





AGENDA Transit Committee Meeting

February 15, 2024 9:00 AM

Location

San Bernardino County Transportation Authority

First Floor Lobby Board Room 1170 W. 3rd Street, San Bernardino, CA 92410

Transit Committee Membership

Chair

Rick Denison, Council Member Town of Yucca Valley

Vice Chair

John Dutrey, Mayor City of Montclair

Eunice Ulloa, Mayor *City of Chino*

Ray Marquez, Council Member City of Chino Hills

> Frank Navarro, Mayor City of Colton

Acquanetta Warren, Mayor City of Fontana

Sylvia Rodriguez-Robles, Council Member City of Grand Terrace

> Larry McCallon, Mayor Pro Tem City of Highland

Alan Wapner, Council Member City of Ontario

L. Dennis Michael, Mayor City of Rancho Cucamonga

Dawn Rowe, Supervisor County of San Bernardino

Joe Baca, Jr., Supervisor County of San Bernardino

San Bernardino County Transportation Authority San Bernardino Council of Governments

AGENDA

Transit Committee Meeting

February 15, 2024 9:00 AM

Location SBCTA Office First Floor Lobby Board Room 1170 W. 3rd Street, San Bernardino, CA 92410

Items listed on the agenda are intended to give notice to members of the public of a general description of matters to be discussed or acted upon. The posting of the recommended actions does not indicate what action will be taken. The Board may take any action that it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

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 Rick Denison)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- iv. Agenda Notices/Modifications-Sandra Castro

Public Comment

Brief Comments from the General Public

Note: Public Comment on items listed on this agenda will be allowed only during this committee meeting. No public comment will be allowed on committee items placed on the Consent Agenda at the Board of Directors meeting. If an item has substantially changed after consideration during the committee meeting, the item will be placed on Discussion for Board and public comment will be allowed.

Possible Conflict of Interest Issues

Pg. 11

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

1. Information Relative to Possible Conflict of Interest

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

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

INFORMATIONAL ITEMS

Items listed are receive and file items and are expected to be routine and non-controversial. Unlike the Consent Calendar, items listed as Informational Items do not require a vote.

2. Transit and Rail Programs Contract Change Orders to On-Going Contracts

Pg. 12

Receive and file Contract Change Order Report.

Presenter: Victor Lopez

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

3. Bi-Annual Fiscal Year 2023/2024 Railroad Right-of-Way Grants of Right of Use Report

Pg. 14

Receive and file the first half of Fiscal Year 2023/2024 (July through December 2023) Right-of-Way Grants of Right of Use Report.

Presenter: Ryan Aschenbrenner

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

DISCUSSION ITEMS

Discussion - Transit

4. Cooperative Agreement with the Southern California Regional Rail Authority for Pg. 16 Design, Development, and Testing of the Zero Emission Multiple Unit Passenger Rail Vehicle and Support Services for Hydrogen Related Infrastructure

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

- A. Approve Cooperative Agreement No. 22-1002687 with the Southern California Regional Rail Authority, to provide design, development, and testing services and coordination for the implementation of the Arrow Maintenance Facility Hydrogen Upgrade Project, in an amount not-to-exceed \$1,349,640.00 to be funded with Transit and Intercity Rail Capital Program (TIRCP) funds.
- B. Authorize the Executive Director or his designee to release contingency in an amount not-to-exceed \$134,964.00 to be funded with TIRCP funds.

Presenter: Joy Buenaflor

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

5. San Bernardino County Multimodal Transportation Quarterly Update for Fiscal Year Pg. 38 2023/2024 First Quarter

Receive and file the First Quarter San Bernardino County Multimodal Transportation Quarterly Update for Fiscal Year 2023/2024.

Presenter: Nancy Strickert

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

<u>Discussion - Transportation Programming and Fund Administration</u>

6. Senate Bill 125 Transit Funding

Pg. 70

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

- A. Approve the apportionment of anticipated Fiscal Year 2023/2024 Senate Bill (SB) 125 Transit Funding to the Valley and the Mountain/Desert area operators as shown in Table 1.
- B. Authorize the Executive Director, or his designee, to submit the Revised Allocation Package to the California State Transportation Agency on behalf of SBCTA subsequent to approvals of allocations by the SBCTA Board.

Presenter: Andrea Zureick

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

7. Local Transportation Fund Apportionment for Fiscal Year 2024/2025

Pg. 74

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

- A. Maintain Fiscal Year (FY) 2023/2024 Local Transportation Fund apportionment of \$182,615,139, as approved by the SBCTA Board of Directors (Board) on March 1, 2023.
- B. Approve a FY 2024/2025 Fund Reserve of \$14,956,894, representing 10% of the estimated annual revenues for unexpected financial need per Policy No. 31010.
- C. Approve a Local Transportation Fund estimated apportionment of \$171,056,630 for FY 2024/2025, as detailed in Attachment A, based on \$149,568,943 in estimated receipts plus a carryover of \$21,428,798 from actual revenue and interest received in FY 2022/2023 over the estimate the Board approved on March 2, 2022, the return of the unused FY 2023/2024 Fund Reserves, less the Fund Reserves in Recommendation B.

Presenter: Andrea Zureick

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

8. State Transit Assistance Fund-Population Share Apportionment for Fiscal Year $\,_{Pg.\,\,78}$ $\,_{2024/2025}$

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

Approve a State Transit Assistance Fund-Population Share Apportionment for Fiscal Year 2024/2025 of \$29,817,062 based on the State Controller's Office estimate on January 31, 2024, to be apportioned \$21,532,559 to the Valley and \$8,284,503 to the Mountain/Desert areas based on the population estimates approved by the San Bernardino County Transportation Authority Board of Directors in July 2023.

Presenter: Andrea Zureick

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

9. Fiscal Year 2024/2025 State of Good Repair Program Apportionment

Pg. 81

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

A. Approve a State of Good Repair – Population Share Apportionment for Fiscal Year 2024/2025 of \$3,782,902 based on the State Controller's Office estimate on January 31, 2024, to be apportioned \$2,731,844 to the Valley and \$1,051,058 to the Mountain/Desert areas, based on the population estimates approved by the San Bernardino County Transportation Authority Board of Directors in July 2023.

B. Authorize staff to release State of Good Repair - Operator Share funds received in excess of the allocated amount to operators as the funds are received.

Presenter: James Mejia

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

10. Fiscal Year 2023/2024 Low Carbon Transit Operations Program Apportionment - Pg. 84 Population Share

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

Approve a Low Carbon Transit Operations Program - Population Share Apportionment for Fiscal Year 2023/2024 in the amount of \$6,207,879 to be apportioned \$4,483,055 to the Valley and \$1,724,824 to the Mountain/Desert areas based on the population estimates approved by the San Bernardino County Transportation Authority Board of Directors in July 2023.

Presenter: James Mejia

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

Comments from Board Members

Brief Comments from Board Members

ADJOURNMENT

Additional Information

Attendance	Pg. 88
Acronym List	Pg. 90
Mission Statement	Pg. 92

The next Transit Committee meeting is scheduled for March 14, 2024.

Meeting Procedures and Rules of Conduct

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

<u>Accessibility & Language Assistance</u> - The meeting facility is accessible to persons with disabilities. If assistive listening devices, other auxiliary aids or language assistance services are 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 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Accesibilidad y asistencia en otros idiomas - Las instalaciones para las reuniones son accesibles para las personas con discapacidades. Si se necesitan dispositivos de escucha asistida, otras ayudas auxiliares o servicios de asistencia en otros idiomas para participar en la reunión pública, las solicitudes deben ser presentados a la Secretaria de la Junta al no menos de tres (3) días de apertura antes de la reunión de la Junta. La Secretaria esta disponible por teléfono al (909) 884-8276 o por correo electrónico a clerkoftheboard@gosbcta.com y la oficina se encuentra en 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

<u>Agendas</u> – All agendas are posted at <u>www.gosbcta.com/board/meetings-agendas/</u> at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed online at that web address. Agendas are also posted at 1170 W. 3rd Street, 1st Floor, San Bernardino at least 72 hours in advance of the meeting.

<u>Agenda Actions</u> – 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 as provided in the Ralph M. Brown Act Government Code Sec. 54954.2(b).

<u>Closed Session Agenda Items</u> – 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 President of the Board or Committee Chair ("President") will announce the subject matter of the closed session. If reportable action is taken in closed session, the President shall report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item, except Board agenda items that were previously considered at a Policy Committee meeting where there was an opportunity for public comment. Individuals in attendance at SBCTA who desire to speak on an item may complete and turn in a "Request to Speak" form, specifying each item an individual wishes to speak on. Individuals may also indicate their desire to speak on an agenda item when the President asks for public comment. When recognized by the President, speakers should be prepared to step forward and 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 President 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. Any individual who wishes to share written information with the Board may provide copies to

the Clerk of the Board for distribution. Information provided as public testimony is not read into the record by the Clerk. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda. Any consent item that is pulled for discussion shall be treated as a discussion item, allowing further public comment on those items.

<u>Public Comment</u> —An opportunity is also provided for members of the public to speak on any subject within the Board's jurisdiction. Matters raised under "Public Comment" will not be acted upon at that meeting. See, "Public Testimony on an Item," above.

<u>Disruptive or Prohibited Conduct</u> – 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 President may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the 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, failing to relinquish the podium when requested to do so, bringing into the meeting any type of object that could be used as a weapon, including without limitation sticks affixed to signs, 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 President of the Board or Chair of a Policy Committee (Chair) has the option of taking attendance by Roll Call. 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.
- 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.
- Votes at teleconferenced meetings shall be by roll call, pursuant to the Brown Act, or, at any meeting, upon the demand of five official representatives present or at the discretion of the presiding officer.

The Vote as specified in the SBCTA Administrative Code and 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. (Note that Alternates may vote only at meetings of the Board of Directors, Metro Valley Study Session and Mountain/Desert Policy Committee.)

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 Chair shall ask the maker of the original motion if he or she would like to amend the 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 may require deviation from general practice (but not from the Brown Act or agency policy).
- 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 Revised June 7, 2023

AGENDA ITEM: 1

Date: February 15, 2024

Subject:

Information Relative to Possible Conflict of Interest

Recommendation:

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

Background:

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

Item No.	Contract No.	Principals & Agents	Subcontractors
4	22-1002687	Southern California Regional Rail	None
		Authority	

Financial Impact:

This item has no direct impact on the annual budget.

Reviewed By:

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

Responsible Staff:

Victor Lopez, Director of Transit & Rail Programs

Approved Transit Committee Date: February 15, 2024

Witnessed By:

AGENDA ITEM: 2

Date: February 15, 2024

Subject:

Transit and Rail Programs Contract Change Orders to On-Going Contracts

Recommendation:

Receive and file Contract Change Order Report.

Background:

The San Bernardino County Transportation Authority has three ongoing construction contracts and one vehicle procurement contract related to Transit and Rail Programs.

- A. Contract No. 23-1002891 with Griffith Company for the West Valley Connector Project (WVC) Mainline Construction has had no CCOs executed since the last report.
- B. Contract No. 23-1002961 with Proterra Builders, Inc. for the Arrow Maintenance Facility Hydrogen Fuel Upgrade: Equipment Procurement has had no CCOs executed since the last report.
- C. Contract No. 23-1002922 with Metro Builders & Engineers Group, Ltd. for the Arrow Maintenance Facility Hydrogen Fuel Upgrade: AMF Retrofit has had no CCOs executed since the last report.
- D. Contract No. 20-1002310 with Stadler US for Zero Emission Multiple Unit (ZEMU) Rail Vehicle Procurement has had no CCOs executed since the last report.

Financial Impact:

This item is consistent with the Fiscal Year 2023/2024 Budget.

Reviewed By:

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

Responsible Staff:

Victor Lopez, Director of Transit & Rail Programs

Approved Transit Committee Date: February 15, 2024

Witnessed By:

Entity: San Bernardino County Transportation Authority

Transit and Rail Programs Contracts									
	Executed Change Orders								
Number									
	West Valley Connector Mainline Construction Griffith Company (23-10028	91)							
	CCO Total	\$0.00							
	Approved Contingency	\$11,995,991.00							
	Remaining Contingency	\$11,995,991.00							
		20.64)							
	ZEMU - Arrow Maintenance Facility (AMF) Proterra Builders, Inc. (23-1002)	,							
Number	Description	Amount							
	CCO Total	\$0.00							
	Approved Contingency	\$0.00 \$56,280.21							
	Remaining Contingency	\$56,280.21							
	Remaining Contingency	\$30,280.21							
ZEMU	- Arrow Maintenance Facility (AMF) Metro Builders & Engineers Group, Ltd.	(23-1002922)							
Number	Description	Amount							
	CCO Total	\$0.00							
	Approved Contingency	\$962,657.10							
	Remaining Contingency	\$962,657.10							
	ZEMU- Vehicle Procurement Stadler (20-1002310)								
Number	Description	Amount							
	CCO Total	\$48,942.00							
	Approved Contingency	\$500,000.00							
	Remaining Contingency	\$451,058.00							

AGENDA ITEM: 3

Date: February 15, 2024

Subject:

Bi-Annual Fiscal Year 2023/2024 Railroad Right-of-Way Grants of Right of Use Report

Recommendation:

Receive and file the first half of Fiscal Year 2023/2024 (July through December 2023) Right-of-Way Grants of Right of Use Report.

Background:

The San Bernardino County Transportation Authority Board of Directors (Board) adopted Rail Property Policy No. 31602 on July 2, 2014 and approved revisions to Policy No. 31602 on March 6, 2019 and on October 6, 2021. In accordance with Policy No. 31602, Part VI, Policy Principles and Authority to Execute Grants of Right of Use, Section B, Approved Templates, the Board authorized the Executive Director, or designee, to approve all Grants of Right of Use documents as approved to form by General Counsel.

Attachment A reports the Grants of Right of Use issued, amended, denied, and/or terminated in the first half of Fiscal Year 2023/2024 in accordance with the reporting requirements of Policy 31602, Part IX, Section H.

Financial Impact:

This item is consistent with the Fiscal Year 2023/2024 Budget. Presentation of the Bi-Annual Right-of-Way report demonstrates compliance with the Rail Property Policy No. 31602.

Reviewed By:

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

Responsible Staff:

Ryan Aschenbrenner, Right of Way Manager

Approved Transit Committee Date: February 15, 2024

Witnessed By:

Entity: San Bernardino County Transportation Authority

Attachment A

Bi-annual Fiscal Year 2023-2024 (July to December 2023) Right-of-Way Grants of Use Report

Action	Vendor Name	Contract No.	Agreement Type	Minute Traq Item	Linked Agreements	Executed Date	Term	Application	ees	Annual Admin Fees	Use Fees	Amendment or Extension Fees		ees Type Fees Waived	Waived Fee Comments
Issued	City of Redlands	23-1002930	Master License Agreement	9957	n/a	10/25/2023	Month to Month	\$ 2,	230	\$ 1,200	\$ -	\$ 900	\$	- n/a	n/a
Issued	Gerald Bernard Hier	23-1003019	Lease Agreement	9826	n/a	10/23/2023	Month to Month	\$ 2,	230	\$ -	\$ 3,340	\$ -	\$	- n/a	n/a
Amended	Frontier California Inc.	21-1002611	Master License Agreement	9686	n/a	10/24/2023	Month to Month	\$	-	\$ 840	\$ -	\$ -	\$ 2,	Application & Use	Application Fee waived for benefit of RPRP services. Use Fee Waived for Telecom Uses within public streets.
Amended	Frontier California Inc.	21-1002611	Master License Agreement	10080	n/a	11/30/2023	Month to Month	\$	-	\$ 840	\$ -	\$ -	\$ 2,	30 Application & Use	Application Fee waived for benefit of RPRP services. Use Fee Waived for Telecom Uses within public streets.
Grand Total								\$ 4,	460	\$ 2,880	\$ 3,340	\$ 900	\$ 4,	60	

AGENDA ITEM: 4

Date: February 15, 2024

Subject:

Cooperative Agreement with the Southern California Regional Rail Authority for Design, Development, and Testing of the Zero Emission Multiple Unit Passenger Rail Vehicle and Support Services for Hydrogen Related Infrastructure

Recommendation:

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

A. Approve Cooperative Agreement No. 22-1002687 with the Southern California Regional Rail Authority, to provide design, development, and testing services and coordination for the implementation of the Arrow Maintenance Facility Hydrogen Upgrade Project, in an amount not-to-exceed \$1,349,640.00 to be funded with Transit and Intercity Rail Capital Program (TIRCP) funds.

B. Authorize the Executive Director or his designee to release contingency in an amount not-to-exceed \$134,964.00 to be funded with TIRCP funds.

Background:

The San Bernardino County Transportation Authority (SBCTA), in partnership with the Southern California Regional Rail Authority (SCRRA), expanded the public transit network in the San Bernardino Valley with the operation of the Redlands Passenger Rail, or Arrow, starting on October 24, 2022. One of SBCTA's initiatives is to reduce greenhouse gas (GHG) emissions and improve air quality. The diesel multiple units (DMUs) purchased for the Arrow Service are powered via a Tier 4 diesel engine "generator" providing power to electric motors at the wheels. SBCTA recognized an opportunity to convert the power generator to an alternative propulsion technology in an effort to produce a low or zero-emission multiple unit (ZEMU) that could run on the existing heavy rail infrastructure, thus reducing air quality impacts while furthering the use of our existing rail infrastructure. This effort is consistent with and supports Metrolink's Climate Action Plan and has a direct benefit to Metrolink-related general work to be done by SCRRA staff on other zero emission vehicle efforts and the mandate to convert off-road vehicles to zero emission by 2035.

In April 2018, the California State Transportation Agency (CalSTA) awarded SBCTA \$30 million in Transit and Intercity Rail Capital Program (TIRCP) funds to research and develop a ZEMU rail vehicle and construct the infrastructure to fuel and maintain the ZEMU. Just like the DMUs, SCRRA will be the operator of the ZEMU.

On June 7, 2023, staff provided a ZEMU project update to the Board. The ZEMU vehicle assembly was completed in mid-2022 and unveiled at InnoTrans, an international trade and visitor fair for transport technology, in September 2022. Dynamic testing in Switzerland began in December 2022 and completed in May 2023. The vehicle arrived in the US in August 2023 and was transported to the Federal Railroad Administration's (FRA) Transportation Technology Center (TTC) in Pueblo, Colorado, to be recommissioned in preparation for testing. In late September 2023, the ZEMU was transported to Orlando, Florida, to be showcased at the Entity: San Bernardino County Transportation Authority

Transit Committee Agenda Item February 15, 2024 Page 2

American Public Transportation Association (APTA) TRANSform Conference & Expo in October 2023. The ZEMU is currently in TTC undergoing additional testing and is scheduled to arrive in San Bernardino in May 2024, where further testing will be performed on the existing railroad infrastructure.

While the ZEMU vehicle development continues, infrastructure required to support the operation of a hydrogen vehicle progresses simultaneously. The Board awarded the contract to procure major electrical equipment on June 7, 2023, and the contracts for the hydrogen fueling station and the Arrow Maintenance Facility (AMF) retrofit on November 2, 2023 and December 7, 2023, respectively.

As the project delivery team continues to advance the project towards initiating AMF construction and vehicle testing in San Bernardino, SCRRA's continued support is essential in completing the ZEMU project and incorporating the ZEMU vehicle into revenue operations. On October 20, 2021, Work Order No. 9 under Cooperative Agreement No. 15-1001125 was executed to include Positive Train Control analysis and compatibility of the system between the DMU and the ZEMU by SCRRA and its consultant. This cooperative agreement details further responsibilities as it relates to the entire ZEMU project.

Cooperative Agreement No. 22-1002687 includes design development services and vehicle testing support to be performed by SCRRA and its consultants to assist SBCTA in the delivery and implementation of the ZEMU project, including completing the AMF Hydrogen Upgrade Project design and bid documents, testing of the ZEMU vehicle, and other close-out activities.

The estimated cost, including a ten percent contingency, for SCRRA services is \$1,484,604, to be funded with TIRCP funds.

Financial Impact:

The Project is included in the adopted Budget for Fiscal Year 2023/2024 and funded with Transit Intercity Rail Capital Program grant funds in Program 30, Transit.

Reviewed By:

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

Responsible Staff:

Joy Buenaflor, Deputy Director of Transit & Rail Programs

Approved Transit Committee Date: February 15, 2024

Witnessed By:

			Co	ntract Su	ımmary Shee	et			
			Gene	eral Cont	ract Informat	tion			
Contract No:	22-1002687	Amend	dment No.:						
Contract Class:	s: Payable Departm			ment:		Trans	it		
Vendor No.:	02003 Vendor Name: Southern California Regional Rail Authority								
Description:	Zero Emission N	/lultiple l	Unit Initiativ	е					
List Any Related Co	ntract Nos.:								
				Dollar	Amount				
Original Contract		\$	1,349	,640.00	Original Con	tingency	/	\$	134,964.00
Prior Amendments		\$		-	Prior Amend	ments		\$	-
Current Amendme	nt	\$		-	Current Ame	endmen	t	\$	-
Total/Revised Con	tract Value	\$	1,349	,640.00	Total Contin	gency V	alue	\$	134,964.00
		Total	l Dollar Autl	nority (Co	ntract Value	and Co	ntingency)	\$	1,484,604.00
				ontract <i>P</i>	uthorization				
Board of Directo	ors Date:)/4/2023			Commit		Item i	# 8002
	Other Contracts	Co	ontract Man	_	(Internal Pu	•		lget Adjust	tmont
State	Other Contracts	Profe							ımenı
State		11010	233101141 301 1		ts Payable	_		N/A	
Estimated Start Da	te: 10/5/	′2023	Expiration		12/31/2	026	Revised Expiration	n Date:	
I NHS: No		QAP:	 N/A	•	evailing Wag		N/A	=	
	-	_	<u> </u>				al Contract Funding:	Total C	Contingency:
GL:	Sub- Task Object Re 0336 52005 42	venue 206502	PA Level		Code Name	\$	1,349,640.00 1,349,640.00	\$	134,964.00
GL:							: : : : : : :		- - - - - - - - - -
Jov N	Л. Buenaflor					Vict	or Lopez		
	nager (Print Nam	ne)	_		Tas		ger (Print Name)		
Additional Notes									1

COOPERATIVE AGREEMENT NO. 22-1002687 BETWEEN

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY AND

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY FOR

THE ZERO EMISSION MULTIPLE UNIT INITIATIVE

This Cooperative Agreement ("AGREEMENT") is effective this _____day of ______2023, by and between the SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY, 1170 W. 3rd Street, San Bernardino, CA 92410, ("SBCTA"), and the SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY, 900 Wilshire Blvd., Suite 1500, Los Angeles, California 90017 ("SCRRA"). SBCTA and SCRRA are sometimes individually referred to as "PARTY", and collectively referred to as "PARTIES".

RECITALS

WHEREAS, SCRRA is a five-county joint exercise of powers authority, created pursuant to California Public Utilities Code Section 130255 and California Government Code Section 6500 et seq., to build, maintain, administer, and operate the "METROLINK" commuter train system on railroad right-of-way owned by the member agencies that are parties to the Joint Exercise of Powers Agreement, and through other shared use and joint operation agreements. The Member Agencies are comprised of the following: Los Angeles County Metropolitan Transportation Authority ("MTA"), Ventura County Transportation Commission ("VCTC"), Orange County Transportation Authority as the successor in interest to San Bernardino Associated Governments ("SANBAG"), and Riverside County Transportation Commission ("RCTC"); and

WHEREAS, by operation of law, SBCTA is the successor to the interests of SANBAG under the METROLINK JPA pursuant to Senate Bill 1305 effective January 1, 2017; SBCTA owns a portion of the property comprising the railroad right-of-way in San Bernardino County on which SCRRA operates Metrolink commuter rail service, and is a Member Agency signatory to the Joint Exercise of Powers Agreement; and

22-1002687

WHEREAS, SCRRA (through the Joint Exercise of Powers Agreement) and the BNSF Railway operate trains and rail equipment on portions of the right-of-way owned by SBCTA, in accordance with easements, Shared Use Agreements, Acknowledgement Agreement No. 22-1002751, and the "Intercity Agreement" between SCRRA, the Member Agencies, BNSF, and AMTRAK; and

WHEREAS, the tracks on which SCRRA and the BNSF operate are part of the General System of Railroad Transportation, the network of standard gauge track over which goods may be transported throughout the nation and passengers may travel between cities and within metropolitan and suburban areas, and SCRRA is responsible for compliance with all federal and state regulations governing the General System of Railroad Transportation; and

WHEREAS, SBCTA and SCRRA entered into Memorandum of Understanding No. 20-1002367 memorializing specific terms for the Arrow service including, but not limited to, cost allocation and control of assets; and

WHEREAS, SBCTA desires to improve air quality, mitigate climate change in accordance with SCRRA's Climate Action Plan, and enhance rail service in San Bernardino County by advancing deployment of Zero Emission Multiple Unit (ZEMU) passenger rail vehicles that can operate on existing SCRRA infrastructure; and

WHEREAS, SBCTA desires that the initial ZEMU passenger rail vehicle, including the use of a hybrid hydrogen-battery propulsion system, operate on the Redlands Passenger Rail Corridor as part of the Arrow Service operated by SCRRA following SBCTA-led FRA approval and vehicle corridor testing; and

WHEREAS, upgrades, to be completed by SBCTA, to the existing Arrow Maintenance Facility to accommodate hydrogen operation, including installation of modular hydrogen fueling infrastructure, referred to as the "Arrow Maintenance Facility (AMF) Hydrogen Upgrade Project" ("PROJECT") are needed; and

WHEREAS, on July 11, 2018, the SBCTA Board of Directors determined the procurement and conversion of the additional Arrow Passenger Rail Service vehicle was subject to a Categorical Exemption under the California Environmental Quality Act (CEQA), 14 California Code of Regulations Section 15060 (c) (2), Preliminary Review, with the subsequent Notice of Exemption being filed with the San Bernardino County Clerk on July 16, 2018; and

22-1002687 Page 2 of 19

WHEREAS, on September 1, 2021, the SBCTA Board of Directors adopted a resolution certifying the Environmental Impact Report for the AMF Hydrogen Upgrade Project needed to support maintenance of the ZEMU; and

WHEREAS, consistent with Section 130255 of the Public Utilities Code and in order to manage the railroad operating environment in accordance with Federal Railroad Administration's Safety and Operating Rules, SBCTA desires SCRRA's continued participation in the SBCTA-led ZEMU development including modification to the AMF, pursuant to this agreement; and

WHEREAS, SBCTA and SCRRA desire to cooperate for the purpose of advancing PROJECT and to define the scope of SCRRA's involvement in the coordination, review, and assistance in completing the PROJECT and to acknowledge other necessary steps SBCTA and SCRRA must follow to implement the PROJECT; and

WHEREAS, SBCTA and SCRRA entered into Work Order No. 9 in accordance with Cooperative Agreement Contract No. 15-1001125, defining the roles and responsibilities for each party when SCRRA provides support activities for SBCTA rail corridor improvements in San Bernardino County, in an amount of \$100,000, and now SCRRA desires a cooperative agreement and additional funding for SCRRA's support activities related to the ZEMU Initiative;

NOW, THEREFORE, it is mutually understood and agreed by SBCTA and SCRRA as follows:

ARTICLE 1. DEFINITIONS

- A. "Operating Railroads" means any passenger or freight-related railroad company(s) operating on SCRRA operated track(s), including the BNSF Railway Company (BNSF).
- B. "ZEMU vehicle" means the Zero Emission Multiple Unit hybrid hydrogen-battery powered rail vehicle.
- C. "ZEMU Initiative" means the various project tasks required to implement a ZEMU vehicle into passenger service operations, which include, but is not limited to, the design and testing of the ZEMU vehicle, design and construction of the AMF Hydrogen Upgrade Project.

22-1002687 Page 3 of 19

- D. "SCRRA operated right-of-way" is that portion of the San Gabriel Subdivision for which SCRRA currently controls, administers, operates, and/or maintains the railroad track, structures, signals, communication systems, and appurtenances in San Bernardino County, inclusive of the Arrow Maintenance Facility.
- E. "DESIGN/DEVELOPMENT SERVICES" and "VEHICLE TESTING SUPPORT" are the support activities performed by SCRRA to assist SBCTA in the delivery and implementation of the ZEMU Initiative.
- F. AMF Hydrogen Upgrade Project means the hydrogen fueling infrastructure to be installed at the AMF and the physical changes needed to AMF to accommodate maintenance of the ZEMU in the facility. Procurement of the fueling infrastructure is planned to be via a design, build, and maintain contract and include supplying the hydrogen fuel.

ARTICLE 2. SCOPE OF SERVICES

A. This AGREEMENT defines the scope of SCRRA's and SBCTA's involvement during implementation of the ZEMU Initiative, including modifications to the AMF and development and deployment of ZEMU vehicle, including review and assistance in completing both the modifications to the AMF and deployment of the vehicle. See Attachment B for SCRRA Services and Estimate.

ARTICLE 3. DELEGATED AUTHORITY

The actions required to be taken by SCRRA in the implementation of this AGREEMENT are delegated to its Chief Executive Officer or their designee, and the actions required to be taken by SBCTA in the implementation of this AGREEMENT are delegated to its Executive Director or their designee, subject to the limitations set forth in Article 7 "Maximum Obligation".

ARTICLE 4. OBLIGATIONS OF SBCTA

SBCTA agrees:

A. To manage, administer, and schedule the development of the ZEMU rail vehicle and AMF modifications, except work performed by SCRRA in support of the ZEMU Initiative as defined in Article 5.

22-1002687 Page 4 of 19

- B. To fund one hundred percent (100%) of SCRRA's costs specifically related to implementation of the ZEMU Initiative as identified in Attachment B. The costs identified in Attachment B are estimates and may vary and do not relieve SBCTA of the responsibility to fund one hundred percent (100%) of SCRRA's approved cost related to implementation of the ZEMU Initiative in accordance with Article 5, Section L.
- C. Upon execution of this AGREEMENT, to provide a deposit to SCRRA in an amount of \$337,410.00 or twenty-five percent (25%) of the amount of the total estimate of \$1,349,640.00 contained in Attachment B, SCRRA Scope of Services and Estimate.
- D. To reimburse SCRRA within 30 days following receipt of properly formatted, as provided in Article 5., Section K., below, quarterly SCRRA invoices for support related DESIGN/DEVELOPMENT SERVICES and/or VEHICLE TESTING SUPPORT expenditures until the total AGREEMENT amount remaining to be paid is equivalent to the deposit, at which time the deposit shall satisfy SBCTA's remaining reimbursement obligation.
- E. To prepare contract documents, issue construction contracts, and provide construction management services for the AMF Hydrogen Upgrade Project.
- F. To prepare and submit electronic files of the various design milestone submittals for the AMF Hydrogen Upgrade Project for SCRRA review upon completion.
- G. To incorporate into the PROJECT design the most current SCRRA design manuals, standards, guidelines and other documents in effect at each submittal phase, unless site specific considerations require a deviation, in which case SBCTA will provide a justification to SCRRA. If a construction contract's Notice to Proceed (NTP) exceeds 24 months from the time of final submittal, SBCTA will revise the design to incorporate SCRRA standards in effect at that time, subject to site specific considerations. Once final plans are approved by SCRRA, SBCTA shall only incorporate revised standards if such standards are being deployed across the Metrolink system within the ZEMU implementation schedule.

- H. Although SBCTA does not anticipate needing any additional or new easement(s), should such a need arise, SBCTA shall notify SCRRA of any such easements obtained to facilitate the work required to construct the PROJECT and for other features as may be required.
- I. To require its consultants and contractors, prior to the performance of the AMF Hydrogen Upgrade Project, to execute and comply with any necessary Right of Entry forms (Form 5, 6, 37) and permits from SCRRA required for entry onto SCRRA operating right-of-way and the AMF.
- J. To acquire necessary permits from the City of San Bernardino, including but not limited to, the City's fire department and any other applicable public agency, for the modifications at the Arrow Maintenance Facility as a result of the AMF Hydrogen Upgrade Project.
- K. To lead the testing and commissioning activities of the ZEMU vehicle so that passenger service operations using ZEMU vehicle can commence upon Conditional Acceptance by SBCTA. To coordinate with SCRRA on all related activities to obtain a Letter of Concurrence from the Federal Railroad Administration (FRA) for passenger service operations using the ZEMU vehicle.
- L. To draft, review, and submit all necessary documents required by the FRA of the Railroad or operator to safely operate the ZEMU vehicle.
- M. To be responsible, along with the ZEMU vehicle manufacturer, for FRA compliance and 49 CFR 238.111(b) approval by the FRA.
- N. To develop an assignment agreement needed for the transfer of maintenance of the ZEMU vehicle and for the purposes of providing SCRRA access to the vehicle warranty rights and authorities related to the hydrogen fueling infrastructure maintenance and fuel supply provisions.
- O. To fund 100% any PTC hardware or software changes and validation efforts that are required for the SCRRA's PTC system to accommodate the ZEMU operating characteristics. SBCTA will direct the vehicle manufacturer to accommodate ZEMU vehicle changes that are required for the PTC system to be safe and compliant.
- P. To lead the development, review and submittal of all testing documents required by the FRA of the Railroad or FTA.

- Q. To develop the Safety Verification and Certification Program for the ZEMU vehicle relative to operation on the Arrow corridor.
- R. To develop an Operational Hazard Analysis for the ZEMU Project, taking into account impacts to SCRRA's existing systems and service.
- S. To develop a Safety and Security Certification Plan for the ZEMU Project, pursuant to SCRRA's System Safety Program Plan requirements, which is to include:
 - a. The hazard management process to conduct safety hazard analyses and safety hazard resolution.
 - b. A list of all safety and security design criteria that will be used in the planning, design, and construction of the project.
 - c. A list of certifiable elements and sub-elements.
 - d. A description of safety certification audits conducted in accordance with written checklists to verify compliance.
 - e. The format and list of safety certification checklists as they become available.
 - f. A list of safety certification schedule milestones.
 - g. Procedure for updates.
- T. To assist SCRRA with the preparation of and updates to the System Safety Program Plan, Passenger Train Emergency Preparedness Plan, and the Pre-Revenue Service Safety Validation Plan.

ARTICLE 5. OBLIGATIONS OF SCRRA

SCRRA agrees:

A. To participate in technical workshops conducted by the ZEMU vehicle manufacturer and SBCTA, including the bi-weekly vehicle technical meetings, the hazard analysis process, as well as the FRA quarterly meetings and subject matter expert meetings, with the goal of developing a FRA-compliant ZEMU (with the understanding that FRA compliance and 49 CFR 238.111(b) approval is the responsibility of SBCTA and the ZEMU vehicle

- manufacturer), obtaining a Letter of Concurrence from the FRA for passenger service operations, and ensuring compliance with SCRRA standards and requirements.
- B. To participate in reviewing all necessary documents required by the FRA of the Railroad or operator to safely operate the ZEMU vehicle.
- C. To review the AMF Hydrogen Upgrade Project engineering documents (plans, specifications, estimates and supporting reports) for construction, operation and maintenance of the ZEMU as they pertain to existing SCRRA engineering standards, design criteria and safety. Reviews to be performed at 90% and 100% completion stages.
- D. SCRRA will employ the necessary resources to reliably ensure PTC functionality as deemed appropriate by SCRRA staff.
- E. SCRRA may elect to provide specialist consultant support to advise upon the integration and operation of the ZEMU vehicle into SCRRA's network of the track signal, communication, positive train control, security and dispatching systems, so as to ensure interoperability between SCRRA's systems and the proposed ZEMU system; advise upon system definition, FRA compliance requirements and supporting documentation; provide support system design reviews; and assist SBCTA in coordination with system vendors. Consultant support may also be employed by SCRRA for detailed review of AMF Hydrogen Upgrade Project plans and drawings if deemed necessary by SCRRA staff.
- F. To provide, subject to SCRRA's existing Right of Entry processes, Railroad protective and inspection services, including flagging, railroad safety training of SBCTA and its Consultant and Contractors working on the railroad right of way, and location and marking of all SCRRA signal and communications cables, on an as-needed basis.
- G. To participate and support completion of the Safety Verification and Certification Program for the ZEMU vehicle relative to operation on the Arrow corridor.
- H. To facilitate the First Responder Training for the ZEMU as part of SCRRA's annual emergency training program.
- I. To include the ZEMU vehicle under SCRRA's various insurance policies, or self-insurance programs, including, but not limited to, Liability and Property Insurance Coverage and

- maintain coverage of the ZEMU and ongoing operations starting on the date of physical delivery to the AMF.
- J. To prepare Contract Task Orders (CTOs) for SCRRA Engineering Consultants and Contractors and other tasks as may be required to manage and coordinate SCRRA interests.
- K. To provide all SCRRA-related interdepartmental administrative support for the ZEMU Initiative.
- L. To submit to SBCTA quarterly invoices of costs incurred by SCRRA and its Consultants and Contractors for DESIGN/DEVELOPMENT SERVICES and/or VEHICLE TESTING SUPPORT on the basis of items set forth in **Attachment B** and per guidelines required by funding sources identified in **Attachment C**. Invoices shall be delivered to SBCTA within thirty (30) days of the end of the preceding quarter. The first quarter will begin the first day of the month that this AGREEMENT is executed. Invoices shall include detailed information, including description, date of the expense, business purpose and amount. SCRRA shall attach supporting documents substantiating the invoice such as itemized receipts, paid consultant invoices or paid credit card statements. Invoices shall also contain a progress report detailing work accomplished for the invoice period consistent with the report template in **Attachment D**.
- M. To monitor the expenditure of committed funding under AGREEMENT and notify SBCTA ninety (90) days in advance of the potential need for additional funding recognizing the requirement for SBCTA Board of Directors approval to allocate additional funding.
- N. SCRRA shall, following receipt of all required documentation, information, and training, including but not limited to engineering drawings and manuals, update the SCRRA System Safety Program Plan and the SCRRA Passenger Train Emergency Preparedness Plan.
- O. SCRRA shall have no obligation to:
 - a. Conduct or witness all testing related to the ZEMU, except for PTC.
 - b. Submit documentation to the FRA, with the exception of the Pre-Revenue Service Safety Validation Plan and PTC.

c. Obtain approval for the 49CFR 238.111(b) test plan, or any of the requirements contained within 49CFR 238.111(b), or for any other FRA submittals.

ARTICLE 6. MUTUAL OBLIGATIONS

- A. Both SBCTA and SCRRA agree that each will cooperate and coordinate with the other in the activities covered by this AGREEMENT and any other supplemental agreements that may be required to facilitate the purposes of this AGREEMENT.
- B. Review and acceptance of submittals by SCRRA shall not relieve SBCTA, its consultants and Engineer of Record, nor its contractors, of responsibility for the design and construction of the AMF Hydrogen Upgrade Project, including responsibility for errors and omissions in submittals, and construction deviations from accepted design plans.
- C. SBCTA and SCRRA agree to comply with all applicable federal, state, and local laws, statutes, ordinances, and regulations of any governmental authority having jurisdiction over the PROJECT;
- D. SBCTA and SCRRA agree to collaborate in obtaining a Letter of Concurrence from the FRA to operate the ZEMU vehicle;
- E. SBCTA and SCRRA agree to work cooperatively to advance the PROJECT within the estimated 18-month commissioning and testing period, which includes the time allotted for implementation of the AMF Hydrogen Upgrade Project and budget as set forth in Article 7 of the AGREEMENT,;
- F. Neither party shall unreasonably withhold approval of any request or submittal of any report nor other information required under this agreement;

ARTICLE 7. MAXIMUM OBLIGATION

Notwithstanding any provisions of this AGREEMENT to the contrary, SBCTA and SCRRA agree that SBCTA's maximum payment obligation per this AGREEMENT (including SCRRA's direct and indirect costs) shall not exceed \$1,349,640,00 for the ZEMU Initiative support unless this AGREEMENT is amended by a writing signed by both PARTIES.

ARTICLE 8. AUDIT AND INSPECTION

SBCTA or its designee shall have the right to conduct audits of SCRRA support activities for activities covered by this AGREEMENT and invoiced by SCRRA for reimbursement. SCRRA staff will assign support at their discretion based upon their evaluation of project need. SCRRA commits to provide timely response to any request for additional support which may be made by SBCTA. SCRRA shall establish and maintain proper accounting procedures, appropriate internal controls, and a complete set of records in accordance with generally accepted accounting principles. Upon reasonable notice, SCRRA shall permit the SBCTA or its authorized representative(s) to inspect and audit all work, materials, payroll, books, accounts and other data and records of SCRRA for a period of four (4) years after final close out of PROJECT. SBCTA shall also have the right to reproduce any such books, records and accounts. Contracts with SCRRA's contractors shall include the above provision with respect to audits. SCRRA shall reimburse SBCTA for any expenditure that is found not to be incurred in support of the AGREEMENT.

ARTICLE 9. INDEMNIFICATION

- A. SCRRA shall indemnify, defend and hold harmless SBCTA, its officers, directors, members, affiliated entities, employees, contractors and agents from and against any and all claims (including attorney's fees and reasonable expenses for litigation or settlement) for any loss or damages, bodily injuries, including death, worker's compensation subrogation claims, or damage to or loss of use of property caused by the negligent acts, omissions or willful misconduct by SCRRA, its officers, directors, employees, contractors or agents in connection with or arising out of the performance of this AGREEMENT.
- B. SBCTA shall indemnify, defend and hold harmless SCRRA, its officers, directors, member agencies, employees, contractors and agents from and against any and all claims (including attorney's fees and reasonable expenses for litigation or settlement) for any loss or damages, bodily injuries, including death, worker's compensation subrogation claims, or damage to or loss of use of property caused by the negligent acts, omissions or willful misconduct by SBCTA, its officers, directors, employees, contractors or agents in connection with or arising out of the performance of this AGREEMENT.

- C. Each PARTY will require that at every stage of the cooperative endeavor, there is adequate and appropriate insurance coverage for the PARTY to meet its defense and indemnification obligations as set out herein. Each PARTY will require that its' consultants, contractors and subcontractors of any tier performing work pursuant to this AGREEMENT maintain appropriate and adequate commercial insurance, including without limitation, railroad protective liability coverage, where applicable or prudent, and to have the other PARTY and the Operating Railroads named as additional insureds on all such insurance coverage.
- D. The indemnification and defense obligations of this AGREEMENT shall survive its expiration or termination.

ARTICLE 10. ADDITIONAL PROVISIONS:

- A. This AGREEMENT shall continue in full force and effect through December 31, 2026, unless modified or terminated earlier by mutual written consent by both PARTIES. The term of this AGREEMENT may only be extended upon mutual written agreement by both PARTIES.
- B. Either PARTY may initiate proceedings to terminate this AGREEMENT by giving thirty (30) days written notice; however, this AGREEMENT shall not be terminated without mutual agreement of both PARTIES.
- C. SBCTA's and SCRRA's signatories hereto warrant that they are duly authorized to execute this AGREEMENT on behalf of said PARTIES and that, by so executing this AGREEMENT, the PARTIES hereto are formally bound to the provisions of this AGREEMENT.
- D. This AGREEMENT may be amended in writing at any time by the mutual consent of both PARTIES. No amendment shall have any force or effect unless executed in writing by both PARTIES.

E. Notices: Any notices, requests or demands made between the PARTIES pursuant to this AGREEMENT should be sent via email or hard copy to be directed as followed:

To SCRRA: 2704 N Garey Ave

Pomona, CA 91767

Attention: Justin Fornelli

Chief of Program Delivery Email: FornelliJ@scrra.net Telephone: (213) 393-5034

To SBCTA: 1170 W. 3rd Street, 2nd Floor

San Bernardino, CA 92410

Attention: Joy M. Buenaflor

Deputy Director of Transit and Rail Programs

Email: jbuenaflor@gosbcta.com

Telephone: (909) 884-8276

- F. The headings of all sections of this AGREEMENT are inserted solely for the convenience of reference and are not part of and not intended to govern, limit or aid in the construction or interpretation of any terms or provision thereof.
- G. The provisions of this AGREEMENT shall bind and inure to the benefit of each of the PARTIES and all successors or assigns of the PARTIES.
- H. If any term, provision, covenant or condition of this AGREEMENT is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this AGREEMENT shall not be affected thereby, and each term, provision, covenant or condition of this AGREEMENT shall be valid and enforceable to the fullest extent permitted by law.
- I. This AGREEMENT may be executed and delivered in any number of counterparts, each of which, when executed and delivered, shall be deemed an original and all of which together shall constitute the same agreement. Facsimile signatures are permitted.

Page 13 of 19

- J. Either PARTY shall be excused from performing its obligations under this AGREEMENT during the time and to the extent that it is prevented from performing by an unforeseeable cause beyond its control, including but not limited to: any incidence of riots, wars, sabotage, acts of terrorism, civil disturbances, insurrection, explosion, pandemics, quarantines, acts of God, acts of government or governmental restraint, and natural disasters such as floods, earthquakes, landslides, and fires; commandeering of material, products, plants or facilities by the federal, state or local government; national fuel shortage; or a material act or omission by the other PARTY, when the PARTY seeking excuse gives a 5-day notice to the other PARTY and presents satisfactory evidence of the cause for excuse of performance to the other PARTY, and provided further that such nonperformance is unforeseeable, beyond the control of and not due to the fault or negligence of the PARTY not performing.
- K. Neither this AGREEMENT, nor any of the PARTIES' rights, obligations, duties, or authority hereunder may be assigned in whole or in part by either PARTY without the prior written consent of the other PARTY. Any such attempt of assignment shall be deemed void and of no force and effect. Consent to one assignment shall not be deemed consent to any subsequent assignment, nor the waiver of any right to give or withhold consent to such subsequent assignment.
- L. Nothing in this AGREEMENT shall be deemed or construed to authorize or require any PARTY to issue bonds, notes or other evidences of indebtedness under the terms of this Cooperative Agreement, or for any other purpose.
- M. This AGREEMENT shall be construed and interpreted under the laws of the State of California.
- N. Disputes must be resolved in accordance with the procedure set forth in the SCRRA Joint Exercise of Powers Agreement. Should litigation arise out of this AGREEMENT for the performance thereof, each PARTY shall be responsible for its own costs and expenses, including attorney's fees.
- O. This AGREEMENT, including any exhibits and documents incorporated herein and made applicable by reference, constitute the complete and exclusive statement of the terms and

conditions of this AGREEMENT between SBCTA and SCRRA concerning SCRRA's participation in the design of the PROJECT.

P. Attachment A (Project Location), Attachment B (SCRRA Scope of Services and Estimate), Attachment C (Funding Sources/Requirements), and Attachment D (Invoice Progress Report Template) are attached to and incorporated into this AGREEMENT by this reference.

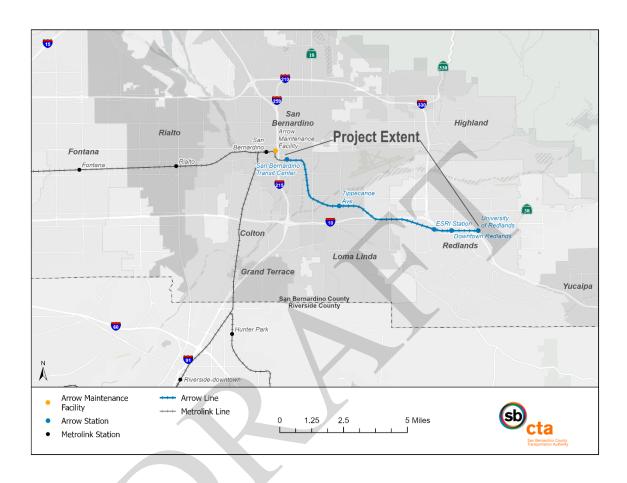
This AGREEMENT shall be made effective upon execution by both PARTIES.

IN WITNESS WHEREOF, the PARTIES hereto have caused this AGREEMENT to be entered into as of the date set forth above.

SOUTHERN CALIFORNIA REGIONAL	SAN BERNARDINO COUNTY
RAIL AUTHORITY	TRANSPORTATION AUTHORITY
By:	By:
Darren M. Kettle	Dawn Rowe
Chief Executive Officer	President, Board of Directors
Approved as to form:	Approved as to form:
By:	By:
Don O. Del Rio	Julianna K. Tillquist
General Counsel	General Counsel

ATTACHMENT A

Project Location



ATTACHMENT B

SCRRA Services and Estimate

Cost	Hrs or Wks	Rate/hr	Total	Notes
Metrolink Staff Time -				
Design Development				
(Hrs.)	948	\$350	\$331,800	
Metrolink Staff Time -				
Testing Support (Hrs.)	536	\$350	\$187,600	
Flagging Support (Wks.)	10	\$20,000	\$200,000	Est. \$20K/wk starting June 2024
				Est. \$1.08/mi @ 1000 miles/wk starting
Dispatching (Wks.)	28	\$1,080	\$30,240	June 2024
Consultant On-				
Call/Testing/Studies/Etc			\$500,000	
PTC Testing Support			\$200,000	Wabtec support at Pueblo and CA
		Sub total	\$1,449,640	
		WO #13	\$100,000	
		Total	\$1,349,640	

ATTACHMENT C

Funding Sources/Requirements

SCRRA's consultants and contracts used on ZEMU Initiative must meet State procurement guidelines and requirements. The project funding sources are identified below.

Caltrans - Transit and Intercity Rail Capital Program
South Coast Air Quality Management District - Hydrogen Infrastructure Partnership Program
Local – State Transit Assistance Funds



ATTACHMENT D

Invoice Progress Report Template

Contract No.:	300000	Reporting R	heriod:		Project No.:	Page of
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Minute Action

AGENDA ITEM: 5

Date: February 15, 2024

Subject:

San Bernardino County Multimodal Transportation Quarterly Update for Fiscal Year 2023/2024 First Quarter

Recommendation:

Receive and file the First Quarter San Bernardino County Multimodal Transportation Quarterly Update for Fiscal Year 2023/2024.

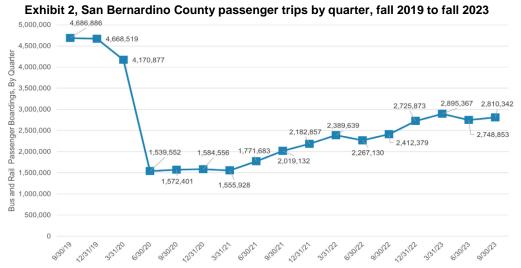
Background:

Multimodal services are an important part of how people travel throughout San Bernardino County. This is reflected in projects and programs that San Bernardino County Transportation Authority (SBCTA) is currently constructing and managing, as well as its involvement with the transit operators and the Southern California Regional Rail Authority (SCRRA). Although SBCTA's primary responsibility to the operators is to allocate funding, SBCTA is still required to be tuned in to the trends and statistics of its operators. To help facilitate this, as well as keeping the SBCTA Transit Committee and Board of Directors apprised of this information, SBCTA staff, in consultation with the transit operators, SCRRA, and AMMA Transit Planning, created the San Bernardino County Multimodal Transportation Quarterly Report (Report).

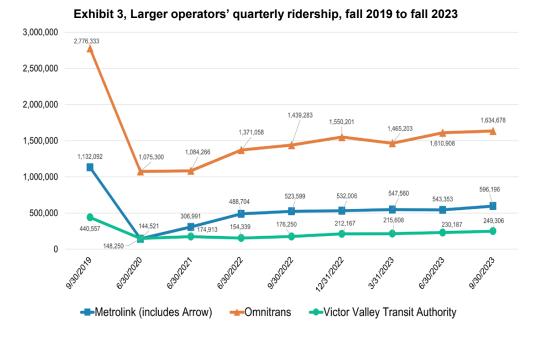
The primary source of data used in the Report is from TransTrack. TransTrack is a countywide transit performance software that the San Bernardino County (County) transit operators, except SCRRA, use to provide operations and financial data on a monthly basis. This allows SBCTA to pull data reports independently from the transit operators. The other data sources for this report came from SBCTA's rideshare program database, transit operators' staff, and their respective Board of Directors agenda reports. This allows for collaboration between SBCTA staff and the operators' staff to ensure that an accurate picture is being presented. SCRRA data is collected directly from SCRRA staff and reviewed as part of the SCRRA Member Agency Advisory Committee (MAAC) activities. SBCTA is working with SCRRA on adding access to the Arrow Service data through TransTrack for consistency.

Throughout the first quarter of Fiscal Year (FY) 2023/2024, San Bernardino County bus and rail transit operators provided 2.8 million trips system wide (as shown in Exhibit 2 on the following page). This was an increase of more than 60,000 trips from the prior quarter.

Transit Committee Agenda Item February 15, 2024 Page 2



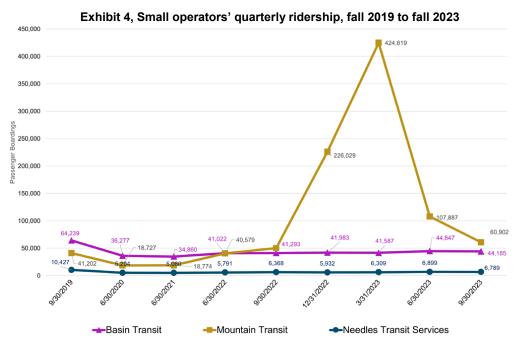
Among the larger operators, Omnitrans' steady growth continued, its 1.6 million trips reflecting an additional 24,000 boardings, a 1.5% increase from the prior quarter (as shown in Exhibit 3 below). Metrolink boardings of 596,000 represented an increase of more than 50,000 trips from the prior quarter. The San Bernardino Line saw a 7% increase over the prior quarter, while the Inland Empire Orange County line saw a larger 16% increase during the two quarter period. An additional 22,000 trips were made on the new Arrow Service, which are included in Metrolink's total in Exhibit 3. Victor Valley Transit Authority's (VVTA) recovery continued, following a long-period of minimal growth, adding 8% more trips this first quarter of FY 2023/2024, serving almost 250,000 passenger boardings.



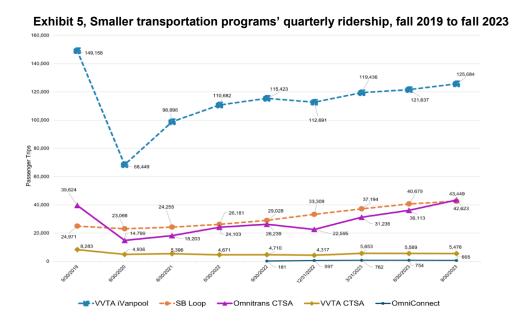
Mountain Transit seasonal ridership is down from its winter highs, dropping to almost 61,000 trips, but 21% above the 50,000 trips provided in the first quarter of last year (as shown in Exhibit 4 on the following page). Basin Transit's ridership of 44,000 trips reflects a slight drop from the prior quarter, but is nonetheless 7% above the prior year, in the first quarter of

Transit Committee Agenda Item February 15, 2024 Page 3

FY 2022/2023. Needles Transit Services' ridership of almost 6,800 in this first quarter is down about 100 trips from the prior quarter, related to hot summer weather. It is however, up over 400 trips, or 6.5%, from the first quarter of FY 2022/2023.

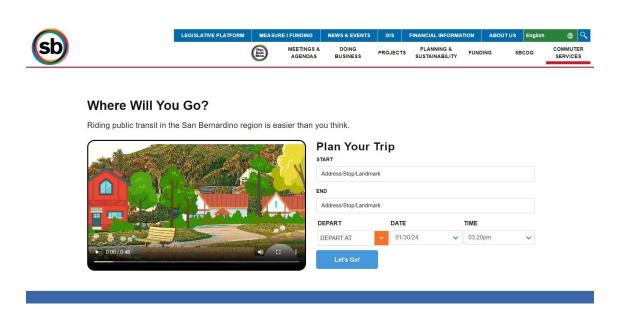


The vanpool programs, VVTA's Vanpool and SBCTA's SB Loop, together provided nearly 169,000 passenger trips in the first quarter of FY 2023/2024, and is up 17%, or 25,000 trips, over this period the year before (as shown in Exhibit 5 on the following page). The Consolidated Transportation Services Agencies (CTSA) of Omnitrans and VVTA are recovering ridership as their more vulnerable populations slowly return to transit. Omnitrans CTSA served 43,000 trips this quarter, compared with 26,000 a year ago. VVTA's smaller CTSA provided almost 5,500 trips this quarter, up from 4,700 trips in the year prior. Finally, the new OmniConnect shuttles serving downtown San Bernardino and Ontario International Airport commenced service just a year ago and provided almost 700 trips this quarter.



Current Initiatives

Since its launch it October 2023, SBCTA's "Where Will You Go" campaign encourages riders to use the multimodal network to connect to regional destinations and report on their adventures. SBCTA's new transit landing page, Where Will You Go? - SBCTA (gosbcta.com), highlights the campaign, including a short and entertaining animated video showing all the places you can go on transit from San Bernardino. The webpage also features a trip planner that makes it easy to plan one's trip from anywhere within the County to a myriad of destinations both within and beyond the County. This revitalized transit webpage is newly seeing high traffic. The page received 5,200 views in October 2023, an increase of over 2000% from September 2023. It continues to be one of the most visited pages on the SBCTA website, making it to the first or second spot in views in November and December.



Transit Committee Agenda Item February 15, 2024 Page 5

In October 2023, VVTA celebrated 30 years of service with a lively community celebration, the unveiling of a special anniversary bus, and free rides for the month of October on all bus services. The celebration at VVTA's headquarters focused on VVTA's three-decade commitment to serving the High Desert community and key achievements of Expansion of Services, Modernization, Environmental Initiatives, Community Engagement and Accessibility. Nancie Goff, CEO of VVTA spoke to these accomplishments and affirmed VVTA's commitment to "continue to connect communities, enhance lives, and build a brighter, more sustainable future for the Victor Valley region." Adding to the festivities, the San Bernardino County Board of Supervisors designated October 20 as "Victor Valley Transit Day" for the next five years. Staff congratulated VVTA and its partners for continuing to serve with excellence.



Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2023/2024.

Reviewed By:

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

Responsible Staff:

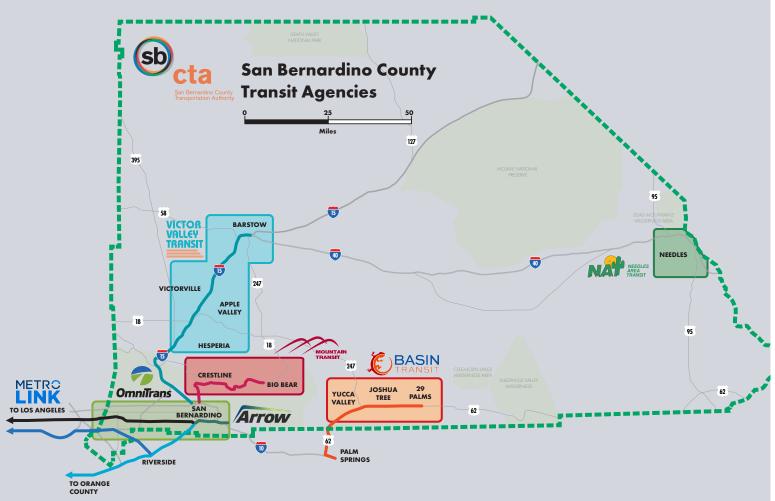
Nancy Strickert, Transit Manager

Approved Transit Committee Date: February 15, 2024

Witnessed By:



San Bernardino County Multimodal Transportation Quarterly Update



First Quarter Fiscal Year 2023/2024 Volume 5, Number 1 This page was intentionally left blank.

Table of Contents

Introduction	1
Commentary	2
Current Initiatives	4
Public Transit Bus Operators	7
Omnitrans	7
OmniConnect	8
Omnitrans CTSA	9
Victor Valley Transit Authority	10
VVTA CTSA	11
VVTA Vanpool Program	12
Basin Transit	13
MountainTransit	14
Needles Transit Services	15
Rail	16
Metrolink	16
Arrow	17
Other Modes	18
SBCTA Multimodal Programs	18

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Introduction

All of San Bernardino County's public transit programs are showing steady, continuing recovery of ridership from low points in the summer of 2020, near the outset of the COVID-19 pandemic. This iteration of the SAN BERNARDINO COUNTY MULTIMODAL TRANSPORTATION QUARTERLY REPORT (Volume 5, Number 1), first quarter (July, August, September) of Fiscal Year 2023/2024 (FY 23/24) contrasts performance with the fourth quarter of the previous year, FY 2022/2023 (FY 22/23). Three years of public transportation performance provide additional context. Current initiatives by SBCTA and the operators to grow ridership and enhance community-level and regional transit services are also reported.

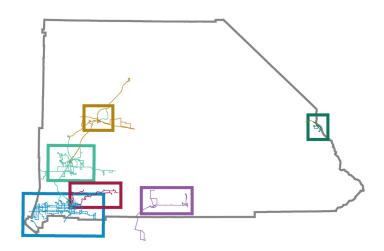
This report has two primary purposes in informing San Bernardino County policy makers, members of the general public and interested stakeholders:

- 1. To provide high-level information about specific transportation services and programs available.
- 2. To report on current initiatives and to track trends in key performance indicators.

The County's Public Transportation Modes and Programs

San Bernardino County, during this quarter, is served by six public transit operators, providing rail, fixed-route bus services, microtransit and Americans with Disabilities Act (ADA) complementary paratransit services. The new Metrolink Arrow

Exhibit 1, San Bernardino County public transit bus operators



San Bernardino-Redlands train service commenced in October 2022. Its third full quarter of service is presented in this report. The six service areas of the County's five bus operators are depicted in Exhibit 1.

- Metrolink Providing passenger rail service across a 538-mile network throughout the counties of Los Angeles, Orange, Riverside, San Bernardino and Ventura. Metrolink launched the Arrow service in October 2022, adding nine additional miles, four new stations and new Diesel Multiple Unit (DMU) trains, and connecting Downtown San Bernardino with the University of Redlands.
- Omnitrans Providing services in the San Bernardino Valley, connecting to Riverside and Los Angeles counties.
- Victor Valley Transit Authority (VVTA) Providing services in the Greater Victor Valley and the Barstow area, connecting to the San Bernardino Valley.
- Basin Transit (previously Morongo Basin Transit Authority) – Providing services in Twentynine Palms, Yucca Valley, Joshua Tree and the Morongo Valley communities, connecting to the Coachella Valley.
- Mountain Transit Providing services in the Lake Arrowhead and Big Bear communities, connecting to the San Bernardino Valley.
- Needles Transit Services Providing services within the City of Needles and limited connections into Arizona.

Three additional modes of transportation support San Bernardino County residents:

- Consolidated Transportation Service Agencies (CTSAs) programs – Specialized transportation services administered by Omnitrans and VVTA.
- Vanpool programs Programs are operated by San Bernardino County Transportation Authority (SBCTA) and VVTA.
- IE Commuter A rideshare program of SBCTA and Riverside County Transportation Commission (RCTC).

Commentary

Continuing Ridership Growth

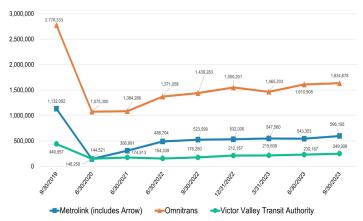
The good news of continuing ridership recovery systemwide is presented in the nine-quarter picture of Exhibit 2, from the pre-pandemic fall of 2019 through the fall of 2023, first quarter of the FY 23/24 year. While passenger boardings are still about 1.8 million below that first quarter of FY 19/20, steady ridership growth continues through these more recent quarters.

Schools were coming back into session during these July-August-September months and SBCTA's "Student Free Fare" bus operator policy for grades Kindergarten through 12th grade was heavily promoted. First quarter FY 23/24 bus and rail ridership of 2.8 million boardings across all modes reflected a 60,000 trips increase from the immediate prior year quarter, 4th quarter of FY 22/23.

Among the larger operators, Omnitrans' steady growth continued, its 1.6 million trips reflecting an additional 24,000 boardings, a 1.5% increase from the prior quarter.

Metrolink boardings of 596,000 represented an increase of more than 50,000 trips from the prior quarter. The San Bernardino Line saw a 7% increase over the prior quarter, while the IEOC line saw a larger 16% increase during the two-quarter period. An additional 22,000 trips were made on the

Exhibit 3, Larger operators' quarterly ridership, fall 2019 to fall 2023

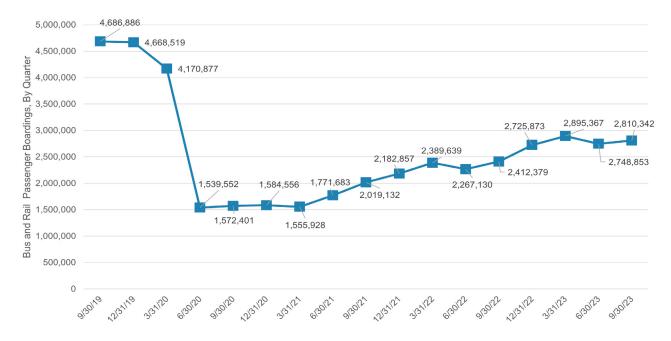


new Arrow service, trips included in Metrolink's total depicted in Exhibit 3.

VVTA recovery continued, following a long-period of minimal growth, adding 8% more trips this first quarter of FY 23/24, serving almost 250,000 passenger boardings.

Exhibit 4 shows the County's smaller transit operators with somewhat different ridership experiences from that of the larger operators. Mountain Transit's seasonal ridership is down from its winter highs, dropping to almost 61,000 trips, but 21% above the 50,000 trips provided in the first quarter of last year.

Exhibit 2, San Bernardino County passenger trips by quarter, fall 2019 to fall 2023



Basin Transit's ridership of 44,000 trips reflects a slight drop from the prior quarter, but is nonetheless 7% above a year prior, the first quarter FY 22/23.

And Needles Area Transit's ridership of almost 6,800 in this first quarter is down about 100 trips from the prior quarter, perhaps related to hot summer weather. It is however up over 400 or 6.5% from the first quarter of FY 22/23.

Exhibit 4, Small operators' quarterly ridership, fall 2019 to fall 2023

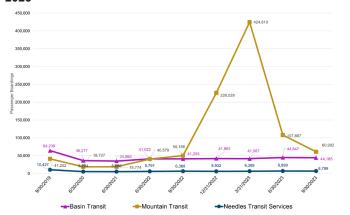
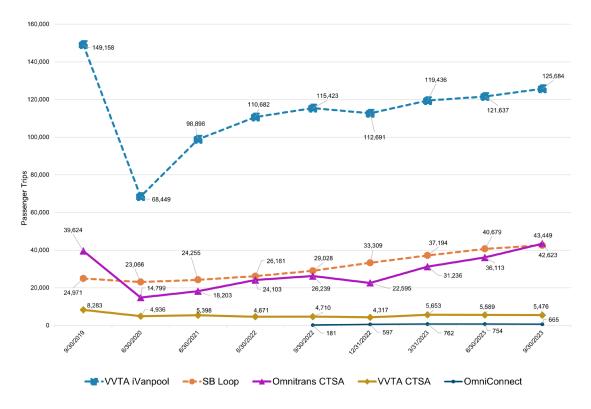


Exhibit 5 presents the quarterly ridership experience of two vanpool programs, the OmniConnect service and the CTSA programs (consolidated transportation services agencies) of Omnitrans and VVTA. The vanpool programs, VVTA's iVanpool and SBCTA's SB Loop, are represented by the dotted lines in Figure 5. These are continuing to recover ridership, together providing nearly 169,000 passenger trips this first quarter of FY 23/24, and up 17%, or 25,000 trips, over this period the year before.

The CTSAs of Omnitrans and VVTA are recovering ridership as their more vulnerable populations slowly return to transit. Omnitrans CTSA served 43,000 trips this quarter, compared with 26,000 a year ago. VVTA's smaller CTSA provided almost 5,500 trips this quarter, up from 4,700 trips a year ago.

Finally, the new OmniConnect shuttles serving downtown San Bernardino and Ontario airport commenced service just a year ago and provided almost 700 trips this quarter.

Exhibit 5, Smaller transportation programs' quarterly ridership, fall 2019 to fall 2023



Current Initiatives

This section reports on initiatives and activities by SBCTA and San Bernardino County operators to increase mobility, grow ridership and improve coordination among transit programs and providers.

SBCTA'S Regional Campaign Promotes All the Places You Can Go

Since its launch it October 2023, SBCTA's "Where Will You Go" campaign encourages riders to use the multimodal network to connect to regional destinations and report on their adventures. Messaging that riding public transit is "easier than you think," the campaign presents the travel possibilities of the robust, multimodal transportation hub that is the San Bernardino Transit Center. The new campaign features the six bus systems and three train lines that convene at the San Bernardino Transit Center.

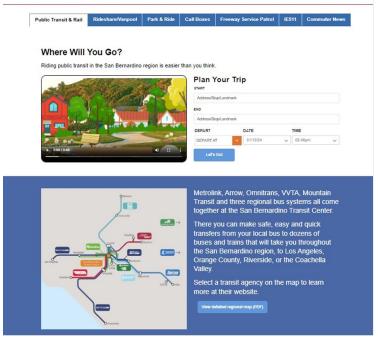
SBCTA's new transit landing page, gosbcta.com/transit, highlights the campaign, including a short and entertaining animated video showing all the places you can go on transit

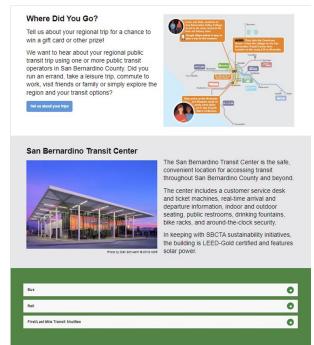
from San Bernardino. The webpage also features a trip planner that makes it easy to plan one's trip from anywhere within the County to a myriad of destinations both within and beyond the County.

This revitalized transit webpage is newly seeing high traffic. The page received 5,200 views in October 2023, over 2000% increase in views than September 2023. It continues to be one of the most visited pages on the SBCTA website, making it to the first or second spot in views in November and December.

Riders are also responding to the promotional sweepstakes offered each quarter. By reporting on their regional trip on the County's multimodal network, they could win a gift card or other prize. To date, 11 riders have submitted their regional travel stories, sharing about their trips across the County for recreation, work, appointments and to visit friends. Of these entries, six riders transferred at the San Bernardino Transit Center. These entries represented trips on Metrolink, Omnitrans, VVTA and Beaumont Transit in Riverside County.

Exhibit 13, SBCTA's redesigned public transit webpage, highlighting the "Where Will You Go" campaign





VVTA Celebrates 30 Years with Free Rides!

In October 2023, Victor Valley Transit Authority celebrated 30 years of service with a lively community celebration, the unveiling of a special anniversary bus, and free rides for the month of October on all bus services.

The celebration at VVTA's head quarters focused on VVTA's three-decade commitment to serving the High Desert community and key achievements of Expansion of Services, Modernization, Environmental Initiatives, Community Engagement and Accessibility. Nancie Goff, CEO of VVTA spoke to these accomplishments and affirmed VVTA's commitment to "continue to connect communities, enhance lives, and build a brighter, more sustainable future for the Victor Valley region. Adding to the festivities, the San Bernardino County Board of Supervisors designated October 20 as "Victor Valley Transit Day" for the next five years.

Riders joined the celebration by riding VVTA bus services
— fixed route, Direct Access, Micro-Link, Route 15, and
Commuter — for free all month. VVTA provided 117,700
free on-way trips, a 88% percent increase over September's
62,500 trips on those services.

Congratulations to VVTA and its partners for continuing to serve with excellence.

Exhibit 15, Anniversay flag and VVTA Drivers



Exhibit 16, County Board of Supervisors proclaim October 20 as "Victor Valley Transit Day" for the next five years.



Exhibit 14,VVTA's special anniversary bus is adorned with the message, "Celebrating with our Riders for 30 Years."



Short Range Transit Plan Underway for Needles Transit Services

SBCTA is funding the development of a Short Range Transit Plan (SRTP) for Needles Transit Services. The SRTP will guide fixed route and Dial-A-Ride services for the next five years. The consultant team will assess operating and capital needs, service plans and budgets to recommend service improvements and project priorities. Needles Community Services Manager Cheryl Sallis reports that "this plan will move our transit services forward as we respond to changes from the pandemic, explore future possibilities, and prioritize transit projects over the next five years with a goal of improving the public transportation experience for all riders."

A significant component of SRTP is public and stakeholder input about the future of public transit in Needles. SBCTA staff and the consultant team conducted a robust outreach effort in November 2023 to solicit input. The team held a community open house at the Senior Citizen Center, spent a day riding Needles Area Transit and interviewed community organizations and services. A community-wide survey was mailed to all residents, along with their utility bill, to further broaden input. The survey can be completed on paper or online.

The SRTP will include a capital plan, fare analysis, and marketing review. It is anticipated to be completed in June 2024

Exhibit 17, Flyers promoting the Community Open House and Household Survey input opportunities



HELP IMPROVE PUBLIC TRANSIT IN NEEDLES

for the NAT, Dial-A-Ride and Arizona Medical and Shopper Shuttles



Please take this online survey by using the weblink below or scanning the QR code.

www.surveymonkey.com/r/SurveyNeedles



Needles Transit Services Short-Range Transit Plan FY 2025-2030









SAN BERNARDINO COUNTY MULTIMODAL TRANSPORTATION QUARTERLY REPORT Public Transit Bus Operators

Commentary and Trends

Total ridership for Omnitrans grew slightly during the first quarter of FY 23/24 by almost 24,000 trips or one percent over the fourth quarter of FY 22/23. At 1.6 million trips, this is the highest quarterly ridership since the third quarter of FY 19/20. Fixed-route trips carried the systemwide increase while demand response service experienced a modest 1% decrease in ridership.

Omnitrans fixed-route service added four additional vehicles to peak service during the first quarter, contributing to a 3% increase in revenue hours, 2% increase in revenue miles and a 10% increase in operating cost. The fixed-route cost per trip increased by 14% to almost \$11, while the demand response cost per trip decreased by 11% to just under \$83.



	4th Quarter (Apr-May-Jun)	1st Quarter (Jul-	Aug-Sep)
	Prior Year	Current Year	% change from
	FY 22/23	FY 23/24	4th Quarter
SYSTEM Total Passenger Trips	1,610,908	1,634,678	1%
Fixed-Route Trips ²	1,572,389	1,596,551	2%
Demand Response Trips	38,519	38,127	-1%
SYSTEM Performance			
Revenue Hours	145,978	149,852	3%
Passengers per Rev Hour	11.0	10.9	-1%
Revenue Miles	2,002,416	2,043,208	2%
Passengers per Rev Mile	0.80	0.80	-1%
Passenger Miles	8,604,020	8,206,785	-5%
Average Trip Length (miles)	5.34	5.02	-6%
OPERATIONS Expense			
Total Operating Cost Passenger Revenue Farebox Recovery Ratio Systemwide Cost per Revenue Mile	\$18,758,312	\$20,688,672	10%
	\$6,164,200	\$5,419,276	-12%
	32.9%	26.2%	-20%
	\$2.18	\$2.52	16%
Subsidy/Pass Trip – Systemwide	\$7.82	\$9.34	19%
Fixed-Route Cost per Trip	\$9.64	\$10.98	14%
Demand Response Cost per Trip	\$93.53	\$82.86	-11%
FLEET Characteristics			
Vehicles in Peak Service Fixed-Route Demand Response Total Vehicles in Peak Service	(Includes sbX) 105 <u>40</u> 145	(Includes s 109 <u>40</u> 149	bX)

¹ Extracted from TransTrack Manager Quarterly Scorecard during January 2024.

² OmniConnect peformance data are also counted as fixed-route trips for Omnitrans services and should not be double counted.



OmniConnect Shuttle Services: ONT Connect

San Bernardino County Multimodal
Transportation Quarterly Report
Public Transit Bus Operators

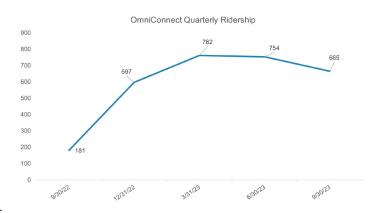
Commentary and Trends

OmniConnect provides shuttle service between the Ontario Airport and Metrolink stations on the ONT Connect and from the San Bernardino Transit Center to downtown San Bernardino employment locations on the SB Connect.

SB Connect

OmniConnect routes 300 and 380 completed their first full year of service during the first quarter of FY 23/24. During the first quarter of FY 23/24, OmniConnect ridership fell by 16% compared to the fourth quarter of FY 22/23.

OmniConnect saw reductions in revenue hours (19%), revenue miles (12%) and operating costs (24%) compared to the third quarter of FY 22/23. While ridership has declined over the past six months, revenue hours and miles and operating cost all increased by 8% in the first quarter.



	4th Quarter (Apr-May-Jun)	1st Quarter (Jul-Aug-Sep)
	Prior Year FY 22/23		% change from 4th Quarter
Total Passenger Trips ²	794	665	-16%
Route 300 SB Connect Route 380 ONT Connect	198 596	169 496	-15% -17%
Performance			
Revenue Hours Passengers per Rev Hour	1,847 0.4	2,001 0.3	8% -23%
Revenue Miles Passengers per Rev Mile	17,158 0.05	18,600 0.04	8% -23%
OPERATIONS Expense			
Total Operating Cost Passenger Revenue Farebox Recovery Ratio	\$223,735 \$40,186 18.0%	\$241,567 \$43,264 17.9%	8% _ _
Subsidy per Pass Trip	\$231.17	\$298.20	29%
FLEET Characteristics			
Vehicles in Peak Service	2	2	
Service Area Square Mileage Vehicles per Square Mile	31 0.1	31 0.1	

¹ Extracted from TransTrack Manager Quarterly Scorecard during January 2024.

² OmniConnect peformance data are also counted as fixed-route trips for Omnitrans services and should not be double counted.



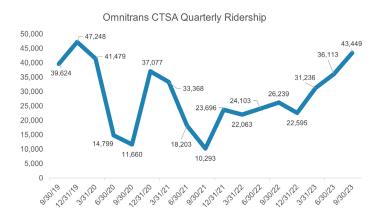
Consolidated Transportation Services Agency

San Bernardino County Multimodal Transportation Quarterly Report Public Transit Bus Operators

Commentary and Trends

Omnitrans' CTSA programs increased overall ridership by 20% during the first quarter of FY 23/24, largely due to a 123% increase in TREP mileage reimbursement provided trips. The Uber/Taxi Ride Program experienced an increase of almost 900 trips, a 29% improvement from the previous quarter. Travel trainings doubled at to 43 trainingg provided.

Service providers in the Regional Mobility Partnership program increased ridership by 11%, adding 3,256 more trips than the previous quarter where growth is observed in all but two programs. The 43,449 total CTSA trips is the highest total since the second quarter of FY 19/20 prior to the stay-at-home orders of the COVID-19 pandemic.



Performance

	4th Quarter (Apr-May-Jun)	1st Quarter (Jul-Aug-Sep)	
	Prior Year FY 22/23	Current Year FY 23/24	% change from 4th Quarter
TOTAL TRIPS	36,130	43,449	20%
TREP Mileage Reimbursement Trips Uber/Taxi Ride Program Trips Travel Training Program* Regional Mobility Partnership (RMP) Trips Anthesis Lutheran Social Services City of Grand Terrace AgingNext OPARC City of Chino Highland Senior Center Loma Linda University Adult Day Health City of Ontario** City of Rialto**	2,592 3099 17 30,422 10,839 683 163 5,436 8,521 2,135 1,153 1,492 0	5,780 3,991 43 33,678 11,185 825 73 5,903 9,166 2,474 1,325 1,432 1,295	21% -55% 9% 8% 16%
	•		_ _ _

^{*} Reporting numbers are for number of individuals trained.

^{**}New Regional Mobility Partnership contracts have been executed. Partners are in the process of starting their programs.



SAN BERNARDINO COUNTY MULTIMODAL TRANSPORTATION QUARTERLY REPORT Public Transit Bus Operators

Commentary and Trends

VVTA continues to show improvement in ridership with another quarter growth, increasing total trips provided by 8% to almost 250,000 trips. This represents VVTA's highest trip total of the pandemic recovery period.

Fixed-route transit added 20,000 more trips representing an 11% increase while commuter trips experienced an 11% decrease in ridership. Demand response trips held steady while operating one less vehicle in peak service.

Nominal decreases in total revenue hours, revenue miles and operating cost helped to improve productivity and lower overall per trip costs.



	4th Quarter (Apr-May-Jun)	1st Quarter ((Jul-Aug-Sep)
	Prior Year	Current Year	% change from
	FY 22/23	FY 23/24	4th Quarter
SYSTEM Total Passenger Trips	230,187	249,306	8%
Fixed-Route Trips	187,993	207,956	11%
Commuter Bus Trips	9,311	8,314	-11%
Demand Response Trips	32,883	33,036	0%
SYSTEM Performance [excludes vanpool revenue hours & mil			
Revenue Hours	61,689	61,588	0%
Passengers per Rev Hour	3.7	4.0	8%
Revenue Miles	1,094,029	1,088,960	0%
Passengers per Rev Mile	0.21	0.23	9%
OPERATIONS Expense [excludes vanpool expense & revenu			
Total Transit Operating Cost Passenger Revenue Farebox Recovery Ratio Systemwide Cost per Revenue Mile	\$8,026,232	\$7,969,519	-1%
	\$503,957	\$460,389	-9%
	6.3%	5.8%	-8%
	\$7.34	\$7.32	0%
Subsidy/Pass Trip – Systemwide	\$32.68	\$30.12	-8%
Fixed-Route Cost per Trip	\$52.64	\$29.55	-44%
Commuter Bus Cost per Trip	\$23.21	\$27.53	19%
Demand Response Cost per Trip	\$49.64	\$48.31	-3%
FLEET Characteristics			
Vehicles in Peak Service Fixed-Route Commuter Demand Response Total Vehicles in Peak Service	Includes 12 Electric Vehicles 47 6 35 88	3	lectric Vehicles 17 6 84 87
Service Area Square Mileage	1,082		082
Vehicles per Square Mile	0.07		.07

¹ Extracted from TransTrack Manager Quarterly Scorecard during January 2024.



Consolidated Transportation Services Agency

SAN BERNARDINO COUNTY MULTIMODAL TRANSPORTATION QUARTERLY REPORT Public Transit Bus Operators

Commentary and Trends

VVTA's CTSA programs experienced a slight decrease in ridership of 1% during the first quarter of FY 23/24, a loss of only 53 total trips. The decrease of 214 trips (14%) in the Fare Media Scholarship Program was the primary cause of the slight decrease, along with a slight decline in travel training trips. All other CTSA programs showed signs of improvement.

The TRIP mileage reimbursement program increased slightly by 2% with a 6% increase in miles reimbursed. The non-profit transportation providers increased ridership by 13%, or 126 total trips, with all individual providers experiencing improvements in use.



Performance

	4th Quarter (Apr-May-Ju	n) 1st Quarter (Jul-Aug-Sep)
	Prior Year FY 22/23	Current Year FY 23/24	% change from 4th Quarter
TOTAL TRIPS	5,529	5,476	-1%
TRIP Program	2,959	3,022	2%
Nonprofit Providers	934	1,060	13%
Foothill AIDS Project	29	4 343	17%
Abundant Living Church	52	5 571	9%
Trona Community and Senior Center	8	3 101	22%
Bonnie Baker Senior Center	3	2 45	41%
Travel Training Program	139	111	-20%
Fare Media Scholarship Program	1,497	1,283	-14%
TOTAL MILES	79,163	83,876	6%
TRIP Program	79,163	83,876	6%
TOTAL HOURS	86	68	
Transit Ambassador Program	86	68	-21%



SAN BERNARDINO COUNTY MULTIMODAL TRANSPORTATION QUARTERLY REPORT Public Transit Bus Operators

Commentary and Trends

VVTA's vanpool program continues to grow, adding eight additional vanpools and providing 4% more trips than in the previous quarter, for a total of 125,684 unlinked passenger trips. This may reflect slow, but steady increases in numbers of persons returning to their work sites, at least some days each week. All vanpools are eligible to receive up to \$500 per month in program subsidy, which grew by 5% during the first quarter. Passenger participation fees that cover the remaining vanpool costs also increased by 9%. The additional vanpools helped to generate more than 4,000 additional revenue hours and more than 50,000 additional revenue miles.



Performance

	4th Quarter (Apr-May-Jun)	1st Quarter (Jul-Aug-Se	
	Prior Year FY 22/23	Current Year FY 23/24	% change from 4th Quarter
Performance			
Number of Vanpools	187	195	4%
Revenue Miles	1,298,557	1,348,557	4%
Revenue Hours	25,130	26,702	6%
Unlinked Passenger Trips	121,637	125,684	3%
Passenger Miles	6,244,162	6,287,793	1%
Subsidies Disbursed	\$331,948	\$348,481	5%
Participation Fees	\$299,170	\$325,432	9%



San Bernardino County Multimodal Transportation Quarterly Report Public Transit Bus Operators

Commentary and Trends

Basin Transit's had a slight decrease in ridership during the first quarter of FY 23/24, providing almost 700 fewer trips than the previous quarter. While fixed-route service generated a nominal increase in ridership, commuter bus service experienced a decrease of 30% compared to the fourth quarter of FY 22/23. Demand response service remained unchanged from the previous reporting period. Revenue hours and revenue miles dropped slightly while passenger trips per revenue hour and passengers per mile remained constant. Total operating cost decreased by 5%, while passenger revenue experienced an increase of 23%, improving farebox recovery by almost 30%, from 6.6% to 8.6%, over the previous

quarter. The TREP mileage reimbursement program served five more clients but provided 10% fewer trips and reimbursed 4% fewer miles than during the fourth quarter of FY 22/23.



	4th Quarter (Apr-May-Jun)	1st Quarter (Jul-Aug-Sep)
	Prior Year	Current Year	% change from
	FY 22/23	FY 23/24	4th Quarter
SYSTEM Total Passenger Trips	44,847	44,185	-1%
Fixed-Route Trips	38,654	38,769	0%
Commuter Bus Trips	2,633	1,850	-30%
Demand Response Trips	3,560	3,566	0%
SYSTEM Performance			
Revenue Hours	7,645	7,513	-2%
Passengers per Rev Hour	5.9	5.9	0%
Revenue Miles	153,555	150,291	-2%
Passengers per Rev Mile	0.29	0.29	0%
OPERATIONS Expense			
Total Operating Cost Passenger Revenue Farebox Recovery Ratio Systemwide Cost per Revenue Mile	\$1,106,956	\$1,054,626	-5%
	\$73,599	\$90,522	23%
	6.6%	8.6%	29%
	\$7.21	\$7.02	-3%
Subsidy/Pass Trip – Systemwide	\$23.04	\$21.82	-5%
Fixed-Route Cost per Trip	\$20.79	\$19.60	-6%
Commuter Bus Cost per Trip	\$31.14	\$51.35	65%
Demand Response Cost per Trip	\$52.42	\$56.03	7%
TREP Mileage Reimbursement Program			
TREP Clients	181	186	3%
TREP Trips	1,168	1,054	-10%
TREP Miles Reimbursed	23,502	22,654	-4%
Mileage Reimbursement Cost	\$7,051	\$6,796	-4%
FLEET Characteristics			
Vehicles in Peak Service Fixed-Route/Commuter Demand Response Total Vehicles in Peak Service Service Area Square Mileage Vehicles per Square Mile	9 <u>4</u> 13 1,300 0.01	9 <u>4</u> 13 1,300 0.01	

¹ Extracted from TransTrack Manager Quarterly Scorecard during January 2024.



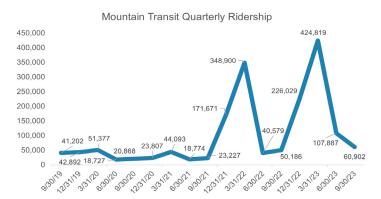
San Bernardino County Multimodal Transportation Quarterly Report Public Transit Bus Operators

Commentary and Trends

Mountain Transit's ridership decreased during the first quarter of FY 23/24 due to the yearly summer month decline in tourism and the late snowfall in the Spring of FY 22/23 included in the ridership for the previous quarter. No seasonal vehicles were in service compared to the 12 vehicles operating in the fourth quarter of FY 22/23.

Revenue hours fell by 2%, while Passengers per revenue hours dropped from 8.5 to 4.9 compared to the fourth quarter of FY 22/23. While service levels were slightly reduced, operating costs increased by 11% increasing per trip costs across all modes. The lack of revenue from the ski season

tourists resulted in a revenue decrease of 89%, triggering a decline in farebox recovery ratio from 39% to 3.8% of operating cost in this first quarter.



	4th Quarter (Apr-May-Jun)	1st Quarter (Jul-Aug-Sep)
	Prior Year	Current Year	% change from
	FY 22/23	FY 23/24	4th Quarter
SYSTEM Total Passenger Trips	107,887	60,902	-44%
Fixed-Route Trips	101,654	55,837	-45%
Commuter Bus Trips	2,460	1,804	-27%
Demand Response Trips	3,773	3,261	-14%
SYSTEM Performance			
Revenue Hours	12,707	12,436	-2%
Passengers per Rev Hour	8.5	4.9	-42%
Revenue Miles	189,517	188,872	0%
Passengers per Rev Mile	0.57	0.32	-43%
OPERATIONS Expense			
Total Operating Cost Passenger Revenue Farebox Recovery Ratio Systemwide Costs per Revenue Mile	\$1,426,963	\$1,580,154	11%
	\$556,980	\$60,355	-89%
	39.0%	3.8%	-90%
	\$7.53	\$8.37	11%
Subsidy/Pass Trip – Systemwide	\$8.06	\$24.95	209%
Fixed-Route Cost per Trip	\$10.37	\$18.80	81%
Commuter Bus Cost per Trip	\$53.01	\$149.20	181%
Demand Response Cost per Trip	\$64.14	\$80.19	25%
FLEET Characteristics			
Vehicles in Peak Service Fixed-Route Demand Response Off the Mountain Seasonal Service Airport Shuttle Total Vehicles in Peak Service	12 4 2 12 <u>1</u> 31		2 4 2 0 1 9
Service Area Square Mileage	269	_	69
Vehicles per Square Mile	0.05		05

¹ Extracted from TransTrack Manager Quarterly Scorecard during January 2024.

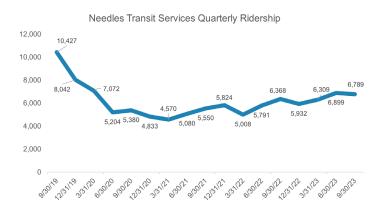


SAN BERNARDINO COUNTY MULTIMODAL TRANSPORTATION QUARTERLY REPORT Public Transit Bus Operators

Commentary and Trends

Needles Transit Services experienced a minor decrease in total trips provided, a loss of only 2% for the first quarter of FY 23/24, but still encouragingly higher than the previous quarters during this pandemic recovery period. Despite the slight decrease in ridership, revenue hours increased by 8% and revenue miles increased by 2%.

Operating costs rose 7%, while passenger revenue also increased, bringing the farebox recovery ratio to 12.8%, up from 7.3% in the fourth quarter of FY 22/23. Higher operating costs resulted in more expensive costs per trip for both fixed-route and demand response services.



	4th Quarter (Apr-May-Jun)	1st Quarter (Jul-Aug-Sep)
	Prior Year	Current Year	% change from
	FY 22/23	FY 23/24	4th Quarter
SYSTEM Total Passenger Trips	6,899	6,789	-2%
Fixed-Route Trips Demand Response Trips	5,155	5,145	0%
	1,744	1,644	-6%
SYSTEM Performance			
Revenue Hours	1,153	1,247	8%
Passengers per Rev Hour	6.0	5.4	-9%
Revenue Miles	15,515	15,774	2%
Passengers per Rev Mile	0.44	0.43	-3%
OPERATIONS Expense Total Operating Cost Passenger Revenue Farebox Recovery Ratio Systemwide Costs per Revenue Mile	\$139,039	\$148,356	7%
	\$10,152	\$18,974	87%
	7.3%	12.8%	75%
	\$8.96	\$9.41	5%
Subsidy/Pass Trip – Systemwide	\$18.68	\$19.06	2%
Fixed-Route Cost per Trip	\$19.97	\$23.07	16%
Demand Response Cost per Trip	\$14.88	\$18.03	21%
FLEET Characteristics Vehicles in Peak Service Fixed-Route Demand Response Total Vehicles in Peak Service		1 <u>1</u> 2	
Service Area Square Mileage Vehicles per Square Mile		61 06	

¹ Extracted from TransTrack Manager Quarterly Scorecard during January 2024.

METROLINK

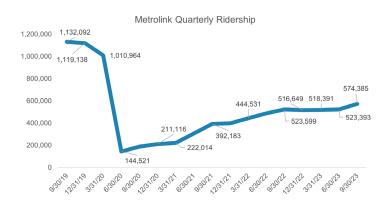
SAN BERNARDINO COUNTY MULTIMODAL TRANSPORTATION QUARTERLY REPORT Rail

Commentary and Trends

Metrolink ridership continues to recover as both the San Bernardino and Inland Empire Orange County Lines show improvement. Ridership on the San Bernardino Line (SBL) increased 7% and the Inland Empire Orange County Line (IEOCL) increased by 16% compared to the previous quarter.

Boardings increased on all lines with San Bernardino County Stations where notably, boardings at IEOCL stations grew by 24%. Passenger miles traveled increased on the SBL line by 9% and improved by 8% on the IEOCL.

Annual operating cost for FY 2023 on the San Bernardino and IEOCL lines totaled \$91,908,049 combined. Operating costs are not yet available for FY 23/24.



	4th Quarter (Apr-May-Jun)	1st Quarter (J	lul-Aug-Sep)
	Prior Year FY 22/23	Current Year FY 23/24	% change from 4th Quarter
SYSTEM Passenger Boardings by Line			
TOTAL San Bernardino Line (SBL) TOTAL Inland Empire Orange County Line (IEOCL)	390,387 133,006	419,534 154,851	7% 16%
Boardings at San Bernardino County Stations: San Bernardino Line IEOC Line Riverside Line	129,537 3,853 7,410	130,757 4,761 7,440	1% 24% 0%
FINANCIAL - Total San Bernardino Line w/ MOW ¹			
Operating Cost SB Line Farebox Revenue SB Line Farebox Recovery Ratio SB Line	\$60,642,993 \$10,185,806 16.8%	N/	A
FINANCIAL - Total IEOC Line w/ MOW ¹			
Operating Cost IEOC Line Farebox Revenue IEOC Line Farebox Recovery Ratio IEOC Line	\$31,265,056 \$3,056,172 9.8%	N/.	A
PERFORMANCE MEASURES - San Bernardino Line			
Passenger Miles Average Passenger Trip Length	13,912,879 35.9	15,142,471 36.1	9% 1%
PERFORMANCE MEASURES - IEOC Line			
Passenger Miles Average Passenger Trip Length	4,972,080 33.6	5,379,951 34.7	8% 3%
SERVICE LEVELS			
San Bernardino Line # of trains per weekday WB # of trains per weekday EB # of trains per Saturday WB/EB # of trains per Sunday WB/EB	18 18 8 8	18 18 8 8	
IEOC Line - with stops in San Bernardino County # of trains per weekday WB # of trains per weekday EB # of trains per weekend WB # of trains per weekend EB	7 7 2 2	7 7 2 2	

¹ Metrolink conducts reconciliation on an annual, not quarterly, basis. Figures presented here are subject to change following the reconciliation process.

METROLINK

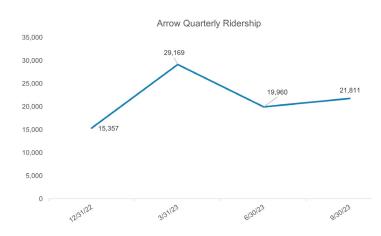
SAN BERNARDINO COUNTY MULTIMODAL TRANSPORTATION QUARTERLY REPORT Rail

Commentary and Trends

Metrolink's Arrow service launched on October 24, 2022, adding nine miles of track and four new stations. Arrow connects Downtown San Bernardino with the University of Redlands Metrolink Station, with stops at three stations. This analysis compares performance from the fourth quarter of FY 22/23 to the first quarter of FY 23/24.

Nearing the end of the first full year of service, Arrow ridership provided 21,822 trips in the first quarter of FY 23/24, an increase of 9% over the previous quarter. This increase is encouraging following a decline in ridership once the free University of Redlands student passes and general fare discounts ended. Passenger miles, or the cumulative sum of the distances ridden by each passenger, grew by 9% during this reporting period.

Financial information and additional performance measures will be reported here in subsequent Quarterly Reports.



	4th Quarter (Apr-May-Jun)	1st Quarter ((Jul-Aug-Sep)		
	Prior Year FY 22/23	Current Year FY 23/24	% change from 4th Quarter		
Passenger Boardings					
Total Passenger Boardings	19,960	21,811	9%		
FINANCIAL					
Operating Cost Farebox Revenue Farebox Recovery Ratio	\$9,529,050 \$170,389 1.8%	N/A			
PERFORMANCE MEASURES - Arrov	W				
Passenger Miles Average Passenger Trip Length	135,394 6.9	147,839 6.8	9% -1%		
SERVICE LEVELS					
# of trains per weekday WB # of trains per weekday EB # of trains per Saturday WB/EB	25 25 16	25 25 16			
# of trains per Sunday WB/EB	16	16			

¹ Metrolink conducts reconciliation on an annual, not quarterly, basis. Figures presented here are subject to change following the reconciliation process.

Sb Multimodal Programs

SAN BERNARDINO COUNTY MULTIMODAL
TRANSPORTATION QUARTERLY REPORT
Other Modes



833-RIDETHELOOP

Commentary and Trends SB Loop

San Bernardino County Transportation Authority

SB Loop is the vanpool program for the County. It provides up to 50% or a maximum of \$600 per month to organized vanpools towards the lease of a qualifying vehicle. SB Loop's service area includes trips with destinations in the San Bernardino Valley, the Mountain Communities, the Colorado River Basin, and the Morongo Valley. During the first quarter of FY 23/24, SB Loop supported 79 vanpools that provided 42,623 trips, an increase of 5% from the fourth quarter of FY 22/23. Support for these trips consisted of \$132,068 in disbursed subsidies, a 46% increase from the previous quarter and represented a subsidy per passenger trip of \$3.10. Vanpool participants contributed \$312,890 towards the cost of operating vanpools. The overall cost per trip for SB Lopp was \$10.44, an increase of 2% from the fourth quarter of FY 22/23.

Performance

SB Loop	4th Quarter (Apr-May-Jun)	1st Quarter (July-Sug-Sep)			
		FY 22/23	% change from 4th quarter		
SYSTEM Totals					
Number of Vanpools Vanpool Passenger Trips	79 40,679	79 42,623	0% 5%		
SYSTEM Performance					
Passenger Miles Passengers/Miles	1,662,820 40.9	1,698,817 39.9	2% -2%		
OPERATIONS Expense					
Subsidies Disbursed Participation Fees	\$90,599 \$326,130	\$132,068 \$312,890	46% -4%		
Subsidy per Passenger Trip Average Cost per Passenger Trip	\$2.23 \$10.24	\$3.10 \$10.44	39% 2%		



Rideshare

IE Commuter is a rideshare program of the Riverside County Transportation Commission and SBCTA, working to reduce traffic and improve air quality in the region by helping businesses develop employee rideshare programs.

IE Commuter added two additional employers during the first quarter serving 818 total work sites. The number of total IE Commuter accounts and active accounts for ridesharing were down this quarter as the total number of participants decreased from 1,291 in the fourth quarter of FY 22/23 to 1,216 during this quarter.

Ridesharing activities resulted in 190,190 vehicle trip reductions and more than 2.9 million reduced VMT (vehicle miles traveled), more than doubling the total from the previous quarter. The reduction of single occupancy trips resulted in a reduction of almost 4.9 million pounds of greenhouse gas emissions almost four times the reductions during the previous quarter.

Performance

IE Commuter	4th Quarter (April-May- June)	1st Quarter (July-Aug-Sep)			
	Prior Year	Current Year	% change from		
	FY 22/23	FY 23/24	4th quarter		
PROGRAM Totals					
Total Number of Employers Total Number of Employer Worksites Total Number of IE Commuter Accounts Number of Accounts Active for Ridematching	106	108	2%		
	798	818	3%		
	111,881	103,374	-8%		
	15,225	14,580	-4%		
EMPLOYER Totals*					
Total Employers Surveyed	16	7	-56%		
Total Commuters Surveyed	7,595	15,751	107%		
Vehicle Trip Reductions (VTR)	71,071	190,190	168%		
Vehicle Miles Traveled (VMT) Reduced	1,126,405	2,905,978	158%		
Greenhouse Gas Emissions (GHG) Reduced (lbs)	1,313,099	4,863,749	270%		
INCENTIVE Totals					
Total Participants	1,291	1,216	-6%		
Vehicle Trip Reductions (VTR)	27,752	15,756	-43%		
Vehicle Miles Traveled (VMT) Reduced	988,165	580,495	-41%		
Greenhouse Gas (GHG) Emissions Reduced Lbs	1,131,849	613,661	-46%		

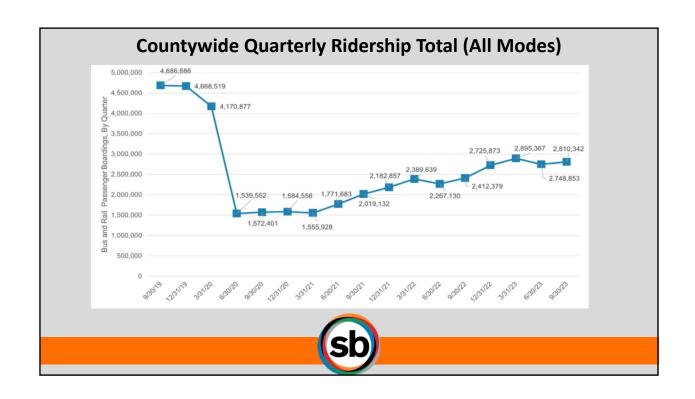
^{*}Employer totals fluctuate month-to-month due to varying dates employers are required to survey per local air district rules.

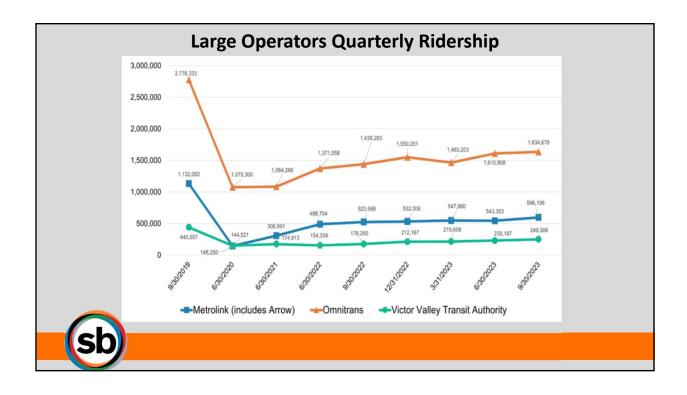
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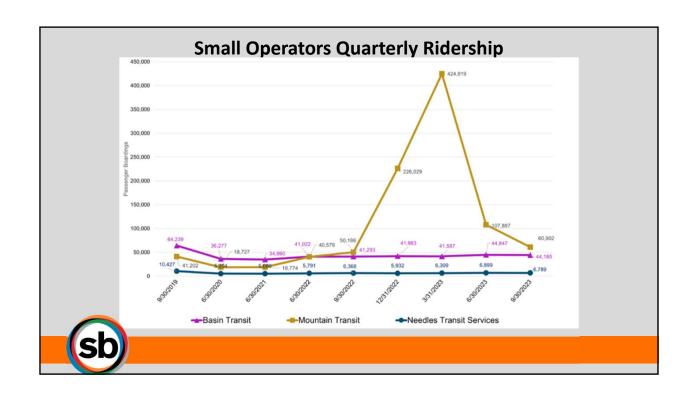
FY 2023/2024 First Quarter Multimodal Transportation Quarterly Update

Nancy Strickert Transit Manager

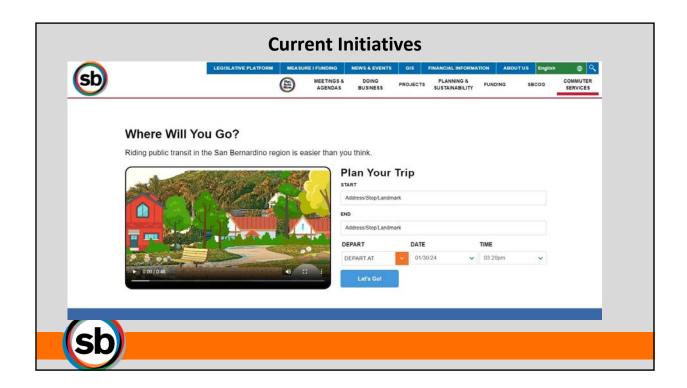














Minute Action

AGENDA ITEM: 6

Date: February 15, 2024

Subject:

Senate Bill 125 Transit Funding

Recommendation:

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

- A. Approve the apportionment of anticipated Fiscal Year 2023/2024 Senate Bill (SB) 125 Transit Funding to the Valley and the Mountain/Desert area operators as shown in Table 1.
- B. Authorize the Executive Director, or his designee, to submit the Revised Allocation Package to the California State Transportation Agency on behalf of SBCTA subsequent to approvals of allocations by the SBCTA Board.

Background:

The Transit and Intercity Rail Capital Program (TIRCP) was created by Senate Bill (SB) 862 (Chapter 36, Statutes of 2014) and modified by SB 9 (Chapter 710, Statutes of 2015), to provide grants from the Greenhouse Gas Reduction Fund (GGRF) to fund transformative capital improvements that will modernize California's intercity, commuter, and urban rail systems and bus and ferry transit systems, to significantly reduce emissions of greenhouse gases, vehicle miles traveled, and congestion. Assembly Bill (AB) 398 (Chapter 135, Statutes of 2017) extended the Cap-and-Trade Program that supports the TIRCP from 2020 through 2030. SB 1 (Chapter 5, Statutes of 2017) continues to provide a historic funding increase for transportation with funds directed to the TIRCP from the Public Transportation Account (PTA).

AB 102 (Chapter 38, Statutes of 2023) and SB 125 (Chapter 54, Statutes of 2023) amended the Budget Act of 2023 to appropriate \$4 million of General Fund to the TIRCP over the next two fiscal years as well as \$910 million of GGRF funding and \$190 million of PTA funding over the next four fiscal years to establish the Zero-Emission Transit Capital Program (ZETCP). These funds are formula funds that are to be administered by San Bernardino County Transportation Authority (SBCTA). The TIRCP portion is distributed to SBCTA based on a population formula and the ZETCP is distributed to SBCTA based on the State Transportation Assistance (STA) formula, which is 50% based on population and 50% based on transit operator revenues. The total amount to be received by SBCTA through Fiscal Year (FY) 2026/2027 is estimated at \$259,191,238. The guidelines for the management of these funds were approved by the California State Transportation Agency (CalSTA) on September 29, 2023.

As outlined in SB 125, it is the intent of the Legislature to:

- 1. provide one-time multiyear bridge funding for transit operators to address operational costs until long-term transit sustainability solutions are identified
- 2. assist transit operators in preventing service cuts and increasing ridership
- 3. prioritize the availability of transit for riders who are transit dependent
- 4. prioritize transit agencies representing a significant percentage of the region's ridership

Entity: San Bernardino County Transportation Authority

Transit Committee Agenda Item February 15, 2024 Page 2

The TIRCP portion is appropriated over two fiscal years. The bill authorizes the funds to be used for high-priority transit capital projects consistent with the uses allowed in Cycle 6 of the TIRCP, which includes existing projects seeking to maintain or obtain federal or local funding commitments, project development for major projects that are seeking to enter or have already entered project development with federal partners, or for new TIRCP projects. As in Cycle 6, all capital projects must both increase ridership and reduce greenhouse gas emissions, in common with traditional TIRCP project requirements. The funding may also be used to fund transit operating expenses that prevent service cuts and increase ridership, subject to compliance with requirements.

The ZETCP portion is appropriated over four fiscal years. The bill authorizes the funds to be used for zero-emission transit equipment, including, but not limited to, zero-emission vehicles and refueling infrastructure and, subject to compliance with requirements, to use those moneys to fund transit operating expenditures that prevent service reduction or elimination in order to maintain or increase ridership.

These funds are transferred to SBCTA after CalSTA approves an Allocation Package submitted by SBCTA. The Initial Allocation Package was submitted to CalSTA by the required submittal deadline of December 31, 2023, and updated Allocation Packages can be submitted on a rolling basis to incorporate changes to projects and costs. The funds must be transferred to SBCTA within four years of appropriation in the State Budget, and there is no expenditure deadline. Because the funds are received by SBCTA prior to expenditure, and can only be received by SBCTA, it may be necessary to develop funding agreements with any transit operators that are allocated funds from these programs.

There is an allowance for up to 1% to be used for administrative purposes such as preparation of annual reports, processing agreements and invoices, preparing Allocation Packages, and developing the required financial plans. At the December 2023 SBCTA Board of Directors (Board) meeting, the Board approved the maximum eligible amount totaling \$2,591,912 be reserved for this purpose before the funds are apportioned; if the administration funds are not fully used, they can be reallocated for projects in the future.

As far as how to distribute these funds to projects within San Bernardino County, staff recommends apportioning the Fiscal Year 2023/2024 funds to the Valley Subarea and to the Mountain/Desert operators in the same manner as they are received by SBCTA. Table 1 is the resulting recommended apportionment with the TIRCP funds being apportioned based on population and ZETCP funds being apportioned in the same manner as the STA funds with 50% based on population and 50% based on transit operator revenue, consistent with the FY 2023/2024 STA operator apportionments. Staff recommends that the Board only apportion the first year of TIRCP and ZETCP at this time and defer the apportionment of the subsequent years until more information is known about the timing of specific transit needs throughout the region, particularly given the rare opportunity of the amount of funding available and the limited eligibility of the funding program. Additionally, given the reported State budget deficit, the availability of future SB 125 appropriations could be altered or at risk, which could impact the apportionment or allocation strategy. In SB 125 as approved, the second year of TIRCP funding is estimated at \$111 million and the second through fourth years of ZETCP funding is estimated at \$23.3 million.

Transit Committee Agenda Item February 15, 2024 Page 3

Table 1 – Fiscal Year 2023/2024 TIRCP / ZETCP Formula Apportionments

				TIRCP	ZETCP		TOTAL		
Estimated Fiscal Year 2023/2024 Apportionment				\$	110,856,746	\$	13,864,934	\$	124,721,680
Less SBCTA Administration					,	\$	2,591,912	\$	2,591,912
Total Estimated Funds Available				\$	110,856,746	\$	11,273,022	\$	122,129,768
									· ,
			Revenue Basis						
			Percentage (PUC		TIRCP		ZETCP		Total
Apportionment Area	D 14	D	Section 99314) Apportionment Apportionment		Apportionment				
Apportionnent Area	Population	Percentage	Section 33314)	7	pportionnicit	4.1	pportionnicit	A.	ppornomnem
Valley	1,584,480	72.43%	90.81%		80,291,222	\$	9,200,869	\$ \$	89,492,091
	•		<i>´</i>		**	_	• •	_	•
Valley	1,584,480	72.43%	90.81%	\$	80,291,222	\$	9,200,869	\$	89,492,091
Valley Mountain/Desert	1,584,480 603,185	72.43% 27.57%	90.81% 9.19%	\$	80,291,222 30,565,524	\$	9,200,869 2,072,153	\$	89,492,091 32,637,677
Valley Mountain/Desert MBTA	1,584,480 603,185 71,822	72.43% 27.57% 11.91%	90.81% 9.19% 1.53%	\$ \$ \$	80,291,222 30,565,524 3,639,476	\$ \$	9,200,869 2,072,153 246,734	\$ \$ \$	89,492,091 32,637,677 3,886,209
Valley Mountain/Desert MBTA Mountain Transit	1,584,480 603,185 71,822 50,897	72.43% 27.57% 11.91% 8.44%	90.81% 9.19% 1.53% 0.84%	\$ \$ \$	80,291,222 30,565,524 3,639,476 2,579,132	\$ \$ \$	9,200,869 2,072,153 246,734 174,849	\$ \$ \$	89,492,091 32,637,677 3,886,209 2,753,981

As approved by the Board in December 2023, the Initial Allocation Package that was submitted in December 2023 was limited to known funding shortfalls for SBCTA capital projects to allow time for SBCTA and the operators to review their Short Range Transit Plans and plan for the best use of these funds. There is \$56,157,312 remaining from the Fiscal Year 2023/2024 SB 125 TIRCP proposed apportionment for the Valley after funding those known shortfalls, which were the Metrolink Active Transportation Program (ATP) Phase II Project (\$3,170,910), the DMU to ZEMU Vehicle Conversion Project (\$4,453,000), and the Metrolink Double Track Lilac to Rancho Project (\$16,510,000).

The agenda item presented to the Transit Committee in November 2023 containing the above recommended allocations also included proposed apportionments for the TIRCP and ZETCP funds. The Transit Committee recommended delaying the proposed apportionments and instead recommended formation of an Ad Hoc Committee to analyze the specific transit needs throughout the county. Staff in consultation with the SBCTA Board President and the affected transit operators have determined that it is appropriate for these funds to be apportioned throughout the county in the manner in which they were apportioned to SBCTA and that allocation issues can be resolved at the staff level based on planning documents. As such, formation of an Ad Hoc Committee is not necessary at this time. After approval of the proposed apportionments in Table 1, an allocation item will be brought to the SBCTA Transit Committee and Board for approval before being submitted to CalSTA as all Allocation Packages must be submitted by SBCTA.

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2023/2024. Future Budget amendment actions will be presented to the Board for approval to establish appropriate financial accounts and incorporate approved funding.

Reviewed By:

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 Transit Committee Date: February 15, 2024 Witnessed By:

AGENDA ITEM: 7

Date: February 15, 2024

Subject:

Local Transportation Fund Apportionment for Fiscal Year 2024/2025

Recommendation:

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

- A. Maintain Fiscal Year (FY) 2023/2024 Local Transportation Fund apportionment of \$182,615,139, as approved by the SBCTA Board of Directors (Board) on March 1, 2023.
- B. Approve a FY 2024/2025 Fund Reserve of \$14,956,894, representing 10% of the estimated annual revenues for unexpected financial need per Policy No. 31010.
- C. Approve a Local Transportation Fund estimated apportionment of \$171,056,630 for FY 2024/2025, as detailed in Attachment A, based on \$149,568,943 in estimated receipts plus a carryover of \$21,428,798 from actual revenue and interest received in FY 2022/2023 over the estimate the Board approved on March 2, 2022, the return of the unused FY 2023/2024 Fund Reserves, less the Fund Reserves in Recommendation B.

Background:

As required by the Transportation Development Act (TDA), the San Bernardino County Transportation Authority (SBCTA) must analyze and evaluate the total amount of Local Transportation Fund (LTF) revenue anticipated to be available and relative needs and annually determine the amount to be allocated to each claimant. The first step in this process is to determine how much apportionment each area receives based on population data.

Pursuant to Section 6620 of the California Code of Regulations (CCR), the San Bernardino County Auditor/Controller (Auditor) is to provide SBCTA with an estimate of LTF revenue available for apportionment and allocation during the ensuing year, Fiscal Year (FY) 2024/2025, and, if requested, a revised or updated estimate of revenues for current FY 2023/2024 prior to February 1, 2024. Section 6644 of the CCR requires that SBCTA determine and advise all prospective claimants of the amount of all area apportionments for the next FY by March 1, 2024.

The total annual LTF apportionment is a function of three components.

- 1. Projected annual revenue
- 2. Prior audited, unapportioned fund balance
- 3. Fund reserve

Annually, SBCTA staff analyzes LTF receipts and revenue trends and presents the Auditor with an estimate of current year and subsequent year LTF revenue projections. This year, the Auditor replied with information from the Legislative Analyst's office on a bleaker FY 2024/2025 outlook and reduced the SBCTA estimate for FY 2024/2025 by approximately \$1 million. SBCTA staff is recommending a FY 2024/2025 revenue estimate of \$149,568,943 in concurrence with the Auditor's proposed revenue estimate.

Any difference between actual revenue received versus the estimate that was approved by the SBCTA Board of Directors (Board) for that FY is captured in the second component of the annual apportionment calculation, the prior year audited and unapportioned fund balance. The difference, including interest and investment earnings/losses, is included in the fund balance in the annual financial audit. In this instance, the unapportioned amount of \$21,428,798 is made up of actual revenue plus interest received above the FY 2022/2023 estimate approved by the Board on March 1, 2023.

Finally, the third component of the apportionment is the fund reserve. In the proposed FY 2024/2025 LTF apportionment, staff is recommending a fund reserve of \$14,956,894, calculated as 10% of the annual estimated LTF revenue, consistent with Policy No. 31010 adopted by the Board on December 6, 2017. This reserve is to be maintained for operators based on a population pro-rata share and is intended to remedy an immediate economic shortfall or address extreme or unusual circumstances. The prior year's fund reserve of \$15 million gets returned as part of the overall funds available for apportionment.

The total proposed FY 2024/2025 LTF apportionment is included in Attachment A. The three components of revenue are included at the top of the table. The resulting total apportionment is \$171,056,630, a decrease of \$11.6 million compared to the prior year, which is a result of a lower prior year audited unrestricted fund balance amount in this apportionment. If the total apportionment is approved, the individual amounts of apportionment that would be provided to eligible claimants are outlined in Attachment A. The first section pertains to administration and planning, the second section pertains to non-motorized transportation, and the third section pertains to the Valley and Mountain/Desert jurisdictions for eligible expenditures.

Pursuant to Section 99233.1 of the California Public Utilities Code (CPUC), SBCTA and the Auditor shall allocate such sums as are necessary for the administrative responsibilities under the TDA. The Auditor's staff is requesting an allocation of \$32,508, which is the same amount allocated in FY 2023/2024. SBCTA's administrative costs include conducting the LTF and State Transit Assistance (STA) Funds financial and performance audits; staff time associated with processing allocations and disbursements, fiscal tracking, and conducting Public and Specialized Transportation Advisory and Coordination Council (PASTACC) meetings and unmet needs hearings when needed; and a portion of SBCTA's indirect costs. Staff is requesting 1% of the estimated funds available, or \$1,710,566 for SBCTA's administrative costs in FY 2024/2025, consistent with the indirect methodology outlined in Policy No. 20600.

Pursuant to Section 99233.2(b)(1) of the CPUC, up to 3% of the annual LTF revenues may be allocated to SBCTA for its transportation planning and programming functions. The amount of LTF planning funds available for this purpose for FY 2024/2025 is \$5,131,699. This is a critical component of funding for staff activities that are not directly related to Measure I and a portion of SBCTA's administrative costs.

Further, pursuant to Section 99233.2(b)(2) of the CPUC, Southern California Association of Governments (SCAG) is to be allocated up to 3/4% of the annual LTF revenues. For FY 2024/2025, the allocation to SCAG is \$1,282,925.

Lastly, in accordance with Section 99233.3 of the CPUC (Article 3), 2% of the remaining balance following allocations for administration and planning is made available to counties, cities, and transit operators, through a competitive grant process, for facilities provided for the exclusive use of pedestrians and bicycles. The allocation for pedestrian and bicycle related projects for FY 2024/2025 is \$3,257,979. SBCTA conducts an Article 3 call-for-projects every two years. The next call-for-projects is tentatively scheduled for spring 2025.

The balance of LTF is available for apportionment to the Valley and to each individual city and county area in the Mountain/Desert subareas based on the population estimates approved by the Board for FY 2023/2024 in July 2023. While apportionments are made to individual jurisdictions in the Mountain/Desert subareas, the funds are first allocated to the respective transit operators for transit purposes, and any unused apportionment is returned to the local jurisdictions for streets and roads purposes in the subsequent FY. Currently all transit operators are making full use of their allocations for transit purposes.

SBCTA received concurrence on January 23, 2024, on the estimated funds available for apportionment included in Attachment A from the Auditor.

Financial Impact:

SBCTA is the designated agency responsible for the administration of LTF for San Bernardino County. Adoption of the LTF apportionment will provide SBCTA, SCAG, transit agencies, and local jurisdictions with revenue estimates to use for Fiscal Year (FY) 2024/2025 budgeting purposes. This item has no financial impact on the adopted Budget for FY 2023/2024.

Reviewed By:

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 Transit Committee Date: February 15, 2024

San Bernardino County Local Transportation Fund Fiscal Year 2024/2025 Apportionment

			Α	PPORTIONMENT ¹
Prior Year Audited Unrestricted Fund Bal	ance ²		\$	21,428,798
Estimated Annual LTF Receipts ³		\$	149,568,943	
Returned FY 2023/2024 Fund Reserve	\$	15,015,783		
Proposed FY 2024/2025 Fund Reserve ⁴	\$	(14,956,894)		
Proposed Additional Fund Reserve ⁵	\$	-		
Allocation of Transit Reserves:	·			
Valley	\$ 10,801,205			
VVTA	\$ 3,286,477			
MARTA	\$ 341,950			
MBTA	\$ 494,662			
City of Needles	\$ 32,600			
Total Estimated Fur	nds Available		\$	171,056,630
Auditor's Administrative Cost ⁵			\$	32,508
SBCTA's Administrative Cost Set-Aside ⁶			\$	1,710,566
SBCTA Planning ⁷	\$	5,131,699		
SCAG Planning ⁸	\$	1,282,925		
Resulting Ba	\$	162,898,932		
Article 3 (SB821) Program ⁹			\$	3,257,979
Balance Available for	Apportionmen	t	\$	159,640,953
Apportionment Area	Population ¹⁰	Percentage ¹	A	PPORTIONMENT ¹
Valley	1,575,784	72.22%	\$	115,285,611
Adelanto	36,656	1.68%		2,681,782
Apple Valley	74,996			5,486,767
Barstow	24,918			1,823,021
Big Bear Lake	4,914			359,512
Hesperia	100,041	4.58%	\$	7,319,079
Needles	4,756			347,953
Twentynine Palms	25,929		\$	1,896,986
Victorville	137,193	6.29%		10,037,149
Yucca Valley	\$	1,582,834		
County - Unincorporated				
Colorado River (VVTA)	2,170	0.10%	\$	158,759
Morongo Basin (MBTA)	24,602	1.13%	\$	1,799,902
Mountains (MARTA)	44,973	2.06%	\$	3,290,260
North Desert (VVTA)	33,390	1.53%	\$	2,442,839
Victor Valley (VVTA)	70,099		\$	5,128,499
Total	2,182,056	100.00%	\$	159,640,953

¹ Due to rounding, some totals may not correspond with the sum and/or products of the figures displayed.

 $^{^{2}}$ Difference between the FY 2022/2023 revenue estimate and the actual amount received + interest.

³ Estimate based off of letter from auditor received January 2024 and Legislative Analyst's Office.

⁴ Reserve is 10% of annual estimated LTF revenue per Policy 31010.

⁵ Estimate provided by County Auditor in January 2024.

⁶ SBCTA's Administrative Cost set-aside is 1% of Total Estimated Funds Available. Expenditures includes staff time associated with administration of TDA funds, audits, TDA update work, unmet needs hearings and a portion of agency indirect costs.

⁷ SBCTA Planning set-aside is 3% of Total Estimated Funds Available.

 $^{^{\}rm 8}$ SCAG Planning set-aside is 3/4% of Total Estimated Funds Available.

 $^{^{\}rm 9}$ Article 3 (SB821) Program set-aside is 2% of Resulting Balance.

¹⁰ Population Source: California Department of Finance and County Demographic Research Unit January 2023

AGENDA ITEM: 8

Date: February 15, 2024

Subject:

State Transit Assistance Fund-Population Share Apportionment for Fiscal Year 2024/2025

Recommendation:

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

Approve a State Transit Assistance Fund-Population Share Apportionment for Fiscal Year 2024/2025 of \$29,817,062 based on the State Controller's Office estimate on January 31, 2024, to be apportioned \$21,532,559 to the Valley and \$8,284,503 to the Mountain/Desert areas based on the population estimates approved by the San Bernardino County Transportation Authority Board of Directors in July 2023.

Background:

Pursuant to the California Public Utilities Code (CPUC) Section 99312, the San Bernardino County Transportation Authority (SBCTA) receives State Transit Assistance (STA) funds, which are derived from the statewide sales tax on diesel fuel, from the State Controller's Office (SCO). This funding is allocated as follows: 1) 50% for CPUC 99313 STA-Population (STA-Pop) Share based on the ratio of the population of the area under its jurisdiction to the total population of the state and 2) 50% for CPUC 99314 STA-Operator (STA-Op) Share, which is specific monies for operators and allocated based on the ratio of the total prior year transit operator passenger fare and local support revenues, as well as member agencies, to the total revenue of all operators in the state and member agencies. The amount of STA-Op Share funds available to each transit operator on an annual basis is determined by the State of California (State), and SBCTA functions as a pass through agency for this portion of STA.

SBCTA apportions STA-Pop Share funds to the Valley and Mountain/Desert areas based on the population of these larger subareas to the population of the county as a whole. Historically, STA funds were allocated to specific projects as needs were identified because revenues had been unstable, and operators needed to meet efficiency standards to use STA for operating expenses. This "pass or fail" efficiency standard could result in operators that are eligible for operations funding in one year not being eligible the next. However, changes to State law concerning the use of these funds for operations provided additional flexibility to use STA for operating expenses.

For annual apportionments, SBCTA uses the estimates published each January by the SCO. For Fiscal Year (FY) 2024/2025, the SCO estimates \$31,590,601 (\$26.1 million STA-Pop, \$5.5 million STA-Op), which is a decrease of 0.1% over the previous year's estimate.

The total annual STA apportionment is a function of three components.

- 1. Projected annual revenue
- 2. Prior year audited, unrestricted balance
- 3. Fund Reserve

Table 1 below shows the staff recommended STA-Pop apportionment for FY 2024/2025 of \$29,817,062. The total apportionment includes a STA-Pop revenue estimate of \$26,093,318, consistent with the STA estimate that was made available on January 31, 2024, by the SCO. The prior year audited, unrestricted balance represents the difference between actual revenue received versus the estimate that was approved by the SBCTA Board of Directors (Board) for that FY, including interest. The FY 2024/2025 unrestricted balance is \$3.7 million. It should be noted that the fourth quarter of STA revenue was not received in FY 2022/2023 and will be included in the FY 2025/2026 apportionment. The apportionment also includes a return of the previous year's reserve, less a new reserve equal to 10% of the current year's STA-Pop revenue estimate per Policy No. 31010 adopted by the Board in December 2017. The resulting apportionments to the Valley and Mountain/Desert areas are based on the population estimates approved by the Board in July 2023.

TABLE 1
San Bernardino County State Transit Assistance Fund – Population Share
Fiscal Year 2024/2025 Apportionment

	APPORTIONMENT			
Prior Year Audited Unrestricted B	alance ¹		\$	3,722,724
Estimated Annual STA-Population	Receipts ²			26,093,318
Returned FY 2023/2024 Fund Res	erve			2,610,352
Proposed FY 2024/2025 Fund Res			(2,609,332)	
Total Estimate	\$	29,817,062		
Apportionment Area	Area Population ⁴ Percentage			TIONMENT
Valley	1,575,784	72.22%	\$	21,532,559
Mountain/Desert	606,272	27.78%		8,284,503
Total	2,182,056	100.00%	\$	29,817,062

¹ The difference between actuals and estimates for FY22/23, less the unrestricted fund balance apportioned in FY22/23.

SBCTA is the designated agency responsible for the administration of the STA-Pop Share Apportionment for San Bernardino County. Adoption of the STA-Pop Share apportionment will provide SBCTA and the transit operators with revenue estimates to use for FY 2024/2025 budgeting purposes.

Financial Impact:

SBCTA is the designated agency responsible for the administration of the STA-Population Share Apportionment for San Bernardino County. Adoption of the STA Population apportionment will provide SBCTA and the transit operators with revenue estimates to use for Fiscal Year 2024/2025 budgeting purposes. This item has no financial impact on the adopted Budget for Fiscal Year 2023/2024.

Reviewed By:

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

Responsible Staff:

Andrea Zureick, Director of Fund Administration

²Estimated Annual STA Receipts based on SCO estimate for FY24/25 January 31, 2024.

³ Reserve is 10% of annual estimated STA revenue per Policy 31010.

⁴ Population Source: California Department of Finance and County Demographic Research Unit January 2023.

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Approved Transit Committee Date: February 15, 2024

AGENDA ITEM: 9

Date: February 15, 2024

Subject:

Fiscal Year 2024/2025 State of Good Repair Program Apportionment

Recommendation:

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

A. Approve a State of Good Repair – Population Share Apportionment for Fiscal Year 2024/2025 of \$3,782,902 based on the State Controller's Office estimate on January 31, 2024, to be apportioned \$2,731,844 to the Valley and \$1,051,058 to the Mountain/Desert areas, based on the population estimates approved by the San Bernardino County Transportation Authority Board of Directors in July 2023.

B. Authorize staff to release State of Good Repair - Operator Share funds received in excess of the allocated amount to operators as the funds are received.

Background:

Senate Bill (SB) 1, also known as the Road Repair and Accountability Act of 2017, was approved on April 28, 2017, and is estimated to provide over \$50 billion in new transportation funding over a decade to improve transit service and repair highways, bridges, and local roads. The State of Good Repair (SGR) Program, derived from the approval of SB1, is funded from a portion of a Transportation Improvement Fee on vehicle registrations and provides approximately \$105 million annually to transit operators in California for eligible maintenance, rehabilitation, and capital projects. While SB1 addresses a variety of transportation needs, the SGR Program has a specific goal of keeping transit systems in a state of good repair, including the maintenance and rehabilitation of transit facilities and vehicles and the purchase of new transit vehicles.

Administered by the California Department of Transportation (Caltrans), SGR Program funds are apportioned to eligible agencies using the State Transit Assistance (STA) Program formula. The formula apportions 50 percent of the available SGR funds by population and the remaining 50 percent by operator revenues from the prior Fiscal Year (FY), in accordance with California Public Utilities Code (CPUC) Section 99313 and CPUC Section 99314, respectively. The State Controller's Office (SCO) is responsible for determining the estimated funding levels for CPUC Section 99313 (Population Share) and CPUC Section 99314 (Operator Share) funds. San Bernardino County Transportation Authority (SBCTA), as the regional transportation planning agency, receives direct allocations of SGR funds in accordance with CPUC Section 99312.2(c) and is responsible for allocating SGR-Population Share funds to projects based on local need and sub-allocating SGR-Operator Share funds to the transit operators in the region based on the amounts published by the SCO. SBCTA is further responsible for providing a list annually to Caltrans of all projects proposed to be funded with SGR funds made available to San Bernardino County. Agencies eligible to receive SGR funds include SBCTA, Omnitrans, Victor Valley Transit Authority (VVTA), Basin Transit, Mountain Transit, City of Needles, and Southern California Regional Rail Authority (SCRRA).

For the San Bernardino region, SCO estimates a FY 2024/2025 apportionment of \$3,625,195 in Population Share funds and \$763,748 in Operator Share funds, for a total of \$4,388,943.

An additional \$157,707 will be added to the Population Share, composed of \$30,935 from excess FY 2022/2023 Population Share revenue and \$126,772 from interest earned on the SGR fund balance. Consistent with the CPUC Section 99313 funding formula used by the SCO, staff recommends apportioning FY 2024/2025 SGR-Population Share funds to the Valley and Mountain/Desert subareas based on the ratio of the population of these subareas to the total population of San Bernardino County. Staff recommends further apportioning the Mountain/Desert SGR-Population Share apportionment to the Mountain/Desert transit operators in accordance with the population of their respective service areas. The Valley SGR-Population Share apportionment is available to Omnitrans, SBCTA, and SCRRA. Project recommendations for the Valley Share are based on identified need, project schedules, and the availability of alternate fund sources. Table 1 below indicates the total SGR amount available for allocation for the FY 2024/2025 apportionment, including the additional \$157,707.

Table 1 – FY 2024/2025 SGR-Population Share Apportionment

Prior Year Excess	Prior Year Excess Population Revenue & Accrued Interest ¹								
Estimated F	\$3,625,195								
	\$3,782,902								
Apportionment Area	Apportionment Area Population ³ Percentage								
Valley	1,575,784	72.22%	\$2,731,844						
Mountain/Desert	606,272	27.78%	\$1,051,058						
Basin Transit	72,166	11.90%	\$125,110						
Mountain Transit	49,887	8.23%	\$86,486						
VVTA	479,463	79.08%	\$831,217						
City of Needles	<i>City of Needles</i> 4,756 0.78%								
TOTAL ⁴	2,182,056	100.00%	\$3,782,902						

¹ Apportionment includes revenue over FY 2022/2023 estimate + interest.

As required, SGR-Operator Share funds will be allocated to the transit operators based on the amounts determined by the SCO. For information, the Operator Share Estimate for all operators is shown in Table 2.

Table 2 – FY 2024/2025 SGR-Operator Share Allocations (Provided by SCO)

Operator	Operator Share Estimate
Omnitrans	\$389,306
SCRRA	\$304,246
VVTA	\$51,449
Basin Transit	\$11,672
Mountain Transit	\$6,414
City of Needles	\$661
Total	\$763,748

² Formula Share amount is determined by the SCO.

³ Population Source: California Department of Finance and County Demographic Research Unit January 2023.

⁴ Numbers may not foot due to rounding.

Because the apportionment amounts are estimates, there will be variances in the final amounts received. If Population Share apportionments are less than the estimate, every allocation will be reduced proportionally, and the operator will have the option to backfill the amount with a future year allocation. Any Population Share apportionments received in excess of the estimate will be apportioned and allocated in a subsequent FY. Staff recommends that any Operator Share apportionments received in excess of the estimate be immediately released to the operators as SBCTA has no discretion in the apportionment of these funds. Additionally, Caltrans does not require revised allocation documents to account for differences between estimates and actuals; any variances are noted in required annual reports. The original and final FY 2022/2023 allocations are presented in Table 3 for information.

Table 3 – FY 2022/2023 SGR-Population Share and Operator Share Allocations

	Approved F	iscal Year 20 Allocations	22/2023 SGR	Actual Fiscal Year 2022/2023 SGR Allocations				
Agency	Population Share	Operator Share	Total Allocation	Actual Population Share	Actual Operator Share	Total Actual Allocation		
Omnitrans	\$0	\$364,107	\$364,107	\$0	\$364,352	\$364,352		
SCRRA	\$0	\$284,553	\$284,553	\$0	\$284,744	\$284,744		
SBCTA	\$2,505,811	\$0	\$2,505,811	\$2,505,811	\$0	\$2,505,811		
Basin Transit	\$123,026	\$10,917	\$133,943	\$123,026	\$10,923	\$133,949		
Mountain Transit	\$81,243	\$5,998	\$87,241	\$81,243	\$6,004	\$87,247		
City of Needles	\$8,505	\$618	\$9,123	\$8,505	\$619	\$9,124		
VVTA	\$738,603	\$48,119	\$786,722	\$738,603	\$48,151	\$786,754		
Total	\$3,457,188	\$714,312	\$4,171,500	\$3,457,188	\$714,793	\$4,171,980		

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2023/2024.

Disbursement or expenditure of these funds will be based on allocations approved by the SBCTA Board of Directors at a future meeting.

Reviewed By:

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

Responsible Staff:

James Mejia, Management Analyst II

Approved Transit Committee Date: February 15, 2024

AGENDA ITEM: 10

Date: February 15, 2024

Subject:

Fiscal Year 2023/2024 Low Carbon Transit Operations Program Apportionment - Population Share

Recommendation:

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

Approve a Low Carbon Transit Operations Program - Population Share Apportionment for Fiscal Year 2023/2024 in the amount of \$6,207,879 to be apportioned \$4,483,055 to the Valley and \$1,724,824 to the Mountain/Desert areas based on the population estimates approved by the San Bernardino County Transportation Authority Board of Directors in July 2023.

Background:

The Low Carbon Transit Operations Program (LCTOP), established by the California Legislature in 2014 by Senate Bill 862, is one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program. The LCTOP was created to provide transit operating and capital assistance to eligible agencies in an effort to reduce greenhouse gas emissions and improve mobility with an emphasis on serving disadvantaged communities. Auction proceeds from the California Air Resources Board (CARB) Cap-and-Trade Program are deposited into the Greenhouse Gas Reduction Fund (GGRF), which provides funding for a variety of programs designed to provide economic, environmental, and public health co-benefits. Five percent of the proceeds deposited into the GGRF are continually appropriated to fund the LCTOP.

Eligible projects funded by the LCTOP include expenditures that support new or expanded transit services or expanded intermodal transit facilities, operational expenditures that increase transit mode share, free or reduced transit fares, and expenditures related to the purchase of zero-emission buses or infrastructure. Projects are required to reduce greenhouse gas emissions. For agencies whose service area includes a Disadvantaged Community (DAC), at least 50 percent of the total monies received shall be expended on projects that will benefit the DAC.

Administered by the California Department of Transportation (Caltrans), LCTOP funds are apportioned to eligible agencies utilizing the State Transit Assistance (STA) Program formula. The formula apportions 50 percent of LCTOP funds by population and the remaining 50 percent by operator revenues from the prior Fiscal Year (FY) in accordance with California Public Utilities Code (CPUC) section 99313 and CPUC section 99314, respectively. The State Controller's Office (SCO) is responsible for determining the funding levels for CPUC section 99313 (Population Share) and CPUC section 99314 (Operator Share) funds. Agencies eligible to receive LCTOP funding include the San Bernardino County Transportation Authority (SBCTA), Basin Transit, Mountain Transit, Victor Valley Transit Authority (VVTA), City of Needles, Omnitrans, and Southern California Regional Rail Authority (SCRRA). While SBCTA is responsible for allocating LCTOP-Population Share funds to projects in the San Bernardino region, the transit operators eligible to receive LCTOP-Operator Share funds must work directly with Caltrans to receive their LCTOP-Operator Share allocations.

Although the SCO had not released the final apportionment amounts as of the preparation of this agenda item, the amount of FY 2023/2024 LCTOP-Population Share funds available to SBCTA is estimated at \$6,207,879 based on auction proceeds resulting from the CARB Cap-and-Trade Program. Should the Transit Committee recommend the SBCTA Board of Directors' (Board) approval of this item, and then SCO final apportionments become available prior to the Board meeting, staff will update the apportionment estimates. Otherwise, final SCO apportionments will be included as part of the subsequent LCTOP Allocations and Project List item slated for Board consideration in April. In accordance with the LCTOP Allocation Principles approved by the Board in July 2015 at the inception of the LCTOP, SBCTA staff is recommending that these funds be apportioned to the Valley and Mountain/Desert subareas based on population. Additionally, while not included in the LCTOP Allocation Principles, SBCTA staff also recommends further apportioning of Mountain/Desert LCTOP-Population the Share apportionment to the Mountain/Desert transit operators in accordance with the population of their respective service areas, which is consistent with past apportionment formula practices for other fund sources such as the Local Transportation Fund and Senate Bill 1 State of Good Repair funding. Final proposed apportionments based on a population formula are shown below in Table 1.

Table 1 – FY 2023/2024 LCTOP-Population Share Apportionment¹

Apportionment Area	Population ²	Percentage	Total FY 2023/2024 Apportionment ³
Valley	1,575,784	72.22%	\$4,483,055
Mountain/Desert	606,272	27.78%	\$1,724,824
Basin Transit	72,166	11.90%	\$205,310
Mountain Transit	49,887	8.23%	\$141,927
VVTA	479,463	79.08%	\$1,364,057
City of Needles	4,756	0.78%	\$13,530
Total	2,182,056	100.00%	\$6,207,879

¹Due to rounding, some totals may not correspond with the sum and/or products of the figures displayed.

For information, the Operator Share Estimate for all operators is shown in Table 2.

Table 2 – FY 2023/2024 LCTOP-Operator Share Estimate (Provided by SCO)

Operator	Operator Share Estimate
Omnitrans	\$666,658
SCRRA	\$520,999
Basin Transit	\$19,988
Mountain Transit	\$10,983
VVTA	\$88,103
City of Needles	\$1,131
Total	\$1,307,862

The total FY 2023/2024 LCTOP-Population Share apportionment for the Valley totals \$4,483,055 and for the Mountain/Desert totals \$1,724,824 for a total FY 2023/2024 Population Share apportionment of \$6,207,879.

²Population Source: California Department of Finance and County Demographic Research Unit July 2023

³Total population share amount is determined by the State Controller's Office.

Financial Impact:

This item has no financial impact on the adopted Budget for Fiscal Year 2023/2024. Disbursement or expenditure of these funds will be based on allocations approved by the SBCTA Board of Directors at a future meeting.

Reviewed By:

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

Responsible Staff:

James Mejia, Management Analyst II

Approved Transit Committee Date: February 15, 2024

Additional Information

Communication: Attendance (Additional Information)

TRANSIT COMMITTEE ATTENDANCE RECORD - 2024

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Eunice Ulloa												
City of Chino												
Ray Marquez												
City of Chino Hills												
Frank Navarro												
City of Colton												
Aquanetta Warren City of Fontana												
Sylvia Robles												
City of Grand Terrace												
Larry McCallon City of Highland												
John Dutrey City of Montclair												
Alan Wapner City of Ontario												
L. Dennis Michael City of Rancho Cucamonga												
Rick Denison Town of Yucca Valley												
Dawn Rowe Board of Supervisors												
Joe Baca, Jr. Board of Supervisors												

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

TRANSIT COMMITTEE ATTENDANCE RECORD – 2023

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Eunice Ulloa City of Chino		X	X	X	X	X			X	X	X	X
Ray Marquez City of Chino Hills		X	X		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				
Sylvia Robles City of Grand Terrace			X	X		X			X		X	
Larry McCallon City of Highland		X	X	X				X	X		X	X
John Dutrey City of Montclair		X	X	X	X			X	X	X	X	X
Alan Wapner City of Ontario		X	X	X		X		X	X	X	X	X
L. Dennis Michael City of Rancho Cucamonga		X		X	X	X				X		
Rick Denison Town of Yucca Valley		X	X	X	X	X		X	X	X	X	X
Dawn Rowe Board of Supervisors				X		X		X		X		X
Joe Baca, Jr. Board of Supervisors		X	X	X	X	X		X	X	X	X	X

X = Member attended meeting Empty box = Member did not attend meeting Shaded box=The Transit Committee did not meet

3/16/17 1 of 2 **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

American Public Transportation Association **APTA**

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

California Committee for Service Authorities for Freeway Emergencies CALSAFE

CARB California Air Resources Board California Environmental Quality Act **CEQA** Congestion Mitigation and Air Quality CMAQ Corridor Mobility Improvement Account **CMIA CMP Congestion Management Program**

CNG Compressed Natural Gas Council of Governments COG

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 Federal Demonstration Funds DEMO DOT Department of Transportation EΑ **Environmental Assessment** E&D Elderly and Disabled

Elderly and Handicapped Environmental Impact Report (California) EIR **Environmental Impact Statement (Federal) EIS**

EPA Environmental Protection Agency FHWA Federal Highway Administration

Freeway Service Patrol **FSP**

E&H

FRA Federal Railroad Administration FTA Federal Transit Administration

FTIP Federal Transportation Improvement Program **GFOA** Government Finance Officers Association

Geographic Information Systems GIS

High-Occupancy Vehicle HOV

Interstate Clean Transportation Corridor **ICTC** Inland Empire Economic Partnership **IEEP**

Intermodal Surface Transportation Efficiency Act of 1991 **ISTEA** IIP/ITIP Interregional Transportation Improvement Program

ITS Intelligent Transportation Systems Inland Valley Development Agency **IVDA JARC** Job Access Reverse Commute

LACMTA Los Angeles County Metropolitan Transportation Authority

LNG Liquefied Natural Gas LTF **Local Transportation Funds** 3/16/17 **Acronym List** 2 of 2

MAGLEV Magnetic Levitation

MARTA Mountain Area Regional Transportation Authority

MBTA Morongo Basin Transit Authority

MDAB Mojave Desert Air Basin

MDAQMD Mojave Desert Air Quality Management District

MOU Memorandum of Understanding MPO Metropolitan Planning Organization

MSRC Mobile Source Air Pollution Reduction Review Committee

NAT Needles Area Transit

NEPA National Environmental Policy Act

OA Obligation Authority

OCTA Orange County Transportation Authority
PA&ED Project Approval and Environmental Document

PASTACC Public and Specialized Transportation Advisory and Coordinating Council

PDT Project Development Team

PNRS Projects of National and Regional Significance PPM Planning, Programming and Monitoring Funds

PSE Plans, Specifications and Estimates

PSR Project Study Report

PTA Public Transportation Account

PTC Positive Train Control

PTMISEA Public Transportation Modernization, Improvement and Service Enhancement Account

RCTC Riverside County Transportation Commission

RDA Redevelopment Agency RFP Request for Proposal

RIP Regional Improvement Program

RSTIS Regionally Significant Transportation Investment Study

RTIP Regional Transportation Improvement Program

RTP Regional Transportation Plan

RTPA Regional Transportation Planning Agencies

SB Senate Bill

SAFE Service Authority for Freeway Emergencies

SAFETEA-LU Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users

SCAB South Coast Air Basin

SCAG Southern California Association of Governments
SCAQMD South Coast Air Quality Management District
SCRRA Southern California Regional Rail Authority

SHA State Highway Account

SHOPP State Highway Operations and Protection Program

SOV Single-Occupant Vehicle
SRTP Short Range Transit Plan
STAF State Transit Assistance Funds

STIP State Transportation Improvement Program

Surface Transportation Program **STP Technical Advisory Committee** TAC Trade Corridor Improvement Fund **TCIF** TCM **Transportation Control Measure** Traffic Congestion Relief Program **TCRP** TDA Transportation Development Act **TEA Transportation Enhancement Activities TEA-21** Transportation Equity Act for the 21st 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