

**Additional Support Material Agenda Item No. 21**

**Board of Directors Meeting**

**October 5, 2022**

**10:00 a.m.**

**LOCATION:**

**San Bernardino County Transportation Authority  
First Floor Lobby Board Room  
1170 W. 3rd Street, San Bernardino, CA**

**DISCUSSION CALENDAR**

**Transit/Rail**

**21. New and Amended Contracts related to the Brightline West High Speed Rail Project at the Cucamonga Metrolink Station**

That the Board, acting as the San Bernardino County Transportation Authority (SBCTA):

A. Approve Amendment No. 2 to Cooperative Agreement 94-001 (Contract No. 00-1000353) for the City of Rancho Cucamonga Station Cooperative Agreement, amending the termination provisions of the agreement, further clarifying the roles and responsibilities of SBCTA and the City of Rancho Cucamonga with respect to the provision and cost of insurance at the station, amending certain provisions to conform with other station agreements throughout the County. Receivable authority for Cooperative Agreement No. 94-001 will be established with the annual adoption of the SBCTA budget each year.

B. Approve Amendment No. 1 to Lease Agreement 22-1002723, amending the base amount of rent due under the lease agreement for a portion of the San Gabriel Subdivision related to the Brightline West High Speed Rail Project and how future rent escalations will be calculated. This amendment sets the base rent at Fair Market Value, to be billed annually and escalated every three years.

C. Approve Contract No. 23-1002894, a three party Disposition and Development Agreement by and amongst the City of Rancho Cucamonga, SBCTA, and DesertXpress Enterprises, LLC for the disposition and development of a portion of the Cucamonga Station property for a high speed rail station.

D. Allocate \$140,000 of Valley Local Transportation Funds to Task 0313, Transit Right of Way Management, to support the development of agreements related to Brightline at Rancho Cucamonga Metrolink Station.

E. Approve Amendment No. 2 to Contract No. 21-1002621 with Nossaman, LLP for legal advisement services for agreements related to Brightline at Rancho Cucamonga Metrolink Station, adding an additional \$140,000 to the contract amount for a new not-to-exceed total amount of \$390,000, to be funded with Local Transportation Funds – Rail, contingent upon the submission of certificates of insurance demonstrating compliance with contract requirements.

***Exhibit D, sub Exhibit E for Contract No. 23-1002894 was received after publication of the agenda and is attached for your information.***

**EXHIBIT 'E'**  
**Legal Description**

**APN: 0209-272-22**

That portion of Parcel 15 of Parcel Map No. 14647, in the City of Rancho Cucamonga, County of San Bernardino, State of California, filed in Book 177, pages 90 through 96, inclusive, of Parcel Maps, in the Office of the County Recorder of said County, described as follows:

**Commencing** at the northeast corner of Section 13 of Township 1 South, Range 7 West, San Bernardino Meridian, as shown on said Parcel Map;

Thence along the easterly line of said Section 13, South 00°29'50" East 50.00 feet to the intersection of the easterly prolongation of the northerly line of the land described as Rancho Cucamonga Metrolink Station Phase I, in the Grant Deed recorded October 06, 1994, as Document No. 1994-0409793, of Official Records of said County;

Thence along said easterly prolongation line South 89°43'55 West 30.00 feet to the northeasterly corner of said Rancho Cucamonga Metrolink Station Phase I;

Thence continuing along said northerly line South 89°43'55 West 12.83 feet;

Thence leaving said northerly line South 00°00'00" West 311.62 feet;

Thence South 89°36'24" West 345.30 feet to the westerly line of the land described in Exhibit B-1 and as shown on the plat in Exhibit B-2;

Thence along said westerly line South 00°10'37" East 98.41 feet to the **Point of Beginning**;

Thence leaving said westerly line South 47°37'41" East 257.13 feet to the southerly line of said Parcel 15, also being the southerly line of the land described in Exhibit B-1 and shown on the plat in Exhibit B-2;

Thence along said southerly line South 89°36'24" West 82.47;

Thence leaving said southerly line North 47°37'41" West 145.18 feet to a point on said westerly line;

Thence along said westerly line North 00°10'37" West 76.01 feet to the **Point of Beginning**.

Parcel contains 11,265 square feet, more or less.


Said easement shall not exceed a level plane elevation of 1095.50 feet above mean sea level.

The level plane elevation described above is expressed in terms of North American Vertical Datum of 1988. The elevation is based on the San Bernardino County Benchmark No. UF206 with a published elevation of 1,114.07 feet above mean sea level.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, (CCS83), Zone 5, 2010.0 epoch. Divide distances shown by 0.9999392898 to obtain ground distance.

See Exhibit 'E-1' attached hereto and made a part hereof.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act (Bus. & Prof. Code §8700).

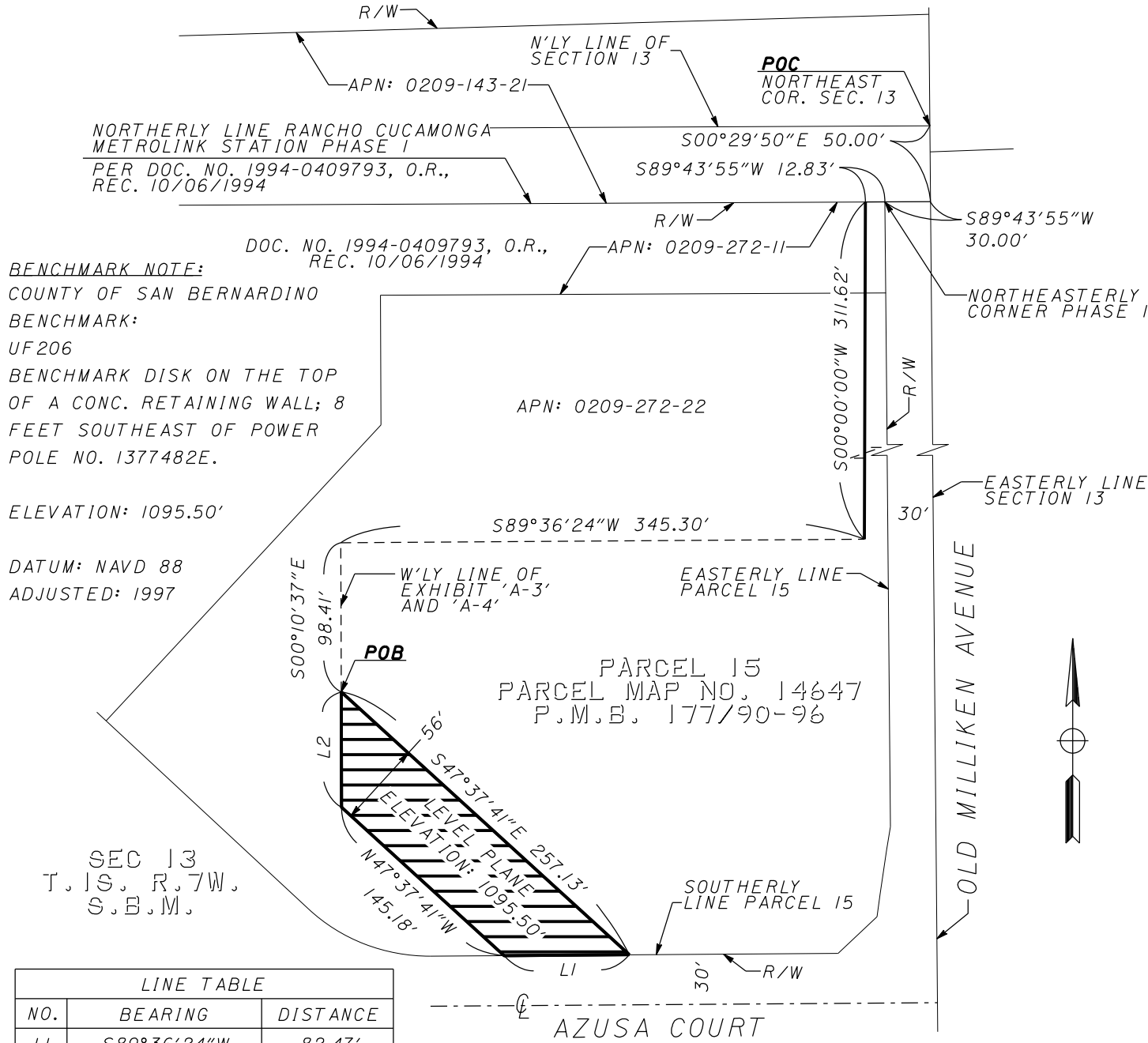
Signature:   
Sean M. Smith, PLS 8233

Date: 9/30/2022



# EXHIBIT 'E-1'

APN	TYPE OF ESTATE	AREA
0209-272-22	EASEMENT	11,265 SF



**BENCHMARK NOTE:**  
 COUNTY OF SAN BERNARDINO  
 BENCHMARK:  
 UF206  
 BENCHMARK DISK ON THE TOP OF A CONC. RETAINING WALL; 8 FEET SOUTHEAST OF POWER POLE NO. 1377482E.  
 ELEVATION: 1095.50'

DATUM: NAVD 88  
 ADJUSTED: 1997

LINE TABLE		
NO.	BEARING	DISTANCE
L1	S89°36'24"W	82.47'
L2	N00°10'37"W	76.01'

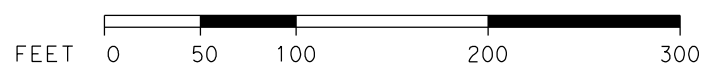
CITY OF RANCHO CUCAMONGA  
 COUNTY OF SAN BERNARDINO

LEGEND	
	Indicates area of easement
POC	Point Of Commencement
POB	Point of Beginning
SF	Square Feet
R/W	Right-of-Way

THIS PLAT WAS PREPARED  
 UNDER MY DIRECTION

9/30/2022

SEAN M. SMITH, PLS 8233      DATE



PREPARED BY:  
**PSOMAS**  
 1650 Spruce Street, Suite 400  
 Riverside, California 92507  
 (951)787-8421 www.psomas.com

PREPARED BY	SCALE	SHEET NO.	TOTAL SHEETS
TKR	1"=100'	1	1