

AGENDA
Board of Directors Metro Valley Study Session
September 9, 2021

*****Start Time: 9:30 AM*****

MEETING ACCESSIBLE VIA ZOOM AT: <https://gosbcta.zoom.us/j/97638227765>

Teleconference

Dial: 1-669-900-6833

Meeting ID: 976 3822 7765

**This meeting is being conducted in accordance with Governor Newsom's
Executive Order N-29-20.**

Board of Directors

Valley Representatives

Study Session Chair

Dawn Rowe, Supervisor
Third District

Study Session Vice-Chair

John Valdivia, Mayor
City of San Bernardino

Eunice Ulloa, Mayor
City of Chino

Ray Marquez, Vice Mayor
City of Chino Hills

Frank Navarro, Mayor
City of Colton

Acquanetta Warren, Mayor
City of Fontana

Darcy McNaboe, Mayor
City of Grand Terrace

Larry McCallon, Mayor Pro Tem
City of Highland

Rhodes "Dusty" Rigsby, Council Member
City of Loma Linda

John Dutrey, Mayor
City of Montclair

Alan Wapner, Mayor Pro Tem
City of Ontario

L. Dennis Michael, Mayor
City of Rancho Cucamonga

Paul Barich, Mayor
City of Redlands

Deborah Robertson, Mayor
City of Rialto

Carlos A. Garcia, Council Member
City of Upland

David Avila, Council Member
City of Yucaipa

Mountain/Desert Representatives

Daniel Ramos, Mayor Pro Tem
City of Adelanto

Art Bishop, Council Member
Town of Apple Valley

Paul Courtney, Mayor
City of Barstow

Rick Herrick, Mayor
City of Big Bear Lake

Cameron Gregg, Mayor
City of Hesperia

Edward Paget, Vice Mayor
City of Needles

Joel Klink, Council Member
City of Twentynine Palms

Debra Jones, Mayor
City of Victorville

Rick Denison, Council Member
Town of Yucca Valley

County Board of Supervisors

Paul Cook, First District

Janice Rutherford, Second District

Curt Hagman, Fourth District

Joe Baca, Jr., Fifth District

Ex-Officio Member – Michael Beauchamp, Caltrans District 8 Director

Ray Wolfe, Executive Director

Julianna Tillquist, General Counsel

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

AGENDA

Board of Directors Metro Valley Study Session

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Interested persons may submit Public Comment in writing to the Clerk of the Board at 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 September 8, 2021.

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 Dawn Rowe)

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

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 for review by Board of Directors and Committee Members.

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 - Project Delivery

2. Construction Contract Change Orders to On-Going Construction Contracts

Pg. 11

Receive and file Change Order Report.

Presenter: Henry Stultz

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

DISCUSSION ITEMS

Discussion - Project Delivery

3. Preview of the Hearings to Consider Resolutions of Necessity for Property Interest for the Mount Vernon Viaduct Project in the City of San Bernardino

Pg. 22

That the following be reviewed and recommended for final approval by the Board of Directors, acting as the San Bernardino County Transportation Authority, at a regularly scheduled Board meeting:

A. Conduct a public hearings to consider condemnation of real property required for the Mount Vernon Viaduct Project in the City of San Bernardino.

B. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-040 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Clear Channel Outdoor, LLC, A Delaware Company. (Assessor's Parcel Number [APN] 0138-291-01). The resolution must be approved by at least a two-thirds majority; and

C. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-042 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Maheshkumar V & Anup Desai dba: El Patio Hotel (APN 0138-181-25 and 0138-181-24). The Resolution must be approved by at least a two-thirds majority.

Presenter: Brenda Schimpf

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.

Discussion - Transportation Programming and Fund Administration

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4. 2021 Update to the 10-Year Delivery Plan - Valley Highway Programs

Receive report and provide comments on the planned update to the 10-Year Delivery Plan for the Valley Freeway Projects Program, Freeway Interchange Projects Program, and Valley Major Streets Program.

Presenter: Andrea Zureick

The information presented in this item was reviewed by the Transportation Technical Advisory Committee on August 30, 2021, and by the City/County Managers Technical Advisory Committee on September 2, 2021. 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@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 September 8, 2021.

Comments from Board Members

Brief Comments from Board Members

ADJOURNMENT

Additional Information

Attendance

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Acronym List

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Mission Statement

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The next Board of Directors Metro Valley Study Session is scheduled for October 14, 2021.

Meeting Procedures and Rules of Conduct

During COVID-19 ‘Stay in Place’ Orders

Meeting Procedures – The Ralph M. Brown Act is the state law which guarantees the public’s right to 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. California Governor Gavin Newsom has issued Executive Order N-29-20 waiving portions of the Brown Act requirements during the COVID-19 State of Emergency.

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.

Agendas – All agendas are posted at www.gosbcta.com/board/meetings-agendas/ at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed online at that web address.

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. 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 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 an 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: *September 9, 2021*

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 SBCTA 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:

Consent/Discussion Calendar Items

Item No.	Contract No.	Principals & Agents	Subcontractors
2-A	19-1002181	Granite Construction Company <i>Joseph P. Richardson</i>	Alcorn Fence Company Chrisp Company Drill Tech Drilling & Shoring Ferreira Construction Co., Inc. Integrity Rebar Placers Marina Landscape Statewide Traffic & Safety Signs
2-B	19-1002078	Guy F. Atkinson Construction, LLC (dba Guy F. Atkinson) <i>Timothy Stroud</i>	All American Asphalt Cal Stripe, Inc. Case Pacific Company Commercial Metals Company Cooper Engineering, Inc. Coral Construction Company DeesBurke Engineering Contractors, LLC Diverscape, Inc. Dywidag Systems International USA, Inc. Ferreira Construction Company, Inc. Foundation Pile, Inc. Harber Companies, Inc. L. Johnson Construction, Inc. Maneri Traffic Control, Inc. Penhall Company

Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority

Board of Directors Metro Valley Study Session Agenda Item

September 9, 2021

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2-B Cont'			TreeSmith Enterprises, Inc. Universal Construction
3	APN 0138-291-01	Clear Channel Outdoor, LLC A Delaware Corporation	None
3	APN 0138-181-25, 0138-181-24, 0138-181-23	Maheshkumar V & Anup Desai dba: El Patio Hotel	None

Financial Impact:

This item has no direct impact on the budget.

Reviewed By:

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

Responsible Staff:

Henry Stultz, Director of Project Delivery

Approved
Board of Directors Metro Valley Study Session
Date: September 9, 2021

Witnessed By:

San Bernardino Council of Governments
San Bernardino County Transportation Authority

Minute Action

AGENDA ITEM: 2

Date: September 9, 2021

Subject:

Construction Contract Change Orders to On-Going Construction Contracts

Recommendation:

Receive and file Change Order Report.

Background:

San Bernardino County Transportation Authority has thirteen (13) on-going construction contracts, of which two (2) have had Construction Change Orders (CCOs) approved since the last reporting to the Board of Directors Metro Valley Study Session through August 12, 2021. The CCOs are listed below.

A. Contract No. CN 19-1002181 with Granite Construction Company, for the Archibald Avenue Improvements Project at State Route 60 (SR 60), Bid Build Contract: CCO No. 31 (\$35,000 increase to Modify Conflicted Portion of Drainage System #17), CCO No. 32 (\$30,000 increase to Modify Drainage Systems #4 and #8.), CCO No. 33 (\$57,432.28 increase to Install Video Detection Signal System at Archibald and Oak Hill intersection), CCO No. 34 (\$18,000 increase to Relocate the Double Close Detector Assembly at the Kuzina Property), and CCO No. 37 (\$6,500 increase to Modify Existing Non-standard Median Bull Nose).

B. Contract No. CN 19-1002078 with Guy F. Atkinson Construction, LLC., for the State Route 210 (SR 210) Lane Addition, Base Line I/C and Pavement Rehabilitation: CCO No. 8 Supplement 1 (\$160,000 increase for Cold Mill and Overlay Shoulders), CCO No. 32 (\$122,450 increase to Modify the Treated Wood Waste Management), CCO No. 33 (\$127,658.33 increase to Add Additional Fiber Optic Pullboxes), CCO No. 39 (\$35,676.22 increase to Add Pile Anchors), CCO No. 42 (\$40,000 increase for Removal of Thickened Asphalt Concrete), and CCO No. 44 (\$435,396.70 increase to Resolve Dispute – Differing Site Condition at Retaining Wall # 1036).

Financial Impact:

This item imposes no financial impact, as all CCOs are within previously approved contingency amounts under: Task No. 0830 Interchange Projects, Sub-Task No. 0887 SR 210/Lane Addition, Base Line I/C and Pavement Rehabilitation, Sub-Task No. 0894 SR 60/Archibald IC.

Reviewed By:

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

Responsible Staff:

Henry Stultz, Director of Project Delivery

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Approved
Board of Directors Metro Valley Study Session
Date: September 9, 2021

Witnessed By:

Board of Directors Metro Valley Study Session
Construction Change Orders Log

I-10 Tippecanoe Avenue Landscaping EEP – Executed Change Orders		
Number	Description	Amount
1	Replace Frost Damaged Plant Material	\$796.00
2	Replace Caltrans Phase I Irrigation Controller	\$7,777.09
3	Additional Tree Replacement	\$859.86
CCO TOTAL		\$9,432.95
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$31,590.00

Archibald Avenue Improvements Project at SR 60 – Executed Change Orders		
Number	Description	Amount
3	Maintain Traffic	\$25,000.00
4	Maintain Existing Electrical Systems	\$15,000.00
5	Staging Changes	(\$267.57)
6	Partnering	\$20,000.00
7	SWPPP Maintenance	\$25,000.00
10	Removal of Man-Made-Buried-Object	\$8,500.00
11	Revised Retaining Wall Details	\$0.00
12	Modify Irrigation Removal Plan and Irrigation Details	\$77,416.59
13	Water Line Revisions	\$55,889.00
14	Conflicting Palm Trees Removal	\$10,000.00
15	Combine Stages 2 and 3 for Retaining Wall 16	\$0.00
16	Drainage Systems Modifications	\$33,942.75
18	Revised Closure Hours and Irrigation Crossover	\$9,000.00
19	Install Temporary Overhead Power Poles	\$6,000.00
20	Furnish Two Fire Hydrants	\$15,553.94
21	Provide Power to Existing Caltrans TMS Sign	\$72,750.69
22	Pavement Revisions	\$72,994.62
23	Pavement Revisions	(\$31,247.42)
24	Irrigation Valve Repair	\$5,000.00
26	Removal of Conflicting Trees	\$6,720.00
27	Abandon Conflicting Weigh In Motion System	\$36,028.10
28	Modify Existing Drainage Pipe and Structures	\$34,628.10
29	Modify Drainage Systems 10 and 11	(\$14,608.45)
31	Modify Conflicted Portion of Drainage System 17	\$35,000
32	Modify Drainage Systems 4 and 8	\$30,000
33	Install Video Detection Signal System at Archibald and Oak Hill Intersection	\$57,432.28
34	Relocation of the Double Close Detector Assembly at the Kuzina Property	\$18,000
37	Modify Existing Non-Standard Median Bull Nose	\$6,500
CCO TOTAL		\$ 630,232.63
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$2,122,333.00

Attachment: CCO Log (7891 : Construction Contract Change Orders MVSS2109)

Bolded - Construction Change Orders approved since the last reporting to the Metro Valley Study Session
Amounts shown in parentheses represent a credit to the Agency

SR 210 Lane Addition, Base Line I/C and Pavement Rehabilitation – Executed Change Orders		
Number	Description	Amount
1	Maintain Traffic SR 210 Lane Addition	\$300,000.00
2	Maintain Traffic SR 210 Base Line Interchange	\$50,000.00
3	Maintain Traffic SR 210 Pavement Rehabilitation	\$150,000.00
4	Partnering	\$100,000.00
5	Dispute Resolution Board	\$50,000.00
5 S-1	Revised Dispute Resolution Board Specifications	\$0.00
6	Federal Training Program	\$50,000.00
7	Storm Water Best Management Practice Maintenance	\$100,000.00
8	Existing Roadway Repair	\$80,000.00
8 S-1	Cold Mill and Overlay Shoulders	\$160,000.00
9	Bird Exclusionary Devices	\$50,000.00
10	Added Environmental Requirements	\$85,491.00
12	K-rail Relocation Due to A Public Incident	\$15,000.00
13	Revised Ramp Closure Charts	\$0.00
14	Revised Pile Layout for Retaining Wall 1021	\$24,312.00
15	Revisions to Santa Ana River Bridge Abutment 7-Right	\$4,035.00
16	Removal of Buried Man-Made Objects	\$75,000.00
17	Repair of Existing Irrigation Crossovers	\$20,000.00
18	Agency Provided Street Name Signs	(\$4,832.59)
19	Removal of Asbestos Shims at Sterling Ave Bridge	\$12,017.12
20	Approach Slab and Abutment Drainage Modifications	\$25,000.00
21	Deck Drain Grates	\$7,000.00
22	Remove Concrete Slab and Bollards at Gas Station	\$8,000.00
23	Added Temporary Fence	\$10,000.00
27	CIDH Foundation and Pile Quantity Adjustment	\$26,218.00
28	Revised Shop Drawings Submittal Requirements	\$0.00
29	Oil Price Fluctuation Adjustment	\$250,000.00
30	Just in Time (JIT) Training	\$5,000.00
31	Extend Irrigation Crossovers	\$127,323.00
32	Change in Treated Wood Waste Management	\$122,450.00
33	Additional Fiber Optic Pullboxes	\$127,658.33
35	CIDH Pile Quantity Increase	\$11,266.00
36	Deletion of RW 1033	(\$254,924.32)
37	Median Edge Drain Revisions	\$89,634.57
39	Add Pile Anchors	\$35,676.22
42	Removal of Thickened Asphalt Concrete	\$40,000.00
44	Resolve Dispute – Differing Site Condition at Retaining Wall #1036	\$435,396.70
CCO TOTAL		\$ 2,036,721.03
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$34,927,690.07

SR 210 Pepper Avenue Interchange EEP – Executed Change Orders		
Number	Description	Amount
1	Repairs to Existing Site Irrigation	\$10,000.00
CCO TOTAL		\$10,000.00
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$31,244.80

Bolded - Construction Change Orders approved since the last reporting to the Metro Valley Study Session
Amounts shown in parentheses represent a credit to the Agency

I-215 Segment 1 & 3 Landscape Replacement Project – Executed Change Orders		
Number	Description	Amount
1	Maintain Public Traffic	\$25,000.00
2	Storm Water Shared Costs	\$25,000.00
3	Establish Dispute Resolution Advisor	\$5,000.00
4	Remove and Dispose of Rock Cobble	\$10,000.00
4 S-1	Additional Funds	\$15,000.00
4 S-2	Additional Funds	\$4,854.82
5	Cleaning of Drainage Systems	\$25,000.00
6	Removal of Dead Trees	\$10,000.00
7	Change from 15 Gallon to 5 Gallon Plant Size	(\$43,663.00)
7 S-1	Additional Funds	\$2,221.02
8	Repairs to Existing Facilities	\$3,000.00
8 S-1	Additional Funds	\$2,000.00
8 S-2	Additional Funds	\$4,500.00
8 S-3	Additional Funds	\$15,250.00
8 S-4	Additional Funds	\$3,930.65
9	Lane Closure Chart Revisions	\$0.00
9 S-1	Lane Closure Chart Revisions	\$0.00
10	PVC Ball Valve	\$0.00
11	Repair Fiber Optic Cable	\$4,070.87
12	Irrigation Water Payment	\$32,384.52
12 S-1	Additional Funds	\$8,487.04
12 S-2	Additional Funds	\$1,656.78
12 S-3	Additional Funds	\$1,634.70
12 S-4	Additional Funds	\$1,603.65
12 S-5	Additional Funds	\$5,007.79
12 S-6	Additional Funds	\$5,739.61
12 S-7	Additional Funds	\$6,753.56
12 S-8	Additional Funds	\$8,666.48
12 S-9	Additional Funds	\$4,744.77
12 S-10	Additional Funds	\$5,482.89
12 S-11	Additional Funds	\$2,874.37
12 S-12	Additional Funds	\$466.51
12 S-13	Additional Funds	\$493.89
13	Increase in Gravel Mulch Costs	\$158,215.90
14	Repair Damage by Others	\$6,000.00
15	Additional Electrical Work	\$976.73
16	Additional Plant Establishment Work	\$5,000.00
16 S-1	Additional Funds	\$50,000.00
17	Remove Burned Palm Tree	\$4,000.00
CCO TOTAL		\$421,353.55
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$812,748.38

Attachment: CCO Log (7891 : Construction Contract Change Orders MVSS2109)

Bolded - Construction Change Orders approved since the last reporting to the Metro Valley Study Session
Amounts shown in parentheses represent a credit to the Agency

I-215 Segment 2 Landscape Replacement Project – Executed Change Orders		
Number	Description	Amount
1	Maintain Public Traffic	\$2,000.00
2	Storm Water Shared Costs	\$10,000.00
3	Establish Dispute Resolution Advisor	\$5,000.00
4	Remove and Dispose of Rock Cobble	\$10,000.00
4 S-1	Additional Funds to Remove BNSF Ballast	\$40,000.00
4 S-2	Additional Funds to Remove and Dispose of Rock Cobble	\$20,000.00
4 S-3	Additional Funds to Remove and Dispose of Rock Cobble	\$3,000.00
4 S-4	Remove Unsuitable Material	\$2,646.91
5	Cleaning of Drainage Systems	\$25,000.00
6	Removal of Dead Trees	\$10,000.00
7	Revised Special Provisions for the Cost of Water	\$0.00
7 S-1	Water Cost Adjustment	\$5,000.00
8	Irrigation Revisions	\$656.30
9	Relocate Trees and Irrigation outside of Clear Recovery Zone	\$10,000.00
9 S-1	Additional Funds	\$1,206.16
10	Service Connection for Irrigation	\$5,000.00
10 S-1	Additional Funds	\$15,000.00
11	Revised Ball Valves Specifications	\$0.00
12	Modify Plants Group/Type	(\$6,968.44)
13	Delete Work at 16 th	(\$54,250.70)
13 S-1	Salvage Irrigation Equipment	\$1,676.15
14	Revised Gravel Mulch Specifications	\$0.00
15	Added Irrigation Booster Pump	\$48,457.80
16	Added Closure Charts	\$0.00
17	Gravel Mulch Adjustment	\$187,717.00
18	Additional Gravel Mulch Quantities	\$21,508.05
CCO TOTAL		\$362,649.23
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$502,203.56

I-10 Corridor Contract 1		
Design Build – Executed Change Orders		
Number	Description	Amount
1	Establish Dispute Review Board	\$75,000.00
2	Partnering	\$90,000.00
3	100 Day Extension for Utility Information Submittal	\$0.00
4	Addition of Executed Utility Agreements to Technical Provisions	\$0.00
4 S-1	Executed / Revised Utility Agreements	\$0.00
4 S-2	Executed / Revised Utility Agreements	\$0.00
4 S-3	Executed / Revised Utility Agreements	\$0.00
4-S4	Executed Utility Agreements	\$0.00
5	Overhead Sign Location Change	\$0.00
6	Modifications to Insurance and Subcontractor Requirements	\$0.00
7	Provide for CHP & Maintenance Observation/Enforcement Area	\$0.00
11	Revised Pavement Delineation Detail	\$0.00
12	Mass Concrete Specification Revision	\$0.00

Bolded - Construction Change Orders approved since the last reporting to the Metro Valley Study Session
Amounts shown in parentheses represent a credit to the Agency

13	Temporary ITS Traffic Monitoring Stations	\$0.00
14	Concurrent Closure of 6th Street and Campus Avenue Bridges	\$0.00
15	Modify Utility Relocation Work Packages	\$0.00
16	Revised Requirements for Shop Drawings Submittals	\$0.00
17	Revised Ramp Lane Closure Requirements	\$0.00
18	Revised Tech Provision 14.3.5 "Design Submittals" Requirements	\$0.00
19	Modifications to the Project Aesthetics and Landscape Master Plan	\$0.00
20	Added Pool Removal and (2) Electrical Panel Replacements	\$42,790.00
21	Revised SHOPP Pavement Rehabilitation Work Limits	\$657,200.00
22	Revised East End Ultimate Paving Limits	\$257,050.00
23	4th Street Striping	\$14,000.00
24	GAD and ROW Revisions	(\$470,125.00)
25	Deletion of Sound Wall 1190	(\$322,150.00)
26	Euclid Eastbound Exit Ramp Ground Anchor Wall Limits	\$155,400.00
27	Reduced Speed Limit Requirements	\$260,000.00
28	Additional Toll Rate Dynamic Message Signs	\$290,900.00
29	Revised Maintenance Requirements for Specific Auxiliary Lanes	\$0.00
30	Right of Way and Utility Design Revisions	\$719,277.00
30 S-1	Utility Revisions near Monte Vista Avenue	\$617,905.00
31	Additional Design Revisions for Right-of-Way Changes	\$25,767.00
32	Clearing of the TCE and Pool Mitigation Work	\$30,380.00
33	Rock Curb Extension at Euclid Avenue	\$77,892.00
34	7th Street and 2nd Avenue Sidewalk Improvements	\$79,732.00
Jan 2021	BOD approves revised funding plan with contingency reduction	(21,400,000)
35	Revised TCS CCTV Camera System	\$76,517.00
37	Partnering Facilitator Payment	\$50,000.00
38	Emergency Property Fence Fix	\$1,631.00
39	I-10/I-15 North to West Connector – 55-hour Closure	\$0.00
40	55-Hour Closure, Storm And Deck Drains	\$730,000.00
41	Recessed Pavement Markers	\$6,384.00
42	Telecommunication Conduits/ROW Support	\$111,843.48
CCO TOTAL		3,577,393.48
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$51,369,000.00

Toll Service Provider – Executed Change Orders		
Number	Description	Amount
1	Establish Dispute Review Board	\$75,000.00
2	Partnering	\$0.00
3	Right of Way (ROW) Revisions	\$0.00
4	Revised NTP 2 Start Date	\$0.00
6	Revised Enforcement Beacon Specifications	(\$1,952.00)
7	Added TRDMS to Two On-Ramps	\$193,850.00
CCO TOTAL		\$266,898.00
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$1,855,000.00

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US 395 Phase 1 Widening Project – Executed Change Orders		
Number	Description	Amount
1	Maintain Public Traffic	\$100,000.00
2	Storm Water Shared Costs	\$25,000.00
3	Partnering	\$20,000.00
4	Establish Dispute Resolution Advisor	\$20,000.00
5	Cleaning of Drainage Systems	\$30,000.00
6	Buried Man-Made Objects	\$15,000.00
7	Maintain Existing Temporary Electrical Systems	\$15,000.00
7 S-1	Additional Funds	\$85,000.00
8	Maintain Temporary Tortoise Fence	\$15,000.00
9	Revised Temporary HMA Requirements	(\$11,000.00)
10	Revised Temporary HMA Specifications	(\$3,180.00)
11	Additional Earthwork	\$35,905.00
12	Protect Existing Drainage Systems	\$70,000.00
13	Added Saw Cut to coordinate with Kinder Morgan work	\$24,304.00
14	Provide Access to A Local Business	\$11,800.00
15	Quantity Increases; Bid Items 21, 26 & 83	\$78,780.00
15 S-1	Revised Bid Item Quantities	\$356,374.49
15 S-2	Revised Bid Item Quantities	\$34,801.30
16	Drainage System 14 Modifications	\$10,270.00
17	Removal of 31 Concrete Headwalls and Wingwalls	\$52,583.75
18	Drainage System 7 Modifications	\$31,356.00
19	Adjust Manholes to Grade	\$10,000.00
19 S-1	Additional Funds	\$5,000.00
20	Additional HMA Paving for Revised Staging	\$127,670.90
21	Modified Drainage System Opening on Retaining Wall 794	\$4,103.35
22	Revisions at North of Mojave Drive Intersection	\$150,000.00
22 S-1	Revisions at North of Mojave Drive Intersection	\$150,000.00
23	Revised Pile Cap Concrete Requirement for Sound Wall 875	\$217,665.25
25	Added curb on the Southeast Corner of Air Base Road	\$2,040.00
26	Electrical Design Changes at the Air Base Road Intersection	\$43,363.00
27	Added Hydroseed	\$35,324.00
28	Added MGS per Safety Commission	\$50,000.00
29	Additional Pavement Markings and Striping	\$50,000.00
29 S-1	Additional Funds	\$7,000.00
30	Revised Joshua Wash Bridge Wingwalls	\$50,000.00
31	Payment Adjustment for Gravel Bag Quantities	\$40,138.32
32	Additional Safety Commission Revisions	\$45,000.00
33	Installation and Testing of Additional Electronic Ball Markers	\$8,569.95
34	Stage 4 Temporary Striping	\$73,706.00
35	Seneca Interchange Revisions	\$108,331.64
CCO TOTAL		\$2,194,906.95
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$8,741,611.75

Attachment: CCO Log (7891 : Construction Contract Change Orders MVSS2109)

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Monte Vista Grade Separation – Executed Change Orders		
Number	Description	Amount
1	Establish Dispute Resolution Board	\$15,000.00
1 S-1	Revise Special Provision Language	\$0.00
1 S-2	Additional Funds	\$10,000.00
2	Partnering Workshop	\$15,000.00
3	Traffic Control	\$10,000.00
3 S-1	Additional Funds	\$10,000.00
4	Federal Training Program	\$12,000.00
5	Post-Tensioning Duct Size Change	\$0.00
7	Storm Water Shared Costs	\$50,000.00
8	Relocate 8" Water Line	\$8,000.00
8 S-1	Additional Funds	\$10,386.03
9	Drainage System for Adjacent Property	\$14,925.00
10	Masonry Block Change	\$0.00
11	Sewer Lateral Piping Size Change	\$6,013.00
12	Future Electrical Conduits for Montclair	\$39,385.00
13	Change in Phasing of Work	\$0.00
14	Precast Girder Reinforcement Change	\$0.00
15	Change in Phasing of Work	\$0.00
16	Water Line Modifications	\$8,790.00
16 S-1	TRO Payment for Delays Related to CCO No. 16	\$124,800.00
16 S-2	Additional Funds	\$54,689.60
17	Modify Overhead Signs and Install Pedestrian Barricades	\$6,765.97
21	Additional Sewer Service Lateral Connections	\$10,850.00
22	Girder Reinforcement Splicing Option	\$0.00
23	Deleting Sidewalk	(\$12,540.00)
25	HMA Along Private Access Road	\$16,000.00
26	Temporary Embankment for SCE	\$15,000.00
27	Temporary Shoring for SCE	\$60,000.00
28	Modify Water Line in Conflict with SCE	\$10,000.00
29	Storm Drain Lateral Realignment	\$14,110.00
31	Driveway for Future Development	\$3,187.80
32	Potholing/Locating AT&T & Level 3 Utilities	\$60,000.00
33	Deduction for Rejected Piles	(\$10,000.00)
34	Modified Quantities Due to the Field Conditions	\$29,257.95
34 S-1	Modified Quantities Due to the Field Conditions	\$105,453.57
34 S-2	Modified Quantities Due to the Field Conditions	\$9,450.00
35	Conduit for SCE Service Connection for Traffic Signal System	\$8,000.00
36	Additional MSE Wall Drainage	\$8,000.00
37	Water Supply Modifications	\$15,000.00
38	Seal Coat Specification Change	(\$2,000.00)
39	Removal of UPRR Sign Foundations	\$5,000.00

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41	Resolution of NOPC No. 3	(\$59,986.00)
42	Revised Canopy at Taxi Yard	\$0.00
43	Landscaping Revisions	\$11,286.00
44	Added Headwall and Retaining Curb	\$10,000.00
45	Drainage Inlet Repair Damaged by Public	\$7,500.00
45 S-1	Additional Funds	\$381.43
46	Project Substantial Completion	\$0.00
47	Wire Mesh Substitution	\$15,000.00
48	Fence and Gate Revisions	\$52,336.60
49	Monument Modifications	\$6,500.00
49 S-1	Additional Monument Modifications	\$46,000.00
52	Additional work required by UPRR	\$10,577.00
53	Additional Erosion Control	\$16,000.00
54	Fence Repairs Damaged by Public	\$13,184.00
CCO TOTAL		\$815,302.95
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$2,498,958.60

Mount Vernon Avenue Viaduct Design-Build Project – Executed Change Orders		
Number	Description	Amount
1	Added Perimeter Fence, K-rail and Signage	\$21,500.00
1 S-1	Install/Maintain Temporary Fence	\$28,670.86
2	Partnering	\$100,000.00
3	Temporary Crossing	\$700,000.00
3 S-1	Additional Funds	\$225,000.00
3 S-2	Construct Railroad Temporary Construction Crossing	\$13,889.15
5	Asbestos Removal	\$100,000.00
5 S-1	Additional Funds	\$954,863.00
5 S-2	Asbestos Coating Abatement	\$429,723.86
5 S-3	Bridge Demolition Engineer – Increase Time	\$67,977.25
5 S-4	Asbestos Coating Abatement	\$159,481.26
7	Add Fire Hydrants	\$112,200.00
8	Test Unforeseen Buried Man-made object	\$1,341.55
9	Decommission/Abandon Water and Sewer Lines	\$203,852.65
12	Increase Contractor Overhead – Increase Time	\$208,232.35
CCO TOTAL		\$ 3,326,731.93
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$17,230,000.00

I-10 University Street Improvement Project – Executed Change Orders		
Number	Description	Amount
1	Time Extension (Delay Start)	\$0.00
CCO TOTAL		\$ 0.00
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$830,590

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Central Avenue Improvements Project at SR 60 – Executed Change Orders		
Number	Description	Amount
1	Establish and Maintain construction Field Office	\$150,000.00
2	Revise Plans – Shoulder Pavement Section	(\$21,291.00)
5	Maintain Traffic per Supplemental funds Provided	\$40,000.00
6	Establish Partnering per Specifications	\$20,000.00
8	Establish Dispute Review Board	\$15,000.00
11	Maintain Electrical per Supplemental Funds Provided	\$15,000.00
CCO TOTAL		\$218,709.00
TOTAL CONTINGENCY AND SUPPLEMENTAL		\$2,912,039.00

Attachment: CCO Log (7891 : Construction Contract Change Orders MVSS2109)

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 Amounts shown in parentheses represent a credit to the Agency

Minute Action

AGENDA ITEM: 3

Date: *September 9, 2021*

Subject:

Preview of the Hearings to Consider Resolutions of Necessity for Property Interest for the Mount Vernon Viaduct Project in the City of San Bernardino

Recommendation:

That the following be reviewed and recommended for final approval by the Board of Directors, acting as the San Bernardino County Transportation Authority, at a regularly scheduled Board meeting:

- A. Conduct a public hearings to consider condemnation of real property required for the Mount Vernon Viaduct Project in the City of San Bernardino.
- B. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-040 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Clear Channel Outdoor, LLC, A Delaware Company. (Assessor's Parcel Number [APN] 0138-291-01). The resolution must be approved by at least a two-thirds majority; and
- C. Upon completion of a public hearing, that the Board of Directors adopt the Resolution of Necessity No. 21-042 authorizing and directing General Counsel, or her designees, to prepare, commence, and prosecute proceedings in eminent domain for the purpose of acquiring interests in real property from: Maheshkumar V & Anup Desai dba: El Patio Hotel (APN 0138-181-25 and 0138-181-24). The Resolution must be approved by at least a two-thirds majority.

Background:

On July 11, 2018, the San Bernardino County Transportation Authority (SBCTA) Board of Directors (Board) approved Amendment No. 1 to Cooperative Agreement No. 16-1001477 with the City of San Bernardino (City) for the Right-of-Way (ROW) and Design-Build (DB) phase activities for the Mt. Vernon Viaduct (Project), defining roles, responsibilities, and funding associated with the ROW and DB phases, and specifying SBCTA as the lead agency for Project administration and funding.

On January 9, 2019, the Board authorized staff to proceed with voluntary acquisition of property necessary for the 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 Project Delivery, or her designees, to add or remove parcels from the list of properties as the Director determines from time to time are necessary for the Project, provided they are environmentally cleared.

The Project is being implemented through a DB contract, which requires that necessary ROW is available to the DB contractor at prescribed milestones during the DB contract term. Meeting the milestone dates for delivery of ROW packages is crucial in avoiding costly delays. Throughout the environmental and preliminary engineering process, SBCTA and the City have made extensive efforts to simultaneously plan the Project and to minimize the impacts to

Entity: San Bernardino County Transportation Authority

property owners. These efforts include maintaining access to properties during construction, using retaining walls to minimize ROW needs, and seeking to optimize Project geometrics to meet current design standards and minimize ROW impacts. While most of the proposed improvements are anticipated to be constructed within existing ROW, some ROW will still be required from private property to accommodate the Project.

In an effort to keep the Project schedule intact and comply with contractual obligations to the DB contractor, it is necessary to comply with the statutorily-prescribed process for eminent domain and conduct hearings for a Resolution of Necessity for each property while negotiations continue. Therefore, the purpose of this agenda item is to present information regarding the public interest and necessity for the Project and the properties that are needed. Although the adoption of Resolutions of Necessity is recommended for the subject properties in order to maintain the Project schedule and avoid delay costs, SBCTA's acquisition agents will continue to negotiate with the property owners in an effort to acquire the properties through a voluntary purchase and avoid litigation in the eminent domain process.

The owners of the subject properties are:

- Clear Channel Outdoor, LLP, A Delaware Company
- Maheshkumar V & Anup Desai dba: El Patio Hotel

Support for the 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). Eminent domain will allow SBCTA to obtain legal rights to the properties needed for the Project if a negotiated sale cannot be reached. A Resolution of Necessity is the first step in the eminent domain process. Since the process takes several months, it is necessary to start this process now to ensure that possession of the properties is obtained in time to meet the scheduled delivery dates to the DB contractor and to avoid costly ROW delays.

In order to adopt the Resolutions of Necessity, SBCTA must make the four findings discussed below for each of the properties. The issue of the amount of just compensation for these properties is not addressed by these Resolutions of Necessity and is not to be considered at the hearings. The four necessary findings are:

1. The public interest and necessity require the Project.

The Project is located in the City of San Bernardino. The Project limits extend along Mt. Vernon Avenue from south of 5th Street to King Street. The Project will replace the existing bridge with a new bridge. The purpose of the Project is to provide a bridge which is structurally safe, meeting current seismic design and roadway standards. Construction of a new bridge will allow emergency vehicles, buses, trucks and other larger vehicles to cross the railyard, reducing emergency response times and providing greater mobility for the area.

The previous bridge, which has been demolished as part of the Project, had a sufficiency rating of 2 out of 100 and had significant restrictions on vehicle capacity. If no improvements were

made, further shoring of the structure would have been required and pieces of the bridge would have continued to spall off due to overall deterioration, creating safety concerns.

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

During the environmental phase, various options to minimize public impacts were considered, including mitigation to maintain railroad operations while optimizing the DB's work windows. If no mitigations were provided, due to limited work windows to construct around railyard activities, the bridge would potentially be out of service for five to six years, according to the Project engineers. Mitigation entails the addition of two shoofly (detour) tracks to the north of the existing yard tracks. This would allow diversion of trains to the shoofly tracks to maintain scheduled railroad operations when impacted by construction activities. In order to construct these shoofly tracks, some of the existing trailer parking and operations buildings needed to be relocated. In order to accommodate these relocated facilities, some ROW is required.

In addition, the profile of the Project will be designed to minimize ROW impacts on the north and south ends of the approaches. This will be accomplished through maximizing the profile so that even though the new bridge will be wider and longer, the bridge will tie into the existing street as closely as possible in the post-construction condition.

SBCTA's acquisition agents have had numerous communications with most of the impacted property owners and design staff about Project impacts in order to design the Project in a manner that causes the least private injury while accomplishing the greatest public good.

3. Each property sought to be acquired is necessary for the Project.

While portions of the Project are being constructed within existing ROW, the Project requires acquisition of the property interests listed below:

- **Clear Channel Outdoor, LLP, A Delaware Company Property:** A permanent roadway easement, a slope easement and a temporary construction easement are needed for construction of the Project improvements.
- **El Patio Hotel Property:** One permanent roadway easement, two slope easements, and two temporary construction easements are needed for construction of the Project improvements.

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

- The offer for the Clear Channel Outdoor, LLP, A Delaware Company property was sent on 10/12/2020
- The offer for the El Patio Hotel property was sent on 10/12/2020

Upon completion of the Project, or as prescribed in agreements, SBCTA will transfer the properties acquired for the Project, or portions thereof, to the City and to BNSF Railway Company, respectively.

Financial Impact:

This item is consistent with the Fiscal Year 2021/2022 Budget under Task No. 0860 Arterial Projects, Sub-Task No. 0827 Mount Vernon Avenue Viaduct.

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:

Brenda Schimpf, Right-of-Way Advisor

Approved
Board of Directors Metro Valley Study Session
Date: September 9, 2021
Witnessed By:

MOUNT VERNON VIADUCT PROJECT

RESOLUTIONS OF NECESSITY FOR PROJECT RIGHT-OF-WAY

Presenter: Brenda Schimpf
SBCTA Right-of-Way Advisor



cta

San Bernardino County
Transportation Authority

Board of Directors
Metro Valley Study Session
September 9, 2021

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



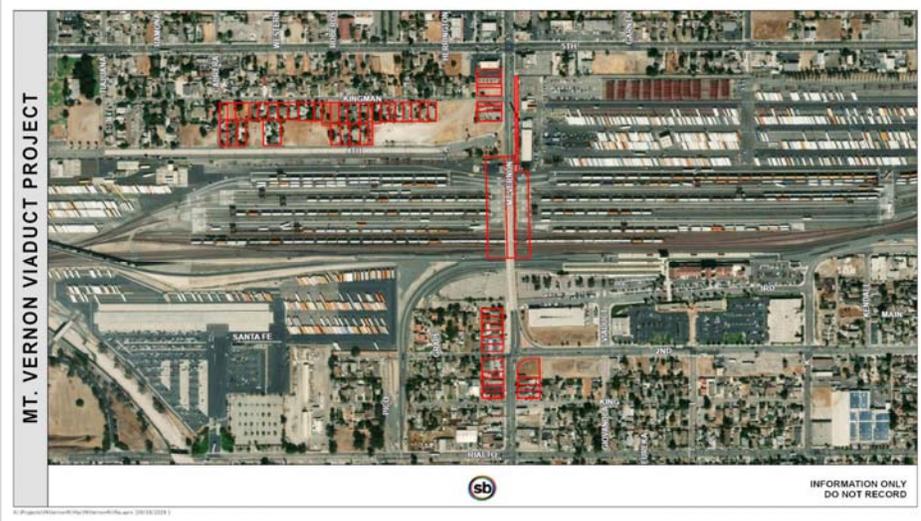
SBCTA Request

▪Replace bridge over the BNSF Railway yard in the City of San Bernardino which has sufficiency rating of 2 out of 100

▪New bridge to be built to current design standards

▪Will improve safety and north-south circulation.

▪Will restore access for emergency vehicles, buses, and trucks.



Mt. Vernon Viaduct Improvements



Parcel Location

Attachment: PDF Mount Vernon Viaduct RON Presentation (7426 : Dry Run RONs Mt. Vernon Viaduct)

MT. VERNON VIADUCT PROJECT

OWNER: EL PATIO HOTEL

PROJECT AREA

Parcel Location

No.	Ownership	Date of First Contact	Mailings	In Person Meetings	Phone Contacts	E-Mails	Attorney Contacts	Unsuccessful Contacts *	Total
B.	Clear Channel Outdoor, LLC	10/12/2020	1	0	3	8	4	0	16
C.	El Patio Hotel	10/12/2020	2	4	11	2	0	20	39
* Property visit, phone call and/or email with no response									

Communication Summary

Attachment: PDF Mount Vernon Viaduct RON Presentation (7426 : Dry Run RONS Mt. Vernon Viaduct)

Item	Ownership	Offer Date
B.	Clear Channel Outdoor, LLC	Offer 10/12/20
C.	El Patio Hotel	Offer 10/12/20



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



RESOLUTION OF NECESSITY No. 21-040

CLEAR CHANNEL OUTDOOR, LLP

A Delaware Company

PROPERTY

(APN 0138-291-01)

DRAFT

RESOLUTION NO. 21-040

A RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN CERTAIN REAL PROPERTY FOR PUBLIC USE AND AUTHORIZING AND DIRECTING CONDEMNATION OF PORTIONS OF ASSESSOR PARCEL NO. 0138-291-01.

WHEREAS, the San Bernardino County Transportation Authority ("SBCTA") is undertaking the Mount Vernon Avenue Bridge Project (the "Project"); and

WHEREAS, the Project is intended to replace the existing Mount Vernon Avenue Bridge (Bridge Number 54C-066) over the Burlington Northern Santa Fe ("BNSF") rail yard in the City of San Bernardino, San Bernardino County, California. The Project will replace the existing four-lane bridge with a new four-lane bridge from Rialto Avenue to 5th Street; and

WHEREAS, the Project requires the acquisition of property or property interests from public and private parties; and

WHEREAS, the Project will be a transportation improvement Project serving the public interest; and

WHEREAS, California Public Utilities Code section 130809(b) authorizes SBCTA to exercise the power of eminent domain to acquire said property or property interests for public use by condemnation; and

WHEREAS, portions of the real property located at 175 N. Mount Vernon Avenue, in the City of San Bernardino, California (the "Subject Property") are required for the Project. The specific portions of the Subject Property required for the Project are a roadway easement legally described and depicted in Exhibit "1" hereto, a slope easement as legally described and depicted in Exhibit "2" hereto, and a temporary construction easement as legally described and depicted in Exhibit "3" hereto (collectively, the "Property Interests"); and

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

WHEREAS, reasonable vehicular and pedestrian access to and from the Subject Property will be maintained at all times; and

WHEREAS, SBCTA communicated an offer of compensation to the owner or owners of record for the acquisition of the Property Interests; and

WHEREAS, in accordance with section 1245.235 of the California Code of Civil Procedure, SBCTA mailed a Notice of Hearing on the Intent of SBCTA to Adopt a Resolution of Necessity for acquisition by eminent domain of the Property Interests. The Notice of Hearing was mailed to the listed address of all persons whose names appear on the last equalized county assessment roll as the owner or owners of the Subject Property; and

WHEREAS, SBCTA provided written notice to the City of San Bernardino as required by subsection (c) of California Public Utilities Code section 130220.5; and

WHEREAS, the Project, including all amendments thereto, together with the staff reports, environmental documents and all other evidence presented to SBCTA's Board of Directors at the times the Project and the amendments thereto were adopted, are incorporated herein by this reference and made a part hereof as though fully set forth herein; and

WHEREAS, pursuant to section 1245.235 of the California Code of Civil Procedure, SBCTA scheduled a hearing for October 6, 2021 at 10:00 a.m. at Santa Fe Depot—SBCTA Lobby 1st Floor, 1170 W. 3rd Street, San Bernardino, California, and gave to each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll notice and a reasonable opportunity to appear at said hearing and to be heard on the matters referred to in section 1240.030 of the California Code of Civil Procedure and will be provided notification if an opportunity subsequently arises that would allow them to appear virtually online or by telephone at said hearing; and

WHEREAS, said hearing has been held by SBCTA's Board of Directors and each person whose property is to be acquired by eminent domain was afforded an opportunity to be heard on those matters specified in SBCTA's notice of intention to conduct a hearing on whether or not to adopt a Resolution of Necessity and referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, SBCTA may adopt a Resolution of Necessity pursuant to section 1240.040 of the California Code of Civil Procedure.

NOW, THEREFORE, BE IT RESOLVED, by at least a two-thirds vote of SBCTA's Board of Directors under Code of Civil Procedure sections 1240.030 and 1245.230, SBCTA does hereby find and determine as follows:

Section 1. Incorporation of Findings and Recitals. The above findings and recitals are true and correct and are incorporated herein in full by this reference.

Section 2. Compliance with California Code of Civil Procedure. There has been compliance by SBCTA with the requirements of section 1245.235 of the California Code of Civil Procedure regarding notice and hearing.

Section 3. Public Use. The public use for which the Property Interests are to be acquired are for the construction and future maintenance of the Project, a public transportation improvement, as more fully described hereinabove. California Public Utilities Code section 130809(b)(4) authorizes SBCTA to acquire by eminent domain property and interests in property necessary for such purpose and for all uses incidental or convenient thereto.

Section 4. Necessity.

(a) The proposed Project is necessary to replace the existing Mount Vernon Avenue Bridge (Bridge Number 54C-066) over the BNSF rail yard in the City of San Bernardino, San Bernardino County, California. The Project will replace the existing four-lane bridge with a new four-lane bridge from Rialto Avenue to 5th Street.

(b) The public interest and necessity require the acquisition by eminent domain proceedings of the Property Interests.

Section 5. Description of the Property Interests. The Property Interests sought to be acquired are more particularly described and depicted in Exhibits "1" through "3" attached hereto and incorporated herein by reference.

Section 6. Findings. SBCTA hereby finds, determines and declares each of the following:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;

(c) The Property Interests sought to be acquired are necessary for the proposed Project; and

(d) The offer required by section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 7. Existing Public Use(s). Pursuant to sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that any of the Property Interests are already devoted to a public use, the use proposed by this Project is a more necessary public use than the use to which the Property Interests, or any portion thereof, are already devoted, or, in the alternative, are a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property Interests, or any portion thereof, are already devoted.

Section 8. Acquisition of Substitute Property. To the extent the Property Interests, or portions thereof, are currently devoted to or held for some public use, SBCTA intends to acquire substitute property pursuant to California Code of Civil Procedure sections 1240.320 and 1240.330. The requirements of said Code sections have been satisfied and the acquisition of said substitute property is necessary for the Project. The substitute property may be conveyed by SBCTA to the owner(s) of the necessary property.

Section 9. Authority to Exercise Eminent Domain. SBCTA is hereby authorized and empowered to acquire the Property Interests, including the improvements thereon, if any, by eminent domain for the proposed Project.

Section 10. Further Activities. SBCTA's legal counsel ("Counsel") is hereby authorized and empowered to acquire the Property Interests in the name of and on behalf of SBCTA by eminent domain, and is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Counsel is further authorized to take such steps as may be permitted and required by law, and to make such security deposits as may be required by law and/or order of court, to permit SBCTA to take possession of the Property Interests at the earliest possible time. Counsel is further authorized to reduce the extent of the interests or property to be acquired where a change in design allows the reduction without substantially impairing the construction and operation of the Project for which the Property Interests being acquired.

Section 11. Effective Date. This Resolution of Necessity shall take effect upon adoption.

Adopted by the San Bernardino County Transportation Authority on October 6, 2021 by the following votes:

AYES:

NOES:

ABSENT:

Curt Hagman, Board President
San Bernardino County Transportation Authority

Marleana Roman, Clerk of the Board
San Bernardino County Transportation Authority

DRAFT

Attachment: Clear Channel Outdoor, LLP - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

EXHIBIT "1"

DRAFT

Attachment: Clear Channel Outdoor, LLP - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

August 25, 2021
BKF Job No: 20172152

LEGAL DESCRIPTION
EXHIBIT A
ROADWAY EASEMENT

Real property situate in the City of San Bernardino, County of San Bernardino, State of California, described as follows:

Being a portion of the lands granted to Clear Channel Outdoor by that certain Quitclaim Deed filed for record on October 17, 2018 filed as Document No. 2018-0380444, Official Records of San Bernardino County, more particularly described as follows:

Commencing at the intersection of Mt. Vernon Avenue and 2nd Street;

Thence along the centerline of said 2nd Street, North 89°35'01" East, 179.26 feet;

Thence perpendicular to the last described course South 0°24'59" East, 30.00 feet to the northeasterly corner of said lands, said corner also being the **TRUE POINT OF BEGINNING**;

Thence along the northerly line of said lands, South 89°35'01" West, 50.24 feet to the beginning of a curve to the left, having a radius of 87.86 feet;

Thence along said curve, through a central angle of 25°41'12", for an arc length of 39.39 feet;

Thence North 87°57'50" East, 88.35 feet;

Thence North 0°21'59" West, 6.19 feet to the **TRUE POINT OF BEGINNING**.

Containing 549 square feet, more or less.

END OF DESCRIPTION

As shown on plat attached hereto and by this reference made part hereof as Exhibit B.

For: BKF Engineers

Davis Thresh, P.L.S. No. 6868

8/25/2021

Dated



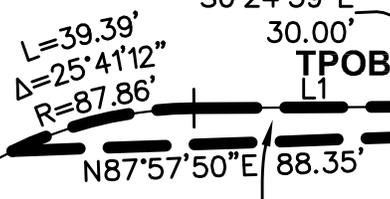
Attachment: Clear Channel Outdoor, LLP - draft RON (with address) (7426 : Dry Run RONS Mt. Vernon Viaduct)

N89°35'01"E 179.26'

POC

2ND ST.

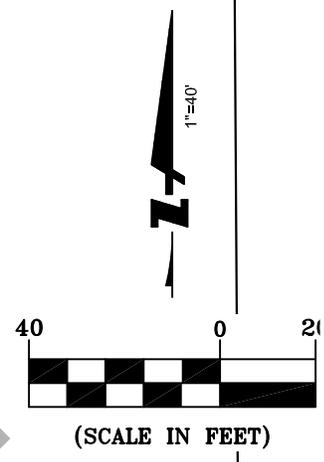
(PUBLIC RIGHT OF WAY)
WIDTH VARIES



RWE
549 SQ. FT.±

LINE TABLE		
	DIRECTION	LENGTH
L1	S89°35'01"W	50.24'
L2	N0°21'59"W	6.19'

CLEAR CHANNEL OUTDOOR
D.N. 2018-00380444
APN 0138-291-01



MT. VERNON AVE.
(PUBLIC RIGHT OF WAY)
82.50' WIDE

FRANC LUIS JUAN
D.N. 2017-0093532
APN 0138-291-18

BEI LI
D.N. 2009-0296965
APN 0138-291-17

EDUARDO GUTIERREZ
D.N. 2012-0253787
APN 0138-291-16



LEGEND

- POC = POINT OF COMMENCEMENT
- RWE = ROADWAY EASEMENT
- TPOB = TRUE POINT OF BEGINNING

KING ST.
(PUBLIC RIGHT OF WAY)
60.00' WIDE

- _____ = CENTERLINE
- = DESCRIBED EXTENTS
- = DIMENSIONAL TIE
- _____ = LOT LINE



4675 MACARTHUR COURT
SUITE 400
NEWPORT BEACH, CA 92660
949-526-8460
949-526-8499 (FAX)

Subject EXHIBIT B
 PLAT TO ACCOMPANY LEGAL DESCRIPTION
 Job No. 20172152
 By KH Date 8/25/21 Chkd. WS
 SHEET 1

Attachment: Clear Channel Outdoor, LLP - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

EXHIBIT "2"

DRAFT

Attachment: Clear Channel Outdoor, LLP - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

SLOPE EASEMENT
ATTACHMENT TO LEGAL DESCRIPTION
Parcel No.: 0138-291-01

This non-exclusive permanent slope easement shall be in, on, and under the real property described in Exhibit "A" and depicted in Exhibit "B" attached hereto, subject to the rights and limitations set forth herein ("Slope Easement"). The Slope Easement shall be used by the San Bernardino County Transportation Authority and its employees, agents, representatives, contractors, successors and assigns (collectively, "SBCTA") for purposes of installing, maintaining, removing, and replacing, as applicable, a slope in connection with the Mount Vernon Avenue Bridge Project.

The owner(s) and occupant(s) of the real property subject to the Slope Easement shall not construct any permanent improvements within the easement area described and depicted in the attached Exhibits "A" and "B", respectively, that would impede SBCTA's rights as defined herein. The owner(s) and occupant(s) shall not excavate within the Slope Easement area or disturb any material installed within the Slope Easement area.

The rights and obligations of the owner(s) of the real property subject to the Slope Easement shall run with the land and be binding upon and/or inure to the benefit of SBCTA's and the owner or owners' respective heirs, successors and assigns.

SBCTA expressly reserves the right to convey, transfer or assign the Slope Easement subject to the same rights and limitations described herein.

August 26, 2021
BKF Job No: 20172152

LEGAL DESCRIPTION
EXHIBIT A - SLOPE EASEMENT

Real property situate in the City of San Bernardino, County of San Bernardino, State of California, described as follows:

Being a portion of the lands granted to Clear Channel Outdoor by that certain Quitclaim Deed filed for record on October 17, 2018 filed as Document No. 2018-0380444, Official Records of San Bernardino County, more particularly described as follows:

Commencing at an iron pipe monument found at the centerline intersection of King Street and Mt. Vernon Avenue;

Thence along the centerline of said Mt. Vernon Avenue North 0°22'22" West, 161.72 feet;

Thence perpendicular to the last described course North 89°37'38" East, 41.25 feet to the southwesterly corner of said lands, said corner also being the **TRUE POINT OF BEGINNING**;

Thence along the westerly line of said lands, North 0°22'22" West, 43.87 feet to the beginning of a curve to the right, having a radius of 87.86 feet;

Thence along said curve, through a central angle of 64°16'11", for an arc length of 98.55 feet;

Thence along said easterly line, South 0°21'59" East, 31.00 feet;

Thence leaving said easterly line along the following eight (8) courses:

- 1) South 88°29'36" West, 6.27 feet;
- 2) North 15°57'54" West, 26.91 feet;
- 3) North 88°00'10" West, 20.73 feet;
- 4) South 85°05'04" West, 61.45 feet;
- 5) South 48°31'09" West, 37.91 feet to the westerly line of said lands;
- 6) Thence leaving said westerly line, South 16°57'15" West, 14.53 feet;
- 7) South 0°25'10" West, 38.79 feet;
- 8) South 09°09'37" West, 39.33 feet to the southerly line of said line;

Thence along said southerly line, South 89°34'09" West, 2.62 feet to the **TRUE POINT OF BEGINNING**.

Containing 1,338 square feet, more or less.

END OF DESCRIPTION

As shown on plat attached hereto and by this reference made part hereof as Exhibit B.

For: BKF Engineers



Davis Thresh, P.L.S. No. 6868

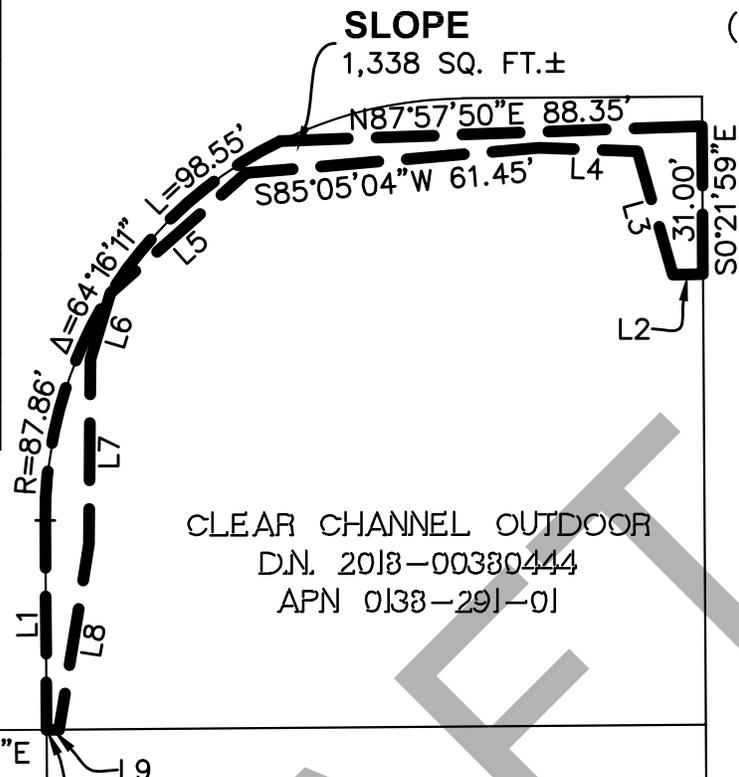
08/25/2021
Dated



Attachment: Clear Channel Outdoor, LLP - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

LINE TABLE		
	DIRECTION	LENGTH
L1	N0°22'22"W	43.87'
L2	S88°29'36"W	6.27'
L3	N15°57'54"W	26.91'
L4	N88°00'10"W	20.73'
L5	S48°31'09"W	37.91'
L6	S16°57'15"W	14.53'
L7	S0°25'10"W	38.79'
L8	S9°09'37"W	39.33'
L9	S89°34'09"W	2.62'

2ND ST.
(PUBLIC RIGHT OF WAY)
WIDTH VARIES

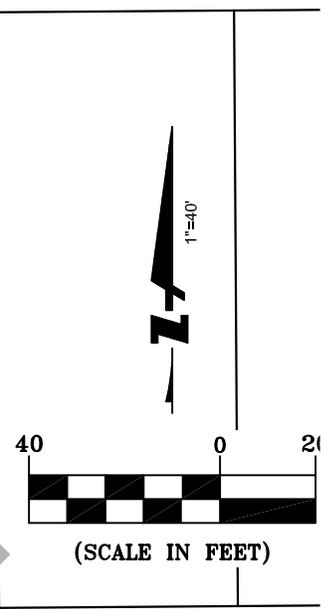


CLEAR CHANNEL OUTDOOR
D.N. 2018-00380444
APN 0138-291-01

FRANC LUIS JUAN
D.N. 2017-0093532
APN 0138-291-18

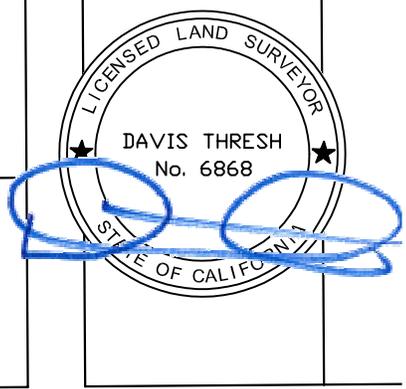
BEI LJ
D.N. 2009-0296965
APN 0138-291-17

EDUARDO GUTIERREZ
D.N. 2012-0253787
APN 0138-291-16



MT. VERNON AVE.
(PUBLIC RIGHT OF WAY)
82.50' WIDE

N0°22'22"W 161.72'



LEGEND

- POC = POINT OF COMMENCEMENT
- SLOPE = SLOPE EASEMENT
- TPOB = TRUE POINT OF BEGINNING

- = CENTERLINE
- = DESCRIBED EXTENTS
- = DIMENSIONAL TIE
- = LOT LINE

KING ST.
(PUBLIC RIGHT OF WAY)
60.00' WIDE

Attachment: Clear Channel Outdoor, LLP - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)



4675 MACARTHUR COURT
SUITE 400
NEWPORT BEACH, CA 92660
949-526-8460
949-526-8499 (FAX)

Subject EXHIBIT B
PLAT TO ACCOMPANY LEGAL DESCRIPTION
Job No. 20172152
By KH Date 8/25/21 Chkd. WS
SHEET 1

EXHIBIT "3"

DRAFT

TEMPORARY CONSTRUCTION EASEMENT
ATTACHMENT TO LEGAL DESCRIPTION
Parcel No.: 0138-291-01

This temporary construction easement shall be in, on, over, under, and across that certain real property described in Exhibit "A" and depicted in Exhibit "B" attached hereto, subject to the rights and limitations set forth herein ("TCE"). The TCE shall be used by the San Bernardino County Transportation Authority and its employees, agents, representatives, contractors, successors and assigns (collectively, "SBCTA") in connection with the construction of the Mount Vernon Avenue Bridge Project. The TCE shall be for a period of forty-eight (48) months, a portion of which shall be exclusive (subject to the Rights and Limitations of Use and Occupancy set forth below) and a portion of which shall be non-exclusive. Specifically, the actual physical construction activities within the TCE area shall be limited to a period of twenty-four (24) consecutive months within the forty-eight (48) month TCE period (the "Construction Period"). During the Construction Period, SBCTA's use and occupancy of the TCE will be exclusive, subject to the Rights and Limitations of Use and Occupancy set forth below. SBCTA's use and occupancy of the TCE during the remaining twenty-four (24) months of the TCE period will be non-exclusive.

Rights and Limitations of Use and Occupancy of TCE:

- SBCTA shall provide the owner and occupants of the property subject to this TCE a minimum of thirty (30)-days written notice as to when the TCE Period will commence.
- During the TCE Period, SBCTA may place a temporary fence around the TCE area.
- Reasonable pedestrian and vehicular access to the remainder property will be maintained at all times.
- SBCTA and its contractor(s) shall access the TCE from the public right of way.
- Improvements within the TCE area will be removed as needed by SBCTA to allow for construction activities. All improvements so removed shall be included in the compensation paid by SBCTA for this TCE.
- Prior to the termination of the TCE Period, SBCTA will remove from the TCE area all construction equipment and materials including, without limitation, any temporary fence, any temporary improvements, and all construction-related debris. The TCE area will be restored to grade by SBCTA.

SBCTA expressly reserves the right to convey, transfer, or assign the TCE subject to the same rights and limitations described herein.

August 25, 2021
BKF Job No: 20172152

LEGAL DESCRIPTION
EXHIBIT A
TEMPORARY CONSTRUCTION EASEMENT

Real property situate in the City of San Bernardino, County of San Bernardino, State of California, described as follows:

Being a portion of the lands granted to Clear Channel Outdoor by that certain Quitclaim Deed filed for record on October 17, 2018 filed as Document No. 2018-0380444, Official Records of San Bernardino County, more particularly described as follows:

Commencing at an iron pipe monument found at the centerline intersection of King Street and Mt. Vernon Avenue;

Thence along the centerline of said Mt. Vernon Avenue North 0°22'22" West, 161.72 feet;

Thence perpendicular to the last described course North 89°37'38" East, 41.25 feet to the southwesterly corner of said lands;

Thence to a point along the southerly line of said lands, North 89°34'09" East, 2.62 feet, said point also being the **TRUE POINT OF BEGINNING**;

Thence continuing along said southerly line, North 89°34'09" East, 5.07 feet;

Thence leaving said southerly line along the following eight (8) courses:

- 1) North 9°09'37" East, 38.86 feet;
- 2) North 0°25'10" East, 38.45 feet;
- 3) North 16°57'15" East, 12.39 feet;
- 4) North 48°31'09" East, 34.85 feet;
- 5) North 85°05'04" East, 59.49 feet;
- 6) South 88°00'10" East, 16.79 feet;
- 7) South 15°57'54" East, 27.15 feet;
- 8) North 88°29'36" East, 10.05 feet to the easterly line of said lands;

Thence along said easterly line, North 0°21'59" West, 5.00 feet;

Thence leaving said easterly line along the following four (4):

- 1) South 88°29'36" West, 6.27 feet;
- 2) North 15°57'54" West, 26.91 feet;
- 3) North 88°00'10" West, 20.73 feet;
- 4) South 85°05'04" West, 61.45 feet;
- 5) South 48°31'09" West, 37.91 feet to the westerly line of said lands;

Attachment: Clear Channel Outdoor, LLP - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

August 25, 2021
BKF Job No: 20172152

Thence leaving said westerly line along the following three (3) courses:

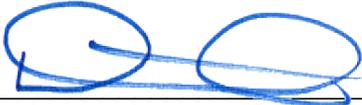
- 1) South 16°57'15" West, 14.53 feet;
- 2) South 0°25'10" West, 38.79 feet;
- 3) South 9°09'37" West, 39.33 feet to the **TRUE POINT OF BEGINNING.**

Containing 1,210 square feet, more or less.

END OF DESCRIPTION

As shown on plat attached hereto and by this reference made part hereof as Exhibit B.

For: BKF Engineers



 Davis Thresh, P.L.S. No. 6868



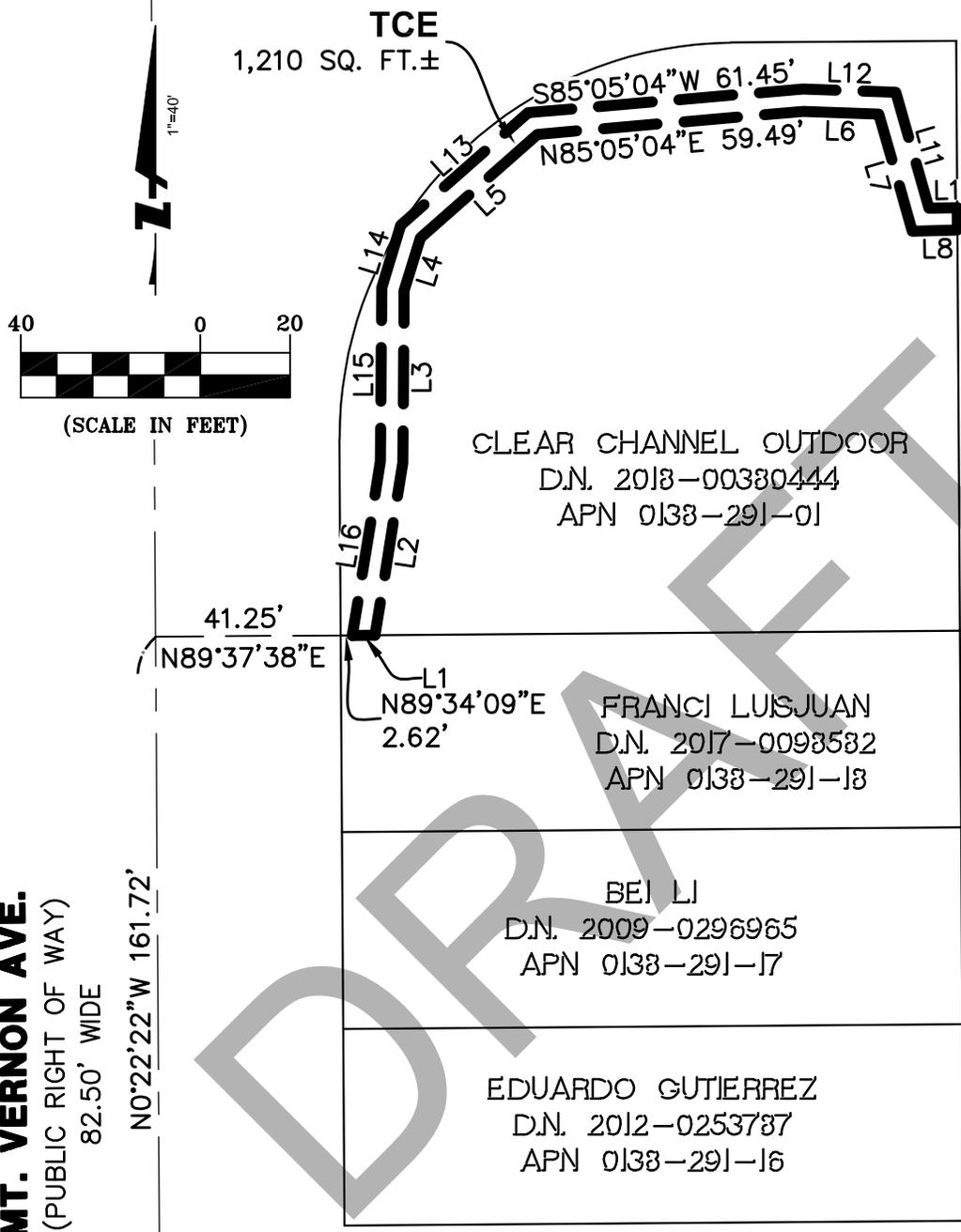
8/25/2021

 Dated

DRAFT

Attachment: Clear Channel Outdoor, LLP - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

2ND ST.
(PUBLIC RIGHT OF WAY)
WIDTH VARIES



LINE TABLE		
	DIRECTION	LENGTH
L1	N89°34'09"E	5.07'
L2	N9°09'37"E	38.86'
L3	N0°25'10"E	38.45'
L4	N16°57'15"E	12.39'
L5	N48°31'09"E	34.85'
L6	S88°00'10"E	16.79'
L7	S15°57'54"E	27.15'
L8	N88°29'36"E	10.05'
L9	N0°21'59"W	5.00'
L10	S88°29'36"W	6.27'
L11	N15°57'54"W	26.91'
L12	N88°00'10"W	20.73'
L13	S48°31'09"W	37.91'
L14	S16°57'15"W	14.53'
L15	S0°25'10"W	38.79'
L16	S9°09'37"W	39.33'



LEGEND

- POC = POINT OF COMMENCEMENT
- TCE = TEMPORARY CONSTRUCTION EASEMENT
- TPOB = TRUE POINT OF BEGINNING
- _____ = CENTERLINE
- = DESCRIBED EXTENTS
- = DIMENSIONAL TIE
- _____ = LOT LINE

MT. VERNON AVE.
(PUBLIC RIGHT OF WAY)
82.50' WIDE

N0°22'22"W 161.72'

POC

KING ST.
(PUBLIC RIGHT OF WAY)
60.00' WIDE

CLEAR CHANNEL OUTDOOR
D.N. 2018-00380444
APN 0138-291-01

FRANCJ LUISJUAN
D.N. 2017-0093532
APN 0138-291-18

BEI LI
D.N. 2009-0296965
APN 0138-291-17

EDUARDO GUTIERREZ
D.N. 2012-0253787
APN 0138-291-16



4675 MACARTHUR COURT
SUITE 400
NEWPORT BEACH, CA 92660
949-526-8460
949-526-8499 (FAX)

Subject EXHIBIT B
PLAT TO ACCOMPANY LEGAL DESCRIPTION
Job No. 20172152
By KH Date 8/25/21 Chkd.WS
SHEET 1

Attachment: Clear Channel Outdoor, LLP - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

RESOLUTION OF NECESSITY No. 21-042
DESAI dba EL PATIO HOTEL PROPERTY
(APNs 0138-181-24 and 25)

DRAFT

Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

RESOLUTION NO. 21-042

A RESOLUTION OF THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN CERTAIN REAL PROPERTY FOR PUBLIC USE AND AUTHORIZING AND DIRECTING CONDEMNATION OF PORTIONS OF ASSESSOR PARCEL NOS. 0138-181-24 and 0138-181-25.

WHEREAS, the San Bernardino County Transportation Authority ("SBCTA") is undertaking the Mount Vernon Avenue Bridge Project (the "Project"); and

WHEREAS, the Project is intended to replace the existing Mount Vernon Avenue Bridge (Bridge Number 54C-066) over the Burlington Northern Santa Fe ("BNSF") rail yard in the City of San Bernardino, San Bernardino County, California. The Project will replace the existing four-lane bridge with a new four-lane bridge from Rialto Avenue to 5th Street; and

WHEREAS, the Project requires the acquisition of property or property interests from public and private parties; and

WHEREAS, the Project will be a transportation improvement project serving the public interest; and

WHEREAS, California Public Utilities Code section 130809(b) authorizes SBCTA to exercise the power of eminent domain to acquire said property or property interests for public use by condemnation; and

WHEREAS, portions of the real property located at 472 N. Mount Vernon Avenue, in the City of San Bernardino, California (the "Subject Property") are required for the Project. The specific portions of the Subject Property required for the Project are a roadway easement legally described and depicted in Exhibit "1" hereto; a slope easement legally described and depicted in Exhibit "2" hereto; a slope easement legally described and depicted in Exhibit "3" hereto; a temporary construction easement legally described and depicted in Exhibit "4" hereto; and a temporary construction easement legally described and depicted in Exhibit "5" hereto (collectively, the "Property Interests"); and

WHEREAS, to the extent the Property Interests or portions thereof are currently devoted to or held for some public use, SBCTA intends to acquire substitute property pursuant to California Code of Civil Procedure sections 1240.320 and 1240.330. The requirements of said Code sections have been satisfied and the acquisition of said substitute property is necessary for the Project.

The substitute property may be conveyed by SBCTA to the owner(s) of the necessary property; and

WHEREAS, reasonable vehicular and pedestrian access to and from the Subject Property will be maintained at all times; and

WHEREAS, SBCTA communicated an offer of compensation to the owner or owners of record for the acquisition of the Property Interests; and

WHEREAS, in accordance with section 1245.235 of the California Code of Civil Procedure, SBCTA mailed a Notice of Hearing on the Intent of SBCTA to Adopt a Resolution of Necessity for acquisition by eminent domain of the Property Interests. The Notice of Hearing was mailed to the listed address of all persons whose names appear on the last equalized county assessment roll as the owner or owners of the Subject Property; and

WHEREAS, SBCTA provided written notice to the City of San Bernardino as required by subsection (c) of California Public Utilities Code section 130220.5; and

WHEREAS, the Project, including all amendments thereto, together with the staff reports, environmental documents and all other evidence presented to SBCTA's Board of Directors at the times the Project and the amendments thereto were adopted, are incorporated herein by this reference and made a part hereof as though fully set forth herein; and

WHEREAS, pursuant to section 1245.235 of the California Code of Civil Procedure, SBCTA scheduled a hearing for October 6, 2021 at 10:00 a.m. at Santa Fe Depot—SBCTA Lobby 1st Floor, 1170 W. 3rd Street, San Bernardino, California, and gave to each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll notice and a reasonable opportunity to appear at said hearing and to be heard on the matters referred to in section 1240.030 of the California Code of Civil Procedure and will be provided notification if an opportunity subsequently arises that would allow them to appear virtually online or by telephone at said hearing; and

WHEREAS, said hearing has been held by SBCTA's Board of Directors and each person whose property is to be acquired by eminent domain was afforded an opportunity to be heard on those matters specified in SBCTA's notice of intention to conduct a hearing on whether or not to adopt a Resolution of Necessity and referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, SBCTA may adopt a Resolution of Necessity pursuant to section 1240.040 of the California Code of Civil Procedure.

NOW, THEREFORE, BE IT RESOLVED, by at least a two-thirds vote of SBCTA's Board of Directors under Code of Civil Procedure sections 1240.030 and 1245.230, SBCTA does hereby find and determine as follows:

Section 1. Incorporation of Findings and Recitals. The above findings and recitals are true and correct and are incorporated herein in full by this reference.

Section 2. Compliance with California Code of Civil Procedure. There has been compliance by SBCTA with the requirements of section 1245.235 of the California Code of Civil Procedure regarding notice and hearing.

Section 3. Public Use. The public use for which the Property Interests are to be acquired are for the construction and future maintenance of the Project, a public transportation improvement, as more fully described hereinabove. California Public Utilities Code section 130809(b)(4) authorizes SBCTA to acquire by eminent domain property and interests in property necessary for such purpose and for all uses incidental or convenient thereto.

Section 4. Necessity.

(a) The proposed Project is necessary to replace the existing Mount Vernon Avenue Bridge (Bridge Number 54C-066) over the BNSF rail yard in the City of San Bernardino, San Bernardino County, California. The Project will replace the existing four-lane bridge with a new four-lane bridge from Rialto Avenue to 5th Street.

(b) The public interest and necessity require the acquisition by eminent domain proceedings of the Property Interests.

Section 5. Description of the Property Interests. The Property Interests sought to be acquired are more particularly described and depicted in Exhibits "1" through "5" attached hereto and incorporated herein by reference.

Section 6. Findings. SBCTA hereby finds, determines and declares each of the following:

- (a) The public interest and necessity require the proposed Project;
 - (b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;
 - (c) The Property Interests sought to be acquired are necessary for the proposed Project;
- and

(d) The offer required by section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 7. Existing Public Use(s). Pursuant to sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that any of the Property Interests are already devoted to a public use, the use proposed by this Project is a more necessary public use than the use to which the Property Interests, or any portion thereof, are already devoted, or, in the alternative, are a compatible public use which will not unreasonably interfere with or impair the continuance of the public use to which the Property Interests, or any portion thereof, are already devoted.

Section 8. Acquisition of Substitute Property. To the extent the Property Interests, or portions thereof, are currently devoted to or held for some public use, SBCTA intends to acquire substitute property pursuant to California Code of Civil Procedure sections 1240.320 and 1240.330. The requirements of said Code sections have been satisfied and the acquisition of said substitute property is necessary for the Project. The substitute property may be conveyed by SBCTA to the owner(s) of the necessary property.

Section 9. Authority to Exercise Eminent Domain. SBCTA is hereby authorized and empowered to acquire the Property Interests, including the improvements thereon, if any, by eminent domain for the proposed Project.

Section 10. Further Activities. SBCTA's legal counsel ("Counsel") is hereby authorized and empowered to acquire the Property Interests in the name of and on behalf of SBCTA by eminent domain, and is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Counsel is further authorized to take such steps as may be permitted and required by law, and to make such security deposits as may be required by law and/or order of court, to permit SBCTA to take possession of the Property Interests at the earliest possible time. Counsel is further authorized to reduce the extent of the interests or property to be acquired where a change in design allows the reduction without substantially impairing the construction and operation of the Project for which the Property Interests being acquired.

Section 11. Effective Date. This Resolution of Necessity shall take effect upon adoption.

Adopted by the San Bernardino County Transportation Authority on October 6, 2021 by the following votes:

AYES:

NOES:

ABSENT:

Curt Hagman, Board President
San Bernardino County Transportation Authority

Marleana Roman, Clerk of the Board
San Bernardino County Transportation Authority

DRAFT

Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

EXHIBIT "1"

DRAFT

Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

August 25, 2021
BKF Job No: 20172152

LEGAL DESCRIPTION
EXHIBIT A
ROADWAY EASEMENT

Real property situate in the City of San Bernardino, County of San Bernardino, State of California, described as follows:

Being a portion of the lands granted to Anup Desai by that certain Grant Deed filed for record on December 20, 2004 as Document No. 2004-0935595, Official Record of San Bernardino County, being also a portion of Lots 5 and 6 as shown on the map recorded in Book 15 of Maps at Pages 49 and 50, in the Office of the County Recorder of said county, more particularly described as follows:

Commencing at a point a bolt monument found in a monument well at the centerline intersection of 4th St. and Mt. Vernon Ave.;

Thence along the centerline of said Mt. Vernon Ave. North 0°18'37" West, 387.25 feet;

Thence perpendicular to the last described course South 89°41'23" West, 41.25 feet to a point on the easterly line of said lands of Desai (Doc. No. 2004-0935595), said point being also the **TRUE POINT OF BEGINNING**;

Thence along said easterly line, South 0°18'37" East, 26.27 feet;

Thence along the southerly line of said lands, South 89°43'18" West, 150.00 feet;

Thence along the westerly line of said lands, North 0°18'37" West, 1.00 feet;

Thence leaving said westerly line, North 89°43'18" East, 124.74 feet;

Thence North 44°41'10" East, 35.72 feet to the **TRUE POINT OF BEGINNING**.

Containing 469 square feet, more or less.

END OF DESCRIPTION

As shown on plat attached hereto and by this reference made part hereof as Exhibit B.

For: BKF Engineers

Davis Thresh, P.L.S. No. 6868

8/25/2021

Dated



Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

LEGEND

- POC = POINT OF COMMENCEMENT
- RWE = ROADWAY EASEMENT
- TPOB = TRUE POINT OF BEGINNING
- _____ = CENTERLINE
- = DESCRIBED EXTENTS
- - - - - = DIMENSIONAL TIE
- _____ = LOT LINE

LINE TABLE		
	DIRECTION	LENGTH
L1	S0°18'37"E	26.27'
L2	N0°18'37"W	1.00'
L3	N44°41'10"E	35.72'

APN 0138-131-22

MAHESHKUMAR AND
ANUP DESAI
D.N. 2005-0001667

APN 0138-131-23

APN 0138-131-24

ANUP DESAI
D.N. 2004-0935595
APN 0138-131-25

RWE
469 SQ. FT.±
N89°43'18"E 124.74'

S89°41'23"W
41.25'
TPOB

S89°43'18"W 150.00'

MT. VERNON AVE.
(PUBLIC RIGHT OF WAY)
82.50' WIDE

L2
KINGMAN ST.
(PUBLIC RIGHT OF WAY)
40.00' WIDE

N0°18'37"W 387.25'

POC

4TH ST.
(PUBLIC RIGHT OF WAY)



(SCALE IN FEET)



EXHIBIT "2"

DRAFT

SLOPE EASEMENT
ATTACHMENT TO LEGAL DESCRIPTION
Parcel No.: 0138-181-24

This non-exclusive permanent slope easement shall be in, on, and under the real property described in Exhibit "A" and depicted in Exhibit "B" attached hereto, subject to the rights and limitations set forth herein ("Slope Easement"). The Slope Easement shall be used by the San Bernardino County Transportation Authority and its employees, agents, representatives, contractors, successors and assigns (collectively, "SBCTA") for purposes of installing, maintaining, removing, and replacing, as applicable, a slope in connection with the Mount Vernon Avenue Bridge Project.

The owner(s) and occupant(s) of the real property subject to the Slope Easement shall not construct any permanent improvements within the easement area described and depicted in the attached Exhibits "A" and "B", respectively, that would impede SBCTA's rights as defined herein. The owner(s) and occupant(s) shall not excavate within the Slope Easement area or disturb any material installed within the Slope Easement area.

The rights and obligations of the owner(s) of the real property subject to the Slope Easement shall run with the land and be binding upon and/or inure to the benefit of SBCTA's and the owner or owners' respective heirs, successors and assigns.

SBCTA expressly reserves the right to convey, transfer or assign the Slope Easement subject to the same rights and limitations described herein.

August 25, 2021
BKF Job No: 20172152

LEGAL DESCRIPTION
EXHIBIT A
SLOPE EASEMENT

Real property situate in the City of San Bernardino, County of San Bernardino, State of California, described as follows:

Being a portion of the lands granted to Maheshkumar V. Desai and Anup Desai by that certain Grant Deed filed for record on January 3, 2005 as Document No. 2005-0001667, Official Record of San Bernardino County, being also a portion of Lot 5 as shown on the map recorded in Book 15 of Maps at Pages 49 and 50, in the Office of the County Recorder of said county, more particularly described as follows:

Commencing at a bolt monument found in a monument well at the centerline intersection of 4th St. and Mt. Vernon Ave.;

Thence along the centerline of said Mt. Vernon Ave. North 0°18'37" West, 415.86 feet;

Thence perpendicular to the last described course South 89°41'23" West, 41.25 feet to the southeasterly corner of said lands of Desai (Doc. No. 2005-0001667), said corner being also the **TRUE POINT OF BEGINNING**;

Thence along the easterly line of said lands, North 0°18'37" West, 24.95 feet;

Thence along the northerly line of said lands, South 89°41'46" West, 1.50 feet;

Thence leaving said northerly line, South 03°27'48" West, 25.00 feet to the southerly line of said lands;

Thence along said southerly line, North 89°42'15" East, 3.14 feet to the **TRUE POINT OF BEGINNING**.

Containing 58 square feet, more or less.

END OF DESCRIPTION

As shown on plat attached hereto and by this reference made part hereof as Exhibit B.

For: BKF Engineers



Davis Thresh, P.L.S. No. 6868



8/25/2021

Dated

Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)



LINE TABLE		
	DIRECTION	LENGTH
L1	N0°18'37"W	24.95'
L2	S89°41'46"W	1.50'
L3	S3°27'48"W	25.00'
L4	N89°42'15"E	3.14'

APN 0138-131-22

MAHESHKUMAR AND
ANUP DESAI
D.N. 2005-0001667

APN 0138-131-23

SLOPE
58 SQ. FT.±

APN 0138-131-24

ANUP DESAI
D.N. 2004-0935595
APN 0138-131-25

TPOB

S89°41'23"W
41.25'
S89°42'15"W
3.14'

MT. VERNON AVE.
(PUBLIC RIGHT OF WAY)
82.50' WIDE

N0°18'37"W 415.86'

KINGMAN ST.

(PUBLIC RIGHT OF WAY)
40.00' WIDE

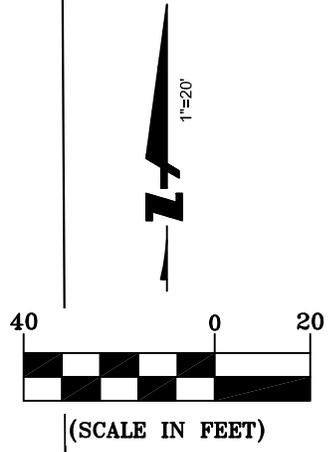
LEGEND

- POC = POINT OF COMMENCEMENT
- SLOPE = SLOPE EASEMENT
- TPOB = TRUE POINT OF BEGINNING
- = CENTERLINE
- = DESCRIBED EXTENTS
- - - = DIMENSIONAL TIE
- = LOT LINE

4TH ST.

(PUBLIC RIGHT OF WAY)

POC



Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)



4675 MACARTHUR COURT
SUITE 400
NEWPORT BEACH, CA 92660
949-526-8460
949-526-8499 (FAX)

Subject EXHIBIT B
PLAT TO ACCOMPANY LEGAL DESCRIPTION
Job No. 20172152
By MR Date 8/25/21 CWS
SHEET 1

EXHIBIT "3"

DRAFT

Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

SLOPE EASEMENT
ATTACHMENT TO LEGAL DESCRIPTION
Parcel No.: 0138-181-25

This non-exclusive permanent slope easement shall be in, on, and under the real property described in Exhibit "A" and depicted in Exhibit "B" attached hereto, subject to the rights and limitations set forth herein ("Slope Easement"). The Slope Easement shall be used by the San Bernardino County Transportation Authority and its employees, agents, representatives, contractors, successors and assigns (collectively, "SBCTA") for purposes of installing, maintaining, removing, and replacing, as applicable, a slope in connection with the Mount Vernon Avenue Bridge Project.

The owner(s) and occupant(s) of the real property subject to the Slope Easement shall not construct any permanent improvements within the easement area described and depicted in the attached Exhibits "A" and "B", respectively, that would impede SBCTA's rights as defined herein. The owner(s) and occupant(s) shall not excavate within the Slope Easement area or disturb any material installed within the Slope Easement area.

The rights and obligations of the owner(s) of the real property subject to the Slope Easement shall run with the land and be binding upon and/or inure to the benefit of SBCTA's and the owner or owners' respective heirs, successors and assigns.

SBCTA expressly reserves the right to convey, transfer or assign the Slope Easement subject to the same rights and limitations described herein.

August 25, 2021
BKF Job No: 20172152

LEGAL DESCRIPTION
EXHIBIT A - SLOPE EASEMENT

Real property situate in the City of San Bernardino, County of San Bernardino, State of California, described as follows:

Being a portion of the lands granted to Anup Desai by that certain Grant Deed filed for record on December 20, 2004 as Document No. 2004-0935595, Official Record of San Bernardino County, being also a portion of Lots 5 and 6 as shown on the map recorded in Book 15 of Maps at Pages 49 and 50, in the Office of the County Recorder of said county, more particularly described as follows:

Commencing at a point a bolt monument found in a monument well at the centerline intersection of 4th St. and Mt. Vernon Ave.;

Thence along the centerline of said Mt. Vernon Ave. North 0°18'37" West, 387.25 feet;

Thence perpendicular to the last described course South 89°41'23" West, 41.25 feet to a point on the easterly line of said lands of Desai (Doc. No. 2004-0935595), said point being also the **TRUE POINT OF BEGINNING**;

Thence along said easterly line, North 0°18'38" West, 28.61 feet;

Thence along the northerly line of said lands, South 89°42'15" West, 3.14 feet;

Thence leaving said northerly line along the following five (5) courses:

- 1) South 03°27'48" West, 26.57 feet;
- 2) South 45°35'49" West, 27.85 feet;
- 3) South 83°22'00" West, 25.51 feet;
- 4) South 87°39'41" West, 53.79 feet;
- 5) South 89°24'11" West, 45.99 feet to the westerly line of said lands;

Thence along said westerly line, South 0°18'37" East, 2.97 feet;

Thence leaving said westerly line, North 89°43'18" East, 124.74 feet;

Thence North 44°41'10" East, 35.72 feet to the **TRUE POINT OF BEGINNING**.

Containing 809 square feet, more or less.

END OF DESCRIPTION

As shown on plat attached hereto and by this reference made part hereof as Exhibit B.

For: BKF Engineers



Davis Thresh, P.L.S. No. 6868



8/25/2021
Dated

Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

LEGEND

- POC = POINT OF COMMENCEMENT
- SLOPE = SLOPE EASEMENT
- TPOB = TRUE POINT OF BEGINNING
- = CENTERLINE
- = DESCRIBED EXTENTS
- = DIMENSIONAL TIE
- = LOT LINE

LINE TABLE		
	DIRECTION	LENGTH
L1	N0°18'38"W	28.61'
L2	S89°42'15"W	3.14'
L3	S3°27'48"W	26.57'
L4	S45°35'49"W	27.85'
L5	S83°22'00"W	25.51'
L6	S87°39'41"W	53.79'
L7	S89°24'11"W	45.99'
L8	S0°18'37"E	2.97'
L9	N44°41'10"E	35.72'

APN 0138-181-22

MAHESHKUMAR AND
ANUP DESAI
D.N. 2005-0001667

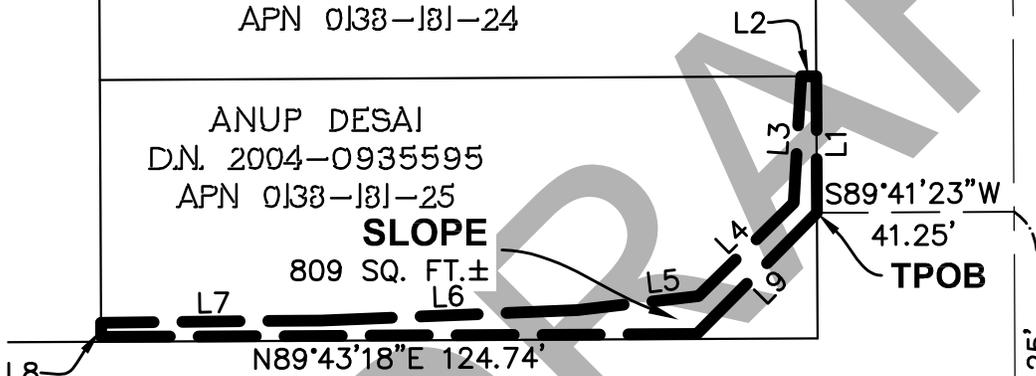
APN 0138-181-23

APN 0138-181-24

ANUP DESAI
D.N. 2004-0935595
APN 0138-181-25

SLOPE

809 SQ. FT.±



MT. VERNON AVE.
(PUBLIC RIGHT OF WAY)
82.50' WIDE

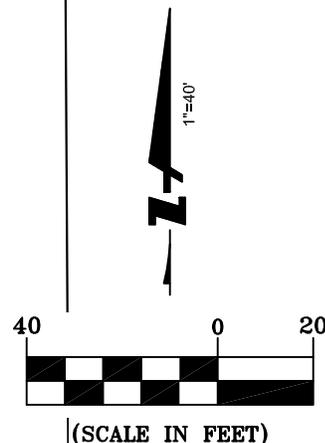
KINGMAN ST.

(PUBLIC RIGHT OF WAY)
40.00' WIDE



4TH ST.
(PUBLIC RIGHT OF WAY)

POC



Attachment: Desai - draft RON (with address) (7426 : Dry Run RONS Mt. Vernon Viaduct)

EXHIBIT "4"

DRAFT

Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

TEMPORARY CONSTRUCTION EASEMENT
ATTACHMENT TO LEGAL DESCRIPTION
Parcel No.: 0138-181-24

This temporary construction easement shall be in, on, over, under, and across that certain real property described in Exhibit "A" and depicted in Exhibit "B" attached hereto, subject to the rights and limitations set forth herein ("TCE"). The TCE shall be used by the San Bernardino County Transportation Authority and its employees, agents, representatives, contractors, successors and assigns (collectively, "SBCTA") in connection with the construction of the Mount Vernon Avenue Bridge Project. The TCE shall be for a period of forty-eight (48) months, a portion of which shall be exclusive (subject to the Rights and Limitations of Use and Occupancy set forth below) and a portion of which shall be non-exclusive. Specifically, the actual physical construction activities within the TCE area shall be limited to a period of twenty-four (24) consecutive months within the forty-eight (48) month TCE period (the "Construction Period"). During the Construction Period, SBCTA's use and occupancy of the TCE will be exclusive, subject to the Rights and Limitations of Use and Occupancy set forth below. SBCTA's use and occupancy of the TCE during the remaining twenty-four (24) months of the TCE period will be non-exclusive.

Rights and Limitations of Use and Occupancy of TCE:

- SBCTA shall provide the owner and occupants of the property subject to this TCE a minimum of thirty (30)-days written notice as to when the TCE Period will commence.
- During the TCE Period, SBCTA may place a temporary fence around the TCE area.
- Reasonable pedestrian and vehicular access to the remainder property will be maintained at all times.
- SBCTA and its contractor(s) shall access the TCE from the public right of way.
- Improvements within the TCE area will be removed as needed by SBCTA to allow for construction activities. All improvements so removed shall be included in the compensation paid by SBCTA for this TCE.
- Prior to the termination of the TCE Period, SBCTA will remove from the TCE area all construction equipment and materials including, without limitation, any temporary fence, any temporary improvements, and all construction-related debris. The TCE area will be restored to grade by SBCTA.

SBCTA expressly reserves the right to convey, transfer, or assign the TCE subject to the same rights and limitations described herein.

August 25, 2021
BKF Job No: 20172152

LEGAL DESCRIPTION
EXHIBIT A
TEMPORARY CONSTRUCTION EASEMENT

Real property situate in the City of San Bernardino, County of San Bernardino, State of California, described as follows:

Being a portion of the lands granted to Maheshkumar V. Desai and Anup Desai by that certain Grant Deed filed for record on January 3, 2005 as Document No. 2005-0001667, Official Record of San Bernardino County, being also a portion of Lot 5 as shown on the map recorded in Book 15 of Maps at Pages 49 and 50, in the Office of the County Recorder of said county, more particularly described as follows:

Commencing at a bolt monument found in a monument well at the centerline intersection of 4th St. and Mt. Vernon Ave.;

Thence along the centerline of said Mt. Vernon Ave. North 0°18'37" West, 415.86 feet;

Thence perpendicular to the last described course South 89°41'23" West, 41.25 feet to the southeasterly corner of said lands of Desai (Doc. No. 2005-0001667);

Thence to a point along the southerly line of said lands, South 89°42'15" West, 3.15 feet, said point also being the **TRUE POINT OF BEGINNING**;

Thence continuing along said southerly line, South 89°42'15" West, 5.01 feet;

Thence leaving said southerly line North 3°27'48" East, 25.00 feet to the northerly line of said lands;

Thence along said northerly line, North 89°41'46" East, 5.01;

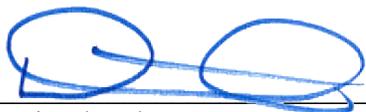
Thence leaving said northerly line, South 3°27'48" West, 25.00p feet to the **TRUE POINT OF BEGINNING**.

Containing 125 square feet, more or less.

END OF DESCRIPTION

As shown on plat attached hereto and by this reference made part hereof as Exhibit B.

For: BKF Engineers



Davis Thresh, P.L.S. No. 6868



8/25/2021

Dated

Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)



LINE TABLE		
	DIRECTION	LENGTH
L1	S89°42'15"W	5.01'
L2	N3°27'48"E	25.00'
L3	N89°41'46"E	5.01'
L4	S3°27'48"W	25.00'

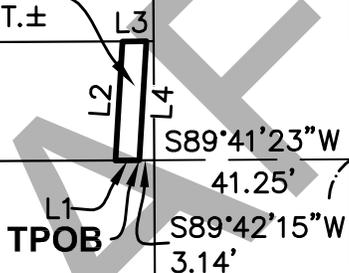
APN 0138-131-22

MAHESHKUMAR AND
ANUP DESAI
D.N. 2005-0001667

APN 0138-131-23

TCE
125 SQ. FT.±

APN 0138-131-24



ANUP DESAI
D.N. 2004-0935595
APN 0138-131-25

MT. VERNON AVE.
(PUBLIC RIGHT OF WAY)
82.50' WIDE

N0°18'37"W 415.86'

KINGMAN ST.

(PUBLIC RIGHT OF WAY)
40.00' WIDE

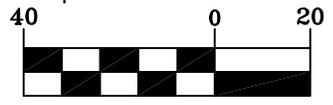
LEGEND

- POC = POINT OF COMMENCEMENT
- TCE = TEMPORARY CONSTRUCTION EASEMENT
- TPOB = TRUE POINT OF BEGINNING
- = CENTERLINE
- = DESCRIBED EXTENTS
- - - = DIMENSIONAL TIE
- = LOT LINE

4TH ST.

(PUBLIC RIGHT OF WAY)

POC



(SCALE IN FEET)



Attachment: Desai - draft RON (with address) (7426 : Dry Run RONS Mt. Vernon Viaduct)



4675 MACARTHUR COURT
SUITE 400
NEWPORT BEACH, CA 92660
949-526-8460
949-526-8499 (FAX)

Subject EXHIBIT B
PLAT TO ACCOMPANY LEGAL DESCRIPTION
Job No. 20172152
By KH Date 8/25/21 Chkd. WS
SHEET 1

EXHIBIT "5"

DRAFT

Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

TEMPORARY CONSTRUCTION EASEMENT
ATTACHMENT TO LEGAL DESCRIPTION
Parcel No.: 0138-181-25

This temporary construction easement shall be in, on, over, under, and across that certain real property described in Exhibit "A" and depicted in Exhibit "B" attached hereto, subject to the rights and limitations set forth herein ("TCE"). The TCE shall be used by the San Bernardino County Transportation Authority and its employees, agents, representatives, contractors, successors and assigns (collectively, "SBCTA") in connection with the construction of the Mount Vernon Avenue Bridge Project. The TCE shall be for a period of forty-eight (48) months, a portion of which shall be exclusive (subject to the Rights and Limitations of Use and Occupancy set forth below) and a portion of which shall be non-exclusive. Specifically, the actual physical construction activities within the TCE area shall be limited to a period of twenty-four (24) consecutive months within the forty-eight (48) month TCE period (the "Construction Period"). During the Construction Period, SBCTA's use and occupancy of the TCE will be exclusive, subject to the Rights and Limitations of Use and Occupancy set forth below. SBCTA's use and occupancy of the TCE during the remaining twenty-four (24) months of the TCE period will be non-exclusive.

Rights and Limitations of Use and Occupancy of TCE:

- SBCTA shall provide the owner and occupants of the property subject to this TCE a minimum of thirty (30)-days written notice as to when the TCE Period will commence.
- During the TCE Period, SBCTA may place a temporary fence around the TCE area.
- Reasonable pedestrian and vehicular access to the remainder property will be maintained at all times.
- The owner will be granted reasonable opportunity to cross through the TCE area to access the remainder property if coordinated in advance with SBCTA's contractor.
- SBCTA and its contractor(s) shall access the TCE from the public right of way.
- Improvements within the TCE area will be removed as needed by SBCTA to allow for construction activities. All improvements so removed shall be included in the compensation paid by SBCTA for this TCE.
- Prior to the termination of the TCE Period, SBCTA will remove from the TCE area all construction equipment and materials including, without limitation, any temporary fence, any temporary improvements, and all construction-related debris. The TCE area will be restored to grade by SBCTA.

SBCTA expressly reserves the right to convey, transfer, or assign the TCE subject to the same rights and limitations described herein.

August 25, 2021
BKF Job No: 20172152

LEGAL DESCRIPTION

EXHIBIT A – TEMPORARY CONSTRUCTION EASEMENT

Real property situate in the City of San Bernardino, County of San Bernardino, State of California, described as follows:

Being a portion of the lands granted to Anup Desai by that certain Grant Deed filed for record on December 20, 2004 as Document No. 2004-0935595, Official Record of San Bernardino County, being also a portion of Lots 5 and 6 as shown on the map recorded in Book 15 of Maps at Pages 49 and 50, in the Office of the County Recorder of said county, more particularly described as follows:

Commencing at a point a bolt monument found in a monument well at the centerline intersection of 4th St. and Mt. Vernon Ave.;

Thence along the centerline of said Mt. Vernon Ave. North 0°18'37" West, 387.25 feet;

Thence perpendicular to the last described course South 89°41'23" West, 41.25 feet to the northeasterly corner of said lands of Desai (Doc. No. 2004-0935595);

Thence along the northerly line of said lands, South 89°42'15" West, 3.14 feet to the **TRUE POINT OF BEGINNING**;

Thence continuing along said northerly line, South 89°42'15" West, 5.01 feet;

Thence leaving said northerly line along the following five (5) courses:

- 1) South 03°27'48" West, 24.32 feet;
- 2) South 45°35'49" West, 24.21 feet;
- 3) South 83°22'00" West, 23.61 feet;
- 4) South 87°39'41" West, 53.53 feet;
- 5) South 89°24'11" West, 45.89 feet to the westerly line of said lands;

Thence along said westerly line, South 0°18'37" East, 5.00 feet;

Thence leaving said westerly line along the following five (5) courses:

- 1) North 89°24'11" East, 45.99 feet;
- 2) North 87°39'41" East, 53.79 feet;
- 3) North 83°22'00" East, 25.51 feet;
- 4) North 45°35'49" East, 27.85 feet;
- 5) North 03°27'48" East, 26.57 feet to the **TRUE POINT OF BEGINNING**.

Containing 878 square feet, more or less.

END OF DESCRIPTION

As shown on plat attached hereto and by this reference made part hereof as Exhibit B.

For: BKF Engineers

Davis Thresh, P.L.S. No. 6868

8/25/2021

Dated



LEGEND

- POC = POINT OF COMMENCEMENT
- TCE = TEMPORARY CONSTRUCTION EASEMENT
- TPOB = TRUE POINT OF BEGINNING
- = CENTERLINE
- ==== = DESCRIBED EXTENTS
- - - - = DIMENSIONAL TIE
- _____ = LOT LINE

LINE TABLE		
	DIRECTION	LENGTH
L1	S89°42'15"W	5.01'
L2	S3°27'48"W	24.32'
L3	S45°35'49"W	24.21'
L4	S83°22'00"W	23.61'
L5	S87°39'41"W	53.53'
L6	S89°24'11"W	45.89'
L7	S0°18'37"E	5.00'
L8	N89°24'11"E	45.99'
L9	N87°39'41"E	53.79'
L10	N83°22'00"E	25.51'
L11	N45°35'49"E	27.85'
L12	N3°27'48"E	26.57'

APN 0138-131-22

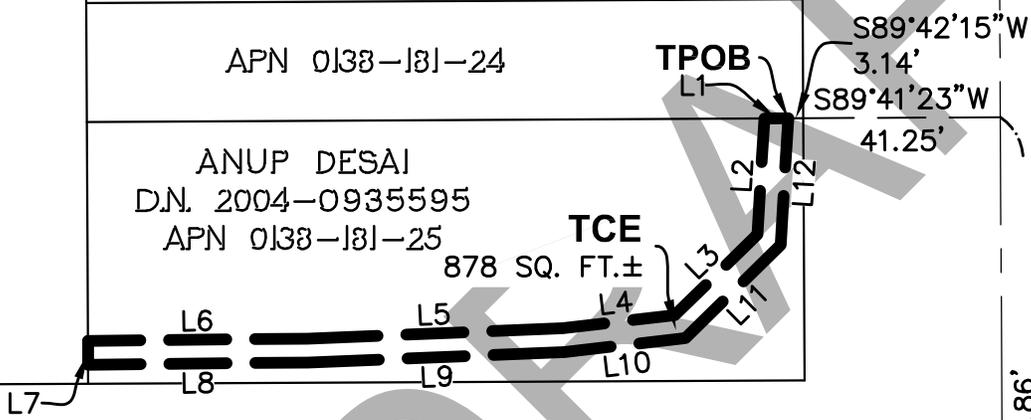
MAHESHKUMAR AND ANUP DESAI
D.N. 2005-0001667

APN 0138-131-23

APN 0138-131-24

ANUP DESAI
D.N. 2004-0935595
APN 0138-131-25

TCE
878 SQ. FT.±



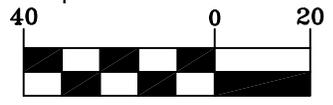
KINGMAN ST.
(PUBLIC RIGHT OF WAY)
40.00' WIDE

MT. VERNON AVE.
(PUBLIC RIGHT OF WAY)
82.50' WIDE

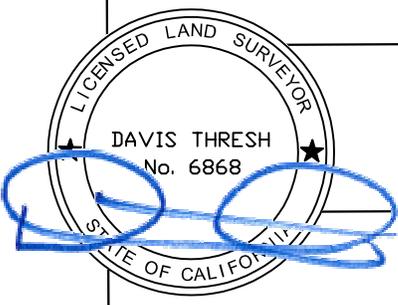
N0°18'37"W 415.86'

4TH ST.
(PUBLIC RIGHT OF WAY)

POC



(SCALE IN FEET)



Attachment: Desai - draft RON (with address) (7426 : Dry Run RONs Mt. Vernon Viaduct)

Minute Action

AGENDA ITEM: 4

Date: September 9, 2021

Subject:

2021 Update to the 10-Year Delivery Plan - Valley Highway Programs

Recommendation:

Receive report and provide comments on the planned update to the 10-Year Delivery Plan for the Valley Freeway Projects Program, Freeway Interchange Projects Program, and Valley Major Streets Program.

Background:

The Strategic Plan serves as the policy manual for the delivery of Measure I Programs by the San Bernardino County Transportation Authority (SBCTA) and its member agencies for the 30-year life of the Measure. The Strategic Plan addresses significant policy, fiscal, and institutional issues associated with the administration and implementation of Measure I, including managing the different goals and priorities among the Valley, Victor Valley, and Rural Mountain/Desert Subareas of the County. One of the key requirements of the Strategic Plan was the preparation of a 10-Year Delivery Plan (Delivery Plan) for Measure I Programs.

The SBCTA Board of Directors (Board) adopted the first Measure I 2010-2040 10-Year Delivery Plan in January 2012. The Delivery Plan provides a list of projects to be developed during a ten-year period and identifies project scopes, schedules, and budgets. Additionally, it provides a basis for the development of the annual budget for capital projects. The Delivery Plan is a living document that is updated every two years in order to capture revisions to the projects and assumptions in the plan, actual Measure I revenue figures, and relevant Board actions. Staff anticipates providing the 2021 Update to the 10-Year Delivery Plan (2021 Update) in its entirety for review at the November 2021 Metro Valley Study Session and Mountain/Desert Policy Committee meetings and for approval by the Board in December 2021.

Valley Freeway Projects Program

In accordance with the Measure I 2010-2040 Ordinance and Expenditure Plan, 29% of the Measure I revenue collected in the Valley Subarea funds the Valley Freeway Projects Program, which for Fiscal Year 2021/2022 is estimated to be about \$47.3 million. The 2019 Update to the 10-Year Delivery Plan (2019 Update) included estimated Valley Freeway Projects Program project costs over the ten-year period of \$2.2 billion with \$1.0 billion coming from Measure I, \$225 million from toll revenues, and the balance from state, federal, and local funds. There was an unfunded need of \$138 million identified that has since been largely filled.

Since the adoption of the 2019 Update, construction has progressed on the Interstate 10 (I-10) Corridor Contract 1 and State Route 210 (SR 210) Widening Projects, and SBCTA has secured full funding through construction for the I-10 Truck Climbing Lane Project in the City of Yucaipa and the Interstate 15 (I-15) Corridor Contract 1 Project, which will connect with the I-15 express lanes in Riverside County and continue to Foothill Boulevard. SBCTA has evaluated options for the next express lanes project to be developed for construction, but significant construction cost increases over the last several years has led to a sequenced approach to construction on I-10 and I-15, with the 2019 Update including partial funding for what was referred to as the I-10 Corridor Contract 2A Project providing for two express lanes in each

Entity: San Bernardino County Transportation Authority

direction from the terminus of the I-10 Corridor Contract 1 Project to Sierra Avenue. It should be noted that the I-10 and I-15 Joint Sub-Committee has discussed revising the scope of the next phase of I-10. This is expected to be considered by the Board in the coming months and any changes will be incorporated into the final 2021 Update.

The table below provides an overview of the projects that have been identified for development in the 2021 Update and the current project status relative to the project scheduling and total project cost forecasts identified in the 2019 Update:

Table 1. Valley Freeway Projects Program Delivery Plan Project Status

Project	Schedule	Cost	Phase
I-215 Bi-County Landscaping	√	√	Landscape
I-215/Barton Road IC	√	-6M	Complete
SR 210 Widening	+1 yr	-46M	Construction
I-10 Corridor Contract 1	√	√	Design-Build
I-15 Corridor Contract 1*	+1 yr	+58M	Design
I-10 Corridor Contract 2A	√	-80M	Proj Develop
I-10 Truck Climbing Lane	+2 yr	+5M	Design
I-215/Mount Vernon Avenue/Washington Street Bridge	+1 yr	√	Right of Way

* Cost change is relative to smaller project scope identified in 2019 Update

Valley Freeway Interchange Projects Program

In accordance with the Measure I 2010-2040 Ordinance and Expenditure Plan, 11% of the Measure I revenue collected in the Valley Subarea funds the Valley Freeway Interchange Projects Program, which for Fiscal Year 2021/2022 is estimated to be about \$17.9 million. The 2019 Update included estimated Valley Freeway Interchange Projects Program project costs over the ten-year period of \$386 million with \$228 million coming from Measure I, \$110 million from local funds, and the balance from state and federal funds. Approval of the 2019 Update included construction of all of the ten highest priority interchanges. In addition to the top ten interchanges, two Tier 2 interchanges were added to the Delivery Plan in the 2017 Update as a result of the on-going development of the I-10 Corridor Contract 1 Project, which will result in improvements to the I-10/Monte Vista Avenue, I-10/Euclid Avenue, and I-10/Vineyard Avenue Interchanges, and a \$40 million reserve was established for the Interchange Phasing Program. Since establishment of the Interchange Phasing Program, only the City of Yucaipa has entered the program for their I-10/Wildwood Canyon Road Interchange, although the City of San Bernardino recently notified SBCTA staff of their desire to proceed with a phased approach at the SR 210/Waterman Avenue Interchange. Additionally, interest has been expressed by the cities of Highland and Ontario for some of their eligible interchanges. No other changes are proposed to the project list for the 2021 Update.

As is typically the case, projects have experienced some delays in progress towards construction and the funding picture has changed since the 2019 Update, with significant estimated cost increases in the I-10/Mount Vernon Avenue Interchange that is largely funded with Measure I. The 2019 Update indicated the need to bond for \$120 million through 2024 to construct projects through 2024. Although there have been cost increases overall in this program, the schedule delays have decreased the need for bonding. While still undergoing analysis, keeping the projects

on schedule could have implications to the interchange phasing program until after the priority interchanges are completed. SBCTA staff will be looking for opportunities for short-term borrowing or internal cash flow borrowing to reduce the long-term impact to the interchange program.

The table below provides an overview of the current project status relative to the project scheduling and total project cost forecasts identified in the 2019 Update:

Table 2. Valley Freeway Interchange Projects Program Delivery Plan Project Status

Project	Schedule	Cost	Phase
I-10/Cedar Avenue IC	√	-1M	Design
SR 210/Base Line IC	+1 yr	-1M	Construction
SR 60/Central Avenue IC	+1 yr	+4M	Construction
I-10/University Street IC	+1 yr	√	Construction
I-215/University Parkway IC	+2 yr	√	Design
I-10/Alabama Street IC	+1 yr	√	Construction
SR 60/Archibald Avenue IC	√	+4M	Construction
I-10/Mount Vernon Avenue IC	+1 yr	+17M	Environmental
I-10/Riverside Avenue IC Phase 2*	TBD	TBD	TBD
I-15/Base Line Road IC - AEA	N/A	N/A	Close Out
SR 60/Euclid Avenue IC - AEA	N/A	N/A	Reimbursed
I-15/Sierra Avenue IC - AEA	N/A	N/A	Reimbursed
I-10/Euclid Avenue IC**	√	√	Design-Build
I-10/Monte Vista Avenue IC**	√	√	Design-Build
I-10/Vineyard Avenue IC**	√	√	Design-Build
SR 210/Waterman Avenue IC (Phasing Program)	New	New	Proj Initiation
I-10/Wildwood Canyon IC (Phasing Program)	New	New	Environmental
Interchange Phasing Program	N/A	N/A	N/A

* City-led project - awaiting update from City of Rialto

** Project costs are included in the Freeway Program - I-10 Corridor Contract 1 project.

Valley Major Streets Program

In accordance with the Measure I 2010-2040 Ordinance and Expenditure Plan, 17% of the Measure I revenue collected in the Valley Subarea funds the Valley Major Streets Projects Program, of which the grade separation sub-program receives 20% and the arterial sub-program receives 80%. For Fiscal Year 2021/2022 the total Valley Major Streets Program revenue is estimated to be about \$27.7 million. The 2019 Update included estimated Valley Major Streets Program project costs over the ten-year period of \$234 million with \$5 million coming from Measure I, \$33 million from local funds, and the balance from state and federal funds. The near-term revenue for the grade separation sub-program is almost entirely dedicated to debt service and SBCTA only constructs projects in the arterial sub-program at the request of local jurisdictions. As such, no new projects are proposed in the Valley Major Streets Program from the projects that were included in the 2019 Update: the Mount Vernon Avenue Viaduct Project that reconstructs the Mount Vernon Avenue bridge over the BNSF Railroad intermodal yard in San Bernardino County Transportation Authority

the City of San Bernardino and the 4th Street bridge at I-10 in the City of Ontario that is being reconstructed as part of the I-10 Corridor Contract 1 Project.

The table below provides an overview of the current status relative to the project scheduling and total project cost forecasts identified in the 2019 Update:

Table 3. Valley Major Streets Program Delivery Plan Project Status

Project	Schedule	Cost	Phase
Monte Vista Avenue Grade Separation (UP)	√	-1M	Complete
Mount Vernon Avenue Viaduct	+2 yr	+16M	Design-Build
I-10 at 4 th Street Bridge	√	√	Design-Build

Revenue Forecast

The 2019 Update assumed that revenue would be increasing between 3.3% and 3.6% through 2029 and then between 3.0% and 3.5% through 2040 based on a study completed in December 2018 by the University of California, Riverside School of Business. The proposed inflation and real growth rate for the 2021 Update is between 3.2% and 3.5%, with an overall average of 3.3% through 2040 based on a study completed in June 2021 by Dr. John Husing, Economics & Politics, Inc. However, despite the pandemic and the initial concern about potential impacts to program revenue, the 2021 Update starts with a higher base value than projected in the 2019 Update, resulting in increased cumulative collections, increasing the \$6.5 billion total revenue in the 2019 Update to \$6.9 billion projected in the 2021 Update. A comparison of the forecasts in the 2019 Update to those in the 2021 Update is presented in Tables 4, 5, and 6.

**Table 4. Valley Freeway Projects Program Revenue Comparison
 2019 Update vs 2021 Update (1,000s)**

Period	2019 Update	2021 Update	Change
FY2010/2011 – 2020/2021	\$392,980	\$402,406	+\$9,426
FY2021/2022 – 2030/2031	\$507,851	\$557,657	+\$49,806
FY2031/2032 – 2039/2040	\$617,107	\$677,574	+\$60,467
TOTAL	\$1,517,938	\$1,637,637	+\$119,699
Uncommitted Balance through 2040*	\$122,000	\$430,000	+\$308,000

*Preliminary estimate

**Table 5. Valley Freeway Interchange Projects Program Revenue Comparison 2019
 Update vs 2021 Update (1,000s)**

Period	2019 Update	2021 Update	Change
FY2010/2011 - 2020/2021	\$149,061	\$152,637	+\$3,576
FY2021/2022 - 2030/2031	\$192,633	\$211,525	+\$18,892
FY2031/2032 - 2039/2040	\$234,075	\$257,011	+\$22,936
TOTAL	\$575,769	\$621,173	+\$45,404
Uncommitted Balance through 2040*	\$117,000	\$163,000	+\$46,000

*Preliminary estimate

**Table 6. Valley Major Streets Program Revenue Comparison
 2019 Update vs 2021 Update (1,000s)**

Period	2019 Update	2021 Update	Change
FY2010/2011 - 2020/2021	\$266,657	\$272,749	+\$6,092
FY2021/2022 - 2030/2031	\$297,706	\$326,903	+\$29,197
FY2031/2032 - 2039/2040	\$361,753	\$397,198	+\$35,445
TOTAL	\$926,116	\$996,850	+\$70,734
Uncommitted Balance through 2040*	\$40,000	\$53,000	+\$13,000

*Preliminary estimate for grade separation sub-program

Bonding Analysis

The bonding analysis for the 2021 Update is being developed with the following criteria:

- Minimum agency-wide debt coverage ratio: 2.0
- Individual programs must have a positive cash flow over the term of the bond.
- Bond interest rate: 5%
- Latest bond issuance: still under analysis

As in previous Delivery Plans there will be a need to bond for both the Valley Freeway Projects Program and the Valley Freeway Interchange Projects Program. Staff is anticipating the need to bond beginning in Fiscal Year 2025/2026 and will recommend short-term financing or cash flow borrowing between Measure I Programs where possible to minimize bond costs. As mentioned previously, further refinement of the Valley Freeway Interchange Projects Program may be required as the bond analysis is developed. The majority of near-term grade separation sub-program funding is dedicated to debt service on prior bond issuances.

Financial Impact:

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

Reviewed By:

The information presented in this item was reviewed by the Transportation Technical Advisory Committee on August 30, 2021, and by the City/County Managers Technical Advisory Committee on September 2, 2021. This item is not scheduled for review by any other policy committee or technical advisory committee.

Responsible Staff:

Andrea Zureick, Director of Fund Administration

Approved
 Board of Directors Metro Valley Study Session
 Date: September 9, 2021

Witnessed By:

Additional Information

BOARD OF DIRECTORS METRO VALLEY STUDY SESSION ATTENDANCE - 2021

VALLEY BOARD MEMBER ATTENDANCE

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Eunice Ulloa City of Chino		X	X	X	X	X		X				
Ray Marquez City of Chino Hills		X	X	X	X	X		X				
Frank Navarro City of Colton		X	X	X	X	X		X				
Aquanetta Warren City of Fontana		X	X	X	X	X		X				
Darcy McNaboe City of Grand Terrace		X	X	X	X	X		X				
Larry McCallon City of Highland		X	X	X	X	X		X				
Rhodes 'Dusty' Rigsby City of Loma Linda												
John Dutrey City of Montclair		X	X	X	X	X		X				
Alan Wapner City of Ontario		X	X	X	X	X		X				
L. Dennis Michael City of Rancho Cucamonga		X	X	X	X	X						
Paul Barich City of Redlands			X	X	X	X						
Deborah Robertson City of Rialto		X	X			X		X				
John Valdivia City of San Bernardino		X	X	X	X	X		X				
Carlos Garcia City of Upland												
Bill Velto City of Upland		X*										
David Avila City of Yucaipa		X	X	X				X				

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.
 Shaded box = No meeting

Communication: Attendance (Additional Information)

BOARD OF DIRECTORS METRO VALLEY STUDY SESSION ATTENDANCE - 2021

VALLEY BOARD MEMBER ATTENDANCE (Cont.)

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Curt Hagman Board of Supervisors		X	X	X	X	X		X				
Dawn Rowe Board of Supervisors		X	X	X	X	X		X				
Janice Rutherford Board of Supervisors		X	X	X	X	X		X				
Joe Baca, Jr. Board of Supervisors		X	X	X	X	X		X				

MOUNTAIN/DESERT BOARD MEMBER ATTENDANCE

Daniel Ramos City of Adelanto												
Gerardo Hernandez City of Adelanto												
Art Bishop Town of Apple Valley		X	X	X	X	X		X				
Paul Courtney City of Barstow												
Rick Herrick City of Big Bear Lake												
Cameron Gregg City of Hesperia												
Edward Paget City of Needles												
Joel Klink City of Twentynine Palms												
Debra Jones City of Victorville												
Rick Denison Town of Yucca Valley		X	X	X		X		X				

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.
Shaded box = No meeting

Communication: Attendance (Additional Information)

BOARD OF DIRECTORS METRO VALLEY STUDY SESSION ATTENDANCE – 2021

Paul Cook Board of Supervisors		X	X	X	X	X		X				
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Communication: Attendance (Additional Information)

X = member attended meeting. * = alternate member attended meeting. Empty box = Did not attend meeting. Crossed out box = not a Board Member at the time.
 MVSSatt21 Shaded box = No meeting

Acronym List

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
S RTP	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 st 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