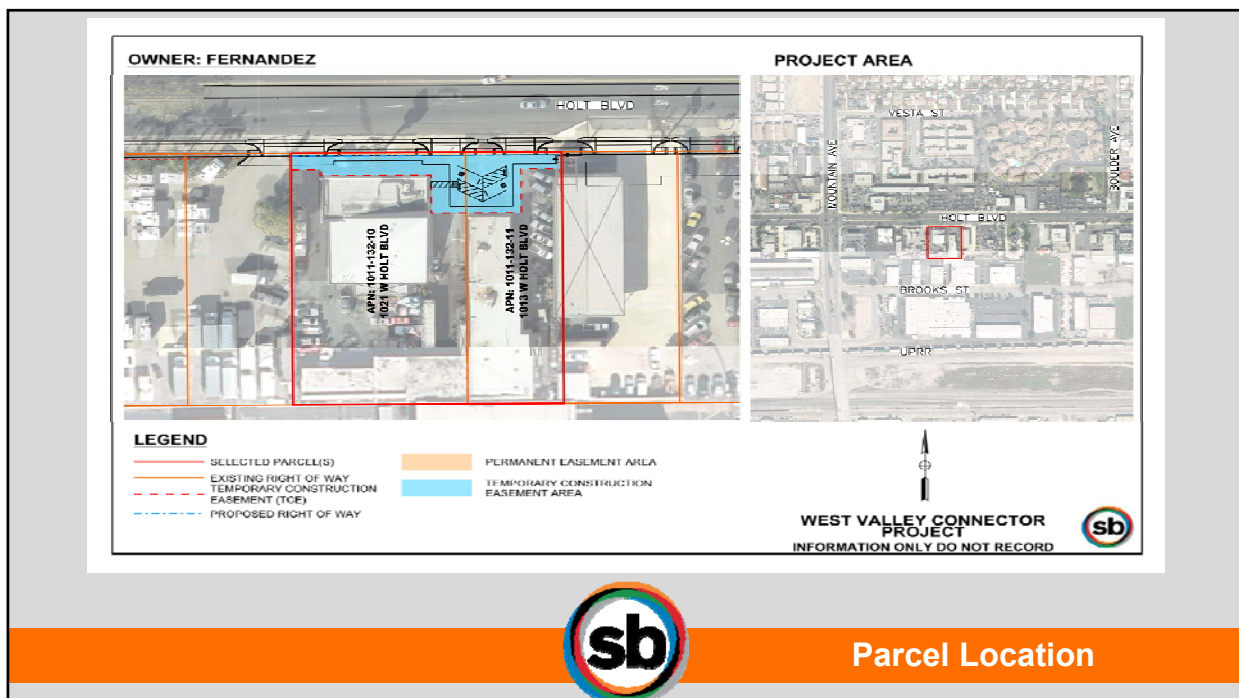
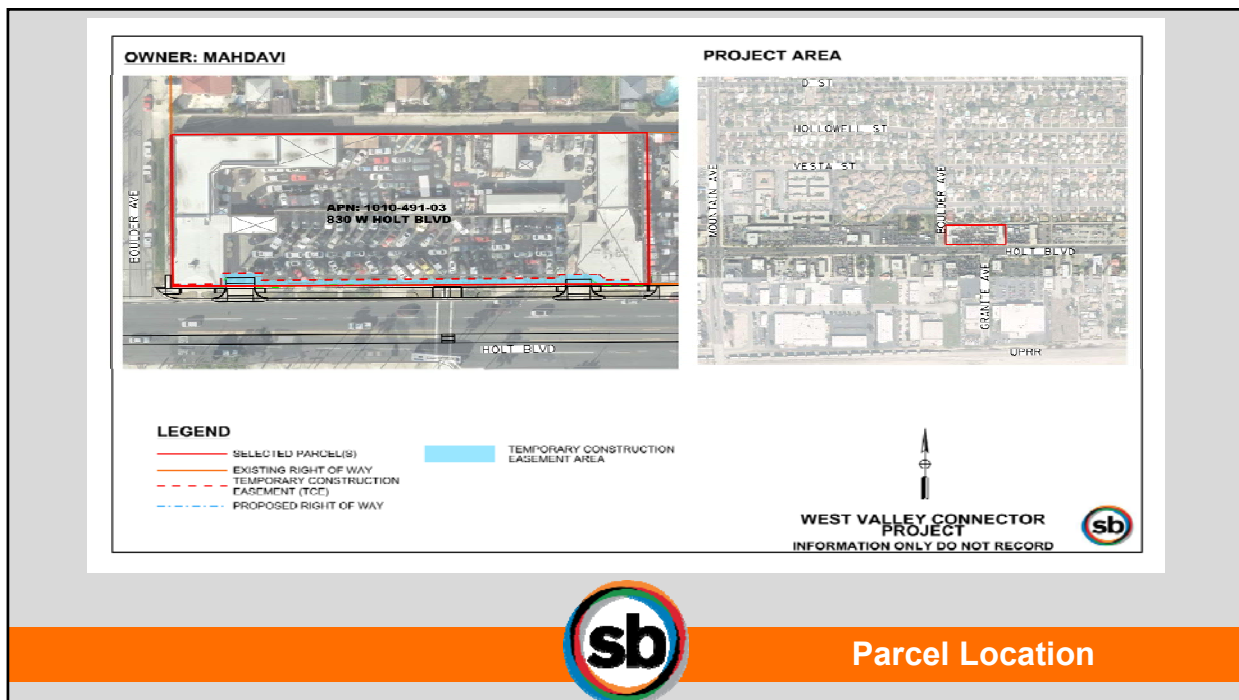


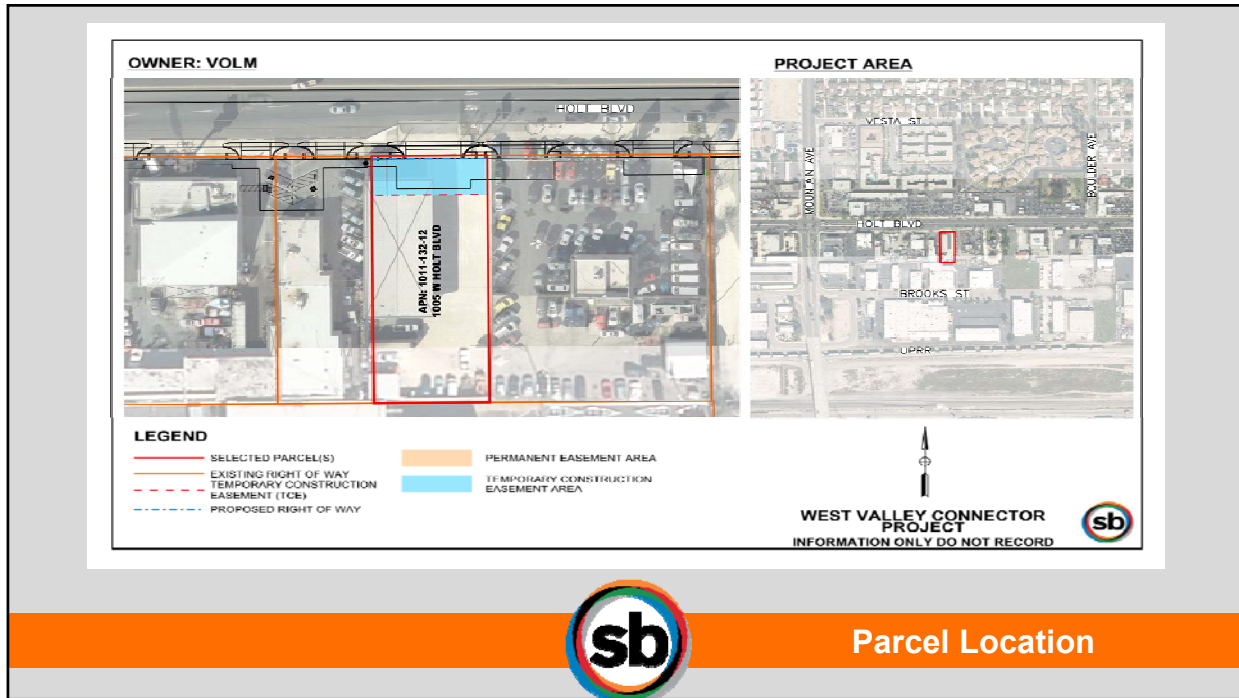


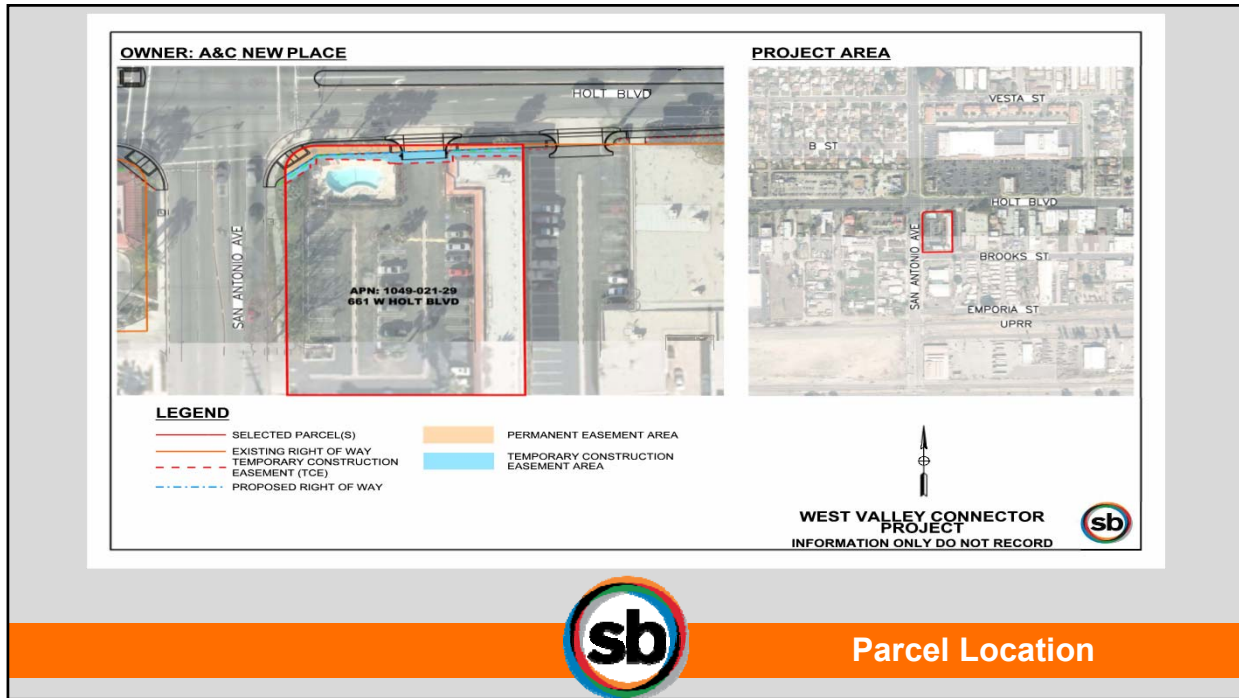




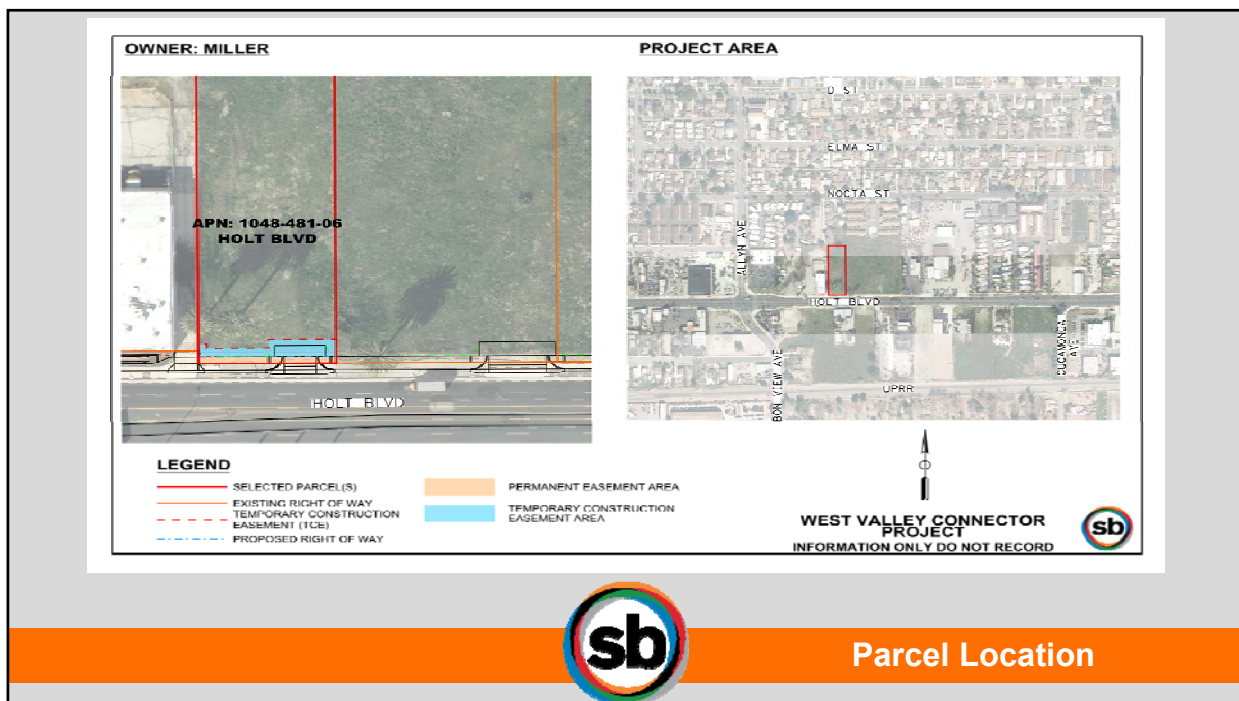
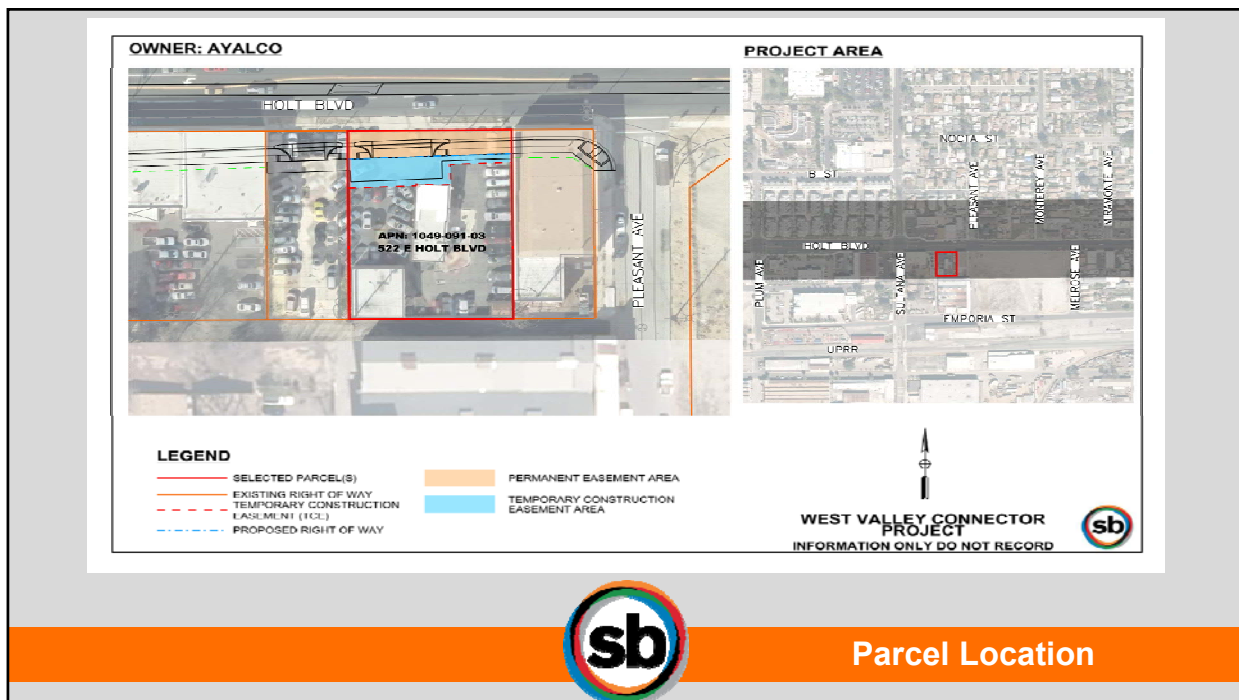


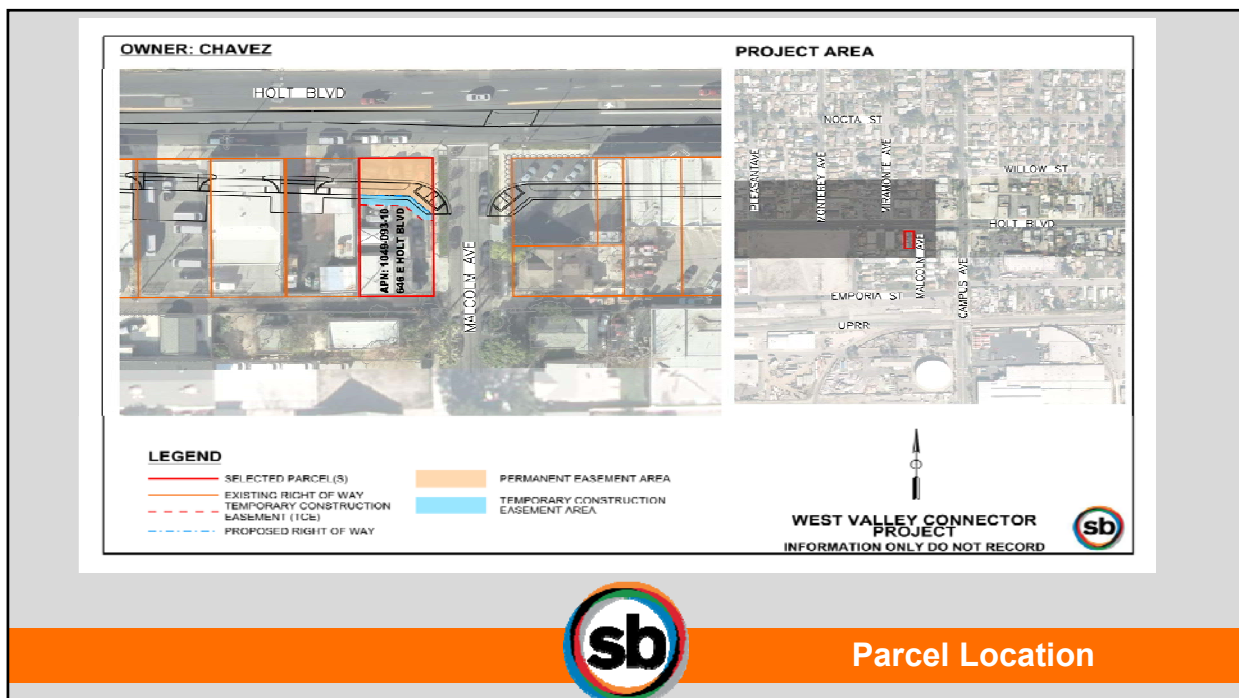






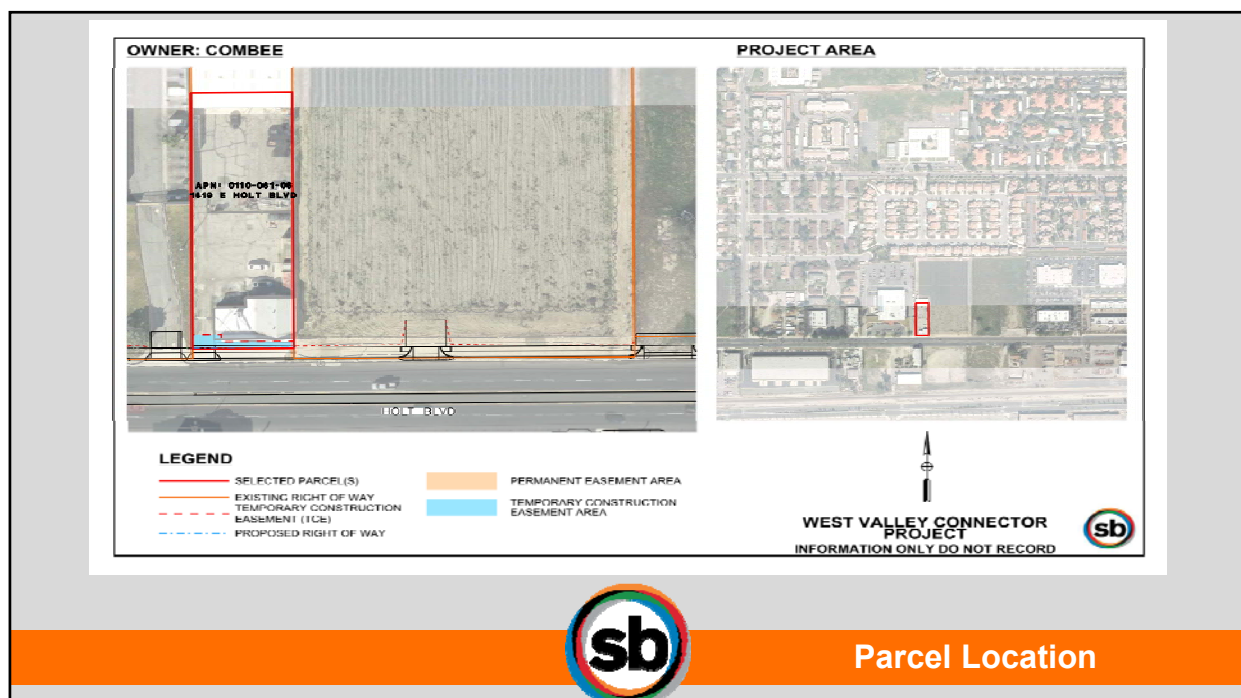
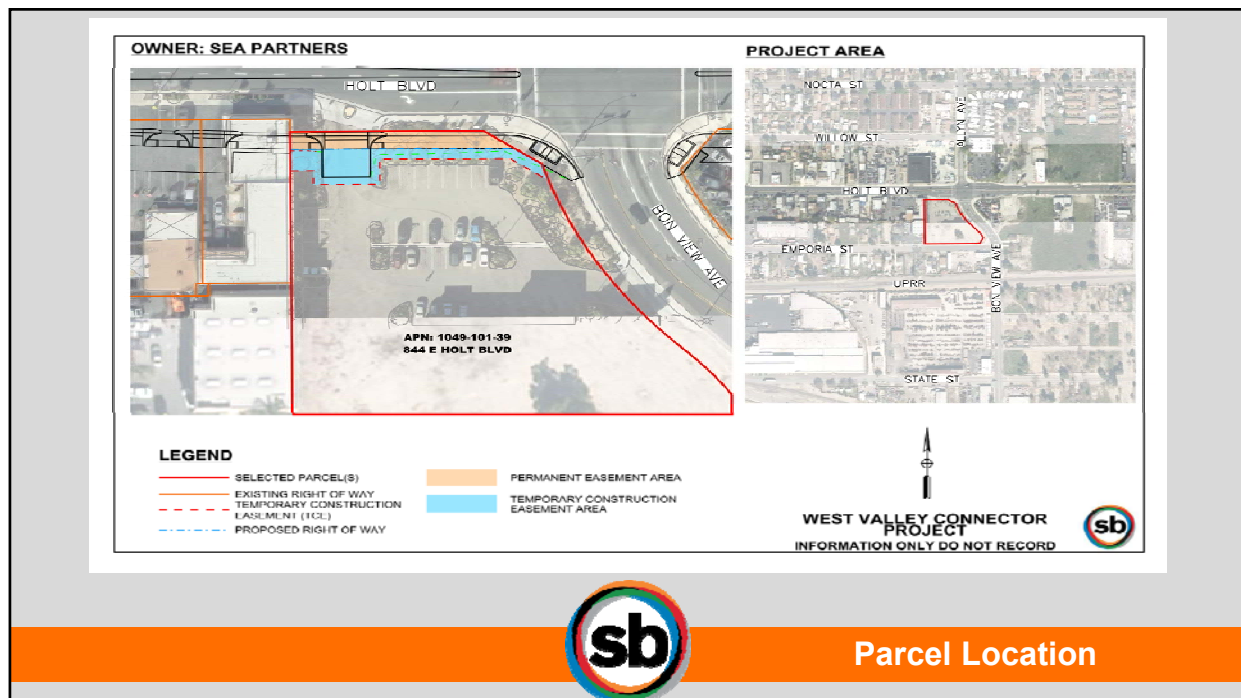


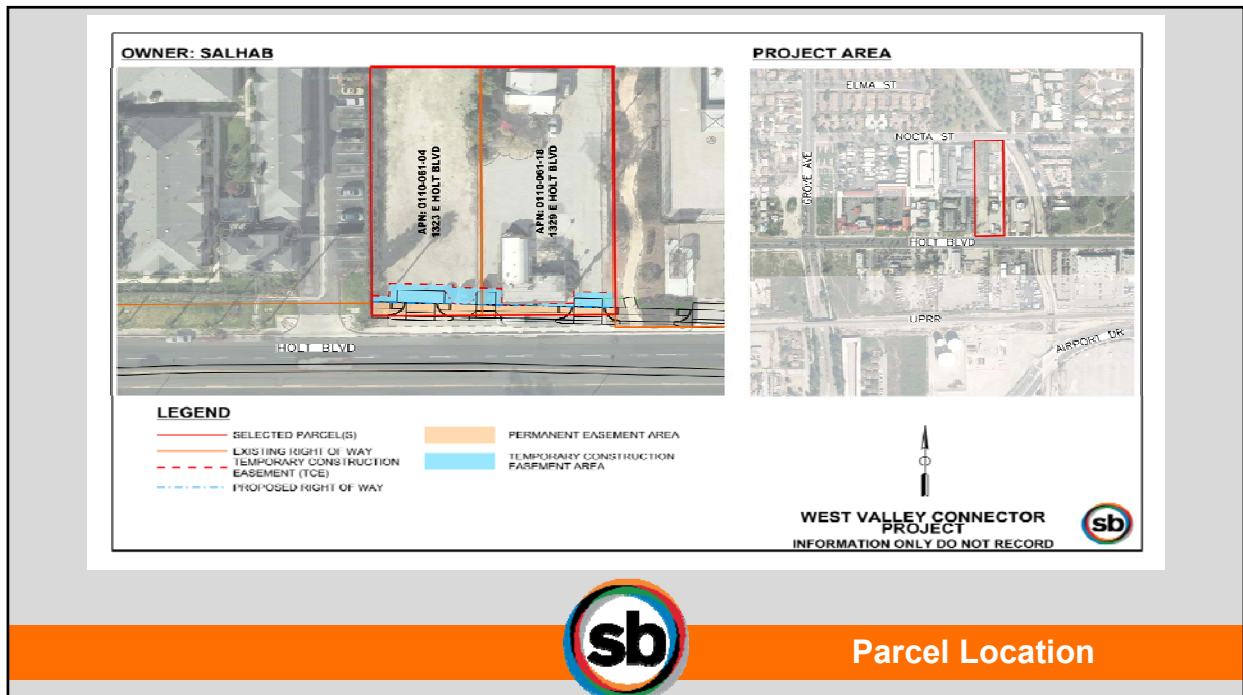
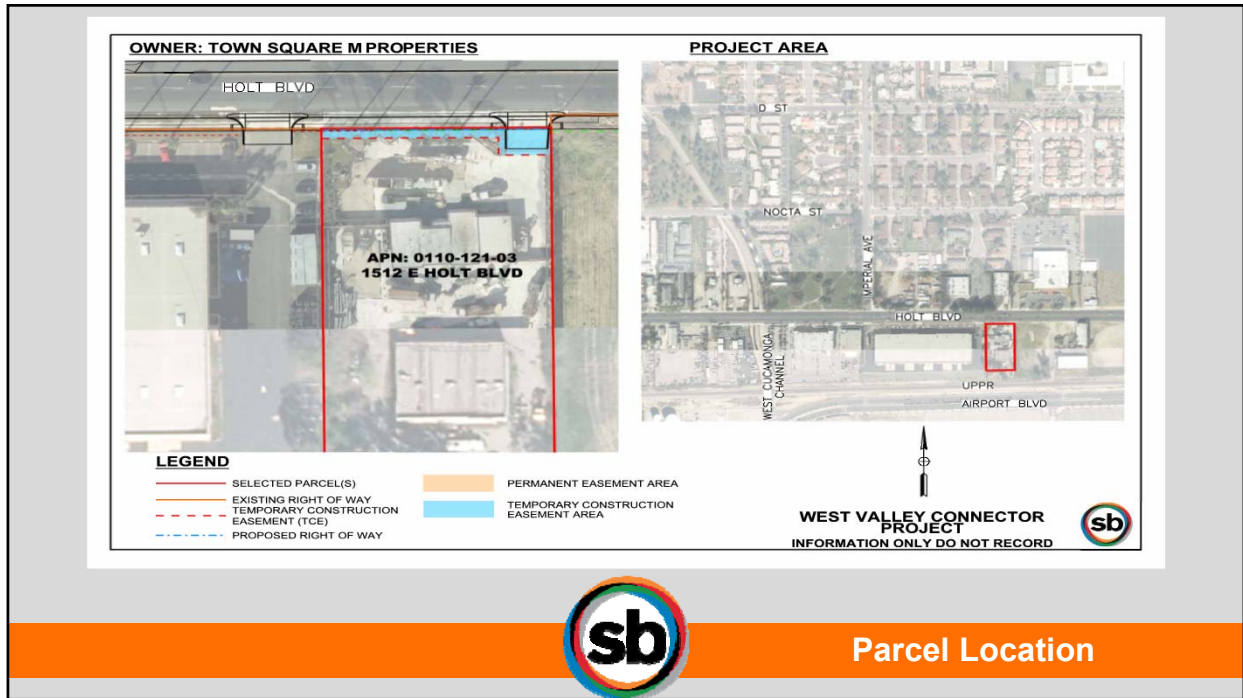
















No.	Ownership	Date of First Contact	Mailing	In Person Meetings	Phone Contacts	E-Mails	Attorney Contacts	Unsuccessful Contacts*	Total
B.	Charolet	6/24/21	3	0	0	2	3	0	8
C.	Campio	5/21/21	3	1	7	2	0	8	21
D.	Jauregui	10/18/21	3	1	5	0	0	2	11
E.	Munagala	5/21/21	3	1	5	1	1	1	12
F.	Astfalk	5/27/21	2	1	2	5	0	1	11
G.	Pirseh	5/21/21	2	2	2	0	1	0	7
H.	Jafari	5/21/21	2	1	0	0	9	0	12
I.	Virtue Trust	5/21/21	2	1	0	2	7	0	12
J.	Airport Gateway Plaza	10/1/21	1	0	2	4	0	1	8
K.	Mahdavi	10/18/21	1	0	4	0	0	2	7
L.	Fernandez	9/9/21	1	0	3	2	1	0	7
M.	Volm	9/8/21	1	0	2	1	1	4	9


**Communication Summary**

No.	Ownership	Date of First Contact	Mailing	In Person Meetings	Phone Contacts	E-Mails	Attorney Contacts	Unsuccessful Contacts*	Total
N.	Grace Property Management LLC	9/9/21	1	0	3	1	2	0	7
O.	A&C New Place LLC	9/7/21	1	0	3	5	3	0	12
P.	Cisneros	10/19/21	2	1	6	0	0	4	13
Q.	Ayalco LLC	11/2/21	2	0	3	0	1	2	8
R.	Miller	10/25/21	2	0	5	4	0	2	13
S.	Tawil	6/2/21	2	1	8	3	0	3	17
T.	Chavez	10/29/21	2	0	2	1	0	2	7
U.	Calypso Group Investments LLC	10/22/21	2	0	3	1	0	3	9
V.	8th Street Rancho LLC	11/13/21	2	1	0	0	0	3	6
W.	Sea Partners, LLC	10/12/21	3	0	1	10	0	0	14
X.	Combee	11/1/21	3	0	3	0	0	2	8
Y.	Town Square M Properties LLC	11/8/21	3	0	1	2	0	5	11
Z.	Salhab	10/7/21	3	0	2	0	2	5	12
*Property visit, phone call and/or email with no response									


**Communication Summary**

Item	Ownership	Offer Date
B.	Charolet	10/22/21
C.	Campio	10/22/21
D.	Jauregui	10/19/21
E.	Munagala	10/27/21
F.	Astfalk	10/27/21
G.	Pirseh	10/26/21
H.	Jafari	9/21/21
I.	Virtue Trust	9/21/21
J.	Airport Gateway Plaza	10/1/21
K.	Mahdavi	10/18/21
L.	Fernandez	9/9/21
M.	Volm	9/8/21
N.	Grace Property Management LLC	9/9/21
O.	A&C New Place LLC	9/7/21
P.	Cisneros	10/12/21
Q.	Ayalco LLC	10/22/21
R.	Miller	10/28/21
S.	Tawil	10/6/21
T.	Chavez	10/28/21
U.	Calypso Group Investments LLC	10/28/21
V.	8th Street Rancho LLC	10/29/21
W.	Sea Partners, LLC	10/7/21
X.	Combee	10/21/21
Y.	Town Square M Properties LLC	10/28/21
Z.	Salhab	9/14/21



**Offer of Just Compensation**

**SBCTA ADOPT A RESOLUTION OF NECESSITY  
BASED ON THE FOLLOWING FINDINGS:**

1. The public interest and necessity require the proposed project
2. The project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury
3. The real property to be acquired is necessary for the project
4. The offer of just compensation has been made to the property owner



**Staff Recommendation**

THANK YOU



## ***Minute Action***

### AGENDA ITEM: 6

***Date:*** January 13, 2022

***Subject:***

Tunnel to Ontario International Airport Update

***Recommendation:***

Receive and file an update on Request for Proposals No. 21-1002450 for the Tunnel to Ontario International Airport Infrastructure Developer contract issued to The Boring Company.

***Background:***

In accordance with direction from the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) on February 3, 2021, staff has been proceeding with a Request for Proposals (RFP) process subsequent to receipt of a Statement of Qualifications (SOQ) from The Boring Company in response to the competitive Request for Qualifications (RFQ) No. 21-1002450 solicitation for the Tunnel to Ontario International Airport (ONT) Infrastructure Developer.

Staff was targeting a presentation of the proposed contract to the Board for approval no later than October 6, 2021. Negotiations are ongoing and the contract is not ready for consideration by the Board. This item is being presented to allow staff to provide a verbal update on the status of the RFQ No. 21-1002450 procurement discussion. This includes a request to remove the requirement for autonomous service from the contract requirements, and instead include the aspiration to be autonomous while continuing with the development of a closed-system.

***Financial Impact:***

This item is consistent with the Fiscal Year 2021/2022 Budget.

***Reviewed By:***

This item is not scheduled for review by any other policy committee or technical advisory committee.

***Responsible Staff:***

Carrie Schindler, Director of Transit and Rail Programs

---

Approved  
Transit Committee  
Date: January 13, 2022  
Witnessed By:

---

*Entity: San Bernardino County Transportation Authority*

## Additional Information

## TRANSIT COMMITTEE ATTENDANCE RECORD – 2021

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Ray Marquez</b> City of Chino Hills		X	X	X	X	X		X	X		X	X
<b>Frank Navarro</b> City of Colton		X	X	X	X	X		X	X	X		
<b>Aquanetta Warren</b> City of Fontana		X	X	X		X		X		X	X	X
<b>Larry McCallon</b> City of Highland		X	X	X	X	X		X	X	X	X	X
<b>John Dutrey</b> City of Montclair		X	X	X	X	X		X	X	X	X	X
<b>Alan Wapner</b> City of Ontario		X	X	X	X	X		X	X		X	X
<b>L. Dennis Michael</b> City of Rancho Cucamonga		X	X	X	X	X					X	
<b>Deborah Robertson</b> City of Rialto		X	X			X		X	X			
<b>John Valdivia</b> City of San Bernardino			X	X	X	X		X	X	X	X	X
<b>David Avila</b> City of Yucaipa		X	X	X		X		X	X	X	X	X
<b>Rick Denison</b> Town of Yucca Valley		X	X	X		X		X	X		X	X
<b>Dawn Rowe</b> Board of Supervisors		X	X	X	X	X		X	X	X	X	X

Communication: Attendance (Additional Information)

X = Member attended meeting      Empty box = Member did not attend meeting  
 Crossed out box = Not a member at the time      Shaded box=The Transit Committee did not meet

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist Board Members and partners as they participate in deliberations at Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. Staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CPUC	California Public Utilities Commission
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds

**Acronym List**

MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments





## MISSION STATEMENT

Our mission is to improve the quality of life and mobility in San Bernardino County. Safety is the cornerstone of all we do.

We achieve this by:

- Making all transportation modes as efficient, economical, and environmentally responsible as possible.
- Envisioning the future, embracing emerging technology, and innovating to ensure our transportation options are successful and sustainable.
- Promoting collaboration among all levels of government.
- Optimizing our impact in regional, state, and federal policy and funding decisions.
- Using all revenue sources in the most responsible and transparent way.

Approved December 4, 2019